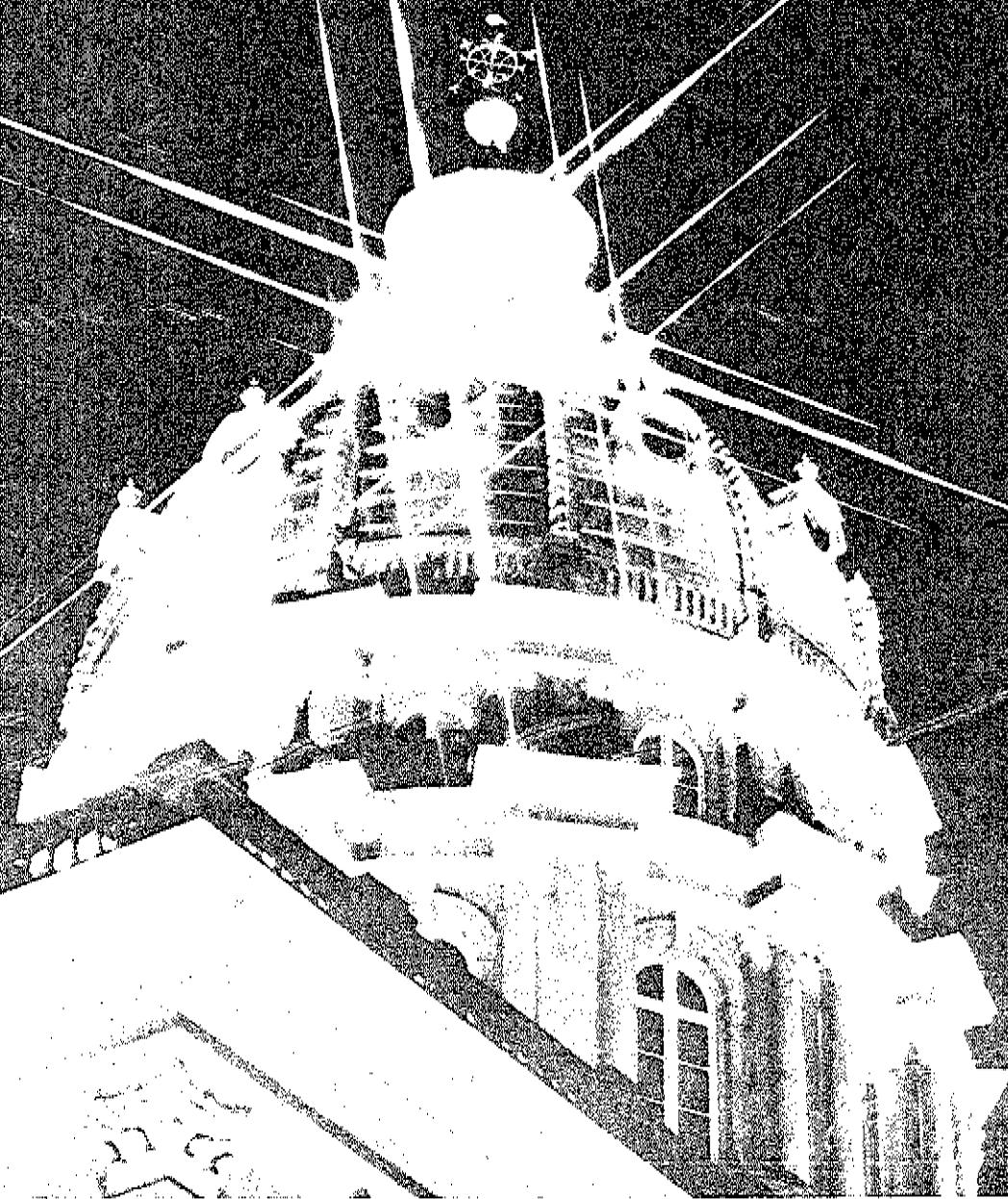


# 2000 SUMMARY OF LEGISLATION

IOWA GENERAL ASSEMBLY  
IOWA LEGISLATIVE SERVICE BUREAU



**SUMMARY OF LEGISLATION ENACTED IN THE YEAR 2000 BY THE SECOND  
REGULAR SESSION OF THE SEVENTY-EIGHTH GENERAL ASSEMBLY AND  
SIGNED BY THE GOVERNOR**

**Prepared by the Legislative Service Bureau**

**PURPOSE**

This summary of legislation enacted by the 2000 General Assembly has been prepared for the use of legislators and other interested parties. The summary of each legislative enactment has been assigned to a major subject category. This compilation provides interested persons with quick reference to legislation enacted in specific areas and generally informs persons of the contents and effective date of the legislation.

**HOW TO FIND A SUMMARY**

If you know the original file number of a particular bill, you may refer to the chart on pages v and vii to locate the category in which the summary will be found. Otherwise, each subject category begins with a table of contents listing the file number and the chapter title from the 2000 Iowa Acts and a listing of related legislation directing the reader to the category in which the summary is located and briefly explaining how the category at hand is related.

**EFFECTIVE DATE**

The effective date of the legislative enactments is July 1, 2000, unless otherwise specified in an individual summary.

**FISCAL YEAR**

For purposes of this summary of legislation, "fiscal year 2000-2001," and "FY 2001," for example, both describe the fiscal year beginning July 1, 2000, and ending June 30, 2001.

**VETOED BILLS**

Bills vetoed by the Governor are included and noted in this summary. Item vetoes by the Governor are specified in their particular summary.

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## LOCATION OF SUMMARIES BY FILE NUMBER

## Senate Files

<u>Number</u>	<u>Major Subject</u>	<u>Number</u>	<u>Major Subject</u>
SF 174	Human Services	SF 2266	State Government
SF 182	State Government	SF 2274	Labor & Employment
SF 228	Education	SF 2276	Criminal Law, Procedure & Corrections
SF 292	Education	SF 2294	Education
SF 324	Business, Banking & Insurance	SF 2300	Natural Resources & Outdoor Recreation
SF 419	State Government	SF 2302	Health & Safety
SF 421	Children & Youth	SF 2303	Civil Law, Procedure & Court Administration
SF 428	Local Government	SF 2307	Labor & Employment
SF 441	Education	SF 2308	Civil Law, Procedure & Court Administration
SF 466	Agriculture	SF 2312	Agriculture
SF 2007	Civil Law, Procedure & Court Administration	SF 2313	Transportation
SF 2010	Agriculture	SF 2314	Health & Safety
SF 2015	Criminal Law, Procedure & Corrections	SF 2315	Transportation
SF 2031	Criminal Law, Procedure & Corrections	SF 2324	Criminal Law, Procedure & Corrections
SF 2036	State Government	SF 2326	Environmental Protection
SF 2047	Local Government	SF 2327	Local Government
SF 2048	Local Government	SF 2329	Transportation
SF 2061	Local Government	SF 2330	Transportation
SF 2079	Criminal Law, Procedure & Corrections	SF 2331	Education
SF 2082	Education	SF 2342	Local Government
SF 2089	Taxation	SF 2344	Children & Youth
SF 2091	Local Government	SF 2348	Natural Resources & Outdoor Recreation
SF 2092	State Government	SF 2349	Agriculture
SF 2111	Education	SF 2360	Human Services
SF 2113	State Government	SF 2366	Health & Safety
SF 2126	Business, Banking & Insurance	SF 2368	Human Services
SF 2141	State Government	SF 2369	Children & Youth
SF 2142	Civil Law, Procedure & Court Administration	SF 2371	Environmental Protection
SF 2143	Gaming	SF 2372	Business, Banking & Insurance
SF 2144	Health & Safety	SF 2373	Labor & Employment
SF 2145	Criminal Law, Procedure & Corrections	SF 2388	State Government
SF 2146	Criminal Law, Procedure & Corrections	SF 2390	State Government
SF 2147	Transportation	SF 2395	State Government
SF 2156	Transportation	SF 2409	Business, Banking & Insurance
SF 2158	Business, Banking & Insurance	SF 2411	State Government
SF 2164	Transportation	SF 2416	Appropriations
SF 2193	Human Services	SF 2418	Local Government
SF 2194	Transportation	SF 2419	Local Government
SF 2200	Business, Banking & Insurance	SF 2420	Taxation
SF 2203	Business, Banking & Insurance	SF 2424	Taxation
SF 2212	Civil Law, Procedure & Court Administration	SF 2426	Taxation
SF 2213	Environmental Protection	SF 2427	State Government
SF 2214	Civil Law, Procedure & Court Administration	SF 2428	Appropriations
SF 2215	Local Government	SF 2429	Appropriations
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SF 2238	Education	SF 2435	Appropriations
SF 2241	Criminal Law, Procedure & Corrections	SF 2438	Local Government
SF 2243	Criminal Law, Procedure & Corrections	SF 2439	Economic Development
SF 2245	Criminal Law, Procedure & Corrections	SF 2443	Gaming
SF 2246	Criminal Law, Procedure & Corrections	SF 2444	Taxation
SF 2248	Education	SF 2447	Economic Development
SF 2249	State Government	SF 2450	Appropriations
SF 2252	Education	SF 2452	Appropriations
SF 2253	Local Government	SF 2453	Appropriations
SF 2254	Human Services	SF 2455	Transportation
SF 2256	Transportation	SF 2459	Local Government
SF 2265	Criminal Law, Procedure & Corrections		

### Senate Joint Resolution

<u>Number</u>	<u>Major Subject</u>
SJR 2005	Taxation

## LOCATION OF SUMMARIES BY FILE NUMBER

### House Files

<u>Number</u>	<u>Major Subject</u>	<u>Number</u>	<u>Major Subject</u>
HF 475	State Government	HF 2376	Labor & Employment
HF 620	Transportation	HF 2377	Children & Youth
HF 683	Civil Law, Procedure & Court Administration	HF 2385	Health & Safety
HF 686	State Government	HF 2388	Civil Law, Procedure & Court Administration
HF 723	Criminal Law, Procedure & Corrections	HF 2391	Criminal Law, Procedure & Corrections
HF 754	Business, Banking & Insurance	HF 2393	Agriculture
HF 2008	Natural Resources & Outdoor Recreation	HF 2394	Agriculture
HF 2027	Local Government	HF 2419	Criminal Law, Procedure & Corrections
HF 2039	Appropriations	HF 2420	Criminal Law, Procedure & Corrections
HF 2059	Appropriations	HF 2422	Economic Development
HF 2085	Agriculture	HF 2423	Economic Development
HF 2090	Natural Resources & Outdoor Recreation	HF 2424	Economic Development
HF 2099	Agriculture	HF 2425	Business, Banking & Insurance
HF 2105	Health & Safety	HF 2429	Local Government
HF 2106	Business, Banking & Insurance	HF 2431	Elections, Ethics & Campaign Finance
HF 2113	State Government	HF 2433	Education
HF 2135	Civil Law, Procedure & Court Administration	HF 2435	Education
HF 2136	State Government	HF 2437	Education
HF 2145	Education	HF 2438	Environment Protection
HF 2146	Education	HF 2442	State Government
HF 2148	Business, Banking & Insurance	HF 2458	Transportation
HF 2153	State Government	HF 2463	State Government
HF 2168	Civil Law, Procedure & Court Administration	HF 2470	Criminal Law, Procedure & Corrections
HF 2169	Local Government	HF 2473	Civil Law, Procedure & Court Administration
HF 2170	Criminal Law, Procedure & Corrections	HF 2474	Education
HF 2172	Criminal Law, Procedure & Corrections	HF 2477	Transportation
HF 2173	Civil Law, Procedure & Court Administration	HF 2480	Transportation
HF 2179	Economic Development	HF 2485	Natural Resources & Outdoor Recreation
HF 2197	Business, Banking & Insurance	HF 2486	Natural Resources & Outdoor Recreation
HF 2198	Education	HF 2491	Agriculture
HF 2205	Business, Banking & Insurance	HF 2492	Local Government
HF 2206	State Government	HF 2494	Agriculture
HF 2218	Business, Banking & Insurance	HF 2496	Education
HF 2220	State Government	HF 2502	Local Government
HF 2229	Criminal Law, Procedure & Corrections	HF 2510	Criminal Law, Procedure & Corrections
HF 2239	Business, Banking & Insurance	HF 2511	Criminal Law, Procedure & Corrections
HF 2240	Civil Law, Procedure & Court Administration	HF 2512	Transportation
HF 2247	Environmental Protection	HF 2513	Business, Banking & Insurance
HF 2248	Transportation	HF 2518	Civil Law, Procedure & Court Administration
HF 2253	Criminal Law, Procedure & Corrections	HF 2519	Criminal Law, Procedure & Corrections
HF 2254	Civil Law, Procedure & Court Administration	HF 2521	Civil Law, Procedure & Court Administration
HF 2277	Agriculture	HF 2522	Civil Law, Procedure & Court Administration
HF 2279	Education	HF 2525	Civil Law, Procedure & Court Administration
HF 2280	Education	HF 2528	Local Government
HF 2315	Local Government	HF 2531	Local Government
HF 2316	Business, Banking & Insurance	HF 2533	Appropriations
HF 2317	Business, Banking & Insurance	HF 2538	Appropriations
HF 2321	Human Services	HF 2540	Economic Development
HF 2327	Local Government	HF 2541	Local Government
HF 2328	Agriculture	HF 2542	Taxation
HF 2329	Agriculture	HF 2545	Appropriations
HF 2330	Elections	HF 2548	Taxation
HF 2331	Criminal Law, Procedure & Corrections	HF 2549	Appropriations
HF 2333	Health & Safety	HF 2550	Education
HF 2351	Taxation	HF 2552	Appropriations
HF 2362	Health & Safety	HF 2554	Appropriations
HF 2365	Health & Safety	HF 2555	Appropriations
HF 2368	Transportation	HF 2557	State Government
HF 2373	Economic Development	HF 2560	Taxation

### House Files

<u>Number</u>	<u>Major Subject</u>
HF 2561	Agriculture
HF 2562	Taxation
HF 2563	Taxation
HF 2565	Health & Safety

<u>Number</u>	<u>Major Subject</u>
HF 2569	Taxation
HF 2579	Business, Banking & Insurance
HF 2581	Education

### House Joint Resolution

<u>Number</u>	<u>Major Subject</u>
HJR 2014	Alcohol Regulation & Substance Abuse

## AGRICULTURE

- SENATE FILE 466 - Remediation of Agrichemical Sites
- SENATE FILE 2010 - Traditional Livestock Producers — Linked Investment Loans
- SENATE FILE 2312 - Pseudorabies Control
- SENATE FILE 2349 - Contract Care and Feeding of Swine — Processors
- HOUSE FILE 2085 - Breeding Bulls — Health Certificates
- HOUSE FILE 2099 - Beginning Farmer Loan Program Eligibility
- HOUSE FILE 2277 - Livestock and Hunting Preserves
- HOUSE FILE 2328 - Dairy Trade Practices Regulation
- HOUSE FILE 2329 - Linked Investment Programs — Qualification Period
- HOUSE FILE 2393 - Confinement Site Manure Applicator Certification
- HOUSE FILE 2394 - Frozen Food Locker Plant Regulation
- HOUSE FILE 2491 - Production of Life Science Products
- HOUSE FILE 2494 - Compost Material and Organic Agricultural Products
- HOUSE FILE 2561 - Interest on Delinquent Iowa Egg Council Assessments

### RELATED LEGISLATION

- SENATE FILE 419 - Veterinary Practice Requirements  
*SEE STATE GOVERNMENT.* This Act establishes certification requirements for veterinary clinics, and provides for the imposition of certification fees and the preparation of a veterinary clinic certification report.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. Provisions pertaining to the Sheep and Wool Promotion Board are clarified to provide that the board has the authority to set an assessment if approved by a majority of voters at a referendum. A clerical error that occurred during the drafting process of 1999 Iowa Acts, Chapter 158, is corrected in language which relates to the imposition of excise taxes on turkeys. The words "maximum pressure" are substituted for the word "rate" in provisions relating to the dispersing of manure through spray irrigation equipment orifices.
- SENATE FILE 2213 - Farmland Improvements Near Pipelines  
*SEE ENVIRONMENTAL PROTECTION.* This Act provides that, unless otherwise agreed to in writing by the landowner and the pipeline company, a landowner or contractor may require a pipeline company representative to be present on-site, at no charge to the landowner, at all times during each phase and separate activity related to a farmland improvement within 50 feet of either side of a pipeline.
- SENATE FILE 2249 - State Agency Purchasing Preference — Bio-Based Fluids, Greases, and Lubricants  
*SEE STATE GOVERNMENT.* This Act relates to the procurement by state agencies of hydraulic fluids, greases, and other industrial lubricants manufactured from soybeans.
- SENATE FILE 2300 - Interference With Lawful Hunting, Fishing, or Fur Harvesting  
*SEE NATURAL RESOURCES & OUTDOOR RECREATION.* This Act prohibits a person from interfering with the lawful hunting, fishing, or fur-harvesting activities of another person. However, the interference prohibition does not apply to the normal agricultural operations or activities of landowners, tenants, or employees of landowners or tenants or to the activities of law enforcement officers.

- SENATE FILE 2371 - Water Quality Initiatives  
*SEE ENVIRONMENTAL PROTECTION.* This Act provides for the establishment of water quality initiative programs by the Department of Agriculture and Land Stewardship and the Department of Natural Resources, including a conservation buffer strip program, a Conservation Reserve Enhancement Program, a water quality monitoring program, and a water quality protection program.
- SENATE FILE 2388 - Corporate Reporting to Secretary of State  
*SEE STATE GOVERNMENT.* This Act amends a number of provisions which provide for filing reports with the Secretary of State, including reports required to be filed by persons engaged in agriculture, including meat processors, corporate entities who hold agricultural land, and cooperatives.
- SENATE FILE 2430 - Appropriations — Agriculture and Natural Resources  
*SEE APPROPRIATIONS.* This Act relates to agriculture and natural resources by making appropriations to support related entities. The Act also makes a number of statutory changes. It requires the Department of Agriculture and Land Stewardship to publicize the availability of farm programs to women and minority persons. It establishes an International Relations Fund in order to support costs incurred by the Department of Agriculture and Land Stewardship in promoting the sale of Iowa agricultural products. Finally, the Act prohibits a person from selling or storing methyl tertiary butyl ether (MTBE), other than in "trace amounts," and provides requirements for decals identifying oxygenate enhancers, including methanol, appearing on motor vehicle fuel pumps.
- SENATE FILE 2452 - Miscellaneous Appropriations and Other Provisions  
*SEE APPROPRIATIONS.* Division VI of this Act amends S.F. 2312, which amended Code Section 166D.7, subsection 4, as it relates to recertification of swine breeding herds that test negatively for pseudorabies. This provision is effective May 23, 2000.
- HOUSE FILE 2368 - Implements of Husbandry  
*SEE TRANSPORTATION.* This Act amends Code Section 321.463, relating to the maximum gross weight allowed for vehicles operated on the highways of this state, by modifying the weight restrictions enacted by the 1999 Session of the General Assembly relating to fence-line feeders, grain carts, and tank wagons manufactured on or after July 1, 2001, and, after July 1, 2005, to all such vehicles. The Act also directs the Iowa Department of Transportation to continue the implements of husbandry study required by the 1999 Session of the General Assembly, as the study pertains to tracked vehicles.
- HOUSE FILE 2485 - Resource Enhancement and Protection Fund — Soil and Water Enhancement Account  
*SEE NATURAL RESOURCES & OUTDOOR RECREATION.* This Act removes the \$1 million maximum allocation of funds to the Water Quality Protection Projects Account and provides that 50 percent of the moneys allocated to the Soil and Water Enhancement Account of the Resource Enhancement and Protection Fund will be divided equally between the Water Quality Protection Projects Account and Water Protection Practices Account within the Division of Soil Conservation of the Department of Agriculture and Land Stewardship.
- HOUSE FILE 2513 - Uniform Commercial Code — Secured Transactions  
*SEE BUSINESS, BANKING & INSURANCE.* This Act adopts revisions to Article 9 of the Uniform Commercial Code (Code Chapter 554), as proposed by the American Law Institute and the National Conference of Commissioners on Uniform State Laws, and conforming amendments to a number of articles within that Code chapter as well as other chapters providing for security interests and liens, which provide for the creation, priority and enforcement of creditors' consensual liens, which are defined as security interests in personal property and fixtures.
- HOUSE FILE 2521 - Mediation of Farm Disputes  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act amends the mandatory mediation provisions of Code Sections 654A.6 and 654B.3, relating to resolution of farm disputes.
- HOUSE FILE 2569 - Taxation of Sale of Livestock Ear Tags  
*SEE TAXATION.* This Act exempts from the sales and use taxes the sale of livestock ear tags by a nonprofit organization whose income is exempt from federal taxation where the proceeds are used in bovine research programs approved by that organization.

## AGRICULTURE

### **SENATE FILE 466 - Remediation of Agrichemical Sites**

BY COMMITTEE ON WAYS AND MEANS. This Act creates new Code Chapter 161, referred to as the "Iowa Agrichemical Remediation Act." The Act provides for the remediation of sites where there has been contamination because of a release of pesticides or fertilizers.

The remediation process is governed by the Department of Agriculture and Land Stewardship and an Agrichemical Remediation Board created under the Act. Existing provisions governing remediation are provided in Code Section 455B.601 and administered by the Department of Natural Resources (DNR). The Act provides that a person may execute an agreement with the Agrichemical Remediation Board for the remediation of a contaminated site under the direction of the Department of Agriculture and Land Stewardship. A person who does not execute such an agreement is required to remediate a site as required by the DNR.

The Agrichemical Remediation Board includes the Secretary of Agriculture, the Director of the DNR, and private members who include farmers and persons involved in the distribution and manufacture of fertilizers and pesticides. The Act provides that remediation must be conducted according to a plan of remediation incorporated within a remediation agreement executed by a person responsible for the remediation and the board. The remediation must be carried out according to standards adopted by the DNR. The Act provides for the prioritization of contaminated sites, which is closely based on Code Section 455B.601 ("Pesticide and Fertilizer Contaminated Sites — Prioritization of Cleanup"). The Act provides that a contaminated site must be cleaned up based on a low, medium or high priority status.

The Act establishes an Agrichemical Remediation Fund. The Act provides that the fund must be used exclusively to support agrichemical remediation, including the payment of claims and the administration of the Act by the board and the Department of Agriculture and Land Stewardship. Senate File 2430 (see Appropriations) appropriated moneys to support the fund.

Under this Act, the remediation agreement must provide for the procedures for remediation, a remediation schedule, and the classification and prioritization of the site. The department may contract with a person to review a remediation agreement and ensure compliance with the plan for remediation. A responsible person is eligible to execute an agreement if the person is not subject to criminal charges, the person performed reasonable measures necessary for the immediate abatement of any prohibited release, and the person is complying with administrative orders.

The Act provides for the payment of claims incurred by an eligible person remediating a contaminated site, as provided in the remediation agreement. The Act provides procedures for the payment of claims, including emergency or ordinary payments. The Act provides limits on the amount of reimbursement, including a deductible. The Act provides that the amount of the claim cannot be more than \$250,000 to pay the costs of remediating a contaminated site.

The Act also provides that the remediation requirements of Code Section 455B.601 do not apply if a responsible person executes a remediation agreement with the Agrichemical Remediation Board. It also makes changes in a manner consistent with provisions in new Code Chapter 161.

The Act requires the Department of Agriculture and Land Stewardship, in cooperation with the board, to submit a report to the General Assembly by January of each odd-numbered year.

### **SENATE FILE 2010 - Traditional Livestock Producers — Linked Investment Loans**

BY ANGELO. This Act amends several provisions relating to the Traditional Livestock Producers Linked Investment Loan Program.

During the 1999 Session, the General Assembly enacted H.F. 779 (1999 Iowa Acts, Chapter 177), which established the program to increase the availability of lower-cost loans to traditional livestock producers. The program, codified in Code Section 12.43A, set forth eligibility requirements for participation in the program. The Code section provides that a borrower must be a "traditional livestock producer" who is the owner of the operation and is involved in making management decisions and performing physical work which significantly contributes to the care and feeding of the livestock. This Act rewrites that requirement to provide that the person must be actively engaged in the livestock operation by making management decisions and performing physical work relating to the care and feeding of the livestock on a regular, continuous and substantial basis in a manner that is essential to the success of the livestock operation.

According to the current Code section, the gross income earned by the borrower's farm operation must be more than \$50,000 but not more than \$300,000 for the last tax year, and at least 50 percent of the gross income earned by the borrower's farm operation

during the last tax year must derive from livestock owned and sold by the borrower. This Act amends that section to require that the gross income not exceed \$500,000 and that the gross income from livestock be computed as an average of the gross income earned by the farm operation in the three preceding tax years.

The Act also provides that for the fiscal year beginning July 1, 2000, and ending June 30, 2001, the Treasurer of State must provide a preference in entering into agreements under the program in order to increase the availability of lower-cost loans to traditional livestock producers who have liquidated swine herds on or after March 1, 2000, due to pseudorabies (see S.F. 2312).

#### **SENATE FILE 2312 - Pseudorabies Control**

**BY COMMITTEE ON AGRICULTURE.** This Act amends Code Chapter 166D, which regulates pseudorabies, a disease affecting swine. The Department of Agriculture and Land Stewardship administers the chapter under regulations administered by the U. S. Department of Agriculture referred to as the National Pseudorabies Eradication Program.

**KEYTERMS.** Code Chapter 166D regulates noninfected herds, infected herds, and herds of unknown status. A noninfected herd is classified as a qualified negative herd, a monitored herd, or a qualified differentiable negative herd. An infected herd is either subject to a cleanup plan or quarantined. In all cases, a noninfected or infected herd is subject to testing requirements. A herd that does not comply with the testing requirements is referred to as a herd of unknown status.

A herd that is infected must be part of a cleanup plan or be subject to quarantine. A cleanup plan may be a herd cleanup plan or a feeder pig cooperator herd cleanup plan. A person may keep feeder pigs under either plan. However, a person who moves feeder pigs must adopt a feeder pig cooperator herd cleanup plan.

Swine are transported by either "relocation," meaning that the ownership of the swine does not change, or by "movement," meaning that the ownership of the swine does change. Swine that are transported generally must be accompanied with a certificate of inspection signed by a licensed veterinarian. The document certifies that the swine are free from disease, including pseudorabies.

The Act also refers to "restricted movement" in which swine are moved or relocated to a fixed concentration point, a slaughtering establishment, or, in some cases, to an approved premises. Code Chapter 166D defines a "concentration point" as a location or facility where swine are assembled for purposes of sale or resale for feeding, breeding or slaughtering. According to the Act, a fixed concentration point is a permanent location where swine are assembled for the purpose of movement to a slaughtering establishment. An approved premises is a location where feeder pigs and cull swine are moved or relocated for purposes of feeding prior to slaughter.

**REGULATION OF INFECTED HERDS.** The Act reduces, from 30 to 15 days, the time before an infected herd must adopt a cleanup plan or be quarantined. The Act provides that regardless of the type of plan adopted, all infected breeding herds must be tested within 15 days from when the herd is found to be infected. All breeding swine reacting positively to the test must be removed to slaughter. Subsequent retesting and removal are required every 30 days until the breeding herd is noninfected.

The Act provides that if feeder pigs or cull swine are transported to an approved premises, the plan must provide for the segregation of feeder pigs and identify the location of the approved premises.

**TRANSPORTATION.** The Act adds a requirement for relocated swine to be exempt from having a certificate of inspection. Under the Act, the swine must also have a current negative pseudorabies status.

The Act rewrites a number of provisions governing the movement and relocation of swine. The Act provides a number of requirements for swine transported by restricted movement. The swine must be accompanied by a special permit, and the vehicle moving the swine must be sealed to prevent access until reaching its destination.

For swine from a noninfected herd that are moved for breeding purposes, the swine must be moved from a qualified negative herd or qualified differentiable negative herd, or react negatively to a test within 30 days prior to movement. For swine that are exposed or are from a herd of unknown status, the swine cannot be moved or relocated, other than by restricted movement to a fixed concentration point or to a slaughtering establishment. Otherwise, the swine must react negatively to a test within 30 days prior to movement or relocation. For swine from an infected herd, generally, the swine must be moved by restricted movement to a fixed concentration point or slaughtering establishment. However, for feeder pigs or noninfected cull swine that are part of a cleanup plan, the swine may also be moved or relocated to an approved premises.

The Act places a number of restrictions upon the movement of swine from a herd located outside of the state. For swine from a herd, other than a noninfected herd, the swine must be moved either to a fixed concentration point or to a slaughtering establishment. If the swine originate from a noninfected herd, swine may be moved into an in-state herd under a number of

conditions. Breeding swine must be moved from a qualified negative herd or qualified differentiable negative herd or the swine must react negatively to a test within 30 days prior to movement. Special requirements apply for swine moved into a county that is in Stage II of the National Pseudorabies Eradication Program. The owner of the swine must vaccinate the swine prior to movement. This vaccination requirement does not apply for swine that cannot be vaccinated under the law of the state or country from which the herd is moved, swine which are isowean feeder pigs (under 20 pounds), or swine moved either to a fixed concentration point or to a slaughtering establishment. The swine must be vaccinated when moved into a herd located within a Stage II county.

**APPROVED PREMISES.** The Act regulates approved premises which are used exclusively to keep feeder pigs or cull swine, and which may include feeder pigs from an infected herd, but not exposed swine or swine from an unknown origin (i.e., untested swine). An approved premises operates under a certification issued by the department according to a number of terms and conditions, including compliance with the Act's requirements and departmental rules. The terms and conditions must be incorporated within a cleanup plan. The certification terminates once all other herds in its county have a zero percent infection rate.

The swine cannot be moved or relocated to an approved premises unless the swine reacts negatively to a test and is vaccinated. A cull swine must be tested and vaccinated prior to movement or relocation. A feeder pig must be vaccinated upon arrival at the approved premises.

Generally, an approved premises cannot be located within three miles from a qualified negative herd or a qualified differentiable negative herd. It cannot be located within 1.5 miles from a monitored herd. In addition, an approved premises cannot be located in a county designated by the department as in Stage III of the National Pseudorabies Eradication Program, or a county which has a zero percent prevalence of infection at any time on or after March 1, 2000.

**VACCINATION AND TESTING REQUIREMENTS.** The Act requires that swine within a county which is designated by the department as in Stage II of the National Pseudorabies Eradication Program be vaccinated with a modified live differentiable vaccine. However, there are a number of exceptions to this requirement. First, it does not apply to a herd classified as a qualified negative herd or a qualified differentiable negative herd. It also does not apply to a herd located in a county that has a history of zero percent prevalence of infection and all contiguous counties have a zero percent prevalence rate.

In any case, federal or state funds cannot be used to pay for costs associated with a vaccine other than a modified-live differentiable vaccine. The person who owns the swine required to be vaccinated will be solely liable for providing the vaccine and administering the vaccination.

**CONCENTRATION POINTS.** For swine from a noninfected herd, the swine may move through any concentration point with minimal regulation. Breeding swine must be kept separate and apart from feeder pigs, and breeding pigs must be sold first.

For swine other than swine from a noninfected herd, the swine must be moved through a fixed concentration point. The fixed concentration point must be used for the movement of swine to a slaughtering establishment. It may also be used for the movement of livestock other than swine. The swine must be moved to and from the fixed concentration point by restricted movement, unless the fixed concentration point belongs to a slaughtering establishment (i.e., a buying station). In addition, a sign must be posted on the premises notifying persons that the facility may sell swine which have been exposed to pseudorabies.

**MISCELLANEOUS.** The Act provides that a majority vote by the state Pseudorabies Advisory Committee cannot include the vote of a member who has a conflict of interest.

The Act also provides that in conducting statistical samplings, the department may conduct testing according to rules consistent with the National Pseudorabies Eradication Program.

The Act changes the requirement for testing swine that are part of a certified differentiable negative herd. Prior to the Act's enactment, 25 percent of swine in such a herd could be tested every 80 to 105 days in order to be recertified. The Act provides that 25 percent of the herd must be tested every 30 days. Senate File 2452 (see Appropriations) amends this Act to reduce the number of swine required to be tested to 10 percent each month).

**PENALTIES.** Code Chapter 166D provides that a person violating a provision of the chapter is subject to a civil penalty of not more than \$1,000. Special penalties apply for falsifying a certificate of inspection. The Act provides that the owner of swine who does not vaccinate the swine as required is subject to a civil penalty of \$2 for each swine that is not vaccinated.

*IMPLEMENTATION AND EFFECTIVE DATE.* The Act requires the department to adopt rules providing for the implementation of the Act by August 1, 2000. The rules are to be effective immediately upon adoption and filing in the Governor's office, after publication under notice, and after the Administrative Rules Review Committee has had an opportunity to review the noticed rules.

The Act takes effect April 19, 2000.

**SENATE FILE 2349 - Contract Care and Feeding of Swine — Processors**

**BY COMMITTEE ON AGRICULTURE.** This Act amends Code Chapter 9H, which provides prohibitions against corporations holding agricultural land or engaging in farming activities.

Code Section 9H.2, in part, prohibits a processor from directly or indirectly controlling the processing of pork products derived from swine if the processor executes a contract for the care and feeding of the swine in this state. The Code section includes an exception for an Iowa cooperative association that is a processor and which contracts for the care and feeding of swine with one of its members who is actively engaged in farming. The Code section also exempts another cooperative association, such as a regional cooperative association, which is a processor but not otherwise eligible to execute care and feeding contracts. In this case, the cooperative association must contract with a member which is an Iowa cooperative association, and the Iowa cooperative association must contract with one of its members who is actively engaged in farming.

This Act amends both the prohibition and the exception. The prohibition against a processor engaging in the processing of pork products derived from swine under contract is subject to different interpretations. It may be read to prohibit a processor from processing any swine produced under contract or to only prohibit a processor from processing swine produced under contract by that processor. This Act amends the provision to prohibit a processor from contracting for the care and feeding of swine in this state. The Act amends Code Section 9H.1 to define "contract for the care and feeding of swine" to mean an oral or written agreement executed between a person and the owner of swine, under which the person agrees to care for and feed the owner's swine on the person's premises.

The Act also amends the exception to the prohibition for cooperative associations. Code Section 9H.2 requires that the Iowa cooperative association be organized under Code Chapter 497, 498 or 499. In 1996, the General Assembly enacted S.F. 2135, codified in Code Chapter 501, which provides for the organization of a new variety of cooperative eligible to hold agricultural land. This Act provides that a cooperative organized under Code Chapter 501 may contract for the care and feeding of swine in the same manner as a cooperative association organized under Code Chapter 497, 498 or 499.

Under the Act, a cooperative association that is a party to a contract in compliance with Code Section 9H.2, but not in compliance with the Act, has until July 1, 2004, to comply with the Act's provisions.

The Act takes effect May 5, 2000.

**HOUSE FILE 2085 - Breeding Bulls — Health Certificates**

**BY COMMITTEE ON AGRICULTURE.** This Act amends Code Section 163.43, which provides that a breeding bull leased by a person required to be licensed by the Department of Agriculture and Land Stewardship must be accompanied by a health certificate issued by a veterinarian.

The Act removes a requirement that the breeding bull must be tested for tuberculosis. It retains a requirement that the breeding bull must react negatively to a test for brucellosis (sometimes referred to as "Bang's disease"). The Act rewrites a provision requiring that the test be conducted within 60 days prior to the lease. It provides that the test must be administered within six months prior to the date that the certificate is issued. The Act provides that the health certificate must state that an imported breeding bull satisfies state importation requirements. A person who violates Code Chapter 163 is guilty of a simple misdemeanor.

The Act makes a number of stylistic changes in order to enhance readability without changing current law or practice.

**HOUSE FILE 2099 - Beginning Farmer Loan Program Eligibility**

**BY COMMITTEE ON AGRICULTURE.** This Act amends Code Chapter 175, which establishes the Agricultural Development Authority within the Department of Agriculture and Land Stewardship, and a number of programs administered by the authority, including the Beginning Farmer Loan Program. The purpose of the program is to assist beginning farmers in acquiring agricultural land and improvements and depreciable agricultural property. A beginning farmer must be an individual, partnership, family farm corporation, or family farm limited liability company, as defined in Code Section 9H.1, with a low or moderate net worth, engaging in farming or wishing to engage in farming.

This Act increases the maximum amount of a farmer's net worth in order to qualify more farmers for assistance under the program. For individuals, the maximum net worth requirement is increased from \$200,000 to \$300,000. For nonindividuals, it is increased from \$400,000 to \$600,000. The Act also increases the maximum amount of net worth of each equity holder or spouse and minor children of the equity holder from \$200,000 to \$300,000.

The Act takes effect March 29, 2000.

#### **HOUSE FILE 2277 - Livestock and Hunting Preserves**

BY MERTZ. This Act amends Code Chapter 484B, which provides for the regulation of hunting preserves by the Department of Natural Resources, including providing for licensing requirements, fencing, departmental inspections, and the tagging of animals in the preserves. The animals regulated under the chapter are limited to "ungulates," which is defined to mean hoofed, nondomesticated mammals. The Act excludes livestock from the definition of ungulates regulated under the chapter. For purposes of the exclusion, "livestock" means an animal belonging to the bovine, caprine, equine, ovine, or porcine species; ostriches, rheas and emus; or farm deer such as elk.

The Act generally authorizes the Department of Agriculture and Land Stewardship to establish and administer programs for the inspection and control of disease among livestock.

#### **HOUSE FILE 2328 - Dairy Trade Practices Regulation**

BY COMMITTEE ON AGRICULTURE. This Act repeals Code Chapter 192A, which regulates trade practices in the dairy industry, as administered by the Department of Agriculture and Land Stewardship. The repealed Code chapter regulated the pricing of dairy products for purposes of ensuring free competition in the marketplace and preventing restraint of trade, including by regulating agreements with retailers, discounts or rebates, advertising, the rental of storage space from retailers, loans or gifts to retailers, and equipment provided to retailers. The repealed Code chapter provided licensure and permit requirements, imposed fees, required that pricing information be filed with the department, provided authority to the department to enforce the provisions of the Code chapter, permitted the department to issue cease and desist orders, and provided procedures for administrative hearings and judicial review. The repealed Code chapter also provided for the imposition of civil penalties of up to \$25,000 for violations of the Code chapter.

#### **HOUSE FILE 2329 - Linked Investment Programs — Qualification Period**

BY COMMITTEE ON AGRICULTURE. This Act amends several provisions providing for linked investment programs administered by the Treasurer of State.

During the 1999 Legislative Session, the General Assembly enacted H.F. 779 (1999 Iowa Acts, Chapter 177), which amended a number of provisions in a division of Code Chapter 12 referred to as the "Linked Investments for Tomorrow Act." Under programs administered under this division, the Treasurer of State may invest a portion of the State Pooled Money Fund in certificates of deposit in eligible lending institutions. The state receives a lower interest rate as part of an agreement in which the lending institution loans moneys to eligible persons under specified programs at a reduced rate of interest. The Treasurer of State is authorized to renew the certificate of deposit annually.

Prior to 1999, the Treasurer of State could annually renew a certificate of deposit for a total term not to exceed nine years. House File 779 decreased the total term to five years. House File 779 also placed additional eligibility requirements upon borrowers involved in a program to assist businesses producing, processing or marketing horticultural or nontraditional crops (see Code Section 12.41). House File 779 provided that in order to be eligible, the gross income earned by the borrower's business could not be more than \$300,000 for the last tax year. Finally, H.F. 779 provided that its provisions did not affect the terms or conditions of an investment agreement executed by the Treasurer of State with an eligible lending institution in effect on its effective date (the Governor approved the Act on May 24, 1999).

This Act provides that the Treasurer of State may renew a certificate of deposit in an eligible lending institution in accordance with the investment agreement which was executed by the Treasurer of State prior to May 24, 1999, if the eligible borrower listed in the linked investment loan package continues to meet the conditions for an eligible borrower as specified in Code Chapter 12 prior to May 24, 1999. Therefore, the \$300,000 requirement would not apply. This Act also provides that the Treasurer of State may renew the certificate of deposit until the termination of the loan or the nine-year period, whichever occurs earlier.

The Act takes effect March 30, 2000.

**HOUSE FILE 2393 - Confinement Site Manure Applicator Certification**

BY COMMITTEE ON AGRICULTURE. This Act amends Code Section 455B.203A, which provides for the certification of persons who apply manure stored at the site of a confinement feeding operation, and who are not in the application business, typically agricultural producers. The educational program for confinement site manure applicators is administered by the Department of Natural Resources. Persons must be certified after completing an educational program and paying a fee.

Under the Act, if a person is certified as a confinement site manure applicator upon completing an educational program, the required amount paid for the person's certification also satisfies the amount of the certification fee otherwise required to be paid for each of the person's family members who are certified within the year that the person is certified. If a person is exempt from paying the certification fee because a family member has paid a certification fee, the person's certification expires on the same date that the paid family member's certification expires. The Act defines a "family member" as a person related to another person as a spouse, parent, grandparent, child, grandchild, or sibling.

**HOUSE FILE 2394 - Frozen Food Locker Plant Regulation**

BY COMMITTEE ON AGRICULTURE. This Act repeals Code Chapter 172, which provides for the regulation of frozen food locker plants by the Department of Agriculture and Land Stewardship. The repealed Code chapter provides for licensing operators and collecting a license fee, examining plants, prohibiting the storage of impure food or goods not intended for human consumption, and requiring that the temperature of lockers remain at or below 10° F. The Act amends Code Section 172A.6, which refers to the repealed Code chapter, by striking the reference and making stylistic changes to enhance the Code section's readability.

**HOUSE FILE 2491 - Production of Life Science Products**

BY COMMITTEE ON AGRICULTURE. This Act creates new Code Chapter 10C. According to the Act, the purpose of the new Code chapter is to promote economic growth in this state by providing for the development of industries unrelated to traditional farming, but devoted to the production of life science products derived from animals.

The Act provides that a life science product is a product derived from an animal which includes only embryos or oocytes for use in implantation; blood, milk or urine for use in the manufacture of pharmaceuticals or nutraceuticals; or cells, tissue or organs for use in transplantation. A corporate entity that manufactures such a product is referred to as a life science enterprise.

Code Chapter 9H generally prohibits corporate entities from holding an interest in agricultural land used in farming. Code Chapter 567 also prohibits nonalien residents and foreign governments from holding such an interest. The Act provides that, notwithstanding any other provision of law, a life science enterprise may hold an interest in agricultural land for purposes of farming under certain conditions. First, the enterprise must be organized as a corporation or limited liability company. Second, the Economic Development Board must approve a plan for the acquisition of the land. The plan must be filed with the board by June 30, 2004. An enterprise is not eligible to file a plan unless the enterprise files a notice with the board by June 30, 2001. Third, the enterprise cannot hold a total of more than 320 acres of agricultural land. Fourth, the enterprise must only hold the land for purposes of producing life science products according to the plan. Fifth, the enterprise cannot receive any form of financing from an Iowa Agricultural Industry Finance Corporation as provided in Code Chapter 15E. And sixth, the commercial sales of products produced from the agricultural land must be limited to the sale of life science products, cull livestock, surplus commodities produced as feed for the livestock, and life science by-products.

The Act provides that the Attorney General or a county attorney is responsible for enforcing the provisions of the new Code chapter. The Act provides that an enterprise violating provisions of the Code chapter is subject to a civil penalty of not more than \$25,000 and must divest itself of any land held in violation of the chapter. Each day that a violation exists constitutes a separate violation. The Act provides that a court may grant an injunction in order to restrain violations of the chapter's provisions.

The Act also amends Code Chapter 10B, which provides for reporting of agricultural land holdings. The Act provides that along with other information required to be reported, an enterprise must report the total amount of commercial sales of life science products and incidental sales associated with raising animals. A person failing to report as required under that chapter is subject to a civil penalty of \$1,000.

The Act repeals provisions authorizing a life science enterprise to acquire and hold agricultural land, effective July 1, 2004. An existing enterprise or a successor in interest of an enterprise may hold and acquire agricultural land as otherwise provided in the chapter, notwithstanding the repeal of the provisions.

The Act takes effect May 18, 2000.

**HOUSE FILE 2494 - Compost Material and Organic Agricultural Products**

BY COMMITTEE ON AGRICULTURE. This Act amends Code Chapter 200, which authorizes the Department of Agriculture and Land Stewardship to regulate fertilizers and soil conditioners, including by providing standards for their effective use. Code Section 200.20 provides that phosphatic fertilizer, nitrogen fertilizer, potash fertilizer, or a mixed fertilizer cannot be sold in the state unless it meets standards for chemical content. The Code section provides that this prohibition does not apply to specialty fertilizers or fertilizers applied directly to growing plants. This Act provides that the prohibition also does not apply to compost materials to be applied on land if the land is being used to produce an agricultural commodity that is an organic agricultural product under Code Chapter 190C or is in the transition of being used to produce an organic agricultural commodity.

**HOUSE FILE 2561 - Interest on Delinquent Iowa Egg Council Assessments**

BY COMMITTEE ON WAYS AND MEANS. This Act amends Code Section 184.3, which provides for the establishment and collection of an assessment (i.e., "checkoff") by the Iowa Egg Council on eggs produced in this state. The assessment is used for purposes of market development. The assessment is due quarterly and is usually remitted by the first purchaser of the eggs.

This Act provides that the council may charge interest on any amount of the assessment that is delinquent. The Act provides that the rate of interest must not be more than the current rate published in the Iowa Administrative Bulletin by the Department of Revenue and Finance pursuant to Code Section 421.7. The interest amount must be computed from the date the assessment is delinquent, unless the council designates a later date. The interest amount accrues for each month, counting each fraction of a month as an entire month.

Code Section 421.7 generally establishes the rate of interest for obligations administered by the Department of Revenue and Finance. The calendar year rate of interest is 2 percentage points greater than the numerical average, rounded to the nearest 1 percent, of the respective prime rates for each of the months in the twelve-month period that ends September 30 of the previous calendar year.

The Act uses the same calculations in determining how to compute the interest due on assessments.

## ALCOHOL REGULATION AND SUBSTANCE ABUSE

H.J.R. 2014 - World Food Prize Awards Ceremony

## RELATED LEGISLATION

- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. The civil penalty under Code Section 123.39, applicable to holders of liquor licenses or permits for first offense violations of Code Section 123.49, subsection 2, paragraph "h," which relates to sales of alcohol to minors, is changed from \$300 to \$500.
- SENATE FILE 2241 - Criminal Offenses and Liquor Licensee or Permittee Regulation  
*SEE CRIMINAL LAW, PROCEDURES & CORRECTIONS.* This Act permits a local authority to require certain liquor licensees and permittees who have security personnel on the premises to certify, before a liquor license or permit is issued, that the security personnel are trained in security measures which include mediation techniques, civil rights education, and proper physical restraint methods.
- SENATE FILE 2243 - Treatment Programs for Operating While Intoxicated Violators  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act addresses placement of institutional operating while intoxicated (OWI) offenders in community OWI programs.
- SENATE FILE 2302 - Public Health Programs and Issues  
*SEE HEALTH & SAFETY.* This Act makes changes relating to programs under the purview of the Iowa Department of Public Health. The Act adds to, provides exemptions from, and corrects references to the various scheduled controlled substances. The Act requires the Commission on Substance Abuse to specifically review requests for initial licensure and renewal of licensure of a chemical substance abuse facility. The Act eliminates the requirement to inspect licensed facilities, but broadens the authority of the department to inspect any substance abuse treatment program to ensure compliance with applicable laws and rules.
- SENATE FILE 2435 - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and includes various provisions affecting substance abuse services, including authorization for a dual diagnosis mental illness/substance abuse program at the Mount Pleasant Mental Health Institute and managed care for substance abuse service coverage under Medicaid.
- HOUSE FILE 2419 - Amphetamines and Drug Paraphernalia — Criminal Penalties  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act makes various changes to amphetamine-related crimes and establishes the crime of possession of drug paraphernalia.
- HOUSE FILE 2437 - Communications Between Postsecondary Schools and Students' Parents or Guardians  
*SEE EDUCATION.* This Act specifically authorizes a postsecondary education institution to disclose to a parent or guardian of a student under the age of 21 years, information regarding violations of a federal, state or local law, or institutional rule or policy governing the use or possession of alcohol or a controlled substance by the student.
- HOUSE FILE 2511 - Drinking Driver Restrictions  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act provides that the course for drinking drivers required under Code Section 321J.22 may be taught by substance abuse treatment programs licensed under Code Chapter 125 as well as by community colleges, and requires the Department of Education to work with the substance abuse treatment programs in approving the course, creating a list of course times and dates, and maintaining course completion statistics.
- HOUSE FILE 2533 - Federal Block Grant Appropriations  
*SEE APPROPRIATIONS.* This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001. The Act includes funding for various substance abuse programs.

- HOUSE FILE 2555** - Tobacco Settlement Fund Appropriations  
*SEE APPROPRIATIONS.* This Act relates to and makes appropriations from the Tobacco Settlement Fund, including an appropriation to the Iowa Department of Public Health for additional substance abuse treatment under the Substance Abuse Treatment Program and for a Tobacco Use Prevention and Control Program, and to the Department of Corrections for the day programming and the Drug Court Program.
- HOUSE FILE 2565** - Tobacco Use Prevention and Control  
*SEE HEALTH & SAFETY.* This Act creates a new Code Chapter 142A relating to tobacco use prevention and control. The Act creates a Tobacco Use Prevention and Control Division and Commission within the Iowa Department of Public Health. The commission is comprised of 10 voting members, three of whom are youth. The Act creates a Comprehensive Tobacco Use Prevention and Control Initiative that is to be implemented with the extensive involvement of youth through the use of community partnerships, and which is targeted to reduce tobacco use by youth. The Act takes effect May 15, 2000.

**ALCOHOL REGULATION AND SUBSTANCE ABUSE****HOUSE JOINT RESOLUTION 2014 - World Food Prize Awards Ceremony**

BY RANTS AND SCHRADER. This Resolution authorizes the consumption of wine at an awards ceremony to be held by the World Food Prize Foundation at the State Capitol on or around October 12, 2000.

## APPROPRIATIONS

- SENATE FILE 2416 - Appropriations — Energy Conservation Programs Funding
- SENATE FILE 2428 - Appropriations — Economic Development
- SENATE FILE 2429 - Appropriations — Health and Human Rights
- SENATE FILE 2430 - Appropriations — Agriculture and Natural Resources
- SENATE FILE 2433 - Appropriations — State Government Technology and Operations
- SENATE FILE 2435 - Appropriations — Human Services
- SENATE FILE 2450 - Compensation for Public Employees
- SENATE FILE 2452 - Miscellaneous Appropriations and Other Provisions
- SENATE FILE 2453 - Appropriations — Infrastructure and Capital Projects
- HOUSE FILE 2039 - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits
- HOUSE FILE 2059 - Appropriations — National World War II Memorial
- HOUSE FILE 2533 - Federal Block Grant Appropriations
- HOUSE FILE 2538 - Appropriations — Transportation
- HOUSE FILE 2545 - Appropriations — Administration and Regulation
- HOUSE FILE 2549 - Appropriations — Education
- HOUSE FILE 2552 - Appropriations — Justice System
- HOUSE FILE 2554 - Appropriations — Judicial Branch
- HOUSE FILE 2555 - Tobacco Settlement Fund Appropriations

## RELATED LEGISLATION

- SENATE FILE 2141 - Merchant Marine Bonus Fund  
*SEE STATE GOVERNMENT.* This Act creates a Merchant Marine Bonus Fund in the State Treasury and appropriates \$150,000 to be used to pay bonus compensation to World War II oceangoing merchant marine veterans.
- SENATE FILE 2193 - Senior Living Program  
*SEE HUMAN SERVICES.* This Act creates a new Code Chapter 249H, the "Iowa Senior Living Program Act." The Act creates a Senior Living Trust Fund and provides for allocation of the moneys in the fund. The Act provides for an appropriation to the Department of Elder Affairs for activities related to home and community-based services for seniors to be provided through area agencies on aging. The Act takes effect March 1, 2000.
- SENATE FILE 2447 - Financing of Public Improvements  
*SEE ECONOMIC DEVELOPMENT.* This Act creates a Vision Iowa Program and Fund and a School Infrastructure Program and Fund.

## APPROPRIATIONS

### **SENATE FILE 2416 - Appropriations — Energy Conservation Programs Funding**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for FY 2000-2001 from the Energy Conservation Trust, which receives deposits of settlements from oil overcharge refunds, to the Division of Community Action Agencies of the Department of Human Rights for energy conservation programs for low-income persons, and to the Department of Natural Resources for the State Energy Program and for administration of petroleum overcharge programs.

### **SENATE FILE 2428 - Appropriations — Economic Development**

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations and transfers from the General Fund of the State and other funds to the Department of Economic Development, the State University of Iowa (SUI), the University of Northern Iowa, Iowa State University of Science and Technology (ISU), the Department of Workforce Development, and the Public Employment Relations Board.

The Act makes a number of appropriations from the General Fund of the State to the following:

- The Department of Economic Development and the Department of Workforce Development for the administration of those departments and for specific programs and funds.
- The State University of Iowa for the SUI Research Park and the Advanced Drug Development Program at the Oakdale Research Park.
- The University of Northern Iowa for the Metal Casting Institute and the Institute of Decision Making.
- Iowa State University of Science and Technology for funding and maintaining existing small business development centers, the ISU Research Park, and the Institute for Physical Research and Technology.
- The Public Employment Relations Board.

The Act appropriates from the Administrative Contribution Surcharge Fund to the Department of Workforce Development for workforce development centers.

The Act appropriates from the Special Employment Security Contingency Fund to the Department of Workforce Development for the Division of Workers' Compensation, immigration service centers, labor survey programs, accounting system reengineering, and an unemployment insurance service center.

The Act amends the Strategic Investment Fund to allow assets in the fund to be used for the Value-Added Agricultural Products and Processes Financial Assistance Fund. The Act strikes a standing limited appropriation for the fund which was to take effect July 1, 2000, and amends provisions of the fund to appropriate \$400,000 from the fund to the Office of Renewable Fuels and Coproducts each fiscal year.

The Act amends the Workforce Development Fund Account to lower the maximum amount of funds that the account may receive each year from \$10 million to \$8 million. The Act repeals sections in 2000 Iowa Acts, Chapter 1196, S. F. 2439 (see Economic Development), which also amended the same provisions relating to the Workforce Development Fund Account.

The Act amends the Workforce Development Fund to require that the first \$7 million deposited in the fund be used for projects under Code Chapter 260F, the Iowa Jobs Training Act.

The Act amends the Physical Infrastructure Assistance Program to allow the fund to be used to provide funding for program capital costs under the Accelerated Career Education Program.

The Act creates a New Employment Opportunity Program to be administered by the Department of Workforce Development. The program shall assist individuals in underutilized segments of Iowa's workforce. The Act provides that the program shall be designed to complement existing employment and training programs by providing additional flexibility and services that are often needed by individuals in underutilized segments of the workforce to gain and retain employment.

The Act strikes a standing limited appropriation to the Renewable Fuels and Coproducts Fund that was to take effect July 1, 2000.

The Act requires that the Department of Economic Development and the Department of Workforce Development shall collaborate efforts in delivering immigration services in Iowa.

The Act provides for the nonreversion of Technology Initiatives Account moneys relating to the Business Licensure Center. This provision takes effect May 18, 2000.

The Act requires the Department of Economic Development, the Department of Workforce Development, and the Public Employment Relations Board to first examine and find appropriate reductions in expenditures for office supplies and other supplies before making budget adjustments to program budgets.

The Act requires the Information Technology Services Division of the Department of General Services to study the Workforce Investment One-Stop Program of the Department of Workforce Development to identify stakeholder entities and determine the feasibility of expanding the program concept to multiple departmental programs. The Act requires that the Department of Workforce Development submit a written report relating to the funding of workforce development centers.

The Act requires the Iowa Finance Authority to transfer \$1.2 million to the Department of Economic Development in FY 2000-2001 for deposit in the Community Development Block Grant Account to be used as state matching funds for the federal HOME Program.

The Act requires the Department of Economic Development and the Department of Workforce Development to submit all budget proposals for FY 2001-2002 in the traditional format and in budgeting for results format.

The Act requires the Iowa Seed Capital Corporation (ISCC) Liquidation Corporation to submit a report relating to the activities of the corporation during the previous year.

The Act reduces the standing limited appropriation for the School to Career Program employer refunds from \$500,000 to \$100,000 for FY 2000-2001.

#### **SENATE FILE 2429 - Appropriations — Health and Human Rights**

**BY COMMITTEE ON APPROPRIATIONS.** This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Office of Drug Control Policy, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs. The Act additionally provides for the appropriation of specified amounts of revenue deposited in the Gambling Treatment Fund pursuant to Code Section 99E.10, and specified amounts of revenue received by the Iowa Racing and Gaming Commission pursuant to Code Section 99D.15 to the Iowa Department of Public Health. See also H. F. 2555, making various public health appropriations from tobacco settlement funds.

**CIVIL RIGHTS COMMISSION.** The Act appropriates funds to the Iowa State Civil Rights Commission and authorizes the commission to exceed its designated staffing level to hire additional staff to process employment and housing complaints if the anticipated amount of funding from the federal Equal Employment Opportunity Commission and the federal Department of Housing and Urban Development exceeds \$736,000 for FY 2000-2001.

**DEPARTMENT OF ELDER AFFAIRS.** The Act appropriates funds to the Department of Elder Affairs. Regarding appropriations for aging programs and services, the Act specifies authorized programs, directs that program funds not be used by the department for administrative purposes, and provides that funds appropriated may be used to supplement federal funds under federal regulations. The Act provides the intent of the General Assembly that the Iowa chapters of the Alzheimer's Association and the Case Management Program for Frail Elders collaborate and cooperate fully to assist families in maintaining family members with Alzheimer's disease in the community for the longest period of time possible.

The Act additionally provides that the department in its discretion may grant an exception for a limited period of time, or modify applicable requirements, relating to compliance by persons regulated by the department or applicants for assisted living certification with any part of Code Chapter 104A concerning the conversion of buildings existing on July 1, 1998, to accessibility for persons with disabilities.

**GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.** The Act appropriates funds to the Governor's Office of Drug Control Policy and for statewide coordination of the Drug Abuse Resistance Education (DARE) Program. The Act also updates the name of the office to the Governor's Office of Drug Control Policy from its former designation of Governor's Alliance on Substance Abuse.

**DEPARTMENT OF PUBLIC HEALTH.** The Act appropriates funds to the Iowa Department of Public Health. Funds are appropriated for addictive disorders, relating to reducing the use of tobacco, alcohol and other drugs, and treating individuals affected by addictive behaviors, including gambling. The department is directed to continue coordination with substance abuse treatment and prevention providers regardless of funding source, and together with the Commission on Substance Abuse

The Act provides for the nonreversion of Technology Initiatives Account moneys relating to the Business Licensure Center. This provision takes effect May 18, 2000.

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shall continue coordination of delivery of substance abuse services to uninsured and court-ordered substance abuse patients in all counties of the state.

The Act appropriates funds for adult wellness, relating to maintaining or improving the health status of adults with target populations between the ages of 18 and 60.

The Act appropriates funds for child and adolescent wellness, relating to promoting the optimum health status for children and adolescents from birth through 21 years of age. Programs receiving allocations include the Statewide Perinatal Program, the Physician Care for Children Program, the continuation of existing infant mortality and morbidity prevention pilot projects, and the continuation of multidisciplinary research into the cause of individual infant deaths in the state.

The Act appropriates funds for chronic conditions, relating to serving individuals identified as having chronic conditions or special health care needs. Programs receiving allocations include the Chronic Renal Disease Program, with the funds used for reimbursement of insurance premiums, travel and prescription and nonprescription drugs; the Birth Defects and Genetics Counseling Program, with allocations for regional genetic counseling services; and mobile and regional child health specialty clinics and muscular dystrophy and related genetic disease programs.

The Act appropriates funds for community capacity relating to strengthening the health care delivery system at the local level. Funds are allocated to local boards of health to ensure that core public health functions are maintained and to support essential services in communities, for the Office of Rural Health to provide technical health care delivery assistance to rural areas, and for primary care provider recruitment and retention endeavors.

The Act appropriates funds for elderly wellness, with funds allocated for optimizing the health of persons over 55 years of age; for environmental hazards, relating to reducing the public's exposure to chemical and other hazards in the environment; for infectious diseases, relating to reducing the incidence and prevalence of communicable diseases; and for injuries, relating to providing support and protection to victims of abuse or injury, and for the prevention of abuse or injury.

The Act appropriates funds for public protection, relating to protecting the health and safety of the public through the establishment of standards and the enforcement of regulations. Funds are allocated for the operation of the state boards of Dental, Medical, Nursing, and Pharmacy Examiners. Funds are also allocated for the operation of the Bureau of Professional Licensure. The budgets may be exceeded if additional expenditures are directly the result of a scope of practice review committee, or unanticipated litigation costs approved by the Director of the Department of Management in an amount not in excess of 5 percent of the average annual fees collected for the previous two fiscal years. The Act authorizes the department to retain fees collected from specified programs to support the administration of the programs, including any new or increased fees implemented pursuant to legislation enacted during the 2000 Legislative Session, and authorizes the department to retain and expend from fees collected by the boards of Dental, Pharmacy, Medical, and Nursing Examiners specified amounts for expenses relating to the relocation of licensure boards. The Act authorizes the Board of Dental Examiners, for FY 2000-2001, to retain and expend not more than \$133,282 for the costs of two additional full-time equivalent (FTE) positions from revenues generated from the registration of dental assistants pursuant to 2000 Iowa Acts, H.F. 686 (see State Government), as enacted by the Seventy-eighth General Assembly. The Act additionally provides, for FY 2001-2002, that the Board of Dental Examiners shall include in their budget request an amount of funding determined necessary to support the ongoing registration of dental assistants. The Act authorizes the department to retain and expend not more than \$100,000 from fees collected by the Board of Medical Examiners pursuant to Code Section 147.80 for FY 1999-2000, for reduction of the number of days necessary to process medical license requests and for reduction of the number of days needed for consideration of malpractice cases.

The Act appropriates funds for resource management, relating to establishing and sustaining the ability of the department to deliver services to the public, and provides that the State University of Iowa shall not receive indirect costs from funds appropriated to the department. Under the Act, a local health care provider or nonprofit health care organization that seeks grants administered by the department must provide documentation regarding coordination of services with local entities providing similar services. The Act requires the department to apply for available federal funds for sexual abstinence education programs in accordance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

*DEPARTMENT OF HUMAN RIGHTS.* The Act appropriates funds to the divisions of the Department of Human Rights.

*COMMISSION OF VETERANS AFFAIRS.* The Act appropriates funds to the Commission of Veterans Affairs, and provides that filling 69 FTE positions is contingent upon the termination of the existing Iowa Veterans Home contract for housekeeping services and the hiring of state employees to perform housekeeping services at the Iowa Veterans Home. The Act also provides that the Iowa Veterans Home may retain reimbursements for medication costs obtained from the federal Department of Veterans

Affairs for FY 2000-2001 in an amount sufficient for the payment of new and increased pharmaceutical costs and lease payments on a unit dose machine.

**GAMBLING TREATMENT FUND APPROPRIATIONS.** The Act appropriates \$3,882,000 of the funds deposited in the Gambling Treatment Fund established pursuant to Code Section 99E.10 to the Iowa Department of Public Health. The Act provides for the allocation, out of the amount appropriated, of \$1,290,000 of the funds for the Addictive Disorders Program; \$400,000 for elderly wellness for local public health, nursing, and home care aide/chore programs; and \$100,000 to the Division of Community Action Agencies of the Department of Human Rights to be used for the purposes of a Healthy and Well Kids in Iowa outreach pilot project pursuant to a plan approved by the HAWK-I Board.

**OTHER PROVISIONS.** The Act provides that an amount of the tax revenue received by the state Racing and Gaming Commission pursuant to Code Section 99D.15 equal to 0.3 percent of the gross sum wagered by the pari-mutuel method is appropriated to the Iowa Department of Public Health. Out of this amount, not more than \$50,000 shall be used to supplement amounts otherwise budgeted for the Childhood Lead Poisoning Prevention Program. The Act provides that remaining moneys shall be used for costs associated with the Child Fatality Review Committee provisions under Code Section 135.43, as enacted by 2000 Iowa Acts, H.F. 2377 (see Children & Youth); the expansion of the age range for child death case review provisions as enacted under 2000 Iowa Acts, H.F. 2365 (see Health & Safety); and the Iowa Domestic Review Team provisions as enacted under 2000 Iowa Acts, H.F. 2362 (see Health & Safety).

The Act extends the Vital Records Modernization Project until June 30, 2001, and permits until that date the continued collection of increased fees for birth, marriage, death, and other vital records which are part of the project.

The Act provides for a study regarding prevention of lead poisoning among children in the state of Iowa. The study shall be conducted by the Director of the Iowa Department of Public Health, in consultation with an ad hoc committee of designated individuals, with recommendations submitted in a report to the Governor and the General Assembly by January 1, 2001. The Act provides that the study shall include, but is not limited to, an assessment of the incidence and prevalence of lead poisoning in the state; an evaluation of the effectiveness of current childhood lead screening efforts and voluntary options and alternatives to increase lead screening; a review of relevant current federal, state and local laws, rules and regulatory programs; an effort to identify additional federal funding sources and opportunities; an evaluation of the availability and effectiveness of current lead poisoning resources, programs and efforts; and consideration of the findings and recommendations of Healthy Iowans 2010 relating to lead-poisoned children.

The Act provides that the Department of Elder Affairs shall collect and retain assisted living program certification and accreditation fees as established by rule, and that the State Medical Examiner's Office shall be authorized to collect and retain autopsy fees as established by rule.

The Act further provides for changes to the Division of Criminal and Juvenile Justice Planning's administration of the Community Grant Fund pursuant to Code Section 232.190, relating to integration with local projects for child welfare funding decategorization and an emphasis on the promotion of youth development in making grants and providing services pursuant to the fund.

The Act also provides that moneys collected from the Drug Abuse Resistance Education surcharge provided in Code Section 911.2 are appropriated to the Governor's Office of Drug Control Policy for use by the DARE Program.

The provisions of the Act regarding the retention of fees for reduction of the number of days needed to process medical license requests and to consider malpractice cases, relating to the Vital Records Modernization Project, establishing an Assisted Living Certification Fund, relating to the collection and retention of autopsy fees, and relating to the Community Grant Fund, take effect May 8, 2000.

#### **SENATE FILE 2430 - Appropriations — Agriculture and Natural Resources**

**BY COMMITTEE ON APPROPRIATIONS.** This Act relates to agriculture and natural resources by making appropriations to support related entities, including the Department of Agriculture and Land Stewardship, the Department of Natural Resources (DNR), and Iowa State University of Science and Technology (ISU). Generally, moneys are appropriated from the General Fund of the State. However, in some cases, moneys are appropriated from special funds and accounts.

**APPROPRIATIONS.** The Act makes a number of appropriations from the General Fund of the State to state agencies. The Act appropriates moneys to the Department of Agriculture and Land Stewardship and the DNR. For the Department of Agriculture and Land Stewardship, moneys are appropriated in order to support the Administrative Division, the Regulatory Division, the Laboratory Division, and the Soil Conservation Division. For the DNR, moneys are appropriated to Administrative and Support

Services, the Parks and Preserves Division, the Forests and Forestry Division, the Energy and Geological Resources Division, and the Environmental Protection Division.

The Act appropriates moneys from the General Fund of the State to support a number of programs. Moneys are specifically appropriated to the Department of Agriculture and Land Stewardship to support the State 4-H Foundation, livestock market reporting, the Farmers' Market Coupon Program, the eradication of gypsy moth infestations, the training of commercial pesticide applicators, and soil conservation cost-share programs. The Act appropriates moneys to support programs related to animal health and industry, including programs administered by the Department of Agriculture and Land Stewardship to support the racing horse and dog breeding industries in the state. Moneys are appropriated to the department to support the eradication of pseudorabies and to ISU to support the research to diagnose Johnne's disease in cattle.

Moneys are specifically appropriated to the DNR to provide for the administration of programs to provide safe drinking water and clean air. The Act appropriates moneys to support the regulation of animal feeding operations.

The Act appropriates moneys from the State General Fund to ISU in order to support the Iowa Concern Hotline in providing stress counseling to farm families.

The Act also makes appropriations from special funds and accounts. The Act makes an appropriation from the State Fish and Game Protection Fund to support the Fish and Wildlife Division of the DNR. Of this amount, moneys are allocated to support conservation peace officers, conservation buffer initiatives, and prairie seed harvest initiatives. The Act makes an appropriation from receipts deposited into the fund to support snowmobile programs and enforce state navigation laws. Moneys are also appropriated from that fund for the purpose of supporting sick leave retirement payouts for FY 1999-2000.

An appropriation is made from the Unassigned Revenue Fund, administered by the Iowa Comprehensive Underground Storage Tank Fund Board, to the DNR for administration and expenses of the Underground Storage Tank Section.

Unencumbered and unobligated moneys remaining in the Organic Nutrient Management Fund are appropriated to the Agrichemical Remediation Fund (see S.F. 466 in Agriculture).

The Act provides that moneys appropriated during FY 1999-2000 to the DNR for purposes of conducting a study of groundwater and surface water contamination originating from municipal lagoons shall remain available until June 30, 2001, before reverting to the Water Quality Protection Fund.

*DIRECTIONS TO STATE AGENCIES.* The DNR may use additional moneys available to the department from stormwater discharge permit fees for staffing positions of a federal Total Maximum Daily Load Program.

The Act establishes a pilot project involving the refund of moneys paid to the DNR for issuing stormwater discharge permits. The Act provides that a member of the public who pays a fee to the department may be refunded all or a portion of the fee if the department fails to issue the permit in a manner and within a period of time customary for issuing similar permits.

*CODE CHANGES.* The Act requires the Department of Agriculture and Land Stewardship and the DNR to notify the chairpersons, vice chairpersons, and ranking members of the Joint Appropriations Subcommittee on Agriculture and Natural Resources for the previous fiscal quarter of any transfer of moneys for full-time equivalent positions made by either department that is not authorized by the General Assembly.

The Act requires the Department of Agriculture and Land Stewardship to publicize the availability of farm programs to women and minority persons.

The Act provides that a \$10 fee charged for the inspection of aboveground petroleum storage tanks by the State Fire Marshal is to be retained by the Department of Public Safety and appropriated to the State Fire Marshal. It provides that the State Fire Marshal must inspect facilities where an aboveground petroleum storage tank with a capacity of 15,000 gallons or more is located.

The Act establishes an International Relations Fund under the authority of the Department of Agriculture and Land Stewardship. The purpose of the fund is to support costs incurred by the department in promoting the sale of Iowa agricultural products. The Act appropriates \$20,151 into the fund.

The Act extends a prohibition regarding the sale of methyl tertiary butyl ether (MTBE) first enacted in 1999 (1999 Iowa Acts, Chapter 204). That Act, in part, contained an uncodified provision prohibiting a retail dealer of motor vehicle fuel from offering motor vehicle fuel that contains more than 2 percent MTBE by volume. This Act eliminates that provision and codifies similar

requirements. The Act prohibits a person from selling or storing MTBE other than in "trace amounts" (1/2 of 1 percent by volume). The Act also amends provisions that provide requirements for decals identifying oxygenate enhancers, including methanol appearing on motor vehicle fuel pumps. Generally, a person who violates the provisions is subject to a simple misdemeanor penalty.

**IMMEDIATE EFFECTIVE DATES.** The following provisions take effect on May 11, 2000:

- A provision for leave payouts by the DNR.
- A provision that supports a hotline for farm families by ISU.
- A provision that continues support for water contamination studies conducted by ISU.

**SENATE FILE 2433 - Appropriations — State Government Technology and Operations**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to state government technology operations by making appropriations to a number of entities concerned with technology and by making appropriations for a number of specific technology projects.

The Act makes appropriations for FY 2000-2001 from the General Fund of the State for debt service for the Iowa Communications Network, for subsidization of operations of the network as a result of charging authorized users video rates which generate less revenue than necessary to cover associated costs of the network, for support functions related to the network provided by the Public Broadcasting Division of the Department of Education, for information technology services provided by the Information Technology Department (established in S.F. 2395, see State Government) to other state agencies, and for the support of specified full-time equivalent positions. The Act makes an appropriation from the Rebuild Iowa Infrastructure Fund to the Iowa Telecommunications and Technology Commission for maintenance and lease costs associated with Part III network connections.

The Act establishes a Pooled Technology Account under the control of the Information Technology Department for the purpose of supporting various technology programs. Moneys in the account will come from reversions associated with appropriations made for the fiscal year beginning July 1, 1999, and from moneys remaining in the No Further Action Fund in Code Chapter 455G, related to certain underground storage tank liabilities. This provision takes effect May 13, 2000.

The Act provides funding of \$1 million for IowAccess. The funding is provided by the transfer to the Information Technology Department of the first \$1 million collected by the Iowa Department of Transportation for transactions involving the furnishing of a certified abstract of a vehicle operating record.

The Act creates an Operations Revolving Fund to be administered by the Information Technology Department for the operations of the department. This provision takes effect April 25, 2000.

The Act amends provisions relating to IowAccess, transferring duties and responsibilities associated with IowAccess to the Information Technology Department. These provisions take effect April 25, 2000.

The Act repeals the No Further Action Fund created in Code Section 455G.22, transfers moneys in the fund to the Pooled Technology Account, and transfers any liability of the No Further Action Fund to the Remedial Account established in Code Section 455G.3.

The Act provides that certain appropriations made for FY 1999-2000 are not to revert but are to be used for the purposes for which appropriated for FY 2000-2001. These provisions take effect May 13, 2000.

The Act provides that technology adopted and purchased by a school district, to the extent funds are appropriated by the General Assembly, shall be made available to students of accredited nonpublic schools located within the boundaries of the school district upon the written request of the authorities in charge of the accredited nonpublic school on behalf of the school's students. For FY 2000-2001, the Act appropriates \$1.5 million of the moneys in the Pooled Technology Account to make technology available to students in accredited nonpublic schools.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. Language prohibiting the new Information Technology Department from increasing any fees or charges to other state agencies for services provided to such state agencies, unless such increase in fees or charges is first submitted to, and approved by, the Department of Management.
2. Provisions amending S.F. 2395 (see State Government) related to information technology standards.

**SENATE FILE 2435 - Appropriations — Human Services**

BY COMMITTEE ON APPROPRIATIONS. This Act provides appropriations to the Department of Human Services (DHS) for FY 2000-2001, and includes provisions relating to human services and health care.

*SOCIAL SERVICES BLOCK GRANT SUPPLEMENTATION.* The Act appropriates the unallocated federal FY 1999-2000 Temporary Assistance for Needy Families (TANF) funds to replace an unanticipated decrease in federal Social Services Block Grant (SSBG) funds and allocates these funds to maintain the current level of funding. This provision takes effect May 17, 2000.

*EARLY CHILDHOOD.* The Act appropriates additional federal TANF Block Grant funds for FY 2000-2001 and FY 2001-2002 in the amount of \$2,550,000 for each fiscal year to be used for funding of community-based programs targeted to children from birth through five years of age, and provides that TANF moneys in the amount of \$3.8 million, which were previously appropriated in 1998 Iowa Acts for FY 2000-2001, are to be used for funding of community-based programs targeted to children from birth through five years of age, which are developed by community empowerment areas. The Act allows DHS to transfer federal TANF funds to the Child Care and Development Block Grant and then allocate funding to community empowerment areas based upon criteria in the Act. Moneys not distributed or which otherwise remain unobligated or unexpended at the end of the fiscal year revert to the fund for federal grants. The Act provides a funding formula for distribution of the moneys.

*TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT (TANF).* The Act appropriates moneys from the TANF Block Grant Fund for the state fiscal year beginning July 1, 2000. Uses for the moneys appropriated include: the Family Investment Program; field operations; general administration; local administrative costs; child care assistance, including child care emergency and start-up grants, assistance to providers of child care to school-age children, and provision of educational opportunities to registered child care home providers; emergency assistance; mental health and developmental disabilities community services; child and family services; child abuse prevention; pregnancy prevention grants to be based on criteria specified in the Act; technology needs and other resources to meet federal welfare reform requirements; volunteers; and for individual development accounts.

*FAMILY INVESTMENT PROGRAM (FIP).* The Act provides an appropriation for FIP. With the passage of federal welfare reform, the federal funding for this program is provided in the form of an annual block grant to the state. Consequently, the Act includes FIP and FIP-related program appropriations from the General Fund of the State and from the fund created for receipt of federal funds.

These appropriations are directed to the Food Stamp Employment and Training Program, the Family Development and Self-Sufficiency Grant Program, income maintenance reengineering, and for the diversion program and incentive grants.

*EMERGENCY ASSISTANCE.* The Act maintains the previous level of funding for the Emergency Assistance Program. The Act continues the maximum grant level of \$500 per family in any 12-month period. The Act requires DHS to continue the process for retaining and redistributing refunds or rent deposits returned to the state under the Emergency Assistance Program. This provision relating to refunds of utility and rent deposits for emergency assistance recipients takes effect May 17, 2000. The Act continues the allocation to the Community Voice Mail Program and adds a requirement for the submission of semiannual reports to DHS regarding participation in the program.

*CHILD SUPPORT RECOVERY.* The Act decreases the previous level of funding for child support recovery. The decrease is mainly due to an anticipated increase in Iowa's share of federal child support incentives and reduced funding for vacant funded positions. The Act requires the Child Support Recovery Unit (CSRU) to continue to work with the Judicial Branch to determine the feasibility of a pilot project using a court-appointed referee for determination of child support awards, if initiated by the Judicial Branch. The Act directs DHS to expend up to \$51,000, including federal financial participation, to continue the child support public awareness campaign located in the Office of the Attorney General, and provides that surcharges paid by obligors and received by CSRU, as a result of referral of support delinquencies by CSRU to any private collection agency, are appropriated to DHS to pay the costs of any contracts with the collection agencies.

*MEDICAL ASSISTANCE (Medicaid).* Overall, the Act decreases the appropriation for medical assistance (MA) in comparison with the FY 1999-2000 appropriation. The decrease is mainly due to the increase in the federal cost-of-living adjustment for the Supplemental Security Income subsidy, a decrease of utilization and the number of MA eligibles, and increased recoveries from other funds. In addition, appropriations affecting reimbursements to various MA services providers were made from tobacco settlement funds (see H.F. 2555) and in the Senior Living Trust Fund legislation (see S.F. 2193 in Human Services). The Act does all of the following:

- Continues the authorization for DHS to transfer funds appropriated for MA to a separate account for expenditures required to provide case management services under MA for mental health, mental retardation and developmental disabilities services that are jointly funded by the state and county, pending final settlement of expenditures.
- Provides for expenditure of not more than \$60,000 to continue the previously established AIDS/HIV Health Insurance Premium Payment Program.
- Transfers \$950,000 from the Iowa Department of Public Health to the MA Program for continuation of the Integrated Substance Abuse Managed Care System.
- Directs DHS, in administering the MA home and community-based waiver for persons with physical disabilities, to aggressively pursue options to expand the waiver to 100 openings and, in implementing the expanded waiver, provide that the total number of openings for persons with physical disabilities served at any one time is limited to the number approved in the waiver by the Secretary of the U.S. Department of Health and Human Services. The openings are to be provided on a first-come, first-served basis.
- Directs DHS, in consultation with the Iowa Department of Public Health and the state Department of Education, to continue to utilize the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) funding under MA to the extent possible to implement the screening component of the EPSDT Program through the school system, utilizing maternal and child health centers, the Public Health Nurse Program, or school nurses.
- Directs DHS to continue the case study for outcome-based performance standards for programs serving persons with mental retardation or other developmental disabilities.
- Directs DHS to continue to seek an MA waiver for home and community-based services to allow children with mental retardation, who would otherwise require ICF/MR care, to be served in out-of-home settings of up to eight beds. If the waiver is not approved, the amount appropriated may be transferred to the appropriation for child and family services to be used for group foster care maintenance services.
- Directs DHS to discontinue the telemedicine and physician supervised weight-loss pilot programs.
- Directs DHS to increase the MA eligibility income limit for pregnant women and infants under the mothers and infants category to 200 percent of the federal poverty level.
- Directs DHS, if the Health Care Financing Administration (HCFA) of the U.S. Department of Health and Human Services approves a waiver request from DHS, to provide a period of 24 months of guaranteed eligibility for MA family planning services, regardless of the change in circumstances of a woman who was an MA recipient when the pregnancy ended.
- Directs DHS to review the personal assistance services pilot project and consumer-directed care provisions and other home and community-based services waivers utilized by the department and submit a report to the Governor and the General Assembly by December 15, 2000, regarding options for termination, expansion and consolidation of the services and waivers.
- Directs DHS to adopt emergency rules to provide for reimbursement under MA for family and pediatric nurse practitioners who are employed by a hospital and are providing services in a hospital-owned facility or in another location that is not on or part of the hospital's licensed premises.

**PHARMACEUTICAL CASE MANAGEMENT STUDY.** The Act appropriates \$414,000 to DHS for implementation of a disease-specific pharmaceutical case management study to measure the effects of case management for MA recipients identified by DHS as high risk for medication-related problems. The Act establishes an advisory committee to establish and implement the study. The Act directs the University of Iowa College of Public Health, in conjunction with the colleges of Medicine and Pharmacy, to perform an evaluation of the study at no cost to the state and to submit a final report of the findings of the evaluation and any recommendations to the General Assembly by December 15, 2002.

**HEALTH INSURANCE PREMIUM PAYMENT PROGRAM.** The Act provides a very slight increase in the appropriation compared with FY 1999-2000 for the Health Insurance Premium Payment Program.

**CHILDREN'S HEALTH INSURANCE PROGRAM.** The Act appropriates \$4,984,508 to DHS for maintenance of the State Children's Health Insurance Program and receipt of federal financial participation. The Act authorizes DHS to transfer funds appropriated to be used to expand health care coverage to children under MA. The Act directs DHS to provide a report to the Healthy and Well Kids in Iowa (HAWK-I) Board and to the General Assembly by January 15, 2001, specifying the actual cost reported by each participating insurer of providing monthly coverage to children under the program. The Act provides that moneys in the HAWK-I Trust Fund are appropriated and shall be used to offset any program costs for FY 2001-2002. The Act directs DHS to seek a waiver from HCFA to permit families with children who are eligible for MA to elect to participate under the HAWK-I Program in lieu of participation in MA. The Act directs DHS to implement the provision if the waiver is approved.

**MEDICAL CONTRACTS.** The Act provides an increase in the appropriation compared with FY 2000-2001 and provides that in any managed care contract for mental health or substance abuse services entered into or extended by DHS on or after July 1,

2000, the request for proposals shall provide for coverage of dual diagnosis mental health and substance abuse treatment provided by the State Mental Health Institute at Mount Pleasant. Additionally, to the extent possible, DHS is to amend any such contract existing on July 1, 2000, to provide for such coverage.

*STATE SUPPLEMENTARY ASSISTANCE (SSA).* The Act provides a decrease in the appropriation compared with the previous fiscal year due to the increase in the federal cost-of-living adjustment for the federal Supplemental Security Income subsidy. The Act directs DHS to increase the personal needs allowance of residential care facility residents at the same percentage and at the same time the federal requirements are increased. The Act authorizes DHS to take necessary actions to ensure that federal requirements are met and authorizes it to transfer moneys from the MA Program if it projects that the amount appropriated for SSA is insufficient and the funds proposed to be transferred are in excess of the funds necessary for the MA Program. The Act also authorizes DHS to use up to \$75,000 for a rent subsidy program for certain adults who are receiving assistance under an MA home and community-based services waiver and who were discharged from a medical institution in which they resided or were at risk of institutional placement.

*CHILD CARE ASSISTANCE.* This appropriation maintains the current level of funding for child care assistance. The appropriation provides funding for state child care assistance and child day care resource and referral services. The Act requires DHS to use moneys deposited in the Child Care Credit Fund for state child care assistance.

*JUVENILE INSTITUTIONS.* The Act makes appropriations to the Iowa Juvenile Home at Toledo and the State Training School at Eldora. The Act specifies legislative intent that the juvenile home be used for females only beginning July 1, 2001, and directs DHS to develop service options to appropriately place males who would otherwise be placed at Toledo, with the principal option considered to be placement at existing state or community-based facilities. The appropriation to the State Training School at Eldora, which is an increase of \$1 million for a cottage opening, also includes \$40,000 for aftercare services for persons who were placed at the State Training School at Eldora. The Act continues the limitation on the population levels to the population guidelines established in 1990 as adjusted for additional beds developed at the institutions and provides for use of funds appropriated for grants for adolescent pregnancy prevention services.

*CHILD AND FAMILY SERVICES.* The Act provides an increase in the appropriation compared with the previous fiscal year. The Act provides for continuation of the funding cap for group foster care and provides that if annualization of a region's current expenditures indicates that the region is at risk of exceeding its overall expenditure target by more than 5 percent, DHS and Juvenile Court Services are to examine current group foster care placements to identify children who may be appropriate for termination from the program. Dispositional hearings are to be set for those so identified. This provision relating to the expenditure targets takes effect May 17, 2000. The Act limits the amount that may be expended under the appropriation for psychiatric medical institutions for children (PMICs), provides that all or a portion of the moneys allocated for PMICs may be transferred to the appropriation for Medical Assistance, and directs DHS to work with private providers of PMIC services to develop and implement a plan that substantially reduces or eliminates the collection of client participation by PMICs to be implemented before December 1, 2000.

The Act allocates funding for 50 highly structured juvenile program beds (informally known as "boot camp" beds), and provides that if the number of beds is not utilized, the remaining funds may be used for group foster care. The Act provides that the statutory requirements relating to the funding cap for group foster care, which apply to the juvenile court, are to continue to apply instead to the Juvenile Court Services staff. The Act provides that the additional funding provided for group foster care compared with the previous fiscal year is to be used for the cost of 41 group foster care beds and that it is the intent of the General Assembly that the additional funding allow for the availability of at least 20 additional beds for placement of females. The Act directs DHS to continue the goal that not more than 15 percent of children placed in federally funded foster care be placed for more than 24 months.

The Act authorizes DHS to continue decategorization of child welfare services; authorizes the use of funding for emergency family assistance in certain circumstances; limits funding for shelter care services; provides funding for improving DHS staffing of foster care and adoption services; provides for adoption of administrative rules by DHS, in consultation with child welfare services providers, to implement outcome-based child welfare services pilot projects; directs DHS to continue to make adoption presubsidy and adoption subsidy payments available at the beginning of the month for the current month; provides that any federal funds received by the state during the state fiscal year beginning July 1, 2000, as a result of state funds appropriated during the previous state fiscal year for a service of activity funded under the Child and Family Services Section, are to be used as additional funding for the services provided under the section and are to remain available for such purposes until June 30, 2002; directs DHS and Juvenile Court Services to continue to develop criteria for the department regional administrator and chief juvenile court officer to grant exceptions to extend eligibility, within the funds allocated, for intensive tracking and supervision and for supervised community treatment to delinquent youth beyond age 18 who are subject to release from the

state training school, a highly structured juvenile program, or group foster care; provides funding for clinical assessment services; provides funding for protective child care assistance; provides funding for court-ordered services provided to juveniles (the portion of this provision relating to determination of allocation of this funding among regions takes effect May 17, 2000); provides funding for school-based supervision of children adjudicated delinquent and directs that to the extent possible, school-based supervision personnel shall be prepared with training or experience relating to gender-specific programming; provides funding for day treatment and aftercare services for juvenile females; directs DHS to maximize the capacity to draw federal funding under the federal Title IV-E Program; directs DHS to convene a work group to determine the most appropriate methodology and manner for payment for services provided by PMICs and directs DHS and the work group to appear before the Joint Appropriations Subcommittee on Human Services in January 2001 to discuss the work group findings and recommendations; allocates funds for the state match for federal Safe and Stable Families Grants; provides that moneys appropriated for FY 1999-2000 for the Subsidized Guardianship Program are not to revert at the end of that fiscal year but are to remain available for the purposes of child and family services (this provision takes effect May 17, 2000); provides that moneys appropriated in FY 1999-2000 for the child welfare results-based reporting mechanism are not to revert but are to remain available for completion of the reporting mechanism; and provides that any unanticipated federal funding received during the fiscal year due to improvements in the hours counted by the Judicial Branch under the claiming process for federal Title IV-E funding are appropriated to DHS for additional or expanded court-ordered services and any such funds that are unencumbered or unobligated at the end of the fiscal year are not to revert but are to remain available until the close of the succeeding fiscal year for the purposes designated.

**COMMUNITY-BASED PROGRAMS — ADOLESCENT PREGNANCY PREVENTION.** The State General Fund appropriation is reduced by the amount of funding provided for child abuse prevention grants, and child abuse prevention grants are instead funded with TANF funding, resulting in maintenance of the funding amount of these programs relative to the previous fiscal year. The Act provides that funds are to be used to provide adolescent pregnancy prevention grants that are broad-based, focus on abstinence, and are targeted to middle schools. The Act provides that it is the intent of the General Assembly that DHS and the Iowa Department of Public Health continue to identify existing abstinence education or community-based programs that comply with the requirements of federal law to match federal abstinence education funds.

**FAMILY SUPPORT SUBSIDY PROGRAM.** The Act increases the program funding relative to the previous fiscal year to provide program funding for an additional 50 children.

**CONNER DECREE.** The Act appropriates \$46,000 to DHS to be used to build community capacity through the coordination of training opportunities in accordance with the federal consent decree issued in 1994 regarding placement of persons with mental retardation in the least restrictive setting.

**MENTAL HEALTH INSTITUTES.** The Act provides a decrease in the appropriation to institutes at Cherokee, Clarinda, Independence, and Mount Pleasant relative to the previous fiscal year due to delay in noncritical equipment purchases and optional remodeling and due to a reduction in the funding of vacant positions, bonus pay, and technology. The Act directs the State Mental Health Institute at Independence to continue the 30-bed PMIC facility under the net state budgeting approach and in a manner that does not expend state funds in excess of the funds appropriated or make counties responsible for the costs. The Act designates the revenues attributable to PMIC beds that are to be deposited in the institute's account. The Act directs the Mount Pleasant Mental Health Institute to continue the dual diagnosis unit to provide psychiatric treatment and substance abuse treatment simultaneously on a net budgeting basis, designates the revenues attributable to dual diagnosis which are to be deposited in the institute's account, provides that the cost of treating a dual diagnosis patient are to be charged one half to the patient's county of residence and the other half to the state, and specifies payment provisions relating to county payment of dual diagnosis treatment. The Act authorizes DHS to reallocate funds as necessary to best fulfill the needs of the institutes under the appropriation and requires DHS to provide persons being discharged from an institute with assistance in obtaining federal benefits under federal Supplemental Security Income.

**STATE HOSPITAL-SCHOOLS.** This appropriation is a decrease in the appropriation compared with the previous fiscal year (see S.F. 2360 in Human Services for legislation changing the name of the state hospital-schools to the state resource centers). The Act directs DHS to continue operating the state hospital-schools at Glenwood and Woodward with a net State General Fund appropriation. The Act provides that, subject to the approval of DHS, revenues attributable to the state hospital-schools for FY 2000-2001 are to be deposited into each school's account, and designates the funding sources that are to be so deposited. The Act provides that for the purposes of allocating salary adjustment fund moneys appropriated in S.F. 2450, the state hospital-schools shall be considered to be funded entirely with state moneys, and provides that up to \$500,000 of a state hospital-school's revenues that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used in the succeeding fiscal year, and authorizes DHS to reallocate the appropriation for the state hospital-

schools as necessary to best fulfill the schools' needs. The Act authorizes DHS to continue to bill for the hospital-schools' services utilizing a scope of services approach used for private providers of ICF/MR services in a manner which does not shift costs between the MA Program, counties, or other sources of funding and authorizes the schools to expand the time-limited assessment and respite services. The Act provides that if DHS and the Department of Management concur with a finding by a state hospital-school's superintendent that projected revenues can reasonably be expected to pay the salary and support costs for a new employee position, or that such costs for adding a particular number of new positions for the fiscal year would be less than the overtime costs if new positions would not be added, the superintendent may add the new positions. If the vacant positions available do not include the position classification desired to be filled, the hospital-school's superintendent may reclassify any vacant position as necessary to fill the desired position. The Act also provides that the superintendents of the hospital-schools may mutually agree to pool vacant positions and position classifications to fill necessary positions.

*MENTAL ILLNESS SPECIAL SERVICES.* This appropriation maintains the current level of funding, requires DHS and the Iowa Finance Authority to develop methods to finance community-based facilities, provides that the funds appropriated are for construction and start-up costs to develop community living arrangements to provide for persons with mental illness who are homeless, and provides that the funds may be used to match federal grant funds.

*SPECIAL NEEDS GRANTS AND STATE CASES.* The Act maintains the current level of funding for the Special Needs Grants Program. The appropriation for state cases provides an increase of \$3.2 million to fund the additional caseload.

*MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES — COMMUNITY SERVICES FUND.* This appropriation is an increase compared with the previous fiscal year. However, the overall amount of the appropriations for distribution to counties is a decrease compared with the FY 2000-2001 growth established during the 1999 Session of the General Assembly, due to a general reduction in this Act to the mental health risk pool. The Act provides that moneys are distributed to counties according to a population and poverty formula; 50 percent of the moneys from the fund must be used for contemporary services according to rules adopted by DHS; funding continues for the Iowa Compass Disability Services and Referral Program; federal Social Services Block Grant Funds distributed to counties for local purchase of services are to be expended by counties in accordance with the county's approved county management plan, and a county without an approved plan is prohibited from receiving funds until the plan is approved; and a county is eligible for funding through the Community Mental Health and Developmental Disabilities Services Fund only if the county meets the requirements for receiving property tax funds and allowed growth funds.

*PERSONAL ASSISTANCE.* This appropriation maintains the current funding level for this pilot program for adult persons with physical disabilities in an urban and a rural area. The Act prohibits the pilot project and any federal home and community-based waiver developed under the MA Program from being implemented in a manner that would require additional county or state costs for assistance provided. The Act also includes intent language placing priority on new applicants with education and employment needs and providing that current applicants who may receive similar services under other programs are to be assisted in attaining eligibility for those programs. The Act also provides that funds remaining for the pilot project at the close of the fiscal year do not revert to the State General Fund but are to remain available to provide personal assistance payments until the close of the succeeding fiscal year.

*SEXUALLY VIOLENT PREDATORS.* This appropriation provides for payment of costs associated with the commitment and treatment of sexually violent predators. The Act also provides that \$250,000 of the moneys appropriated for FY 1999-2000 for the program that remain unexpended or unobligated at the close of that fiscal year shall not revert to the State General Fund but shall remain available in the succeeding fiscal year for the purposes of the program. The provision relating to nonreversion of funds takes effect May 17, 2000.

*FIELD OPERATIONS, GENERAL ADMINISTRATION, AND VOLUNTEERS.* The appropriation for field operations is a decrease of \$4.5 million compared with the appropriation for FY 1999-2000. The Act provides that priority in filling full-time equivalent (FTE) positions shall be given to those positions related to child protection services and provides that the appropriation includes increased funding of \$147,454 to address staffing issues related to child protection services. The Act provides a separate appropriation for regional offices and maintains the current level of funding for regional offices. The appropriation for general administration is an increase compared with the prior fiscal year. The Act allocates \$57,000 for the Prevention of Disabilities Council, transfers \$129,971 to the State University of Iowa for the university-affiliated program for the support of Iowa Creative Employment Options, and provides that DHS shall not implement savings reductions for general administration which reduce service funding for disability rehabilitation programs or statewide-supported employment programs or reduce drawdown of federal funding. The appropriation for volunteers is a very slight reduction compared with the previous fiscal year.

*MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES.* The Act establishes reimbursement rates for social services providers. However, see S.F. 2193 (see Human Services) and H.F. 2555 for increases in reimbursements to some of these providers.

The Act provides all of the following:

- Provides that the reimbursement rate for skilled nursing facilities is to remain at the rate in effect on June 30, 2000.
- Provides that the dispensing fee for pharmacists is to remain at the rate in effect on June 30, 2000.
- Provides that the reimbursement rate for hospitals for inpatient and outpatient services is to remain at the rate in effect on June 30, 2000, requires DHS to continue the outpatient reimbursement system utilizing ambulatory patient groups implemented in FY 1994-1995, and requires DHS to continue the revised MA payment policy for reimbursement for costs of screening and treatment provided in the hospital emergency room, pursuant to the prospective payment methodology developed by DHS for payment of outpatient services under the MA Program, which results in an increased reimbursement.
- Provides that rural health clinics, hospices, independent laboratories, and acute mental hospitals reimbursement rates are to be increased in accordance with increases under the federal MA Program or as supported by Medicare-audited costs, resulting in an increased reimbursement.
- Provides that reimbursement rates for home health agencies are to remain at the rates in effect on June 30, 2000.
- Provides that federally qualified health centers shall receive cost-based reimbursement for 100 percent of the reasonable costs of services.
- Provides that the reimbursement rates for dental services are to remain at the rates in effect on June 30, 2000.
- Provides that the reimbursement rates for community mental health services are to be increased by 16.63 percent over the rates in effect on June 30, 2000.
- Provides that unless otherwise specified in the Act, all noninstitutional MA provider reimbursement rates are to remain at the rates in effect on June 30, 2000.
- Provides that the maximum reimbursement rate for nursing facilities is established at the 70<sup>th</sup> percentile based upon the June 30, 1999, unaudited compilation of cost and statistical data submitted by each facility on MA cost reports. However, at such time as DHS implements a transitional case-mix reimbursement methodology, nursing facilities shall be reimbursed in accordance with the transitional payment system. The Act directs DHS in developing the case-mix reimbursement methodology to work with nursing facilities and patient advocates in examining administrative costs. The Act also directs nursing facilities reimbursed under the MA Program to continue to submit cost reports and additional documentation as required by rule. The cost reports submitted are to include a line itemization of expenses attributable to the home or principal office or headquarters of the nursing facility, including but not limited to home office costs and management fees, within the administrative cost line item.
- Establishes the maximum reimbursement rate for residential care facilities at not less than \$24.26 per day for the period July 1, 2000, through June 30, 2001. The flat reimbursement rate for facilities electing not to file cost reports is established at not less than \$17.36 per day for the time period of July 1, 2000, through June 30, 2001.
- Establishes the maximum reimbursement rate for providers reimbursed under the in-home health-related care program as not less than \$466.49 per month for the period June 30, 2000, through July 1, 2001.
- Provides that for the fiscal year beginning July 1, 2000, the foster family basic daily maintenance rate and the maximum adoption subsidy rate is \$14 for children ages 0 through 5 years, \$14.78 for children ages 6 through 11 years, and \$16.53 for children ages 12 and older.
- Provides that the maximum reimbursement rates for adoption and independent living services are to remain at the rates in effect on June 30, 2000, unless a specific exception applies.
- Provides that the group foster care reimbursement rate for children placed outside the state is to be calculated in the same manner as is used for in-state providers, unless the Director of Human Services determines that care cannot be provided within the state, and the rate must be based on the actual number of days in a calendar month.
- Provides that the reimbursement rate for rehabilitative treatment and support services providers is to remain at the rate in effect on June 30, 2000.
- Provides that the reimbursement rate for shelter care providers be calculated using a cost report, and establishes the maximum rate at \$79.70 per day. If the provider's cost report justifies the maximum rate, but DHS would reimburse the provider at less than that rate, DHS is to readjust the rate to the maximum rate.
- Provides that beginning July 1, 2000, DHS is to calculate reimbursement rates for intermediate care facilities for persons with mental retardation at the 80<sup>th</sup> percentile.
- Directs DHS to establish the child day care provider rates based on the reimbursement survey completed in December 1998 and in a manner so as to provide incentives for nonregistered providers to become registered providers.

- Provides that the maximum reimbursement rate for PMICs is to be increased to \$147.20 per day, based on per day rates for actual costs on June 30, 2000.
- Provides that for the fiscal year beginning July 1, 2000, reimbursement rates for providers reimbursed by DHS may be modified if appropriated funding is allocated for that purpose from the Senior Living Trust Fund as established in Code Section 249H.4, as enacted in 2000 Iowa Acts, S.F. 2193, or as specified in appropriations from the Tobacco Settlement Endowment Fund as created in Code Section 12.65 (see H.F. 2555).

**MOTOR VEHICLE LICENSE REINSTATEMENT PENALTY — DEPOSIT AND APPROPRIATION.** The Act provides that notwithstanding the law regarding deposit of the civil penalty moneys collected by the Iowa Department of Transportation (IDOT) at the time IDOT suspends, revokes or bars a person's motor vehicle license or nonresident operating privileges, the moneys are to be deposited to the credit of DHS and are to be used as follows: an amount equal to 10 percent of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in the fiscal year beginning July 1, 1999, up to the amount appropriated for this purpose; \$80,000 for renewal of a grant to a county with a population between 168,000 and 175,000 for implementation of a county's runaway treatment plan; for grants to counties implementing a runaway treatment plan; and the remainder for additional allocations to county or multicounty juvenile detention homes.

**TRANSFER AUTHORITY.** The Act permits DHS to transfer funding between the following appropriations, provided the combined funding is not changed: Family Investment Program (FIP), Emergency Assistance Program, child care assistance, child and family services, field operations, general administration, and MH/MR/DD/BI community services (local purchase).

**FRAUD AND RECOUPMENT ACTIVITIES.** The Act permits DHS to expend funds recovered through fraud and recoupment investigations to perform additional fraud investigations as long as the additional investigations are anticipated to recover moneys in excess of both the costs of performing the investigations and the amount recovered in the fiscal year beginning July 1, 1997. The Act limits the number of additional investigative staff to five.

**FINANCIAL ASSISTANCE SERVICES.** The Act authorizes DHS to continue the financial assistance services pilot projects in not more than 14 counties (an increase of six counties), which allows DHS to alter policies, procedures and practices and to waive administrative rules involving financial assistance services, which are based on state law. In addition, DHS may alter provisions based on federal law if federal approval is obtained. The programs or services affected include FIP, the PROMISE JOBS Program, MA (Medicaid), State Supplementary Assistance, social services, and other DHS services.

**ADDITIONAL PROVISIONS.** The Act also does the following:

- Extends the repeal of the Prevention of Disabilities Council to July 1, 2001. This provision takes effect May 17, 2000.
- Reduces the previously appropriated amount available under the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment for FY 2000-2001 and allocations to make additional funding available for appropriation under the Act for other purposes.
- Amends 2000 Iowa Acts, S.F. 2193, to provide that nursing facility provider reimbursement at the 70<sup>th</sup> percentile of facility costs is to be calculated from the June 30, 2000, unaudited compilation of cost and statistical data submitted by each facility on medical assistance cost reports.
- Increases income eligibility guidelines for pregnant women and infants under the MA Program to 200 percent of the federal poverty level.
- Provides that the educational and recreational facilities to be dedicated in the spring of 2001 at the State Training School in Eldora are to be named the Arlene Dayhoff Educational Complex and that the training school shall name any other newly constructed facilities to be dedicated during the fiscal year beginning July 1, 1999, or July 1, 2000, as deemed appropriate by the training school administration to properly recognize individuals who have made significant contributions to the juvenile justice system in general or the state training school in particular. These provisions take effect May 17, 2000.
- Delays implementation of the administrative rules for the Subsidized Guardianship Program until such time as funding is appropriated after July 1, 2000. This provision takes effect May 17, 2000, and is retroactively applicable to April 1, 2000.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. A directive for DHS to continue the expansion of the Electronic Benefits Transfer Program as necessary to comply with federal requirements, with a target implementation date of October 1, 2002, and requiring that in entering into a contract relating to the equipment to be used in implementation of the program, DHS would only enter into a contract

- that provides for a card which is compatible with the standards established for electronic transfer of funds for a multiple-use terminal and that only provides for receipt of state benefits and entitlements under the purview of DHS.
2. A directive for DHS to work with county representatives in aggressively taking the steps necessary to implement the rehabilitation option for services to persons with chronic mental illness under the MA Program. The Act provided that county funding would be used to provide a match for the federal funding except for persons with state case status, for whom state funding is to provide the match. The Act directed DHS and county representatives to appear before the Joint Appropriations Subcommittee on Human Services in January 2001 to report their proposals concerning implementation of the option.
  3. A directive for DHS to aggressively pursue options for providing MA or other assistance to individuals with special needs who become ineligible to continue receiving services under the EPSDT Program after reaching 21 years of age, if the individual has been approved for additional assistance through the department's exception to policy provisions, but has health care needs in excess of funding available through the exceptions to policy provisions.
  4. An allocation under the MA Program appropriation to be used for development of options for implementation of a personal assistance services program based on provisions outlined in H.F. 2380, as introduced (but not enacted) in the 78<sup>th</sup> General Assembly, 2000 Session. The provision directed DHS to consult with various entities and to convene a planning committee on or before September 1, 2000, to assist in the development of a plan for a personal assistance services program. The directive provided for the planning committee to submit an initial set of options to the Governor and the General Assembly on or before March 1, 2001, and a final set of options including a transition plan on or before January 31, 2002. The Act specified a minimum of options that the planning committee was to provide.
  5. A directive for representatives of community action agencies that receive funding from the state to provide outreach for the HAWK-I Program to appear before the Joint Appropriations Subcommittee on Human Services in January 2001 to report the outcomes of the outreach efforts.
  6. A directive for DHS to implement one or more options on a pilot project basis that affect not more than 50 children during the course of the fiscal year, in addition to the recommendations of the Legislative Council's child welfare work group, if DHS has completed its review of reimbursement methodologies for child welfare services that are complementary to those being implemented in accordance with the child welfare work group recommendations, and has reported the options to the persons designated in the Act to receive reports.
  7. An allocation of funding for the Legislative Council's child welfare services work group.
  8. A directive for the state mental health institutes to continue the test of the net budgeting accounting approach and to submit status reports.
  9. Language in the state cases appropriation that provided for a transfer of \$300,000 to the appropriation in the Act for MA to be used for payment of the state portion of the nonfederal share of MA reimbursement for services provided to eligible persons by certain qualified ICF/MRs. "Eligible persons" were defined under the Act as persons with a brain or head injury who are determined by the Iowa Foundation for Medical Care to meet entrance requirements for services at the ICF/MR level.
  10. Language providing that the number of FTE positions authorized for general administration included a reduction of all but three of the FTE positions previously assigned to the State-County Assistance Team. One of the remaining FTE positions was to provide staffing services to the State-County Management Committee.
  11. Language stating the General Assembly's support of the department's stated purposes in its efforts to review the services it administers and the reimbursement methodologies for those services; a provision stating that the General Assembly anticipates DHS continuing its review and consultation during the 2000 Interim in order to submit recommendations and proposals for the General Assembly to consider during the 2001 Session; and prohibiting DHS from implementing changes in the reimbursement methodologies without express authorization in law.
  12. Language requesting that organizations representing certified nurse aides and nursing facilities and other providers of services employing certified nurse aides discuss how nursing facilities and other providers can improve the ongoing training, communication skills development, mentoring, and other activities intended to enhance the expertise of the certified nurse aides. The language provided that it is the intent of the General Assembly that the organizations involved in the discussions would make a presentation to the Joint Appropriations Subcommittee on Human Services during January 2001 concerning their discussions and plans for improvement.
  13. Language stating that the independent evaluation of the child protection system required under 1997 Iowa Acts shall be fulfilled by including the evaluation elements in the department's independent review contracted for in the spring of 2000.

**SENATE FILE 2450 - Compensation for Public Employees**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and appropriates \$42.2 million for the fiscal year beginning July 1, 2000, to fund salary adjustments for state elected officers, state appointed nonelected officers, justices, judges, magistrates, employees subject to collective bargaining agreements, and certain noncontract employees.

For the fiscal year, the Governor, Attorney General, Auditor of State, Treasurer of State, and Secretary of Agriculture receive a 3 percent increase, the Lieutenant Governor receives a 5 percent increase, and the Secretary of State receives a 6.09 percent increase.

The contract state employees under the American Federation of State, County and Municipal Employees receive a 2.6 percent increase plus a new pay plan. The contract employees under the State Police Officers Council and Iowa United Professionals receive a 3 percent increase.

The Drug Policy Coordinator is changed from salary range 4 to salary range 5 and the Director of the Department of Inspections and Appeals is changed from salary range 7 to salary range 8. The salaries of justices and judges are increased approximately 3 percent, the salaries of judicial magistrates are increased approximately 6 percent, and the maximum salaries in the salary ranges for state nonelected officers are increased approximately 3 percent. Noncontract employee pay plans are increased by 3 percent and any additional changes in executive branch noncontract employee pay plans are subject to approval of the Governor. An eligible noncontract employee may receive a step increase or its equivalent.

The State Board of Regents is allocated appropriations to fund its collective bargaining agreements and provide merit employees not covered under a collective bargaining agreement with increases comparable to similar contract-covered employees and faculty, and the professional and scientific employees not covered under a collective bargaining agreement with a percentage increase similar to the University of Northern Iowa faculty bargaining unit.

The Executive Council shall transfer funds from the Health Insurance Surplus Account, as determined by the Department of Management, to the Health Insurance Premium Operating Account to reduce insurance premiums.

The Act provides the same meal per diem for contract and noncontract sworn peace officers in the Department of Public Safety.

A salary model coordinator is funded to maintain, in conjunction with the Legislative Fiscal Bureau, the state's salary model.

The Act provides that the Governor may select an administrator of a division of the Department of Commerce as director of the department for an indefinite term of office in lieu of an annual appointment which rotates among the division administrators.

The Act repeals a provision that granted certain state elected officers salary increases in FY 1997-1998 through FY 1999-2000.

#### **SENATE FILE 2452 - Miscellaneous Appropriations and Other Provisions**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to various public expenditures and regulatory matters by making appropriations and various statutory changes.

##### Division I — MH/MR/DD Allowed Growth and Related Provisions

Division I of this Act does the following:

1. Appropriates moneys for FY 2001-2002 to the Department of Human Services for distribution to counties of the county mental health, mental retardation, and developmental disabilities (MH/MR/DD) services allowed growth factor adjustment. The division also provides for the allotment of the appropriation for various purposes for MH/MR/DD services provided by the counties.
2. Applies additional eligibility requirements for allotment of funding from the per capita expenditure target pool involving the size of the county's MH/MR/DD services fund balance and compliance with a financial reporting deadline.
3. Allows a county receiving risk pool assistance that did not levy the maximum amount allowed in a fiscal year, to repay the risk pool during the following two fiscal years. This provision takes effect May 23, 2000.
4. Makes purchase of service providers eligible for a higher rate increase from a host county than the minimum increase required under H.F. 2555.
5. Changes the dates for implementation of depreciation schedules and reimbursement rates for improvement of capital assets used in part for MH/MR/DD services from July 1, 2000, to July 1, 2001, as was previously enacted in H.F. 2327 (see Local Government). This applies retroactively to April 13, 2000.

##### Division II — Tobacco Settlement Funds

Division II of this Act does the following:

1. Transfers \$64.6 million from the Tobacco Settlement Fund to the General Fund of the State for FY 2000-2001.

2. Creates a Tobacco Settlement Endowment Fund to replace the Tobacco Settlement Fund into which the moneys are credited from the states' master tobacco settlement agreement with tobacco companies. Also to be deposited into this fund are the proceeds from any bonds issued which are payable from the annual receipts pursuant to the tobacco settlement agreement. Moneys in the fund are to be used for health care, substance abuse treatment and enforcement, tobacco use prevention and control, and other purposes related to the needs of children, adults and families. Moneys in the fund may also be used for cash flow purposes of the General Fund of the State provided any moneys so used are returned by the close of the fiscal year.
3. Provides that references in other enactments of the 2000 Legislative Session to the Tobacco Settlement Fund are references to the Tobacco Settlement Endowment Fund.

#### Division III — Reduction in Phase III Moneys

Division III of this Act reduces the standing limited appropriation for the Educational Excellence Program by \$2 million beginning with FY 2000-2001.

#### Division V — Waste Reduction Center Appropriation

Division V of this Act provides that any moneys remaining from the appropriation made for FY 1998-1999 to the State Board of Regents for the Iowa Waste Reduction Center at the University of Northern Iowa, which are unencumbered or unobligated at the close of FY 1999-2000, shall not revert but are available for expenditure during FY 2000-2001.

The division takes effect May 23, 2000.

#### Division VI — Miscellaneous

Division VI of this Act does the following:

1. Provides for the refunds of assessments made on Iowa financial institutions to cover the loss of public funds due to a failed Iowa financial institution if the loss is recovered. This provision takes effect May 23, 2000, and applies to assessments made on or after January 1, 2000.
2. Changes the membership of the State Fire Service and Emergency Response Council of the Department of Public Safety, newly established in H.F. 2492 (see Local Government), by increasing the membership from 10 to 11 voting members and providing that the specific organizations are to submit a list of nominees from which the Governor shall appoint the members.
3. Amends Code Section 166D.7, subsection 4, as amended during the 2000 Legislative Session to require breeding herds to be recertified that they are not infected with pseudorabies for each month when at least 10 percent of the herd's breeding swine, rather than 25 hogs, react negatively to the test. This provision takes effect May 23, 2000.
4. Changes the guidelines for awarding grants for beginning teacher induction programs to be based solely on district population of the school districts with approved program plans.
5. Amends the law relating to motor vehicle franchises to provide that the fact that a dealership does not meet an index or standard established by the franchiser does not in and of itself constitute good cause to terminate or discontinue a franchise.
6. Eliminates failure to present a claim against the state within three months from its accrual as a reason for disallowing the claim by the Department of Revenue and Finance.
7. Requires the Department of General Services to adhere to the state competitive bidding requirements for all maintenance projects having a total cost of \$25,000 during FY 2000-2001.
8. Makes changes in amounts appropriated from federal grants and nonstate funds in H.F. 2533.

#### Division VII — Corrective Amendments

Division VII of this Act contains corrective amendments to Acts that were enacted during the 2000 Legislative Session or to Code sections amended or affected by Acts that were enacted during the 2000 Legislative Session.

#### Division VIII — Volunteer Emergency Services Provider Death Benefit

Division VIII of this Act provides a standing unlimited appropriation to the Department of Revenue and Finance to pay death benefit claims, approved by the Department of Public Safety, for volunteer fire fighters, emergency medical care providers, and emergency rescue technicians who are killed in the line of duty. The benefit is a \$100,000 lump sum payment to the volunteer's

beneficiary. This division is repealed July 1, 2002. It is the intent of the General Assembly that the Department of Management study the feasibility of implementing a system to provide retirement and death benefits to volunteer emergency services providers.

Division IX — Satellite Terminals of Financial Institutions

Division IX of the Act allows financial institutions to establish, control, maintain, or operate any number of satellite terminals (automated teller machines) in Iowa. This division takes effect May 23, 2000.

Division X — Other Appropriations

Division X of this Act amends other appropriation Acts enacted during the 2000 Legislative Session by increasing appropriations made to the Department for the Blind and the Department of Human Services and by reallocating among various appropriations made to the Department of Corrections. All the appropriations involve the General Fund of the State.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

Division IV of this Act would have established a Microsoft Settlement Fund for the deposit of the state's portion of any moneys paid as a result of the federal antitrust trial against Microsoft, or as a result of the state's own antitrust action. The moneys in the Microsoft Settlement Fund would only be used as appropriated by the General Assembly.

**SENATE FILE 2453 - Appropriations — Infrastructure and Capital Projects**

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations from the Rebuild Iowa Infrastructure Fund for various capital and other projects. These appropriations include capital projects for the departments of Corrections, Cultural Affairs, Economic Development, General Services, Natural Resources, and Transportation, and for the Department for the Blind, State Board of Regents, the Judicial Branch, the Office of Treasurer of State, and the Commission of Veterans Affairs.

*ENVIRONMENT FIRST FUND.* The Act creates an Environment First Fund under the authority of the Department of Management in new Code Section 8.57A. The fund is to be separate from the General Fund of the State and is to consist of appropriations made to the fund and transfers of interest, earnings and moneys from other funds as provided by law. Moneys in the fund in a fiscal year are to be used as appropriated by the General Assembly for the protection, conservation, enhancement, or improvement of natural resources or the environment. The Act also provides that a portion of the gambling revenues deposited in the Rebuild Iowa Infrastructure Fund are appropriated annually to the Environment First Fund.

The Act appropriates \$10.5 million for FY 2000-2001 from the Environment First Fund to the Resource Enhancement and Protection Fund in lieu of the \$20 million standing appropriation from the General Fund of the State. The Act also appropriates funds from the Environment First Fund to the departments of Agriculture and Land Stewardship, Economic Development, and Natural Resources.

*OTHER STATUTORY CHANGES.* The Act makes several other statutory changes that take effect May 11, 2000.

The Act amends a provision in Code Section 8.57, which provides for the annual deposit of gambling revenues in excess of \$60 million into the Rebuild Iowa Infrastructure Fund, by providing that portions of such excess revenues be deposited into the Vision Iowa Fund and the School Infrastructure Fund on an annual basis for a designated number of years. The Vision Iowa Fund was created in S.F. 2447 (see Economic Development) to be used for the Vision Iowa Program to assist communities in the development of major tourism facilities. The School Infrastructure Fund was also created in S.F. 2447 to be used for the School Infrastructure Program to provide financial assistance to certain school districts with infrastructure needs. The Act also provides that a portion of Vision Iowa Fund moneys may be used for administrative costs and that a portion of School Infrastructure Fund moneys shall be used for evaluation of structures by the State Fire Marshal.

The Act also creates new Code Section 18A.6, providing procedural requirements applicable to capital projects on the Capitol complex. The provision takes effect May 11, 2000.

The Act creates an Aviation Hangar Revolving Loan Fund in new Code Section 330.2, to be used by the Iowa Department of Transportation for loans to provide assistance for the design, construction or improvement of hangars at general aviation airports in the state.

*1998 AND 1999 IOWA ACTS AMENDED.* The Act amends 1998 Iowa Acts, Chapter 1219, Section 10, subsection 4, relating to an appropriation from the Rebuild Iowa Infrastructure Fund to the Department of General Services. The Act expands the

purposes for which the department may use the appropriated moneys in the renovation and construction of state-owned facilities. This provision takes effect May 11, 2000.

The Act amends 1999 Iowa Acts, Chapter 204, Section 4, to increase the FY 2000-2001 appropriation to the Department of General Services for major renovation and major repair needs at state-owned buildings and facilities and to eliminate an FY 1999-2000 appropriation to the department for the design and construction of an Iowa Hall of Pride. These provisions take effect May 11, 2000.

The Act amends 1999 Iowa Acts, Chapter 204, Section 6, to decrease the FY 2000-2001 appropriation to the Judicial Branch for planning, design and construction of a new judicial building, but appropriates the amount of the decrease, in addition to other funds, for the same purposes for FY 2001-2002.

The Act also amends several provisions in 1998 Iowa Acts, Chapter 1219; 1998 Iowa Acts, Chapter 1223; and 1999 Iowa Acts, Chapter 204, to extend the time within which certain funds appropriated in those Acts will remain available for the purposes designated in those Acts. These appropriations include appropriations to the Judicial Branch for capital projects at the State Capitol Building and for design and development of a new judicial building and to various other agencies for environmental and natural resources purposes. These provisions take effect May 11, 2000.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. A provision prohibiting moneys appropriated to the Office of the Treasurer of State for FY 2001-2002, FY 2002-2003, and FY 2003-2004, for deposit in the Community Attraction and Tourism Fund, from being used for marketing purposes.
2. A provision extending the Restore the Outdoors Program through FY 2003-2004. The Restore the Outdoors Program provides a standing appropriation from the Rebuild Iowa Infrastructure Fund through FY 2000-2001 for vertical infrastructure projects at state parks and other public facilities.
3. A provision allowing for the nonreversion of moneys in the newly created Environment First Fund.
4. FY 2000-2001 funding to the Department of Agriculture and Land Stewardship for the Alternative Drainage System Assistance Program.
5. A provision allowing funds appropriated from the Environment First Fund for various purposes related to the environment and natural resources to be available for the purposes designated through FY 2003-2004.
6. A provision requiring the Department of General Services to comply with certain notice requirements when billing state agencies for certain architectural and construction-related services to be provided by the department and allowing the department or a state agency to file a complaint with the Executive Council involving a dispute over such billing or service.

**HOUSE FILE 2039 - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to state budgetary matters by providing for reductions and supplementation of appropriations for FY 1999-2000.

Division I — Administration and Regulation Appropriations

Division I makes reductions in the following appropriations to the indicated state agencies: Department of General Services for property management and utilities; for the general office of the Governor and Lieutenant Governor; Department of Management; Department of Personnel for state workers' compensation claims; and Department of Revenue and Finance. In addition, certain moneys that had been appropriated for costs to address the century date change in state technology are transferred to the General Fund of the State on the Act's effective date of January 18, 2000. This division includes a supplemental appropriation to the Department of Inspections and Appeals to be used to comply with federal requirements for enhanced response to complaints regarding intermediate care facilities.

Division II — Natural Resources

Division II reduces appropriations to the Department of Natural Resources for the divisions of Parks and Preserves, Forests and Forestry, Energy and Geological Resources, and Environmental Protection.

Division III — Departments of Economic Development and Workforce Development

Division III reduces the appropriation to the Department of Economic Development for the Strategic Investment Fund by approximately \$1 million, and to the Department of Workforce Development for its Division of Labor Services and for workforce development areas. The division also applies an additional reduction to the standing appropriation for refunds otherwise payable to employers participating in the Certified School to Career Program.

#### Division IV — Education

Division IV reduces appropriations to the College Student Aid Commission for general administration, to the Department of Education for the Public Broadcasting Division and for promotion of the next decennial census, and to the State Board of Regents and its institutions. The division also provides for additional funding to be obtained by the state entering into a contract to enhance claiming of reimbursement under the Medical Assistance Program (Medicaid) for services provided at the University of Iowa Hospitals and Clinics. The university retains a portion of the moneys obtained from the contract and the remainder is to be credited to the State General Fund. The standing appropriation for Phase III of the Educational Excellence Program is reduced.

#### Division V — Health and Human Rights

Division V reduces appropriations to the Iowa Department of Public Health relating to promotion of health status for children and adults and repeals an allocation for the department to contract with a charitable organization for primary and preventive health care for children.

#### Division VI — Human Services

Division VI reduces appropriations to the Department of Human Services for the Family Investment Program, Food Stamp Employment and Training Program, state supplementary assistance, State Training School at Eldora, a subsidized guardianship program, field operations, and commitment and treatment of sexually violent predators. In addition, a restriction is removed relating to use of certain federal moneys, and the departments of Human Services and Management are directed to revise administrative provisions as necessary to fill positions at the two state hospital-schools.

#### Division VII — Justice System

Division VII reduces various appropriations to the Department of Corrections and to the Department of Public Safety for a portion of the state's contribution to the Peace Officers' Retirement, Accident, and Disability System. In addition, all moneys remaining to the credit of the Highway Safety Patrol Fund following the previously enacted repeal of the fund on July 1, 1999, are transferred to the General Fund of the State. The division also authorizes the Department of Corrections to contract for housing of federal and county prisoners during FY 1999-2000 and FY 2000-2001, provides that moneys received from the contracting are to be credited to the State General Fund, and provides an appropriation to the department for expenses.

#### Division VIII — Transportation

Division VIII repeals a State General Fund appropriation to the Iowa Department of Transportation for planning and programming.

#### Division IX — Salary Adjustment and Out-of-State Travel

Division IX reduces the appropriation used for salary adjustment of state employees by about \$2.7 million. Of the moneys credited to the Innovations Fund, \$300,000 is to be transferred to the State General Fund. State General Fund and Reversion Technology Initiatives Account appropriations are reduced in an amount sufficient to effect a reduction of 25 percent in state employee out-of-state travel.

The Act takes effect January 18, 2000.

#### **HOUSE FILE 2059 - Appropriations — National World War II Memorial**

BY JOHNSON, D. TAYLOR, HUSEMAN, BAUDLER, RAYHONS, LORD, ALONS, BARRY, THOMSON, CARROLL, SUKUP, TEIG, ARNOLD, GIPP, BRAUNS, HEATON, DRAKE, METCALF, GRUNDBERG, MARTIN, DAVIS, NELSON-FORBES, BOGGESS, GREINER, HOFFMAN, LARSON, BODDICKER, BLODGETT, VAN FOSSEN, HAHN, DOLECHECK, BRADLEY, JACOBS, EDDIE, JAGER, BOAL, RAECKER, KETTERING, BRUNKHORST, JENKINS, HOLMES, VAN ENGELHOFEN, SIEGRIST, DIX, HANSEN, CORMACK, GARMAN, HORBACH, RANTS, KLEMME, TYRRELL, SUNDERBRUCH, WEIDMAN, MILLAGE, WELTER, HOUSER, SHEY, BELL, BUKTA, CATALDO, CHIDO, COHOON, CONNORS, DODERER, DOTZLER, DREES, FALCK, FALLON, FOEGE, FORD, FREVERT, GREIMANN, HOLVECK, HUSER, JOCHUM, KREIMAN, KUHN, LARKIN, MASCHER, MAY, MERTZ, MUNDIE, MURPHY, MYERS, O'BRIEN, OSTERHAUS, PARMENTER, REYNOLDS, RICHARDSON, SCHERRMAN, SCHRADER, SHOULTZ, STEVENS, T. TAYLOR, THOMAS, WARNSTADT, WEIGEL, WHITEAD, WISE, AND WITT. This Act appropriates funds from the Rebuild Iowa Infrastructure Fund for FY 2000-2001 to the Commission of Veterans Affairs to be contributed to the World War II Memorial Fund for the construction of a national World War II memorial in Washington, D.C. The Commission of Veterans Affairs shall not make such contribution unless the U.S.

Secretary of the Interior has issued a construction permit for construction of the memorial or the Commission of Veterans Affairs has determined there is substantial evidence of sufficient funding available for construction of the memorial.

#### **HOUSE FILE 2533 - Federal Block Grant Appropriations**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys to various state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001, from the following federal block grants: Substance Abuse Prevention and Treatment, Community Mental Health Services, Maternal and Child Health Services, Preventive Health and Health Services, Drug Control and System Improvement, Stop Violence Against Women, Local Law Enforcement, Residential Substance Abuse Treatment for State Prisoners, Community Services, Community Development, Low-Income Home Energy Assistance, Social Services, Mental Health Services for the Homeless, and Child Care and Development. See S.F. 2435 for appropriations of the federal Temporary Assistance for Needy Families (TANF) Block Grant and supplementation of the Social Services Block Grant.

The Act requires that moneys be distributed in accordance with the applicable federal requirements. The Act establishes a procedure if more or less federal funding is received than predicted. In addition, the Act appropriates other federal grants, receipts and funds, and other nonstate grants, receipts and funds available in whole and in part for the state fiscal year beginning July 1, 2000, and ending June 30, 2001.

The Act provides that if the Governor determines that federal low-income home energy assistance funds are insufficient, the Iowa Utilities Board is to issue an order prohibiting disconnection of service from November 1 through April 1 if the household income falls at or below 150 percent of the federal poverty level.

The Act includes an FY 1999-2000 appropriation of additional federal Community Development Block Grant funding available for that fiscal year. In addition, the Act directs the Department of Human Services to take certain steps regarding contracting for projects for assistance in transition from homelessness. Both of these provisions take effect April 21, 2000.

#### **HOUSE FILE 2538 - Appropriations — Transportation**

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations for FY 2000-2001 from the General Fund of the State, the Road Use Tax Fund, and the Primary Road Fund to the Iowa Department of Transportation (IDOT).

The Act appropriates moneys from the General Fund of the State for the Rail Assistance Program and for airport engineering studies.

Appropriations from the Road Use Tax Fund include appropriations for driver's license production costs, salaries, operations, motor vehicles, unemployment and workers' compensation, county issuance of driver's licenses, a system providing toll-free telephone road and weather reports, scale facilities, membership in the North America's Superhighway Corridor Coalition, and indirect cost recoveries.

Appropriations from the Primary Road Fund include appropriations for salaries, operations, planning and programming, project development, maintenance, motor vehicles, equipment, the merit system, unemployment and workers' compensation, disposal of hazardous wastes at field locations, indirect costs, wastewater handling, roof replacement at field facilities, field garages, operations, and compliance with the federal Americans With Disabilities Act at IDOT facilities.

The Act amends Code Section 321.105 to provide that a disabled veteran who has been provided with a vehicle by the federal government and is exempt from paying vehicle registration and registration plate fees may obtain a special or personalized registration plate by paying the difference between the fee for a regular registration plate and the fee for the special or personalized plate.

The Act allows IDOT to conduct a pilot project for waiving or refunding fees for renewals or duplicates of identification cards and driver's licenses issued by the department pursuant to rules adopted by the department. The decision of the department to issue a refund is final and is not subject to review under the Iowa Administrative Procedure Act.

The Act also provides that if the State Transportation Commission receives and files a letter from the Director of Transportation certifying that IDOT's cash flow funding may be inadequate to meet anticipated road construction costs between April 7, 2000, and June 30, 2001, the commission may authorize the temporary transfer of funds from the Revitalize Iowa's Sound Economy (RISE) Fund to the Primary Road Fund. Such funds are to be repaid within six months of transfer. This provision of the Act takes effect April 7, 2000.

**HOUSE FILE 2545 - Appropriations — Administration and Regulation**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and appropriates \$90.4 million from the General Fund of the State to various state departments, agencies, funds, and certain other interstate and national entities and authorizes 1,909.4 full-time equivalent positions for the fiscal year beginning July 1, 2000, and ending June 30, 2001.

The state departments and agencies include the Auditor of State, Iowa Ethics and Campaign Disclosure Board, Department of Commerce, Department of General Services, Capitol Planning Commission, Office of Governor including the Lieutenant Governor and Terrace Hill quarters, Department of Inspections and Appeals, Department of Management, Department of Personnel, Iowa Public Employees' Retirement System, Department of Revenue and Finance, Secretary of State, Office of State-Federal Relations, and Treasurer of State.

The Act also appropriates funding for the state's membership on the Commission on Uniform State Laws, the National Conference of State Legislatures, the National Conference of Insurance Legislators, and the National Governors Association, and appropriates funding for law enforcement training reimbursements.

The Act funds an Iowa 2010 Project and the Institute for Public Leadership.

The Act provides for the continuation of the Iowa Student Political Awareness Club and the Iowa Educational Savings Plan Trust.

The Act appropriates funds from the Iowa Public Employees' Retirement System (IPERS) Fund to provide enhanced disability for IPERS public safety members and to study methods of providing enhanced portability into and out of IPERS. A Governor's task force to study the IPERS structure and governance is also funded.

The Code is amended to require state agencies to give notice of procurement bids to targeted small businesses, to authorize video machine golf tournament games as bona fide contests, and to provide that gambling licenses prominently display state and local tax rates paid by the gambling facility.

The Act authorizes the Department of Revenue and Finance to collect an administration fee to cover the costs of collecting and distributing the local sales and services taxes.

The Act repeals Code language relating to the Council on Human Investment and a standing appropriation to pay expenses of the Iowa Educational Savings Plan Trust.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. Section 9, subsection 6, unnumbered paragraph 2, which would have prohibited a state department from constructing any structure to be used as a smoking hut on state-owned property.
2. Section 11, which would have required the Governor to identify and recommend at least \$10 million savings of State General Fund expenditures for each of the next four fiscal years.
3. Section 27, unnumbered paragraph 5, which would have prohibited the Department of Personnel from requesting an appropriation from the State General Fund for FY 2001-2002 to pay premiums for workers' compensation claims.
4. Section 34, which would have required a state agency receiving funding from this Act to remove an unfunded vacancy from its table of organization with 60 days after its becomes vacant.
5. Section 38, which would strike a reference in Code Section 232.190 to Code Section 8A.1 under which the human investment strategy of the state was created.

**HOUSE FILE 2549 - Appropriations — Education**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys from the General Fund of the State to the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions. This year's Act appropriates over \$959 million and provides 17,399.58 full-time equivalent positions (FTEs), which is approximately \$5.8 million over, and 65.48 FTEs under, the Governor's recommendations. This year's education appropriations Act exceeds the appropriations made in last year's Act (1999 Iowa Acts, Chapter 205) by approximately 1.29 percent.

*COLLEGE STUDENT AID COMMISSION.* Compared to FY 2000, the commission receives an increase of 2.65 percent under the Act. The Act includes appropriations for general administrative purposes, forgivable loans to Iowa students attending the Des Moines University-Osteopathic Medical Center, an initiative directing primary care physicians to areas of the state experiencing physician shortages, student aid programs, the National Guard Educational Assistance Program, the Chiropractic Graduate Student Forgivable Loan Program, and the Teacher Shortage Forgivable Loan Program. The Act also amends the Code

to increase the maximum amount of a tuition grant to a qualified full-time student from \$3,900 to \$4,000, and increases the standing appropriations for Iowa Tuition Grants by 2.44 percent over FY 2000.

The Act increases funding for the National Guard Educational Assistance Program by 49.9 percent, and the Teacher Shortage Forgivable Loan Program by 110 percent, but reduces the funding for forgivable loans to Iowa students attending the Des Moines University-Osteopathic Medical Center by 32.96 percent and reduces the standing appropriation to the Work-Study Program by 6.78 percent. The Act also makes a number of statutory changes to reflect the decision by the University of Osteopathic Medicine and Health Sciences to change its name to the Des Moines University-Osteopathic Medical Center.

*DEPARTMENT OF CULTURAL AFFAIRS.* The Act funds the Arts, Historical and Administration Divisions, historic sites, and Community Cultural Grants. In comparison with FY 2000, funding for department administration is reduced by 0.42 percent, for the Arts Division by 2.43 percent, for historic sites by 1.89 percent, and for cultural grants by 3.45 percent. Funding for the Local Arts Comprehensive Educational Strategies (LACES) Program is moved to the Department of Education for FY 2001. The Act permits the Historical Division to increase its FTE limit by one if federal funding is received to pay the costs of adding the FTE. The department's total appropriation is decreased by 1.88 percent from FY 2000.

*DEPARTMENT OF EDUCATION.* The Act appropriates moneys for purposes of the department's general administration, vocational education administration, the Board of Educational Examiners, the Division of Vocational Rehabilitation Services, independent living, the State Library for general administration and the Enrich Iowa Program, the regional library system, the Public Broadcasting Division, vocational education to secondary schools, school food service, the Iowa Empowerment Fund, textbooks of nonpublic school pupils, the Vocational Agriculture Youth Organization and other youth activities (at 12.51 percent less than FY 2000), national board certification (an increase of 38.10 percent over the prior fiscal year), the Beginning Teacher Induction Program (an increase of 158.33 percent over the prior fiscal year), the Family Resource Center Demonstration Program (which was funded from reallocated Extended School Year Grant moneys in FY 2000), Education Innovation Project Grants, the Local Arts Comprehensive Educational Strategies (LACES) Program, for connecting education and workforce development, employability skills assessments reimbursements (at an increase of 8.11 percent), Jobs for America's Graduates, the Americorps After-School Initiative, the Ambassador to Education, and community colleges. The department's total appropriation, including reimbursements to school districts and grants and state aid to community colleges and public libraries, is increased by 5.24 percent over FY 2000.

The Act requires the director of the department to ensure that all school districts are aware of the state education resources available on the state website for listing teacher job openings and requires the department to administer job postings for school districts, accredited nonpublic schools, and area education agencies (AEAs) on the website.

The Act includes a statutory change to permit school districts that are required to provide school breakfast programs at each attendance center to operate the programs at alternative sites.

*Vocational Rehabilitation Services Division.* The Act directs the Division of Vocational Rehabilitation Services to use \$2 million of its funding to provide services to persons without regard to a waiting list, seek waivers from the federal government to increase and improve services, accept client assessments performed by other agencies, and broaden its search for matching funds. The Act authorizes the division to exceed its FTE limit if federal funding is received to pay the costs of adding up to four more FTEs. The appropriation to the division marks an increase of 3.08 percent over FY 2000.

*State Library/Enrich Iowa.* The Act directs the State Library to cap reimbursement of the regents universities for participation in the Access Plus Program during FY 2000-2001 at the total amount of reimbursement paid for their participation during FY 1999-2000. The Act requires public libraries that receive Enrich Iowa Program moneys to have an Internet use policy in place and to submit a report describing its policy to the State Library. The appropriation to the library is 1.51 percent under the amount appropriated in FY 2000, but the amount appropriated for purposes of the Enrich Iowa Program is increased by 42.86 percent.

*Board of Educational Examiners.* As in prior years, the Act permits the Board of Educational Examiners to use, for its own purposes, up to 85 percent of any funds received resulting from licensing fee increases implemented after July 1, 1997. However, the appropriation to the board is a reduction of 5.09 percent from FY 2000. The Act amends 2000 Iowa Acts, H.F. 2146 (see Education), Section 5, to permit the board to issue a para-educator certificate to a person who is at least 18 years of age.

*Iowa Empowerment Fund.* The Act allocates moneys for the community empowerment office and for technical assistance activities, requires progress reports from local empowerment boards, and provides that School Ready Children Grants Account funds will be distributed through a grant application process. The Act directs the Iowa Empowerment Board to give consider-

ation to the future implementation of a funding formula. However, areas that received grants prior to July 1, 2000, shall be held harmless with regard to such a funding formula. The appropriation to the School Ready Children Grants Account represents an increase of 50.01 percent over the prior fiscal year. The Act includes statutory changes to increase membership on the board to 17 voting, 13 citizen, and four state agency members. The provision requires that the additional fourth state agency member be the Director of the Department of Human Rights.

*Education Innovation Project Grants.* Moneys appropriated for project grants shall be used to study methods to improve teacher compensation and to establish pilot regional academies to provide high school students with advanced level courses and technical courses not currently available in their district of attendance. The department must report on the status of grant projects to the General Assembly by December 1, 2000.

*Connecting Education and Workforce Development.* Moneys appropriated for connecting education and workforce development are to be used to support statewide school-to-work implementation through professional development opportunities, employability skill revalidation, partnership capacity building, connecting to the Department of Workforce Development's Making Connections system implementation, and for the integration of academic and vocational education.

*Family Resource Center Demonstration Program.* The Act strikes from the Code language that allows up to 10 percent of the moneys appropriated for the program to be used for administrative purposes. The provision is retroactively applicable to July 1, 1999, and the Act requires that moneys currently retained for administrative purposes be awarded in demonstration program grants.

*Phase III.* In statutory language, the Act continues for FY 2000 Phase III funding for the Geography Alliance and the Iowa Mathematics and Science Coalition, but also authorizes the director of the department to determine, notwithstanding the Code provisions, the amount of Phase III moneys that will be used for purposes of the Geography Alliance, a K-12 management information system, and the Mathematics and Science Coalition. The Act also increases Phase III funding to the Iowa Braille and Sight Saving School and the Iowa State School for the Deaf to \$170,000 from \$70,000, and strikes the requirement that the allocation be divided equally between the schools.

*AEA Reorganization Study.* The Act requires the department to complete a study for the alignment of area education boundaries in the event of voluntary AEA merger or restructuring to best ensure the equitable, effective and efficient delivery of core AEA services. The department shall forward recommendations and any possible reorganization plans to the AEA boards no later than July 1, 2001, and shall forward any recommendations for statutory changes to the General Assembly no later than December 15, 2000.

*School-Based Youth Services Education Program.* House File 2496 (see Education) strikes this program from the Code. This Act strikes a Code reference to the program.

*STATE BOARD OF REGENTS.* The Act appropriates moneys for board operations, tuition replacement, the Southwest Iowa Graduate Studies Center, the Tristate Graduate Center, the Quad-Cities Graduate Studies Center, the State University of Iowa, Iowa State University of Science and Technology, the University of Northern Iowa, the Iowa School for the Deaf, the Iowa Braille and Sight Saving School, and for tuition and transportation costs for students residing in the Iowa Braille and Sight Saving School and the Iowa School for the Deaf. The total appropriation for the board and its institutions is increased 0.13 percent over FY 2000.

*State University of Iowa (SUI):* The Act expresses the Legislature's intent that the university continue progress on the School of Public Health and the Public Health Initiative for the purposes of establishing an accredited school of public health and funding an initiative for the health and independence of elderly Iowans, and permits the university to use up to \$2.1 million of its general university appropriation amount for the School of Public Health and the Public Health Initiative.

The Act also requires the University of Iowa Hospitals and Clinics (UIHC) to make reasonable efforts to extend their use of home telemedicine and other technologies to reduce the frequency of visits to the hospital required of indigent patients. UIHC must submit a report to the General Assembly by January 15, 2001, describing their use of technologies to accomplish such a purpose, and shall also submit quarterly a report regarding the portion of the allocation used by UIHC for medical education.

*Iowa State University of Science and Technology (ISU).* The Act expresses the intent of the General Assembly that the university continue progress on the Center for Excellence in Fundamental Plant Sciences, and permits the university to use up to \$4.67 million of its general university appropriation amount for the center.

The Act also states that the General Assembly finds that the fact that a few large companies could possibly control all levels of the food chain is a major threat to the independence and profitability of Iowa's agricultural producers. To ensure public ownership of plant genetic material, the Act provides that all rights to the research products developed by ISU's Botany Institute using state-appropriated funds will be made available, to the extent practicable for commercialization, for the benefit of all Iowans, including Iowa's agricultural producers, through a public process which normally involves nonexclusive licensing of genes and germplasm.

The Act also changes a statutory provision to increase from \$500,000 to \$700,000 the amount the Iowa Energy Center is permitted to use from its appropriation for purposes of the salaries and benefits of the employees of the center.

*University of Northern Iowa (UNI).* The Act expresses the intent of the General Assembly that the university continue progress on the implementation of a Master's in Social Work Program, and permits UNI to use up to \$450,000 of its general university appropriation amount for the implementation of the program.

*Medical Assistance Claiming.* In a change to otherwise recurring language from prior years relating to supplemental amounts for services provided Medical Assistance (MA) recipients, the Act directs the Department of Human Services (DHS) to deposit into its MA Account, rather than the State General Fund, amounts transferred by a qualifying hospital to DHS. The Act includes a statutory change making the same change as it relates to reimbursements for special education services. The Act also amends 2000 Iowa Acts, H.F. 2039, Section 24, to increase to \$12 million the amount received in additional reimbursement from the enhanced MA claiming that must be credited to the General Fund of the State resulting from a contract entered into by the state to enhance claiming of MA Program reimbursement payable for services provided by UIHC.

*Immediate Effective Dates.* The provisions of the Act that make technical changes to provisions related to national board certification and Beginning Teacher Induction Program appropriations from last year's education appropriations Act, and which relate to the statutory provision that permits 10 percent of the moneys appropriated for purposes of the Family Resource Demonstration Program to be used for administration of the program, take effect May 10, 2000.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. A provision directing the Board of Educational Examiners to conduct a study of the use of school days for the professional development of teachers by school districts and AEAs.
2. A provision directing the Commission of Libraries to coordinate a study of the State Library structure.
3. A provision directing the Cooperative Extension Service in Agriculture and Home Economics at ISU to conduct a study, in consultation with DHS, that identifies all educational materials, seminars and assistance offered by the extension service which are duplicative, either directly or in subject area, of educational materials, seminars and assistance offered by DHS.
4. A provision directing UIHC to develop and maintain a comprehensive database of information regarding obstetrical brachial plexus palsy treatment options and success rates and to give the parents or legal guardians of an infant so diagnosed the opportunity to consult with a specialist regarding treatment options and reported success rates.

**HOUSE FILE 2552 - Appropriations — Justice System**

**BY COMMITTEE ON APPROPRIATIONS.** This Act appropriates moneys for FY 2000-2001 to the Department of Justice, Office of Consumer Advocate, Board of Parole, Department of Corrections, including correctional facilities and the judicial district departments of correctional services, State Public Defender, Iowa Law Enforcement Academy, Department of Public Defense, and the Department of Public Safety, and contains related statutory provisions. Under the Act, the total appropriations to the justice system of \$364.3 million reflect an increase in appropriations from the General Fund of the State of approximately \$8.6 million, or 2.4 percent, from the FY 2000 appropriations.

**DEPARTMENT OF JUSTICE.** The Act appropriates \$14.3 million to the Department of Justice, which represents a decrease of \$42,000 compared to the estimated FY 2000 appropriations. These appropriations include amounts for the Office of the Attorney General, the Prosecuting Attorneys Training Program, for victim assistance grants to care providers providing services to crime victims of domestic abuse or rape and sexual assault, and for the Prosecuting Attorneys Program. The Act also provides an appropriation to the Office of the Attorney General to provide for legal services for persons in poverty grants.

**DEPARTMENT OF CORRECTIONS.** The Act increases the State General Fund appropriation to the Department of Corrections by \$5.6 million to \$243.7 million, representing a 2.4 percent increase from the estimated FY 2000 appropriation.

The Act directs the department to continue to operate the correctional farms at the same or greater level as existed on January 1, 2000, and to explore providing increased job opportunities for inmates at the farms by encouraging labor-intensive farming and gardening activities.

The Act prohibits the department from entering into a new, or renewing an existing, contract for the privatization of medical services at the Fort Madison correctional facility. The Act permits the department to continue to use medical contract employees for up to three months after July 1, 2000.

In addition, the department is directed to submit a report to the General Assembly by January 1, 2001, concerning the use of inmate labor on capital improvement projects.

*INDIGENT DEFENSE.* The Act appropriates \$35.1 million for indigent defense and the State Public Defender's Office, which represents an increase of \$803,000 from the FY 2000 appropriation.

*LAW ENFORCEMENT ACADEMY.* The Act appropriates \$1.3 million to the Law Enforcement Academy, which represents no change from the estimated FY 2000 appropriation.

*BOARD OF PAROLE.* The Act provides for an appropriation of \$1 million and 18 full-time equivalent positions to the Board of Parole, which represents no change from the estimated FY 2000 appropriation.

*DEPARTMENT OF PUBLIC DEFENSE.* The Act provides for an appropriation of \$6 million to the Department of Public Defense. This appropriation represents an increase of \$260,000 compared to the estimated FY 2000 appropriation.

*DEPARTMENT OF PUBLIC SAFETY.* The Act appropriates \$62.7 million to the Department of Public Safety, which represents an additional \$2 million compared to the estimated FY 2000 appropriation.

*MISCELLANEOUS.* The Act also makes several statutory changes, many of which impact fees and revenues of the Department of Public Safety and the Department of Corrections.

Code Section 18.6, governing competitive bidding, is amended to provide that the Department of General Services shall not award a contract to a bidder for a project that exceeds \$25,000 and uses inmate labor supplied by the Department of Corrections. In addition, Code Section 904.315 is amended to provide that a contract is not required if inmate labor is to be used on a construction project with an estimated cost of \$25,000 or less.

Code Section 99D.14 is amended to require a licensee involved in horse and dog racing to pay a fee in an amount representing 80 percent of the Division of Criminal Investigation's enforcement costs plus an additional amount not to exceed \$30,000 for all licensees.

Code Section 99F.4A is amended to require a licensee involved with gambling games at a racetrack to pay a fee in an amount representing 80 percent of the Division of Criminal Investigation's enforcement salary costs.

Code Section 99F.10, governing the determination of license and admission fees to be charged, is amended to provide that the fees shall reflect more of the salary costs incurred by the Division of Criminal Investigation relating to excursion gambling boats. The change provides that the fee assessed shall be in an amount representing 80 percent of the salary costs of special agents and 80 percent of the salary costs of other gaming enforcement personnel assigned to the boats plus an additional amount not to exceed \$125,000 for all licensees.

Code Section 100.1 is amended to require the State Fire Marshal to establish a fee for the inspection by the State Fire Marshal's Office of facilities requiring a state license.

Code Section 103A.23 is amended to require the Commissioner of Public Safety to implement a fee, to be adopted by rule, for the review of building plans for construction subject to the State Building Code.

Code Section 905.14, relating to enrollment fees charged to persons placed on parole subject to supervision by a judicial district department of correctional services, is amended. The amendment strikes enrollment fee amounts specified for simple, serious and aggravated misdemeanors, and felonies and establishes an enrollment fee of \$250 for all of those offense levels.

1998 Iowa Acts, Chapter 1101, as amended in 1999 Iowa Acts, is further amended to extend the appropriation of surcharge moneys received by the E911 Administrator for use by the Emergency Management Division of the Department of Public Defense for wireless E911 services implementation through the fiscal year ending June 30, 2001.

The Act also requests the Legislative Council to appoint a legislative interim study committee to consider issues involving the use of farms under the control of the Department of Corrections and to appoint another legislative interim committee to study issues concerning the operation of the Sex Offender Registry Program.

## THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. An appropriation from the inmate telephone rebate funds of each correctional institution for educational programs.
2. An amendment to Code Section 704.508A concerning the inmate telephone rebate fund of each correctional institution. The change would have provided that moneys in the fund would be transferred to and held by the Treasurer of State with moneys in the new fund appropriated for the benefit of inmates. A corresponding delayed effective date for this change was also vetoed.
3. A provision requiring that building plan reviews submitted to the Department of Public Safety be automatically approved if no action is taken by the department on a building plan for 60 days.

**HOUSE FILE 2554 - Appropriations — Judicial Branch**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for FY 2000-2001 to the Judicial Branch. The total appropriations to the Judicial Branch of \$113.7 million reflect an increase in appropriations from the General Fund of the State of approximately \$1.3 million, or an increase of 1.1 percent, from the FY 1999-2000 appropriations. The Act requires the Judicial Branch to appropriate moneys collected and deposited in the Enhanced Court Collections Fund for the continued implementation of the justice data warehouse if State General Fund reversions are insufficient for this purpose. The Act also requires the Judicial Branch to submit reports to the General Assembly concerning the operation of the Iowa Court Information System, the amounts received and expended from the Enhanced Court Collections Fund, and the amounts collected for recovery of indigent defense costs.

**HOUSE FILE 2555 - Tobacco Settlement Fund Appropriations**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and makes appropriations from the Tobacco Settlement Fund. The Act appropriates moneys for FY 2000-2001, unless otherwise noted, from the fund to the Department of Human Services (DHS) for all of the following:

1. To increase, beginning November 1, 2000, the reimbursement rate for all noninstitutional Medical Assistance Program (Medicaid) providers, excluding anesthesia and dental services, to the rate in effect on January 1, 2000, under the fee schedule established for the federal Medicare Program that incorporates the resource-based relative value scale - \$6 million.
2. To increase the reimbursement rate for dental services to 75 percent of the usual and customary rate - \$3.6 million.
3. To provide a cost-of-living adjustment of 5 percent to rehabilitative treatment and support services providers under Medicaid - \$3.1 million.
4. To provide for a cost-of-living adjustment of 5 percent to adoption, independent living, shelter care, and home studies services providers - \$500,000.
5. To increase the Medicaid reimbursement rate for hospitals by 3 percent over the rate in effect on June 30, 2000 - \$2.3 million.
6. To increase the Medicaid reimbursement rate to home health care services to the rate provided to such services under the federal Medicare Program - \$2.4 million.
7. To increase the Medicaid reimbursement rate for critical access hospitals to the rate provided such hospitals under the federal Medicare Program - \$250,000.
8. To provide for expansion of home health care services and habilitative day care under Medicaid for children with special needs - \$4.4 million.
9. To provide for expansion of respite care services provided through home and community-based waiver services under Medicaid - \$1.2 million.
10. To provide an increased reimbursement rate of up to 1 percent to service providers under the purview of DHS with the exception of family support subsidy providers - \$550,000.

The Act provides that of the funds appropriated to DHS, \$182,381 is to be used to meet the federal maintenance of effort requirements under the Supplementary Assistance Program. The department is directed to conduct a review of reimbursement rates and the reimbursement methodology used for providers of dental services and submit a report of its findings to the Governor and the General Assembly by December 1, 2000. The Act provides for adoption of emergency rules by the department.

The Act requires DHS to seek a waiver from the Health Care Financing Administration to implement a pilot project relating to continuous eligibility under Medicaid. The Act also provides for an evaluation of the pilot project and appropriates \$35,000 from the Tobacco Settlement Fund to the department for the evaluation.

The Act appropriates \$200,000 from the Tobacco Settlement Fund to DHS to supplement the Children's Health Insurance Program appropriation used for the HAWK-I Program.

The Act appropriates \$11.9 million to the Iowa Department of Public Health for additional substance abuse treatment. Under this appropriation, the department is directed to enhance the quality of and to expand capacity to provide 24-hour substance abuse treatment programs; to expand the length of individual client substance abuse treatment plans, as necessary, to reduce program recidivism; to share research-based best practices for treatment with substance abuse treatment facilities; to develop a results-based funding approach for substance abuse treatment services; and to develop a program to encourage individuals who are successfully managing their substance abuse problems to serve as role models.

The Act appropriates \$2.8 million to the Iowa Department of Public Health for development of a Healthy Iowans 2010 Plan, including the use of up to the following amounts for the following purposes: \$1.5 million for core public health functions, including home health care and public health nursing services contracted through a formula by local boards of health to enhance disease and injury prevention services; \$400,000 for the implementation and support of a coordinated system of delivery of trauma and emergency medical services; \$437,000 for establishment of a poison control center; \$300,000 for development of scientific and medical expertise in environmental epidemiology; and \$163,000 to implement prevention strategies to address the leading causes of death in Iowa.

The Act appropriates \$610,000 to the Department of Corrections to replace federal funding for day programming and for the drug court program in certain judicial districts and to provide funds for a drug court program in the Fourth Judicial District.

The Act appropriates \$9,345,394 to the Iowa Department of Public Health for a Tobacco Use Prevention and Control Initiative Program. Of the funds, \$1,782,420 is to be used to expand activities and ensure compliance with laws and ordinances prohibiting the sale of tobacco products to persons under 18 years of age; \$300,000 is to be used for the Statewide Youth Summit on Tobacco Use Prevention and Control; and not more than \$525,759 is to be used for administration and management of the program.

The Act also makes an appropriation from the Tobacco Settlement Fund of \$2,000,000 to the Property Tax Relief Fund and requires counties to increase reimbursements to certain purchase of services providers. The services are provided to persons with mental illness, or mental retardation or other developmental disabilities. The appropriation is to assist certain counties with insufficient mental health, mental retardation, and developmental disabilities services fund balances to pay the reimbursement increases. These counties may in some circumstances apply for assistance from the appropriation and the decision for granting such assistance is to be made by the Risk Pool Board. Senate File 2452 includes language providing that a county may increase reimbursements to be greater than the required increase.

The Act appropriates \$3.8 million for FY 2000-2001 from the Tobacco Settlement Fund to the savings account for Healthy Iowans created within the fund in S.F. 2452.

The Act also provides that if any moneys appropriated under the Act are not expended or otherwise encumbered, all moneys are to revert to the Tobacco Settlement Fund.

The Act provides for reimbursement of certain providers beginning November 1, 2000, that are receiving reimbursement under Medicaid on a fee-for-service basis on June 30, 2000, to be reimbursed under the federal Medicare resource-based relative value scale methodology beginning July 1, 2000. The Act provides for adjustment of the reimbursement on an annual basis.

The Act provides for changes in current law to increase the income limit from 185 percent of the federal poverty level to 200 percent of the federal poverty level for children under 19 years of age under the HAWK-I Program for children's health insurance coverage and provides for eligibility for an infant under Medicaid whose family income does not exceed 200 percent of the federal poverty level.

The Act provides a specific process for emergency rulemaking. The Act provides that the provision in the Act allowing for emergency rulemaking takes effect May 5, 2000. The Act also provides that the provision appropriating funds to the Iowa Department of Public Health for the Tobacco Use Prevention and Control Program takes effect May 5, 2000, and is retroactively applicable to April 1, 2000.

## BUSINESS, BANKING AND INSURANCE

- SENATE FILE 324 - Franchise Agreements
- SENATE FILE 2126 - Health Insurance Coverage of Prescription Contraceptives
- SENATE FILE 2158 - Limitation on Deposits of Depository Institutions or Holding Companies
- SENATE FILE 2200 - Domestic Insurers — Protected Cells
- SENATE FILE 2203 - Assignment of Benefits — VETOED BY THE GOVERNOR
- SENATE FILE 2372 - Regulation of Physical Exercise Clubs and Social Referral Services
- SENATE FILE 2409 - Insurance Regulation — Miscellaneous Provisions
- HOUSE FILE 754 - Insurance Coverage of Anesthesia and Hospital Charges for Dental Care
- HOUSE FILE 2106 - Licensure, Ownership, Operation, or Control of Motor Vehicle Dealers — Manufacturers, Distributors, Wholesalers, and Importers
- HOUSE FILE 2148 - Business Telephone Listings
- HOUSE FILE 2197 - Dissenting Shareholder Interests in Banks or Bank Holding Companies — Fair Value
- HOUSE FILE 2205 - Electronic Commerce
- HOUSE FILE 2218 - County and State Mutual Insurance Guaranty Association
- HOUSE FILE 2239 - Limited Partnerships — Transition to Limited Liability Limited Partnership Status
- HOUSE FILE 2316 - Health Organizations — Risk-Based Capital Requirements
- HOUSE FILE 2317 - Entities and Subjects Regulated by Division of Insurance
- HOUSE FILE 2425 - Limited Liability Company Management — Limitations — Effect
- HOUSE FILE 2513 - Uniform Commercial Code — Secured Transactions
- HOUSE FILE 2579 - Tobacco Settlement Authority Act

### RELATED LEGISLATION

- SENATE FILE 441 - Self-Insured Dental Insurance — School Corporations  
*SEE EDUCATION.* This Act provides an exemption from certain plan requirements relating to self-insured dental insurance plans maintained by one or more school corporations.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. The word “bank” is substituted for the words “financial institution” and an internal reference to the section relating to payment of losses in a bank is added in provisions that relate to banks and to credit unions. A provision relating to the methods of causing a mechanic’s lien which has been satisfied to be cancelled or forfeited is amended to provide that it is the demand and required attachments which are to be filed with the clerk of the district court and subsequently mailed by the clerk to both parties affected by a mechanic’s lien.
- SENATE FILE 2147 - Motor Vehicle Regulation — Miscellaneous Provisions  
*SEE TRANSPORTATION.* This Act makes several Code changes relating to motor carrier authority and to motor vehicle manufacturers, distributors, dealers, and other persons involved with the use and sale of vehicles.
- SENATE FILE 2254 - Child Support — Medical Support — Data Matching  
*SEE HUMAN SERVICES.* This Act provides changes in child support law relating to medical support, to payment of financial institutions for the costs of quarterly data matches and automation program development, and to liability of financial institutions relating to data matches.

- SENATE FILE 2307** - Public and Workplace Safety and Wage Payment Collection  
*SEE LABOR & EMPLOYMENT.* This Act specifically provides for the applicability of the Iowa Wage Payment Collection Law to former employees.
- SENATE FILE 2315** - Motor Vehicle Lemon Law  
*SEE TRANSPORTATION.* This Act makes various changes in and relating to the Motor Vehicle Lemon Law in Code Chapter 322G. The Act amends Code Section 322G.12, relating to the resale of vehicles returned to a manufacturer pursuant to a settlement, determination, or decision under the Motor Vehicle Lemon Law, to require a manufacturer who accepts such a return to obtain a new certificate of title for the vehicle in the manufacturer's name.
- SENATE FILE 2349** - Contract Care and Feeding of Swine — Processors  
*SEE AGRICULTURE.* This Act amends Code Chapter 9H, which provides prohibitions against corporations holding agricultural land or engaging in farming activities.
- SENATE FILE 2366** - Purchase, Possession, and Sale of Cigarettes and Tobacco Products  
*SEE HEALTH & SAFETY.* This Act relates to cigarette and tobacco product provisions. The Act provides that possession of cigarettes or tobacco products by an individual under the age of 18 as part of the individual's employment does not constitute a violation of the prohibition against a minor possessing cigarettes or tobacco products. The Act provides penalties for a retailer or an employee of a retailer who violates the laws relating to the supplying of tobacco products or cigarettes to minors. The Act provides that if a retail permit is suspended or revoked, the suspension or revocation only applies to the place of business at which the violation occurred and not to any other place of business to which the permit applies but at which the violation did not occur.
- SENATE FILE 2388** - Corporate Reporting to Secretary of State  
*SEE STATE GOVERNMENT.* This Act amends a number of provisions that provide for filing reports with the Secretary of State. In part, the Act amends provisions consistent with existing law to require that corporate entities file reports with the Secretary of State on a biennial rather than annual basis.
- SENATE FILE 2435** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act provides appropriations to the Department of Human Services for FY 2000-2001 and includes provisions related to human services and health care. The Act's health coverage provisions include continuation of the previously established AIDS/HIV Health Insurance Premium Payment Program and maintenance of the State Children's Health Insurance Program.
- SENATE FILE 2452** - Miscellaneous Appropriations and Other Provisions  
*SEE APPROPRIATIONS.* Division VI of this Act does the following:
- Provides for the refund of assessments levied on financial institutions to cover the cost of the loss of public funds due to the failure of an Iowa financial institution if the public funds are recovered. This provision applies retroactively to January 1, 2000, for assessments made on or after that date.
  - Provides that failure of a car dealership to meet an index or standard established by the franchiser does not in and of itself constitute good cause to terminate or discontinue a franchise.
- Division IX of this Act allows financial institutions to establish, control, maintain, or operate any number of automated teller machines in Iowa. This provision takes effect May 23, 2000.
- HOUSE FILE 2179** - Certified School to Career Program  
*SEE ECONOMIC DEVELOPMENT.* This Act modifies the definition of "Certified School to Career Program" and makes a number of changes to the program. The Act requires that the program participant and employer agree in writing to the beginning date and duration of the employment. The Act also provides that if a participant is unable to complete the employment obligation because the employer does not afford the participant an employment opportunity, the participant is not required to repay the employer's portion of the participant's postsecondary education expenses.
- HOUSE FILE 2329** - Linked Investment Programs — Qualification Period  
*SEE AGRICULTURE.* This Act amends several provisions providing for linked investment programs administered by the Treasurer of State.

- HOUSE FILE 2351** - Limited Sales and Use Tax Exemption for Clothing and Footwear  
*SEE TAXATION.* This Act provides for a sales and use tax exemption for clothing and footwear purchased on the first Friday and Saturday of August in each year. The exemption would also apply to local sales and services taxes. The Act takes effect May 26, 2000.
- HOUSE FILE 2391** - Theft Detection and Detection Shielding Devices  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act creates new criminal offenses related to theft detection shielding and theft detection devices.
- HOUSE FILE 2512** - Rented Motor Vehicles — Stopping, Standing, or Parking Violations  
*SEE TRANSPORTATION.* This Act amends a provision in Code Section 321.484, relating to the liability of owners of vehicles for certain stopping, standing or parking violations committed by a person other than the owner, to exempt the owner if the owner establishes that the vehicle was in the custody of a person other than the owner at the time of the violation pursuant to a rental agreement.
- HOUSE FILE 2540** - Economic Development Programs — Tax Credits — Incentives  
*SEE ECONOMIC DEVELOPMENT.* This Act expands the tax credit presently allowed individual and corporate income taxpayers who are eligible housing businesses that build or rehabilitate housing in a designated enterprise zone, to include financial institutions and nonprofit organizations that are subject to the franchise tax.
- HOUSE FILE 2548** - Tax Administration and Related Matters — VETOED BY THE GOVERNOR  
*SEE TAXATION.* This bill would have amended various provisions of the state and local tax laws to do the following:
- Extend the time for filing a sales and use tax refund for construction projects under the New Jobs and Income Act.
  - Expand the sales tax exemption on access to the Internet to include other information available through any computer server.
  - Allow a sales tax permit holder to keep the same permit when a business is relocated if the ownership remains the same.
  - Exempt from the use tax the transfer between businesses by limited liability companies of vehicles subject to registration for purposes of continuing the business. The bill would have exempted transfer of vehicles subject to registration from the use tax if done as part of the liquidation of the business if shareholders will subsequently retransfer to another business.
  - Reduce the period for assessing the environmental protection charge and for keeping records for depositors of underground petroleum.
  - Change the method of taxing moist snuff from a percent of wholesale price to a fixed amount per ounce.
- HOUSE FILE 2560** - Income and Property Taxes — Credits, Deductions, and Exemptions  
*SEE TAXATION.* This Act provides various income tax credits, including a research activities credit for businesses under the New Jobs and Income Program, the Quality Jobs Enterprise Zone Program, the incentives for building in enterprise zones, the individual income tax, and corporate income tax; a property rehabilitation credit equal to 25 percent of the costs of rehabilitating eligible properties, which are properties eligible to be listed on the National Register of Historic Places, historic properties in areas eligible to be designated local historic districts, local landmarks, or a barn constructed prior to 1937; and an assistive device credit equal to 50 percent of the first \$5,000 paid for the purchase, rental or modification of an assistive device or for the renovation of the workplace for an individual with a disability.

## BUSINESS, BANKING AND INSURANCE

### SENATE FILE 324 - Franchise Agreements

BY COMMITTEE ON COMMERCE. This Act amends new Code Section 537A.10 relating to franchise agreements. Code Chapter 537A pertains to contracts.

The Act provides that new Code Section 537A.10 applies to a new or existing franchise that is operated in this state and is subject to an agreement entered into on or after July 1, 2000. It does not apply to any existing or future contracts between Iowa franchisors and franchisees who operate franchises located out of state. A corresponding provision is added to Code Chapter 523H stating that Code Chapter 523H only applies to franchise agreements entered into prior to July 1, 2000.

The Act provides for the jurisdiction and venue of disputes and prohibits as unenforceable a provision in the franchise agreement that attempts to restrict jurisdiction to a forum outside of this state. It provides that a provision requiring a franchisee to waive compliance with, or relieving a person of, a duty or liability imposed by or a right provided by this section is void. It also establishes certain rights and restrictions related to the transfer of a franchise.

The Act defines "encroachment" and establishes a mechanism for the calculation of monetary damages associated with the encroachment. The Act provides that a franchisee has a cause of action under the encroachment provision unless any of the following apply: (1) the franchisor has first offered the new outlet or location to the existing franchisee on the same basic terms and conditions available to other potential franchisees, (2) the adverse impact on the existing franchisee's annual gross sales is determined to have been less than 6 percent during the first 12 months of operation of the new outlet or location, (3) the existing franchisee is not in compliance with the franchisor's then current reasonable criteria for eligibility for a new franchise, or (4) the existing franchisee has been granted reasonable territorial rights and the new outlet or location does not violate those territorial rights. The Act provides that the franchisor, with respect to encroachment claims, must establish a formal procedure for hearing and acting upon claims by an existing franchisee with regard to a decision by the franchisor to develop a new outlet or location prior to such development, and a reasonable formal procedure for mediating a dispute resulting in an award of compensation or other form of consideration to offset all or a portion of the franchisee's lost profits caused by the encroachment.

The Act prohibits the termination of a franchise by a franchisor prior to the expiration of its term except for good cause. Prior to termination for good cause, the franchisor must provide the franchisee with written notice stating the basis for the proposed termination. After written notice, the franchisee has not less than 30 or more than 90 days to cure the default resulting in the notice. The Act sets forth certain instances where the franchisor may terminate the franchise upon written notice and without an opportunity to cure.

The Act prohibits the franchisor from refusing to renew a franchise unless the franchisee has been notified of the franchisor's intent not to renew at least six months prior to the expiration date or any extension of the franchise agreement, along with the existence of one of several circumstances set forth in the Act.

The Act prohibits a franchisor from requiring that a franchisee purchase goods, supplies, inventories, or services exclusively from the franchisor or from a source or sources of supply specifically designated by the franchisor where such goods, supplies, inventories, or services of comparable quality are available from sources other than those designated by the franchisor. The Act exempts principal goods, supplies, inventories, or services manufactured by the franchisor, or such goods, supplies, inventories, or services entitled to protection as a trade secret from the application of this provision.

The Act prohibits a franchisor from restricting a franchisee from associating with other franchisees.

The Act imposes a duty of good faith on the parties in the performance and enforcement of the franchise agreement. As used in the Act, "good faith" means honesty in fact and the observance of reasonable commercial standards of fair dealing in trade.

The Act establishes a private civil cause of action. A person who violates a provision of the Act is liable for damages caused by the violation including, but not limited to, costs and reasonable attorney and expert witness fees, as well as other appropriate relief, including injunctive and other equitable relief.

The Act provides that a condition, stipulation or provision requiring the application of the law of another state in lieu of the provisions of the Act is void.

The Act does not limit any liability that may exist under another statute or at common law. The Act provides that the provisions in the Act are to be liberally construed to effectuate its purpose.

The Act provides that if any provision or clause of the section is held invalid, the invalidity shall not affect other provisions that can be given effect without the invalid provision.

**SENATE FILE 2126 - Health Insurance Coverage of Prescription Contraceptives**

BY JOHNSON, BOETTGER, REHBERG, SZYMONIAK, MCKIBBEN, LUNDBY, SOUKUP, HARPER, MCCOY, BOLKCOM, TINSMAN, SHEARER, DVORSKY, HAMMOND, DEARDEN, GRONSTAL, AND MADDOX. This Act provides that a person who provides an individual or group policy or contract providing for third-party payment or prepayment of health or medical expenses is prohibited from excluding or restricting benefits for prescription contraceptive drugs or prescription contraceptive devices that prevent conception and are approved by the U. S. Food and Drug Administration (FDA), or generic equivalents approved as substitutable by the FDA, if such policy or contract provides benefits for other outpatient prescription drugs or devices. The Act also prohibits the person from providing an individual or group policy or contract that excludes or restricts benefits for outpatient contraceptive services provided for the purpose of preventing conception if such policy or contract provides benefits for other outpatient services provided by a health care professional.

The Act provides that a person who provides an individual or group policy or contract providing for third-party payment or prepayment of health or medical expenses which is subject to the Act is prohibited from denying eligibility, or continued eligibility, to an individual enrolling in or renewing coverage under the terms of such policy or contract because of the individual's use or potential use of such prescription contraceptive drugs or devices, or use or potential use of outpatient contraceptive services. The Act prohibits the person from offering a monetary payment or rebate to encourage an individual to accept less than the minimum benefits provided for under the policy or contract, or penalize or otherwise reduce or limit the reimbursement of a health care professional because such professional prescribes contraceptive drugs or devices or provides contraceptive services; or from providing incentives, monetary or otherwise, to a health care professional to induce such professional to withhold from a covered individual contraceptive drugs or devices or contraceptive services. The Act provides that the policy or contract shall permit an individual policyholder to reject the coverage provision at the option of the policyholder. The Act does not affect a third-party payer from requiring deductibles, coinsurance or copayments. The Act also does not apply to exclusions or restrictions for experimental contraceptive services.

The provisions of the Act apply to third-party payment provider contracts or policies and public employer plans delivered, issued for delivery, continued, or renewed in this state on or after July 1, 2000.

**SENATE FILE 2158 - Limitation on Deposits of Depository Institutions or Holding Companies**

BY COMMITTEE ON COMMERCE. This Act amends Code Section 524.1802, which establishes a limitation on deposits in Iowa which may be held by a bank or savings association, or a bank or savings and loan holding company, together with all of its affiliates, by establishing the manner for the Superintendent of Banking to determine compliance with the limitation in the event of a proposed acquisition of a depository institution or the deposits of any branch, office, or other facility of a depository institution. The Act increases the limitation on deposits in Iowa that may be held by a depository institution or holding company, together with all of its affiliates, from 10 percent to 15 percent of the total deposits in Iowa.

The Act provides that if the superintendent determines that an acquisition may involve a question of compliance with the deposit limitation, each depository institution and holding company involved in the acquisition must submit to the superintendent a statement, certified by its president, chief executive officer, or chief financial officer, that no transfer, assignment or other disposition of deposits has been made for the purpose of achieving compliance with the deposit limitation. Certain transfers of deposits are not deemed to be made for the purpose of achieving compliance with the deposit limitation. The Act provides that the statement must also include deposit information sufficient to permit the superintendent to determine compliance with the deposit limitation, including all of the deposits in Iowa held by the acquiring entity, together with all of the deposits in Iowa held by all of its affiliates, as stated in the two most recent, available annual deposit reports filed with each institution's regulator, and all of the deposits directly or indirectly acquired by the acquiring entity, together with all of the deposits directly or indirectly acquired by all of its affiliates, in an acquisition or series of acquisitions occurring after the date of the most recent report or occurring between the dates of the two most recent reports.

The Act takes effect April 14, 2000, and is retroactively applicable to January 1, 2000.

**SENATE FILE 2200 - Domestic Insurers — Protected Cells**

BY COMMITTEE ON COMMERCE. This Act creates new Code Chapter 521G, which permits a domestic insurer authorized to transact the business of insurance under Code Chapter 515 to establish protected cells as a means of accessing alternative sources of capital. The Act defines a "protected cell" as an identified pool of assets and liabilities of a company segregated from other company assets and liabilities.

The Act provides that a protected cell company may establish one or more protected cells with the prior written approval of the Commissioner of Insurance. The company must submit to the commissioner a plan of operation with respect to each protected cell related to an insurance securitization. The Act provides that the plan must include, but is not limited to, the specific business objectives and investment guidelines of the protected cell company. The Act provides for the rights of creditors and other claimants with respect to the assets of a protected cell company, and provides that protected cell assets are only available to a creditor of that protected cell. The Act provides that the creditor shall have recourse to the protected cell assets attributable to that protected cell, to the exclusion of other creditors of the protected cell company that are not creditors with respect to that protected cell. The Act also provides that a protected cell company insurance securitization is not an insurance or reinsurance contract, and that a person participating in such protected cell company insurance securitization, solely as a result of such participation, is not deemed to be transacting an insurance business in this state.

**SENATE FILE 2203 - Assignment of Benefits — VETOED BY THE GOVERNOR**

BY MADDOX, LUNDBY, REDFERN, GRONSTAL, AND JOHNSON. Under this bill, a person insured under a group or individual policy, contract, or health benefit plan must be allowed the option by the carrier (an insurance company offering sickness or accident plans, a health maintenance organization, a nonprofit health service corporation, or any other entity providing a plan of health insurance, health benefits, or health services) or organized delivery system to assign, in writing, benefits from the policy, contract, or health benefit plan, to the health care provider, thereby allowing payment of benefits directly to the licensed health care provider.

**SENATE FILE 2372 - Regulation of Physical Exercise Clubs and Social Referral Services**

BY COMMITTEE ON JUDICIARY. This Act amends provisions relating to the protection of consumers who enter into certain contractual agreements and to the registration responsibilities of certain persons offering such contractual agreements to consumers.

The Act eliminates the requirement that physical exercise clubs register with the Office of Attorney General's Consumer Protection Division.

The Act also includes the sale of social referral services or ancillary services under Code Chapter 555A, relating to door-to-door sales. The Act provides that "social referral service" means a service for a fee providing matching or introduction of individuals for the purpose of dating, matrimony, or general social contact not otherwise prohibited by law, and that "ancillary service" means goods or services directly or indirectly related to or to be provided in connection with a social referral service. A person who violates Code Chapter 555A, as it relates to the sale of social referral services or ancillary services, is guilty of a simple misdemeanor and is also subject to the remedies provided under Code Section 714.16, relating to consumer frauds.

**SENATE FILE 2409 - Insurance Regulation — Miscellaneous Provisions**

BY COMMITTEE ON COMMERCE. This Act amends provisions relating to the regulation of insurance entities in this state.

Code Section 87.4 exempts cities, counties, and community colleges that establish a program of self-insurance for workers' compensation insurance from regulation by the Insurance Division of the Department of Commerce. The Act extends that exemption to apply to other political subdivisions. The Act amends Code Chapter 100A, which relates to arson investigations and provides for the release of information by an insurance company to an authorized agency upon a written request for such information. Code Section 100A.1 is amended to add the Fraud Bureau of the Insurance Division to the list of authorized agencies. An authorized agency may require an insurance company to release information relating to a fire loss.

Code Section 505.8 is amended by striking the requirement that the Insurance Commissioner annually prepare a report identifying the premium volume of nonqualified insurance annuities issued by domestic insurance companies doing a volume of at least \$5 million per annum. The section is also amended to require the commissioner to adopt rules protecting the privacy of information held by an insurer or an agent consistent with federal legislation.

The Act creates new Code Section 505.23, which provides that if an evidentiary hearing is conducted in certain insurance-related proceedings, the proceeding is a contested case subject to Code Chapter 17A.

Code Section 508.4 is amended to require that a life insurance company incorporated under Iowa law must file its bylaws and any amendments to such bylaws with the Commissioner of Insurance within 30 days of the adoption of such bylaws and amendments.

The Act amends Code Chapter 508B, which provides for the conversion of a mutual life insurance company to a stock life insurance company. The Act rewrites a provision requiring that such plan of conversion be fair and equitable to policyholders and that the commissioner review the plan and make a finding that the plan is fair and equitable to the mutual company and its

policyholders. The Act provides that a new certificate of authority to a reorganized company is effective on the effective date of the conversion as provided in the plan of conversion. Currently, such certificate is effective on the date specified in the plan of conversion. The Act also reduces the time within which a person may commence an action challenging a conversion under Code Chapter 508B from 180 days to 30 days, unless an application for rehearing is filed. The Act provides that if an application for rehearing is filed, the action challenging the conversion must be filed within 30 days after that application is denied or deemed denied or, if the application is granted, within 30 days after the issuance of the commissioner's final decision on rehearing.

The Act amends Code Chapter 508C, which regulates Iowa life guaranty associations. Code Section 508C.3 is amended to provide that the chapter does not apply to an obligation that does not arise under the express written terms of a covered policy, a contractual agreement that establishes a member insurer's obligations to provide a book value accounting guaranty for defined contribution benefit plan participants by reference to a portfolio of assets that is owned by the benefit plan or its trustee, and a portion of a covered policy to the extent it provides for interest or other change in value to be determined by the use of an index or other external reference stated in the covered policy.

Code Section 508C.9 is amended to provide that if two or more assessments are authorized in one calendar year with respect to insurers that become impaired or insolvent in different calendar years, the average annual premiums for purposes of the aggregate assessment percentage limitation are equal, and limited, to the higher of the three-year average annual premiums for the applicable account as calculated under the Code section.

Code Section 511.8, which relates to investment of funds by an insurance company, is amended. The Code section provides for the qualifications of certain corporate obligations in which an insurance company may invest, including, at the date of acquisition, that the obligations are adequately secure and have investment qualities and characteristics, and that speculative elements are not predominant. The Code section is amended to include a limited liability company in the definition of "corporation" and to include financial instruments used in hedging transactions as a permissible investment option. The Act establishes certain criteria such financial instruments must meet. The Code section is also amended by striking a subsection that relates to the rules of valuation of certain assets.

New Code Section 512A.10 is created and requires a benevolent association to file its articles of incorporation and any amendments to the articles with the commissioner for approval. The new Code section also requires a benevolent association to file its bylaws and amendments to the bylaws with the commissioner within 30 days of adoption.

Code Section 513B.2 is amended by striking, for purposes of determining premium rates for a class of business, the use of similar case characteristics when comparing small employers.

The Act amends Code Section 513C.10, which provides rates for basic and standard health care coverages. The Act provides that the rates must be determined as a product of a basic and standard factor and the lowest rate available for issuance by an insurance carrier or organized delivery system. The section is also amended to provide for the manner in which basic and standard factors are to be determined.

Code Section 514.3 is amended and provides that a nonprofit health service corporation must file its bylaws and any amendments to such bylaws within 30 days of the adoption of such bylaws and amendments.

Code Section 514.4 is amended to strike a provision prohibiting a corporation from reimbursing or compensating a director of a nonprofit health service corporation that is a provider or a subscriber, more than per diem plus necessary and actual expenses for attendance at a meeting of the board of directors.

The Act creates new Code Section 514B.3A, which provides that the articles of incorporation of a health maintenance organization must be approved by both the Commissioner of Insurance and the Attorney General. The new Code section also requires a health maintenance organization to file its bylaws and any amendments to such bylaws within 30 days of the adoption of such bylaws and amendments.

Code Section 514B.24 is amended to increase from three to five years the interval between examinations of health maintenance organizations by the Commissioner of Insurance.

The Act creates new Code Section 514B.25A, which establishes an assessment mechanism in the event that a health maintenance organization or an organized delivery system is found to be insolvent.

Code Section 515.2 is amended to provide that an insurance company, other than a life insurance company, must file its bylaws and any amendments to the bylaws within 22 days of the adoption of such bylaws and amendments.

Code Section 515.46 is amended to provide that a dividend made contrary to the rules adopted by the commissioner subjects the company making it to forfeiture of its certificate of authority.

Code Section 515C.3 is amended to provide that unearned premium reserves, with respect to mortgage guaranty insurance, are to be computed pursuant to rules adopted by the commissioner.

The Act amends Code Sections 515G.7 and 515G.14, which relate to the conversion of a mutual property and casualty insurance company to a stock property and casualty insurance company. The Act rewrites a provision that requires the commissioner to review a plan of conversion to provide that the commissioner must make a finding that the plan is fair and equitable to the mutual insurer and its policyholders, rather than make a finding that the plan is not unfair or inequitable. The Act also provides that if an application for rehearing is filed after the commissioner approves the conversion, an action challenging the conversion must be filed within 30 days after that application is denied or deemed denied or, if the application is granted, within 12 days after the issuance of the commissioner's final decision on rehearing.

Code Section 518.7 is amended to require that a director of a county mutual insurance association also be a member of such association.

Code Section 518.8 is amended to provide that a county mutual insurance association must file its bylaws and any amendments to such bylaws within 30 days of the adoption of the bylaws and amendments.

The Act creates new Code Section 518.13A, which prohibits a county mutual insurance association from levying an assessment on members of the association.

Code Section 518.17 is amended to provide that reinsurance obtained by a county mutual insurance association will cover losses incurred only from coverages written under the Code chapter.

The Act amends Code Section 518.23 to provide for a number of procedures governing cancellation or nonrenewal of a policy issued by a county mutual insurance association.

Code Section 518A.6 is amended to require that a director of a state mutual insurance association must also be a member of such association.

The Act creates new Code Section 518A.6A, which authorizes the directors of a state mutual insurance association to adopt bylaws and regulations necessary for the regulation and conduct of business, and requires that the bylaws and amendments to the bylaws be filed with the commissioner within 30 days of adoption.

Code Sections 515B.2, 515F.3, 518A.7, 518A.12, 518A.35, 518A.52, 518A.53, 518A.54, 518A.55, 519.10, and 521E.1 are amended to conform to the change in the name of the association from mutual casualty assessment insurance association to state mutual insurance association.

The Act rewrites Code Section 518A.9 by eliminating the authority of a state mutual insurance association to assess members of the association and authorizes the association to establish premium charges for the purpose of payment of losses and expenses and the establishment or maintenance of a reserve fund. The rewritten Code section also provides for the suspension of a policy for nonpayment of premium.

The Act creates new Code Section 518A.9A, which prohibits a state mutual insurance association from levying an assessment on members of the association.

The Act amends Code Section 518A.18, which provides that a state mutual association must annually prepare a statement of the condition of the association for the preceding calendar year. The Act provides that the statement must conform to the statement blank prescribed by the commissioner.

The Act rewrites Code Section 518A.29, which provides the manner for cancellation and nonrenewal of a policy issued by a state mutual insurance association. The Act provides a number of procedures governing cancellation or nonrenewal.

Code Section 518A.44 is amended to provide that reinsurance obtained by a state mutual insurance association will cover losses incurred only from coverages written under Code Chapter 518A.

Code Section 522.3 is amended by striking a provision requiring that a first-time applicant for a license as an insurance agent pay to the commissioner an application fee of \$10 for each line of insurance to be sold by the applicant.

Code Section 573.3 is amended to provide that a public corporation, with respect to a public improvement which is or has been competitively bid or negotiated, shall not require a contractor to procure a bond from a particular insurance or surety company, agent or broker.

The Act repeals sections relating to required reserve funds, unearned premium reserves, the state mutual insurance association concerning the borrowing of money, liability of members, reserves for unearned premium, cancellation of policies by insureds, unearned assessments, and pro rata assessments of association members; and makes conforming changes in various Code sections.

Portions of the Act are effect upon enactment, July 1, 2000, and January 1, 2001.

#### **HOUSE FILE 754 - Insurance Coverage of Anesthesia and Hospital Charges for Dental Care**

BY COMMITTEE ON HUMAN RESOURCES. This Act requires that an individual or group policy or contract providing for third-party payment or prepayment of health or medical expenses must provide coverage for the administration of general anesthesia and hospital or ambulatory surgical center charges related to the provision of dental care services to either of the following:

1. A child under five years of age, upon a determination by a licensed dentist and the child's treating physician that the child requires necessary dental treatment in a hospital or ambulatory surgical center due to a dental condition or a developmental disability for which patient management in the dental office has proved to be ineffective.
2. An individual determined to have one or more medical conditions that would create significant or undue medical risk for the individual in the course of delivery of any necessary dental treatment or surgery if not rendered in a hospital or ambulatory surgical center.

The Act is applicable to third-party payment provider policies and contracts delivered, issued for delivery, continued, or renewed in this state on or after July 1, 2000.

#### **HOUSE FILE 2106 - Licensure, Ownership, Operation, or Control of Motor Vehicle Dealers — Manufacturers, Distributors, Wholesalers, and Importers**

BY COMMITTEE ON TRANSPORTATION. This Act adds a new provision to Code Section 322.3, prohibiting a motor vehicle manufacturer, distributor, wholesaler, or importer from directly or indirectly being licensed as, owning an interest in, operating, or controlling a motor vehicle dealer. The Act also provides several exceptions to the prohibition.

The Act provides that, notwithstanding the new prohibition, a manufacturer or importer may be licensed as a motor vehicle dealer or own an interest in, operate or control a motor vehicle dealership for up to one year to facilitate transfer of the dealership to a new owner if the prior owner transferred the dealership to the manufacturer or importer and the dealership is continuously offered for sale upon reasonable terms and conditions.

The new prohibition does not prohibit a manufacturer or importer from temporarily owning an interest in a motor vehicle dealership in order to enhance opportunities for persons who cannot financially purchase the motor vehicle dealership without assistance.

The Act provides that a manufacturer or importer may own an interest in, operate or control a person whose primary business is renting motor vehicles and who is licensed as a used motor vehicle dealer. A manufacturer of motor homes or school buses may own an interest in, operate or control a motor vehicle dealer of the motor homes or school buses manufactured by that manufacturer and may be licensed as a motor vehicle dealer only of the motor homes or school buses manufactured by that manufacturer.

Additionally, a manufacturer may own a minority interest in an entity that owns and operates motor vehicle dealers of the line-make manufactured by the manufacturer if all of the dealers owned and operated by the entity in Iowa are dealers of only the line-make manufactured by the manufacturer and if, on January 1, 2000, there was not less than one and not more than three dealers of that line-make licensed under Code Chapter 322.

Violations of the new prohibition are simple misdemeanors punishable by a fine of not less than \$250 or more than \$1,500 or by imprisonment not to exceed 30 days.

#### **HOUSE FILE 2148 - Business Telephone Listings**

BY EDDIE. This Act provides that it is an unlawful practice for a person to misrepresent the geographic location of a supplier or a service or product by listing a fictitious business name or an assumed business name in a local telephone directory or

directory assistance database if the name purportedly represents the geographic location of the supplier; the listing does not identify the address, including the city and state, of the supplier; and calls made to a local telephone number are routinely forwarded to or otherwise transferred to a business location that is outside the local calling area covered by the local telephone directory or directory assistance database. Such unlawful practice is a consumer fraud and a violator is subject to the enforcement and penalty provisions provided under Code Section 714.16, "Consumer Frauds."

#### **HOUSE FILE 2197 - Dissenting Shareholder Interests in Banks or Bank Holding Companies — Fair Value**

BY WISE AND HOFFMAN. This Act provides for the determination of the value of the shares of a dissenting shareholder of a bank holding company. The procedure for determining such fair value is similar to the procedure for the determination of the value of the shares of a dissenting shareholder of a bank organized under Code Chapter 524.

The Act provides that any payment made to dissenting shareholders under Code Section 490.1325 shall be in an amount not less than the stockholders' equity in the bank disclosed in its last statement of condition filed under Code Section 524.220, or the total equity capital of the bank holding company disclosed in the most recent report filed by the bank holding company with the Board of Governors of the Federal Reserve System, divided by the number of shares outstanding. The Act provides that in determining the fair value of the shares of a bank holding company under Code Chapter 490, the factors identified under Code Section 524.1406, "Rights of Dissenting Shareholders," must be considered. The Act also provides that a corporation that is a bank holding company may elect to have the fair value of the bank holding company's shares determined under Code Section 524.1406, notwithstanding the provisions of Code Chapter 490, relating to corporations.

#### **HOUSE FILE 2205 - Electronic Commerce**

BY JACOBS. This Act creates a new Code Chapter 554D relating to electronic transactions, which replaces Code Chapter 554C, enacted during the 1999 Session. The Act sets forth the scope of the chapter and provides that the new Code chapter applies to electronic records and electronic signatures relating to a transaction, except for certain specific transactions. The Act provides that the new Code chapter applies to an electronic record or electronic signature created, generated, sent, communicated, received, or stored on or after the effective date of the Act, July 1, 2000. The Act provides that the Code chapter applies only to transactions between parties, each of which has agreed to conduct transactions by electronic means. The Act also provides that except as otherwise provided in the new Code chapter, the effect of any of its provisions may be varied by agreement of the parties.

The Act provides that the new Code chapter is to be construed and applied to facilitate electronic transactions consistent with other applicable law, to be consistent with reasonable practices concerning electronic transactions and with the continued expansion of those practices, and to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among states enacting the uniform law.

The Act provides for the legal recognition of electronic records, electronic signatures, and electronic contracts, including electronic records affecting interests in real property.

The Act provides that if parties have agreed to conduct a transaction by electronic means and a law requires a person to provide, send or deliver information in writing to another person, the requirement is satisfied if the information is provided, sent or delivered in an electronic record capable of retention by the recipient at the time of receipt. The Act sets forth additional requirements if a law other than new Code Chapter 554D establishes certain requirements for a record.

The Act provides that an electronic record or electronic signature is attributable to a person if it was the act of the person. The effect of such attribution is to be determined from the context and surrounding circumstances at the time of its creation, execution or adoption, including the agreement of the parties. In a consumer transaction, the attribution and effect are also determined by the substantive law governing the transaction.

The Act establishes the rules to be followed with respect to a change or error in an electronic record that occurs in a transmission between parties to a transaction. If the parties have agreed to use a security procedure to detect changes or errors, and one party has conformed to the procedure but the other party has not, and the nonconforming party would have detected the change or error had that party also conformed, then the conforming party may avoid the effect of the changed or erroneous electronic record. In an automated transaction involving an individual, the individual may avoid the effect of an electronic record that resulted from an error made by the individual in dealing with the electronic agent of another person if the electronic agent did not provide an opportunity for the prevention or correction of the error and, at the time the individual learns of the error, certain specified conditions have been met. The Act provides that if the established rules do not apply, then the change or error has the effect provided by other law, including the law of mistake, and the parties' contract, if any. The Act provides that in a consumer transaction, any substantive law limiting a consumer's liability shall apply to an electronic transaction.

The Act provides that if a law requires a signature or record to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.

The Act sets forth the requirements regarding retention of electronic records and provides that if a law requires a record to be retained, the requirement is satisfied by retaining an electronic record of the information that remains accessible for later reference.

The Act provides that in a legal proceeding, evidence of a record or signature shall not be excluded solely because it is in electronic form. The Act sets forth the rules to be followed with respect to automated transactions, and the manner in which a contract may be formed. The Act sets forth the manner for determining the time and place of sending and receipt of an electronic record.

The Act establishes a definition for a "transferable record," and addresses the manner in which a transferable record must be treated. The Act provides that a person has control of a transferable record if a system employed for evidencing the transfer of interests in the transferable record reliably establishes that person as the person to whom the transferable record was issued or transferred.

The Act provides that a governmental agency of this state shall determine whether, and the extent to which, it will create and retain electronic records and convert written records to electronic records. The Act also provides for the acceptance and distribution of electronic records by state governmental agencies and provides that a state agency shall determine whether, and the extent to which, it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

The Act provides that the standards adopted under this new Code chapter should encourage and promote consistency and interoperability with similar requirements adopted by other governmental agencies and nongovernmental persons interacting with governmental agencies of this state.

The Act prohibits a person from knowingly creating, publishing, altering, or otherwise using an electronic record or an electronic signature for a fraudulent or other unlawful purpose. The Act also prohibits a person from knowingly misrepresenting the person's identity or authorization to obtain a private key for use in a digital signature or in requesting suspension or revocation of a private key for use in a digital signature. A person convicted of a violation of the Act is guilty of a serious misdemeanor for a first offense and a class "D" felony upon conviction of a second or subsequent offense.

The Act creates new Code Section 75.14, which provides that a public body authorized to issue bonds, notes or other obligations may elect to receive bids to purchase such bonds, notes or other obligations by means of electronic, Internet or wireless communication; by a proprietary bidding procedure or system; or by facsimile transmission to a location deemed appropriate by the governing body, in each instance as may be approved by the governing body and provided for in the notice of sale.

The Act establishes an advisory committee to study issues associated with the electronic filing, recording and indexing of instruments affecting real property and the electronic use of real property disclosures. The advisory committee is to consist of representatives from private organizations and is to provide an initial written report, including any recommendations, to the General Assembly no later than January 20, 2001.

The Act also provides for the abatement of unpaid state sales and use taxes and local sales and services taxes owed by a retailer in the event that the retailer failed to collect tax from the purchaser as a result of erroneous written advice issued by the Department of Revenue and Finance (DORF) that was specially directed to the retailer by the department and the retailer is unable to collect the tax, interest or penalties from the purchaser. The Act also abates taxes not collected as a result of certain erroneous written advice issued by DORF to a retailer prior to July 1, 1999, relating to sales and use taxes on charges for access to on-line computer services. The Act also expands the computer access exemption from sales and use taxes. The present exemption only applies to access to the Internet, while the Act expands the exemption to include other information made available through any computer server. These provisions also appeared in H. F. 2548 (see Taxation), a bill that was vetoed by the Governor.

The Act provides that it is the intent of the General Assembly that the General Assembly consider the proposed Uniform Computer Information Transactions Act, as adopted by the National Conference of Commissioners on Uniform State Laws, during the 2001 Legislative Session.

The provisions of the Act relating to the abatement of unpaid state sales and use taxes and local sales and services taxes owed by a retailer take effect May 15, 2000.

**HOUSE FILE 2218 - County and State Mutual Insurance Guaranty Association**

BY COMMITTEE ON COMMERCE AND REGULATION. This Act creates new Code Chapter 518C, which establishes the Iowa County and State Mutual Insurance Guaranty Association. The purpose of the association is to pay covered claims resulting from the insolvency of a member insurer. The Act provides that the chapter applies to direct insurance authorized to be written by county mutual insurance associations under Code Chapter 518 and state mutual casualty assessment insurance associations under Code Chapter 518A.

The Act provides that the association is established as a nonprofit unincorporated legal entity. Persons licensed to transact insurance business in this state under Code Chapter 518 or 518A are required to be members of the association. The Act provides that the board of directors of the association consists of the officers and directors of the Mutual Insurance Association of Iowa or its successor association.

The Act provides that the association is obligated to pay covered claims existing prior to the final order of liquidation and arising within 30 days after the final order of liquidation; existing before the policy expiration date if the expiration date is less than 30 days after the final order of liquidation; and existing before the insured replaces the policy or causes its cancellation, if the insured replaces or cancels the policy within 30 days of the final order of liquidation. The association is also obligated to pay covered claims subject to a limitation as established by the rights, duties and obligations under the policy of the insolvent insurer. The Act directs the association to assess member insurers amounts necessary to pay the obligations of the association, the cost of examinations, and other expenses authorized under the Code chapter. The assessment of each member is in the proportion that the net direct written premiums of a member insurer for the preceding calendar year bears to the net direct written premiums of all member insurers for the preceding calendar year. The Act also directs the association to investigate and process claims filed with the association, and to adjust, compromise, settle, defend, and pay covered claims to the extent of the association's obligation and deny all other claims.

The Act provides that the association's board of directors may, in its discretion, refund excess amounts to member insurers that are not needed for current or projected liabilities of a particular insolvency.

The Act requires the association to submit a plan of operation to the Insurance Commissioner for the administration of the association. The plan must provide for procedures for the performance of the duties and execution of the powers of the association; procedures for managing the assets of the association; procedures by which claims may be filed with the association and acceptable forms of proof of covered claims; the place and time for meetings of the board of directors, as necessary; procedures for keeping records of all financial transactions of the association, its agents, and the board of directors; any member insurer aggrieved by a final action or decision of the association to appeal the action or decision to the Insurance Commissioner within 30 days after the action or decision; and for any additional provisions necessary or proper for the performance of the duties and execution of the powers of the association.

The Act establishes the duties of the Insurance Commissioner with respect to the association and its operations, and authorizes the commissioner to levy certain penalties.

The Act provides that a person who makes a recovery from the association is deemed to have assigned that person's rights under the policy issued by the insolvent insurer to the association to the extent of the person's recovery from the association. The Act provides that a person having a claim under another policy which arises out of the same facts which give rise to a covered claim is first required to exhaust the person's rights under the other policy, and that an amount recovered or recoverable by the person under the other insurance policy is to be credited against the liability of the association.

The Act exempts from liability a member insurer, the association, its agents or employees, the board of directors, the commissioner, or the commissioner's representatives for any reasonable action taken in the performance of duties and execution of powers as provided under the new Code chapter.

The Act also prohibits a person, in connection with the sale of an insurance policy, from advertising or publishing that claims under the insurance policy are subject to the new Code chapter or that such claims will be paid by the association.

**HOUSE FILE 2239 - Limited Partnerships — Transition to Limited Liability Limited Partnership Status**

BY COMMITTEE ON JUDICIARY. This Act provides that a limited partnership may become a limited liability limited partnership. The Act provides that the terms and conditions on which a limited partnership becomes a limited liability limited partnership must be approved by the vote necessary to amend the limited partnership agreement, except that in the case of a limited partnership agreement that expressly considers obligations to contribute to the limited partnership, such approval must be by the vote necessary to amend those contribution provisions. Upon receiving such approval, a limited partnership may become a limited liability limited partnership by filing a statement of qualification. The Act sets forth the information to be

included in the statement of qualification, and provides that the filing of a statement of qualification establishes that a limited partnership has satisfied all conditions precedent to the qualification of the limited partnership as a limited liability limited partnership. The Act also provides that a limited liability limited partnership continues to be the same entity that existed before the filing of the statement of qualification, and also establishes fees to be collected by the Secretary of State for documents filed by limited partnerships.

The Act also replaces a reference to Code Chapter 486, in Code Section 487.1103, with a reference to Code Chapter 486A. Code Chapter 486 is repealed effective January 1, 2001, and Code Chapter 486A will govern all partnerships after that date. This provision takes effect January 1, 2001.

#### **HOUSE FILE 2316 - Health Organizations — Risk-Based Capital Requirements**

**BY COMMITTEE ON COMMERCE AND REGULATION.** This Act creates new Code Chapter 521F, which establishes measures of risk-based capital for purposes of regulating health organizations in this state.

The Act requires a domestic health organization to file annually with the Insurance Commissioner a report of the health organization's risk-based capital levels as of the end of the calendar year. Additionally, the report is to be filed with the Insurance Commissioner in each state in which the insurance company is authorized to do business. The Act establishes and defines a company-action-level event, a regulatory-action-level event, an authorized-control-level event, and a mandatory-control-level event. The Act establishes the steps a health organization must take as a result of each event, as well as the duties of the commissioner. The Act provides that all risk-based capital reports are confidential and provides that such reports are not to be used or introduced as evidence with regard to any rate proceeding.

The Act provides that the commissioner may exempt from filing a risk-based capital report a domestic health organization that writes direct business only in this state, writes direct annual premiums of \$100,000 or less, and does not assume reinsurance in excess of 5 percent of direct annual premiums written; is authorized to do business pursuant to Code Chapter 514 ("Nonprofit Health Service Corporations") and writes direct annual premiums of \$100,000 or less; or is a limited health service organization that covers fewer than 500 lives. The Act provides that the commissioner, the Insurance Division, and employees and agents of the division do not incur liability as the result of any action taken in the exercise of powers or performance of duties under the new Code chapter.

#### **HOUSE FILE 2317 - Entities and Subjects Regulated by Division of Insurance**

**BY COMMITTEE ON COMMERCE AND REGULATION.** This Act amends a number of provisions relating to the entities and subject matter under the regulatory authority of the Insurance Division of the Department of Commerce, including motor vehicle service contracts under Code Chapter 321I, securities (the Iowa "Blue Sky Law") under Code Chapter 502, business opportunities and promotions under Code Chapter 523B, residential service contracts under Code Chapter 523C, retirement facilities under Code Chapter 523D, and securities transfer on death probate provisions under Code Chapter 633, and creates a new Code Chapter 508E relating to the regulation of viatical settlement contracts. A number of provisions contain similar language.

**MOTOR VEHICLE SERVICE CONTRACTS.** The Act amends the definition of "commissioner" in Code Section 321I.1, to include the Commissioner of Insurance's deputy administrator for purposes of administering the Code chapter, but repeals Code Section 321I.9, which provided administrative authority to the deputy. The Act replaces references in the chapter from "insurance division" to "commissioner" for purposes of consistency. The Act adds a definition of "record" to mean information stored or preserved in any medium, and, to provide consistency, strikes references to "accounts" and "books."

The Act amends Code Section 321I.3 to provide that a motor vehicle service contract provider must file certain provider information with the commissioner. The Act provides that a fee is not required as part of the filing.

The Act amends Code Section 321I.11 to prohibit a provider from repairing a motor vehicle covered by a contract with used parts, unless the vehicle owner is notified prior to the repair. The Act also provides that any rebuilt parts used in repair of vehicles covered by service contracts must be rebuilt by a manufacturer according to nationally recognized standards.

The Act amends Code Section 321I.14, which provides for investigations and administrative actions taken by the commissioner against providers. The Act sets out procedural requirements by persons who contest an order issued by the commissioner. The Act provides for the assessment of civil penalties for violations of an order issued pursuant to the section.

The Act amends Code Section 321I.16 to state that a provider who fails to file documents as required in the Act is subject to a civil penalty equal to \$400 plus \$2 for each contract that the provider executes prior to satisfying the filing requirement. The

Act directs the Iowa Code Editor to transfer the Code chapter to a place closer to other chapters under the jurisdiction of the Insurance Division.

**UNIFORM SECURITIES ACT.** The Act amends provisions in Iowa's "Blue Sky Law" administered by the commissioner or the commissioner's deputy. The Act provides that the commissioner may deny, suspend or revoke a registration or discipline a branch manager, assistant branch manager, or supervisor in the same manner that the commissioner may take action against an applicant or registrant.

The Act also amends Code Section 502.604, which authorizes the commissioner to investigate and take disciplinary action against persons regulated under the chapter. The Act makes the same changes as it did in Code Section 321I.14 regulating motor vehicle service contracts. The Act provides procedural requirements for persons who contest an order issued by the administrator. The Act provides for the assessment of civil penalties for violations of an order issued pursuant to the section.

Code Section 502.605, which provides that a person violating the Code chapter is guilty of a class "D" felony, is amended to provide that a person committing fraudulent conduct involving investor losses in excess of \$10,000 is guilty of a class "C" felony, which is similar to the criminal penalty for theft pursuant to Code Section 714.2, and fraudulent practice in the first degree pursuant to Code Section 714.9.

The Act amends Code Section 502.609, which requires that an issuer must file an irrevocable consent appointing the commissioner as the issuer's attorney to receive service in civil actions. The Act exempts certain persons from this requirement if the exemption is validated by rule or order of the administrator, including persons who issue exempt securities.

**BUSINESS OPPORTUNITY PROMOTIONS.** The Act amends Code Chapter 523B, which regulates sellers of business opportunity promotions by the commissioner or deputy. A business opportunity is the offer for the sale of products and equipment.

The Act amends Code Section 523B.1 to define the term "record" in the same way in which the Act defines the term under Code Section 321I.1 regulating motor vehicle service contracts. Similarly, the Act strikes references to "books, papers, correspondence, memoranda, agreements, or other documents or records" in the chapter.

The Act amends Code Section 523B.2 to eliminate language that refers to a specific date that the regulation was adopted and states that the commissioner must adopt rules providing for enforcement under the most recent federal regulation.

The Act further amends Code Section 523B.2 to require disclosure of documents to the commissioner as part of a registration process. The Act provides that a seller must disclose sales or offers made in this state prior to registration. The Code section provides that a registration automatically becomes effective upon the expiration of the fifteenth business day after the filing has been received by the commissioner. The Act increases that period to the thirtieth business day. The Code section provides that a contract offered under the section must include a number of items. The Act adds to those required items, by stating that the contract must include the rights and responsibilities of the parties regarding the marketing of a business opportunity.

The Act amends Code Section 523B.8, which provides for investigating or taking disciplinary action against persons regulated under the chapter. The Act makes the same changes as it did in Code Section 321I.14 regulating motor vehicle service contracts and Code Section 502.604 regulating securities. The Act provides procedural requirements by persons who contest an order issued by the administrator. The Act provides for the assessment of civil penalties for violations of an order issued pursuant to the section.

**RESIDENTIAL SERVICE CONTRACTS.** The Act amends provisions in Code Chapter 523C, which regulates residential service contracts executed between a residential owner and a company for the repair, maintenance or replacement of parts of the residence.

The Act amends Code Section 523C.1 to define the term "record" in the same way in which the Act defines the term under Code Section 321I.1 regulating motor vehicle service contracts and Code Section 523B.1 regulating business opportunity promotions.

The Act amends Code Section 523C.7, which provides that the administrator may institute a residential service contract form approval or form review fee. The Act provides that the fee cannot exceed \$50,000.

The Act amends Code Section 523C.19, which provides for investigating or taking disciplinary action against persons regulated under the chapter, by making the same changes as it did in Code Section 321I.14, regulating motor vehicle service contracts; Code Section 502.604, regulating securities; and Code Section 523B.8, regulating business opportunity promotions. The Act provides procedural requirements by persons who contest an order issued by the commissioner. The Act provides

for the assessment of civil penalties for violations of an order issued pursuant to the section. The Act creates a new provision, designated as Code Section 523C.23, which provides for investigations and subpoenas. It authorizes the commissioner to conduct public or private investigations and issue subpoenas. The section is based on similar provisions in Code Section 502.603. Information obtained in the course of the investigation is confidential.

**RETIREMENT FACILITIES.** The Act amends Code Chapter 523D, which provides for the regulation of contracts to provide care to persons in a retirement facility, by making the same changes as it did in Code Section 321L.14, regulating motor vehicle service contracts; Code Section 502.604, regulating securities; and Code Section 523B.8, regulating business opportunity promotions. The Act also provides procedural requirements for persons who contest an order issued by the commissioner. The Act provides for the assessment of civil penalties for violations of an order issued pursuant to the section.

**IOWA PROBATE CODE.** The Act amends Code Chapter 633, which is the "Iowa Probate Code." Specifically it amends provisions enacted by the General Assembly in 1997 referred to as the "Uniform Transfer on Death Security Registration Act." The Act amends the term "security" to include a certificated security, an uncertificated security and a security account.

**VIATICAL SETTLEMENT CONTRACTS.** The Act creates new Code Chapter 508E and directs the commissioner to regulate, but not prohibit, the sale of viatical settlement contracts. A viatical settlement involves the sale to a viatical settlement provider of the death benefit under a life insurance policy or certificate by a person who owns or is insured under such a policy or certificate, or by a person who owns or is covered under a group life insurance policy.

The Act amends Code Section 502.202 to provide that a transfer, sale, devise, or bequest of the death benefit or ownership of a life insurance policy or contract made by the policyholder to a viatical settlement provider is exempt from securities regulation if such transaction complies with the requirements established in new Code Chapter 508E.

The Act provides generally that a viatical settlement contract shall not be entered into until after the contestable period of the policy has expired. However, if a viatical settlement contract is entered into during the contestable period of the life insurance policy or certificate, the Act provides that a rebuttable presumption arises that it was the intent of the person entering into such contract with a viatical settlement provider to enter into such contract at the time the life insurance policy or certificate was originally purchased and if the person fails to rebut the presumption, the viatical settlement contract is void. The Act provides that a viatical settlement contract shall only be entered into with an individual who owns a life insurance policy or certificate that covers the life of an individual who is either terminally ill or chronically ill.

The commissioner is directed to adopt rules necessary to administer new Code Chapter 508E, including rules relating to advertising standards, disclosure, examinations, insurance company practices, license requirements, prohibited practices, refund provisions, reporting, standards for reasonableness of payment, unfair trade practices, and viatical settlement contracts.

#### **HOUSE FILE 2425 - Limited Liability Company Management — Limitations — Effect**

**BY COMMITTEE ON JUDICIARY.** This Act strikes a subsection of Code Section 490A.702, relating to the management of limited liability companies, that provides that a person dealing with a limited liability company is deemed to have knowledge of a provision in the articles of organization that limits the agency authority of a manager or class of managers.

#### **HOUSE FILE 2513 - Uniform Commercial Code — Secured Transactions**

**BY COMMITTEE ON JUDICIARY.** This Act adopts revisions to Article 9 of the Uniform Commercial Code (Code Chapter 554), as proposed by the American Law Institute and the National Conference of Commissioners on Uniform State Laws, and conforming amendments to a number of articles within that chapter as well as other chapters providing for security interests and liens.

With limited exceptions, Article 9 governs the creation, priority and enforcement of creditors' consensual liens, which are defined as security interests in personal property and fixtures. The article provides generally for the effectiveness of security agreements and the rights and duties of creditors (i.e., secured parties), including parties having possession and control of collateral. The article governs the attachment and enforceability of security interests or proceeds from the sale of collateral. Much of the article provides for "perfecting" a security interest, usually accomplished by filing a financing statement. The article provides for the contents of financing statements and the location where such financing statements must be filed (e.g., with the Secretary of State). In perfecting a security interest, a debtor is generally assured rights in the collateral superior to a security interest perfected later in time. The article provides special rules of perfection for specific collateral such as farm products. It provides that perfection may be accomplished without filing (e.g., by possession). It also provides special rules for collateral purchased by consumers. However, a fundamental purpose of perfection is to provide notice of rights in the collateral by the person perfecting the interest. The article also provides for who has priority in controlling the collateral or proceeds from the sale of the collateral, usually based on who first perfected a security interest. Finally, the article provides for enforcement of

security interests in case of a default, which includes the right of a secured party to dispose of collateral following notification and the application of proceeds resulting from the disposition.

This Act revises Article 9 for the first time since 1972, by expanding the scope of property and transactions covered by Article 9 and changing the manner in which security interests are created, perfected, provided priority, and enforced. For example, the Act provides for electronic authentication of documents. It expands its scope to cover more property, including "accounts" and "proceeds." The revised article includes rights arising out of the license of property and the distributions on stock. The Act amends provisions governing perfection other than by filing effective financing statements. For example, it provides that possession or control may be used as a method to perfect deposit accounts, letter of credit rights, and electronic chattel paper. It also provides for the automatic perfection of a security interest. Revised Article 9 changes methods of filing financing statements, including by electronic filing. The revised article provides a number of changes in which a security interest is enforced in case of default. It provides that a low price obtained at a foreclosure sale does not alone make the sale commercially unreasonable as formerly required in the article. It provides that guarantors of an obligation are entitled to the same notice and protections as the debtor. The revised article allows a secured party to retain collateral in satisfaction of a debt, regardless of whether the secured party is in possession of the collateral.

The Act amends a number of other Code provisions which refer to Article 9. Many Code chapters provide special liens, including liens for landlords (Code Chapter 570), agricultural supply dealers (Code Chapter 570A), artisans (Code Chapter 577), custom cattle feedlots (Code Chapter 579A), contract producers of commodities (Code Chapter 579B), threshers and cornshellers (Code Chapter 571), and veterinarians (Code Chapter 581). Generally, each chapter provides that persons filing liens created under the chapter enjoy superpriority. The Act provides special rules for agricultural liens that become effective under statute when a lienholder files a financing statement.

The Act takes effect July 1, 2001.

#### **HOUSE FILE 2579 - Tobacco Settlement Authority Act**

BY RANTS. This Act establishes a new Code Chapter 12E, the "Tobacco Settlement Authority Act."

The Act creates the Tobacco Settlement Authority, and provides the purposes, powers and restrictions of the authority. The powers of the authority include investing available funds and issuing bonds or entering into other funding options to establish a state source of revenue to be used for the purposes of the "Tobacco Settlement Endowment Fund."

The Act establishes the governing board of the authority, which consists of the Treasurer of State, the Auditor of State, and the Director of the Department of Management. The Act provides for limitation of personal liability for members of the board and persons acting in the authority's behalf and in the scope of their employment or agency. The Act specifies the general powers of the authority, including the power to issue its bonds and to enter into other funding options.

The Act authorizes the sale of the state's share of the master settlement agreement, entered into by the state with the tobacco companies, to the authority, pursuant to a program plan. Prior to any such sale, the program plan is to be developed, authorized by a constitutional majority of each house of the General Assembly, and approved by the Governor. If the plan is authorized and approved, the sale may take place. The terms and conditions of any sale are to be included in the program plan.

The Act provides criteria for the program plan. The program plan is a means by which alternatives relating to investment of the state's share are reviewed and recommended for further action. The program plan is to include the structure of any sales agreement between the state and the authority; the terms of payment of amounts due the state by the authority; the investment criteria of funds of the authority; an analysis of funding options with or without the use of the authority and the issuance of bonds; recommendations for changes in the law relating to the chapter; a date certain for the sale of the state's share to the authority; the period during which the state should be paid, and the date by which the bonds or alternative funding options should be concluded; and any other terms or provisions necessary to implement the Code chapter.

The Act establishes a Tobacco Settlement Trust Fund, separate and apart from all other public moneys or funds of the state, under the control of the authority. The fund is to consist of moneys paid to the authority and not pledged to the payment of bonds or otherwise obligated. The Act provides duties of the treasurer of the authority relating to the trust fund; provides that the authority is to execute the disposition and investment of moneys in the trust fund in accordance with the investment policy and goal statement established by the board, and provides the standard to be used in developing the policy and goal statement; provides limitation of personal liability of the authority, its staff, members of the board, and the treasurer of the authority relating to the trust fund; provides for payment of expenses relating to the trust fund; and provides the purposes for which moneys in the trust fund may be expended.

The Act establishes provisions relating to the moneys of the authority, including providing for examination of the accounts and books of the authority.

The Act provides that the authority is not subject to competitive bid laws and hearings, except as provided in Code Section 12.30, which establishes provisions relating specifically to authorities established by law.

The Act requires the submission of an annual report to the Governor, the General Assembly, and the Attorney General relating to the Code chapter.

The Act also provides limitations on the authority in filing for bankruptcy, provides for dissolution of the authority no later than two years from the date of final payment of all outstanding bonds and the satisfaction of all outstanding obligations of the authority, with exceptions, and provides for the liberal interpretation of the chapter to effect its purpose.

The remainder of the Act makes conforming Code changes, including changes to the existing Tobacco Settlement Fund, by changing the name of that fund to the Tobacco Settlement Endowment Fund and providing for use of the moneys in that fund.

The Act provides that the new Code Chapter is repealed March 1, 2001.

The Act takes effect May 19, 2000.

## CHILDREN AND YOUTH

- SENATE FILE 421 - Juvenile Court Jurisdiction — Adoption and Termination of Parental Rights
- SENATE FILE 2221 - Juvenile Court Jurisdiction
- SENATE FILE 2344 - Child and Family Services
- SENATE FILE 2369 - Interagency Sharing of Confidential Information
- HOUSE FILE 2377 - Access to Child Abuse Information

### RELATED LEGISLATION

- SENATE FILE 228 - School Employment or Volunteer Record Checks  
*SEE EDUCATION.* This Act authorizes the administrators of a public school district or an accredited private school, for purposes of a volunteer or employment record check, to have access to founded child and dependent adult abuse information in the possession of the Department of Human Services.
- SENATE FILE 2007 - Guardians — Procurement of Professional Services for Ward  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act provides that a guardian is not required to seek prior court approval in the instance in which, if necessitated by the physical or mental disability of the ward, anesthesia is used in providing the ward professional care, counseling, treatment, or services limited to the provision of routine physical and dental examinations, and administering anesthesia is within the health care practitioner's scope of practice.
- SENATE FILE 2031 - Sex Offender Registration  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act makes changes to the criminal penalties relating to the Sex Offender Registry. The Act also changes the period of time by which an offender must register from 10 days to five days.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. The civil penalty applicable to holders of liquor licenses or permits for first offense violations of Code Section 123.49, subsection 2, paragraph "h," which relates to sales of alcohol to minors, is changed from \$300 to \$500. Language relating to the expunging of child abuse information from the Child Abuse Registry is changed to specify that information relating to the types of child abuse specified in paragraph "c" or "e" of Code Section 232.68, subsection 2, is not to be expunged for 30 years. Provisions relating to temporary emergency jurisdiction of courts of this state in child-custody matters are amended by replacing the word "or" in the phrase "court or another state under a statute" with the word "of." Language relating to the listing, in an order for hearing in a child-custody proceeding, of the circumstances which must be demonstrated by a respondent to prevent the hearing from going forward is amended to reflect the mutual exclusivity of those circumstances. Language in provisions relating to the fingerprinting of adults and juveniles is amended to clarify that final disposition reports are to be filled out on both arrests of adults and the taking of juveniles into custody.
- SENATE FILE 2254 - Child Support — Medical Support — Data Matching  
*SEE HUMAN SERVICES.* This Act provides changes in child support law relating to medical support, to payment of financial institutions for the costs of quarterly data matches and automation program development, and to liability of financial institutions relating to data matches.
- SENATE FILE 2265 - Lascivious Acts — Additional Sentence  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act provides for the imposition of an additional sentence of mandatory parole or work release for offenders sentenced to a period of confinement for the criminal offense of lascivious acts with a child.

- SENATE FILE 2302** - Public Health Programs and Issues  
*SEE HEALTH & SAFETY.* This Act makes changes relating to programs under the purview of the Iowa Department of Public Health. The Act corrects the reference to "targeted housing" to read "target housing" for the purposes of the program relating to lead-poisoned children, and provides that the provisions apply to children under six years of age. The Act also explicitly authorizes breast-feeding of a child in a public place.
- SENATE FILE 2313** - Driver Licensing, Authorized Emergency Vehicles, and Miscellaneous Motor Vehicle Provisions  
*SEE TRANSPORTATION.* This Act amends Code Section 321.446, relating to child restraint devices in vehicles. The Act requires children under six years of age to be in a child restraint system or safety belt when transported in a motor vehicle subject to registration. The Act provides an exception to this requirement for children transported in motor homes, unless the child is transported in the front passenger seat of the motor home.
- SENATE FILE 2314** - Communicable and Infectious Diseases  
*SEE HEALTH & SAFETY.* This Act combines four related Code chapters into a new Code Chapter 139A, titled the "Communicable and Infectious Disease Reporting and Control Act." With regard to required immunizations of children, the Act retains exceptions for health reasons and expands the religious exception to include not only members of a recognized religious denomination but also persons who are adherents to recognized religious denominations. A similar exception also applies to the instilling of a prophylactic solution in the eyes of newborns and to the broader category of a course of medical treatment prescribed by law or by a health care provider.
- SENATE FILE 2360** - Human Services — Administration and Employment  
*SEE HUMAN SERVICES.* This Act relates to various state and local administrative provisions involving human services and requires the Department of Human Services to conduct criminal and child abuse and dependent adult abuse record checks on employees, prospective employees, volunteers, and prospective volunteers in the department's local offices who have direct contact with the department's clients.
- SENATE FILE 2366** - Purchase, Possession, and Sale of Cigarettes and Tobacco Products  
*SEE HEALTH & SAFETY.* This Act relates to cigarette and tobacco product provisions. The Act makes the use of a false or altered driver's license or nonoperator's identification card by a person under the age of 18 to obtain cigarettes or tobacco products a simple misdemeanor. However, the possession of cigarettes or tobacco products by an individual under the age of 18 as part of the individual's employment does not constitute a violation of the prohibition against a minor possessing cigarettes or tobacco products. The Act establishes civil penalties for violations of the prohibition against a minor smoking, using, possessing, purchasing, or attempting to purchase tobacco, tobacco products or cigarettes.
- SENATE FILE 2368** - Family Investment Program — Miscellaneous Provisions  
*SEE HUMAN SERVICES.* This Act makes various changes to the Family Investment Program and related provisions.
- SENATE FILE 2429** - Appropriations — Health and Human Rights  
*SEE APPROPRIATIONS.* This Act provides for a study regarding prevention of lead poisoning among children in the state of Iowa. The study shall be conducted by the Director of the Iowa Department of Public Health, in consultation with an ad hoc committee of designated individuals, with recommendations submitted in a report to the Governor and the General Assembly by January 1, 2001.
- SENATE FILE 2435** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act provides appropriations to the Department of Human Services for FY 2000-2001 and includes provisions related to federal Temporary Assistance for Needy Families (TANF) funds for Community Empowerment Initiative child care programming, child care emergency and start-up grants, assistance to providers of school-age child care, and provision of educational opportunities to child care providers; implementation of the Early and Periodic Screening, Diagnosis, and Treatment Program through the school system; the Medical Assistance (MA) Program (Medicaid) eligibility income limit for pregnant women and infants under the mothers and infants category; continued funding for the State Child Care Assistance Program and child care

resource and referral services; and funding for court-ordered services provided to juveniles and for child support enforcement. The Act also delays implementation of the subsidized guardianship program.

- HOUSE FILE 683** - Child Custody, Visitation, and Support — Mediation  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act provides for mediation services related to custody, visitation and support of a child.
- HOUSE FILE 723** - Animal Torture  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act creates a new offense referred to as “animal torture.” The Act provides that a person is guilty of animal torture if the person inflicts upon the animal severe physical pain with a depraved or sadistic intent to cause prolonged suffering or death. A person convicted of animal torture is guilty of an aggravated misdemeanor for the first offense and a class “D” felony for a subsequent offense. The Act provides that the juvenile court has exclusive original jurisdiction in a proceeding concerning a child who is alleged to have committed animal torture. The juvenile court cannot waive jurisdiction in a proceeding concerning an offense alleged to have been committed by a child under the age of 17.
- HOUSE FILE 2135** - Child Support — Liens — Motor Vehicle Registration — Income Withholding  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act relates to support obligations. The Act amends the section of the Code relating to development of a statewide support lien index. The Act also removes the date, October 1, 1999, as the last date on which a payor of income (an employer, trustee or governmental entity) was required to include, in payment identification, the date income was withheld from a support obligor.
- HOUSE FILE 2240** - Guardianships and Conservatorships — Notice — Counsel  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act amends certain parallel Code sections relating to notice and the appointment of counsel in guardianship and conservatorship proceedings.
- HOUSE FILE 2351** - Limited Sales and Use Tax Exemption for Clothing and Footwear  
*SEE TAXATION.* This Act provides for a sales and use tax exemption for clothing and footwear purchased on the first Friday and Saturday of August in each year. The exemption would also apply to local sales and services taxes. The Act takes effect May 26, 2000.
- HOUSE FILE 2365** - Review of Child Deaths  
*SEE HEALTH & SAFETY.* This Act amends the duties of the Child Death Review Team to require review of all deaths of children under age 18, rather than only those age six or younger.
- HOUSE FILE 2388** - Modification of Child Custody or Support Orders — Pilot Project  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act provides for implementation of a pilot project relating to the concurrent jurisdiction of the juvenile court and the district court in modification of child custody and support orders when the juvenile court issues an order removing a child from the custody of a parent previously granted custody or support.
- HOUSE FILE 2420** - Sexual Abuse and Sexual Exploitation — Statute of Limitations  
*SEE CRIMINAL LAW, PROCEDURES & CORRECTIONS.* This Act amends Code Sections 802.2 and 802.3, which relate to the statute of limitations for filing a sexual abuse charge.
- HOUSE FILE 2437** - Communications Between Postsecondary Schools and Students’ Parents or Guardians  
*SEE EDUCATION.* This Act specifically authorizes a postsecondary education institution to disclose to a parent or guardian of a student under the age of 21 years, information regarding violations of a federal, state or local law, or institutional rule or policy governing the use or possession of alcohol or a controlled substance by the student.
- HOUSE FILE 2470** - Indigent Defense  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act makes procedural and administrative changes relating to the Office of the State Public Defender and to the payment of indigent defense costs.

- HOUSE FILE 2511** - Drinking Driver Restrictions  
**SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.** This Act provides for parental and school notification by law enforcement when a child under the age of 18 violates the Code sections related to public intoxication, operating while intoxicated, or driving with a blood alcohol concentration at or above .02.
- HOUSE FILE 2518** - Estates and Trusts  
**SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.** This Act amends several sections of the Probate Code, including allowing, without a court order, bequests of \$10,000 or less to a minor to be paid to a custodian for the minor under the Uniform Transfers to Minors Act.
- HOUSE FILE 2533** - Federal Block Grant Appropriations  
**SEE APPROPRIATIONS.** This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001. The Act includes funding for various programs involving children and families, including Child Care and Development, Maternal and Child Health Services, Community Services, and Social Services Block Grants.
- HOUSE FILE 2549** - Appropriations — Education  
**SEE APPROPRIATIONS.** This Act appropriates moneys from the General Fund of the State to the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions. The Act allocates moneys for the community empowerment office and for technical assistance activities, requires progress reports from local empowerment boards, and provides that School Ready Children Grants Account funds will be distributed through a grant application process. The Act directs the Iowa Empowerment Board to give consideration to the future implementation of a funding formula. The Act increases the number of board members. The Act also directs the Department of Human Services (DHS) to deposit into its Medical Assistance (MA) Account, rather than the State General Fund, amounts transferred by a qualifying hospital to DHS. The Act also increases to \$12 million the amount received in additional reimbursement from the enhanced MA claiming that must be credited to the General Fund of the State resulting from a contract entered into by the state to enhance claiming of MA Program reimbursement payable for services provided by the University of Iowa Hospitals and Clinics. The Governor item vetoed a provision directing the Cooperative Extension Service at Iowa State University to conduct a study, in consultation with DHS, identifying all educational materials, seminars and assistance offered by the extension service that are duplicative, either directly or in subject area, of educational materials, seminars and assistance offered by DHS.
- HOUSE FILE 2555** - Tobacco Settlement Fund Appropriations  
**SEE APPROPRIATIONS.** This Act relates to and makes appropriations from the Tobacco Settlement Fund, including appropriations to the Iowa Department of Human Services (DHS) for providers of services under the Medical Assistance Program and for other providers of services under the purview of DHS, for supplementation of the Children's Health Insurance Program, and for performance of an evaluation to study the effects of providing continuous eligibility for children under the Medical Assistance Program; and to the Iowa Department of Public Health for a Tobacco Use Prevention and Control Program, including the funding of a statewide youth summit on tobacco use prevention and control. The Act also provides for eligibility under the Medical Assistance Program for an infant whose family income is not more than 200 percent of the federal poverty level, and provides for eligibility under the Healthy and Well Kids in Iowa Program for a child whose family income does not exceed 200 percent of the federal poverty level.
- HOUSE FILE 2565** - Tobacco Use Prevention and Control  
**SEE HEALTH & SAFETY.** This Act creates new Code Chapter 142A, relating to tobacco use prevention and control. The Act creates a Tobacco Use Prevention and Control Division and Commission within the Iowa Department of Public Health. The commission is comprised of 10 voting members, three of whom are youth. The Act creates a Comprehensive Tobacco Use Prevention and Control Initiative, which is to be implemented with the extensive involvement of youth through the use of community partnerships, and which is targeted to reduce tobacco use by youth. The initiative includes a youth program component that is to be implemented in each community partnership area and which provides for an annual youth summit. The Act takes effect May 15, 2000.

## CHILDREN AND YOUTH

### **SENATE FILE 421 - Juvenile Court Jurisdiction — Adoption and Termination of Parental Rights**

BY COMMITTEE ON JUDICIARY. This Act permits the juvenile court to exercise jurisdiction over adoption proceedings and specifies that the juvenile court exercise jurisdiction over proceedings for termination of parental rights. Currently, only a district court judge may preside over adoption proceedings.

Currently, the "Termination of Parental Rights" chapter, Code Chapter 600A, provides for the exercise of jurisdiction by the juvenile court in those matters. However, Code Chapter 232, which establishes the parameters of juvenile court jurisdiction under Code Section 602.7101, contains no reference to the exercise of jurisdiction under Code chapter 600A. The Act adds a reference to Code Chapter 600A and Code Chapter 232 to provide for juvenile court exercise of jurisdiction in those matters.

### **SENATE FILE 2221 - Juvenile Court Jurisdiction**

BY COMMITTEE ON JUDICIARY. This Act makes changes relating to proceedings involving juvenile offenders in juvenile and district court.

The Act provides the district court with the option to suspend a sentence of a juvenile offender who has been waived to adult court, except for a juvenile who commits a class "A" felony. The Act also provides that a juvenile waived to adult court may not receive a deferred judgment for a class "A" felony. Under existing law, the district court may suspend the sentence of an adult offender under certain statutes but is unable to suspend the sentence of any juvenile offender waived to adult court. Existing law also permits a court to grant a deferred judgment to a juvenile waived to adult court for a class "A" felony.

The Act also extends the duration of the juvenile court's jurisdiction over certain offenders. The Act provides that if a dispositional order is entered prior to a juvenile attaining 17 years of age, the order shall automatically terminate when the juvenile reaches the age of 18. However, the Act provides that if a dispositional order is entered after a juvenile reaches the age of 17, the order may terminate up to 18 months after the date of the order.

The Act also provides that an adult who has committed a delinquent act and who is under the supervision of the juvenile court may be supervised by the juvenile court until the age of 19½. The Act further provides that a juvenile who has been ordered to the training school after reaching the age of 17 may be held at the training school for up to 18 months after the date of the order for the purpose of completing any necessary instruction.

The Act generally extends the duration of juvenile court jurisdiction over certain offenders by six months beyond the jurisdiction granted under existing law.

### **SENATE FILE 2344 - Child and Family Services**

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to child and family services administered by the Department of Human Services (DHS), including home condition investigations, child and dependent adult abuse registry access, case permanency plan requirements and other child welfare provisions, and the State Child Care Assistance Program.

#### Division I — Home Condition Investigations

This division amends Code Section 598.12, relating to home condition investigations, including the appointment of an attorney for a minor child relating to a dissolution of marriage. The amendment strikes references to DHS in provisions authorizing the court to appoint the department or an appropriate agency to make investigations regarding placement of the child, parenting capacities, and other matters.

#### Division II — Child and Dependent Adult Abuse Registry Access

Code Section 235A.19, relating to requests for correction or expungement of child abuse information and appeals, prohibits the department from disclosing the information until the conclusion of proceedings. However, there is a list of exceptions to the prohibition. The Act adds to that list by allowing disclosure for the purpose of statutorily authorized record checks for employment of an individual by a provider of adult home care, adult health facility care, or other adult placement facility care.

The Act amends Code Section 235B.6 to allow access to dependent adult abuse information to the administrator of an agency providing care to a dependent adult in another state, for the purpose of performing an employment background check.

### Division III — Case Permanency Plans

This division relates to the definitions of "case permanency plan" for children removed for out-of-home placements and other child welfare provisions. The Act amends the definition in Code Section 232.2 of the Juvenile Justice Code to include a reference to the federal requirements for the plans in the federal Adoption and Safe Families Act, Pub. L. No. 105-89. In addition, the Act amends a definition of "case permanency plan" in Code Section 237.15, used for the foster care review process. The Act strikes and rewrites that definition to incorporate identical language in the Code Section 232.2 definition by reference and reinserts additional plan requirements that existed prior to this enactment.

In addition, the Act includes new case permanency plan provisions. A plan is required under current law for children placed out of home pursuant to a court order. If a child is placed out of state, the Act requires that a department designee or other person must visit the child at least once every 12 months. If it has been determined that the child cannot return home, the plan must document the steps taken toward finalizing an adoption or other permanent placement.

In ex parte orders for temporary removal of a child, the order no longer has to specify the facility to which the child is to be brought. These removal orders and other temporary removal orders resulting from the filing of a child in need of assistance petition must now include a statement that allowing the child to remain in the child's home would be contrary to the welfare of the child and that reasonable efforts have been made to prevent or eliminate the need for the removal.

If a child is subject to an ex parte order for temporary removal, the court must also hold a hearing within 10 days of the temporary removal to determine whether the removal should be continued.

Under the existing provisions for court orders following a determination that a child is in need of assistance, there are provisions defining the reasonable efforts made for family preservation and unification. The Act provides that if returning the child to the family home is not appropriate or is not possible, the reasonable efforts are to include efforts made in a timely manner to finalize a permanency plan for the child. Existing law requires a permanency hearing to be held for children in an out-of-home placement. The Act amends this law to require the court to identify a primary permanency goal and if a permanency plan is already in effect, the court is to make a determination whether reasonable progress is being made in achieving the permanency goal and other provisions of that plan.

### Division IV — State Child Care Assistance

This division places into Code Chapter 237A, relating to regulation of child care, the provisions of the State Child Care Assistance Program that have been previously outlined on a year-to-year basis in the appropriations Acts for DHS.

The Act specifies basic eligibility provisions under which the child's parent, guardian or custodian must be participating in academic or vocational training, be seeking employment, be employed and meet income requirements, or be absent due to hospitalization or physical or mental illness, or the child needs protective services. Services may be provided in various regulated and unregulated settings. The Act requires DHS to set reimbursement rates for child care providers as authorized by appropriations and to conduct a statewide reimbursement rate survey at least every two years. Rates are to be set in a manner so as to provide an incentive for unregistered providers to become registered.

Based on funding availability, the Act authorizes DHS to establish a waiting list for child care assistance. These persons are exempt from any waiting lists: Family Investment Program participants, families already receiving state child care assistance upon the birth of a child, and children who need protective services. Waiting lists are to be applied according to specified criteria involving family poverty and employment status, age of parent, and participation in an approved training or educational program, and presence of a special needs child.

The Act directs DHS to review alternatives for applying reimbursement rates on a county, cluster or regional basis and to report to the legislative subcommittee that oversees the department's budget.

### **SENATE FILE 2369 - Interagency Sharing of Confidential Information**

**BY COMMITTEE ON HUMAN RESOURCES.** This Act provides for the sharing of juvenile court social records pursuant to an interagency agreement prior to any adjudication. The Act allows such records to be disclosed, without court order, for the purpose of sharing information with schools and juvenile justice system agencies that have agreed to share information.

The Act also provides for the sharing of Department of Human Services child abuse information with parties to an interagency agreement if the interagency agreement is approved by the department, and if the sharing is necessary to assist the department in the disposition of a child abuse case. The Act also permits the department to share records with public officials for use in connection with their official duties, if the department approves the release of the records.

See also H.F. 2377 for other provisions relating to sharing of child abuse and other information with the Governor and certain legislators. Under existing law, a school may share information pursuant to an interagency agreement, but the other parties to the agreement are unable to share information with the school or other agencies that are part of the agreement.

#### **HOUSE FILE 2377 - Access to Child Abuse Information**

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for access to child abuse information for purposes of review and public disclosure.

Existing law relating to the Child Death Review Team is amended. This team is staffed by the Iowa Department of Public Health and issues an annual report making recommendations for actions to prevent child deaths. Under the Act, the team is to prepare protocols for a child fatality review committee to be appointed by the Director of Public Health on an ad hoc basis to review child abuse assessments involving the fatality of a child who is under age 18. The director is to appoint a medical examiner, a pediatrician, and a person involved with law enforcement to the fatality review committee. The purpose of the ad hoc committee review is to determine whether the Department of Human Services (DHS) and others involved with a case of child abuse that ended with a fatality responded appropriately.

The ad hoc committee has access to patient records and other confidential information. The committee is to issue a report with findings concerning the case and recommendations to prevent child fatalities when similar circumstances exist. Specific information regarding the actions of DHS and others is to be included in the report. The information released in the report is subject to confidentiality restrictions applicable to the DHS report on child fatality and near fatality cases also included in this Act. Consultation with the relevant county attorney is required prior to issuance of the report. A later supplemental report is required for information that was withheld in the initial report so as not to jeopardize the prosecution or the rights of an alleged perpetrator to a fair trial.

The Act includes a number of provisions applicable to DHS. The department is required, within 24 hours of receiving a report from a mandatory or permissive reporter, to inform the reporter whether or not an assessment of the allegation has commenced. Upon completion of an assessment, the department is directed to offer an assessment report to each mandatory reporter who reported the child abuse. The Governor is authorized to request information concerning specific cases of child abuse reported to the department.

The term "near fatality" is defined. Federal law addresses public disclosure by states concerning cases of child abuse that resulted in a fatality or near fatality. The Act requires the department to respond to a request for information concerning such cases within five business days. The department is to disclose confidential information, subject to a list of restrictions. Restrictions on release of information include mental health or psychological information, information that is believed would cause mental or physical harm to a sibling, information that would jeopardize a prosecution or undermine a criminal investigation, and other information. A person whose request for child abuse information is denied by DHS may apply to the juvenile court for an order compelling disclosure. The juvenile court is to review the child abuse information and order disclosure of the information unless the court finds one of the listed restrictions is applicable.

In addition, the department is to provide information on such cases without those restrictions to the following authorized requestors: the Governor or the Governor's designee and to members or employees of the General Assembly designated by a legislative leader listed in the Act. After completing a review of the information provided, these authorized requestors may issue a report to the Governor regarding the specific case.

Current law includes criminal and civil penalties for a prohibited redissemination of child abuse information. The Act makes an exception to the prohibitions for the child named as the victim of abuse; the child's parent, guardian or custodian; and the person named in the report as having abused the child. The exception allows any of these persons to redisseminate child abuse information and related confidential information that the person is authorized to have. The redissemination is limited to the Governor or the Governor's designee or to a member of the General Assembly or an employee of the General Assembly designated by the member. Persons receiving the redisseminated information cannot further redisseminate except to persons authorized to have access to the information.

The Act relates to expungement of child abuse information from the department's Child Abuse Registry by requiring expungement upon a determination by a juvenile or district court that the information is unfounded in a written finding.

The Act also requests the Legislative Council to establish a legislative study committee during the 2000 Interim to review state policy concerning confidential information in the area of child abuse and other human services-related programs.

The Act takes effect April 21, 2000, and is applicable to disclosures of information on or after that date related to cases of child abuse reported prior to, on or after that date.

## CIVIL LAW, PROCEDURE AND COURT ADMINISTRATION

- SENATE FILE 2007 - Guardians — Procurement of Professional Services for Ward
- SENATE FILE 2142 - Crime Victim Compensation
- SENATE FILE 2212 - Procedures Administered by Clerk of Court
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- HOUSE FILE 2473 - Reports and Proceedings Regarding School Violence and Other Activities — Immunity
- HOUSE FILE 2518 - Estates and Trusts
- HOUSE FILE 2521 - Mediation of Farm Disputes
- HOUSE FILE 2522 - Domestic Abuse Actions — Plaintiff's Mailing Address
- HOUSE FILE 2525 - Motor Vehicle Accidents — Damages

### RELATED LEGISLATION

- SENATE FILE 421 - Juvenile Court Jurisdiction — Adoption and Termination of Parental Rights  
*SEE CHILDREN & YOUTH.* This Act permits the juvenile court to exercise jurisdiction over adoption proceedings.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. The Act includes the following:
- *Civil Penalty for Sale of Alcohol to Minors.* The civil penalty applicable to holders of liquor licenses or permits for first offense violations of Code Section 123.49, subsection 2, paragraph "h," which relates to sales of alcohol to minors, is changed from \$300 to \$500.
  - *Child Abuse Information Expunged After 30 Years.* Language relating to the expunging of child abuse information from the Child Abuse Registry is changed to specify that information relating to the types of child abuse which are specified in paragraph "c" or "e" of Code Section 232.68, subsection 2, is not to be expunged for 30 years.
  - *Mechanic's Liens.* A provision relating to the methods of causing a mechanic's lien which has been satisfied to be cancelled or forfeited is amended to provide that it is the demand and required attachments which are to be filed with the clerk of the district court and subsequently mailed by the clerk to both parties affected by a mechanic's lien.
  - *Judges.* Certain provisions relating to the canvassing of the results of a judicial election are amended by adding the phrase "full-time associate juvenile judge, or full-time associate probate judge." The word "part-time" is added before the words "associate probate judge" in provisions relating to the appointment, removal and qualification of part-time associate probate judges.

- *Child Custody Matters.* The word "part-time" is added before the words "associate probate judge" in provisions relating to the appointment, removal and qualification of part-time associate probate judges. Provisions relating to temporary emergency jurisdiction of courts of this state in child-custody matters are amended by replacing the word "or" in the phrase "court or another state under a statute" with the word "of." Language relating to the listing, in an order for hearing in a child-custody proceeding, of the circumstances which must be demonstrated by a respondent to prevent the hearing from going forward is amended to reflect the mutual exclusivity of those circumstances.
- *Property Exempt From Execution.* 1999 Iowa Acts, Chapter 131, Section 3, is amended by striking the phrase "all claims of exemption under this section" and inserting the phrase "all claims of exemption under this Act," in order to apply the effective date provision to the substantive part of the Act. This change is made retroactively applicable to May 17, 1999.

- SENATE FILE 2254** - Child Support — Medical Support — Data Matching  
*SEE HUMAN SERVICES.* This Act provides changes in child support law relating to medical support, to payment of financial institutions for the costs of quarterly data matches and automation program development, and to liability of financial institutions relating to data matches.
- SENATE FILE 2302** - Public Health Programs and Issues  
*SEE HEALTH & SAFETY.* This Act makes changes relating to programs under the purview of the Iowa Department of Public Health. The Act increases the fee for filing an application to marry to \$35, \$4 of which is retained by the county. The Act eliminates the required issuance of an uncertified copy of the marriage certificate by the officiating minister or magistrate to the parties to the marriage, but provides for issuance of a certified copy of the original certificate of marriage by the county registrar, following receipt of the original certificate of marriage.
- SENATE FILE 2344** - Child and Family Services  
*SEE CHILDREN & YOUTH.* This Act relates to child and family services involving the Department of Human Services and includes a number of requirements involving juvenile court orders for temporary removal of children, child in need of assistance proceedings, and permanency hearings and orders.
- SENATE FILE 2366** - Purchase, Possession, and Sale of Cigarettes and Tobacco Products  
*SEE HEALTH & SAFETY.* This Act relates to cigarette and tobacco product provisions. The Act provides that a person who violates the prohibition against a minor smoking, using, possessing, purchasing, or attempting to purchase tobacco, tobacco products or cigarettes is subject to a civil penalty and to performance of community work requirements. The Act increases the civil penalties, eliminates the criminal fine for failure to pay the initial civil penalty, requires that the current uniform judicial citation and complaint form include a place for citing a person for such a violation, and requires judicial magistrates to hear and determine such violations. The Act establishes civil penalties for a retailer or an employee of a retailer who violates the laws relating to the supplying of tobacco products or cigarettes to minors through vending machines or relating to the prohibition against the giving away of samples.
- SENATE FILE 2411** - Public Retirement Systems  
*SEE STATE GOVERNMENT.* This Act makes numerous changes pertaining to public retirement systems, including the Public Safety Peace Officers' Retirement, Accident, and Disability System (Code Chapter 97A), the Iowa Public Employees' Retirement System (Code Chapter 97B), the Statewide Fire and Police Retirement System (Code Chapter 411), and the Judicial Retirement System.
- SENATE FILE 2435** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and includes many child welfare, child support, and juvenile justice items, including foster care, adoption, and other child welfare services, funding for court-ordered services for juveniles, directives to juvenile court services, and other provisions involving the juvenile court.
- HOUSE FILE 2172** - Law Enforcement Employment — Polygraph Examinations  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act permits a polygraph examination of an applicant for a position with a law enforcement agency of a political subdivision who

would have direct access to prisoner funds, other cash assets, and confidential information. The provision may be enforced through a civil action.

- HOUSE FILE 2205** - Electronic Commerce  
*SEE BUSINESS, BANKING & INSURANCE.* This Act creates new Code Chapter 554D, relating to electronic transactions, that replaces Code Chapter 554C, enacted during the 1999 Session. The Act establishes evidentiary standards and requirements with respect to electronic records and provides that in a legal proceeding, evidence of a record or signature shall not be excluded solely because it is in electronic form.
- HOUSE FILE 2321** - Medical Assistance — Eligibility — Transfer of Assets  
*SEE HUMAN SERVICES.* This Act amends portions of the Code relating to medical assistance. The Act addresses disclaimers of inheritance and failure of a spouse to take against a will rather than take what is provided under the provisions of the will under the Probate Code, as these mechanisms relate to transfer of assets policies when establishing eligibility under the Medical Assistance (MA) Program (Medicaid). The Act establishes that under the Probate Code, a disclaimer of property, interest or right constitutes a transfer of assets, in determining MA eligibility, in the amount of the value of the property, interest or right. The Act also provides that failure of a spouse to take against a will constitutes a transfer of assets, in determining MA eligibility, to the extent the value received by taking against the will would have exceeded the value of the inheritance received under the will.
- HOUSE FILE 2377** - Access to Child Abuse Information  
*SEE CHILDREN & YOUTH.* This Act provides for access to child abuse information for purposes of review and public disclosure and includes a provision for expunging child abuse information from the Department of Human Services' Child Abuse Registry upon a written finding by a juvenile or district court that the information is unfounded.
- HOUSE FILE 2429** - Official Publications and County Records  
*SEE LOCAL GOVERNMENT.* This Act provides for the maintenance of public records by electronic means in a county system and establishes a new rate for official publications.
- HOUSE FILE 2431** - Ethics and Campaign Disclosure — Regulation and Enforcement  
*SEE ELECTIONS, ETHICS & CAMPAIGN DISCLOSURE.* This Act relates to enforcement actions commenced against public officers and employees for violations of the Code relating to conflicts of interest and to orders for enforcement of actions by the Ethics and Campaign Disclosure Board.
- HOUSE FILE 2470** - Indigent Defense  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act makes procedural and administrative changes relating to the Office of the State Public Defender and to the payment of indigent defense costs.
- HOUSE FILE 2513** - Uniform Commercial Code — Secured Transactions  
*SEE BUSINESS, BANKING & INSURANCE.* This Act adopts revisions to Article 9 of the Uniform Commercial Code (Code Chapter 554), as proposed by the American Law Institute and the National Conference of Commissioners on Uniform State Laws, and conforming amendments to a number of articles within that Code chapter as well as other chapters providing for security interests and liens, which provide for the creation, priority and enforcement of creditors' consensual liens, which are defined as security interests in personal property and fixtures.
- HOUSE FILE 2531** - Emergency Medical Services Funding and Lost Property Disposition  
*SEE LOCAL GOVERNMENT.* This Act amends provisions of Code Chapter 556F relating to the disposition of lost goods, financial instruments, and other things of value.
- HOUSE FILE 2554** - Appropriations — Judicial Branch  
*SEE APPROPRIATIONS.* This Act appropriates moneys for FY 2000-2001 to the Judicial Branch.

## CIVIL LAW, PROCEDURE AND COURT ADMINISTRATION

### **SENATE FILE 2007 - Guardians — Procurement of Professional Services for Ward**

BY McKEAN. This Act provides that a guardian is not required to seek prior court approval in the instance in which, if necessitated by the physical or mental disability of the ward, anesthesia is used in providing the ward professional care, counseling, treatment, or services limited to the provision of routine physical and dental examinations, and the administration of anesthesia is within the health care practitioner's scope of practice. The Act defines "routine dental examinations and procedures" and "routine physical examinations and procedures."

### **SENATE FILE 2142 - Crime Victim Compensation**

BY COMMITTEE ON JUDICIARY. This Act amends Code Section 915.86, relating to crime victim compensation.

The Act adds compensation for parents or caretakers of a dependent victim for lost wages related to the dependent's medical and counseling appointments, and for lost wages for victims, parents and caretakers related to meetings with law enforcement and prosecutors in connection with the criminal proceedings.

The Act limits certain compensation for health care and lost wages for relatives of homicide victims to a specified list of relatives. The Act expands compensation for crime scene cleanup to include crimes other than homicides.

### **SENATE FILE 2212 - Procedures Administered by Clerk of Court**

BY COMMITTEE ON JUDICIARY. This Act makes several changes governing the duties and responsibilities of clerks of the district court.

Code Section 6B.4 is amended to require the applicant for condemnation of property, rather than the clerk of court, to mail the list of condemnation commissioners to the owner of the property and to require the applicant to file proof of the mailing with the sheriff.

Code Section 450.24 is amended to increase the term of office for inheritance real estate appraisers from one to four years.

Code Section 624.20 is amended to permit a clerk of court to enter satisfaction of judgment if the judgment remaining is \$1 or less.

Code Sections 804.21 and 804.22 are amended to extend the time for an initial appearance before a magistrate from 10 days to 30 days after arrest by warrant, or without a warrant, and subsequent release on bail.

Code Section 811.6 is amended to require that the clerk of court, rather than the sheriff, provide 10 days' notice to the defendant and the defendant's sureties of entry of judgment for forfeited bail.

Code Section 910.9 is amended concerning the collection of restitution payments. The Act provides that if an entity other than the clerk of court is authorized to receive payments, that entity shall regularly notify the clerk about the receipt of such payments. In addition, the clerk of court is permitted to allocate payments among multiple victims at the clerk's discretion, instead of pursuant to a set percentage of the total owed to each victim, when the payment to a victim would be \$25 or less. The Code section is also amended to eliminate the requirement that the sentencing court be notified when full restitution has been made.

### **SENATE FILE 2214 - Forcible Entry and Detainer Actions — Rent or Property Recovery**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act changes residential landlord-tenant law as it relates to forcible entry and detention of real property actions.

The Act amends Code Section 648.19 to specify that certain actions which are jointly filed must be treated separately by the court, and creates new Code Section 648.22B to address mobile or manufactured homes that are subject to a foreclosure action.

### **SENATE FILE 2220 - Residential Landlord-Tenant — Forcible Entry and Detainer — VETOED BY THE GOVERNOR**

BY COMMITTEE ON JUDICIARY. This bill would have allowed for use of an action for forcible entry and detainer when a seller of real estate seeks to recover possession of the property when the buyer of the real estate defaults or forfeits on the contract for deed governing the sale. The bill also would have allowed such actions to be pursued as small claims actions in small claims court.

**SENATE FILE 2303 - Administration of Justice — Appointments — Benefits — Magistrate Apportionment**

BY COMMITTEE ON JUDICIARY. This Act makes changes to provisions in the Code relating to benefits applicable to Judicial Branch employees and in the manner of making certain quasi-judicial appointments.

Code Section 331.754 is amended to provide that the county board of supervisors, and not the district court, shall appoint an acting county attorney, if necessary, if the county attorney or any assistant county attorneys are unable through sickness, absence or disability to perform county attorney duties.

Code Sections 341A.2 and 341A.3 are amended to provide that the county board of supervisors appoints two of the three members to the civil service commission. The appointment of the other member by the county attorney is not changed by this Act. Previously, the county board of supervisors appointed one member and the presiding district court judge for that court appointed one member of the three members appointed.

Code Section 450.24 is amended to provide that the chief judge of the judicial district, and not the court, shall appoint inheritance tax appraisers for each county.

Code Section 602.1401 is amended to provide that the Judicial Branch can specifically establish a benefits plan for its employees and that the plan can provide benefits to court employees not covered by a collective bargaining agreement similar to those provided to employees covered by such an agreement, notwithstanding general Code provisions applicable to other state employees for sick leave accrual and credit for accrued sick leave.

Code Section 602.6401 is amended to provide that the requirement of the State Court Administrator to apportion magistrate offices shall be done in the year in which magistrates' terms end and not every odd-numbered year.

Code Section 602.6603 is amended to provide that the chief judge of a judicial district, and not a district judge, may appoint a temporary court reporter. The provisions of Code Chapter 607A governing the appointment of jury commissioners is changed to provide for their appointment by the chief judge of the judicial district and not the judges of the district court in that district.

Code Section 633.20 is amended to provide that the chief judge of the judicial district, and not the court, shall appoint referees in probate.

Code Section 905.3, concerning the board of directors of each judicial district department of correctional services, is amended to provide that the members from project advisory committees shall be appointed by the chief judge of the judicial district and not the judges of the judicial district.

The Act also requests the Legislative Council of the General Assembly to establish an interim study committee to review issues concerning the appointment and compensation of mental health advocates.

**SENATE FILE 2308 - Domestic Abuse Records and Electronic Harassment**

BY COMMITTEE ON JUDICIARY. This Act relates to domestic abuse, addressing protective orders under Code Chapter 236 and harassment under Code Section 708.7.

Code Section 236.10 is amended to provide for the court to order the sealing of a domestic abuse file or portion of the file as necessary to protect the privacy or safety of any person, rather than automatic sealing of the entire file by the clerk of court.

Code Section 236.19, relating to foreign protective orders, is amended to specify inclusion of protective orders issued by Indian tribunals and courts in U. S. territories, to expand venue to include any county that would have venue if the action were being commenced in Iowa, to include filing of certified copies of foreign protective orders, and to allow filing of orders that are not certified or authenticated if supported by an affidavit, subject to penalties of perjury, of a person with personal knowledge, which may be the person protected by the order. Code Section 236.19 is also amended to prohibit service of copies of the order to a respondent unless expressly directed by the person in whose favor the order is entered.

Code Section 236.19 is also amended to specify that a valid foreign protective order shall be enforced in this state even if not filed with a clerk of court or placed in a registry of protective orders unless a peace officer finds the order invalid on its face. The Code section lists criteria required for a valid order and provides that failure to meet all criteria provides an affirmative defense in an action for enforcement. A peace officer is granted civil and criminal immunity for reasonable, good faith enforcement actions under this section.

Code Section 236.19 is further amended to provide that filing and service costs related to foreign protective orders may be waived or deferred as provided in Code Section 236.3.

This Act also makes harassment via electronic communication a crime under Code Section 708.7. Harassment varies by degree according to the type of threat communicated. A person commits harassment in the first degree when the person commits harassment involving a threat to commit a forcible felony, or commits harassment and has previously been convicted of harassment three or more times during the preceding 10 years. Harassment in the first degree is an aggravated misdemeanor. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$500 but not more than \$5,000.

A person commits harassment in the second degree when the person commits harassment involving a threat to commit bodily injury, or commits harassment and has previously been convicted of harassment two times during the preceding 10 years. Harassment in the second degree is a serious misdemeanor. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$250 but not more than \$1,500.

Any other act of harassment is harassment in the third degree. Harassment in the third degree is a simple misdemeanor. A simple misdemeanor is punishable by confinement for no more than 30 days or a fine of at least \$50, but not more than \$500, or by both.

#### **HOUSE FILE 683 - Child Custody, Visitation, and Support — Mediation**

BY COMMITTEE ON JUDICIARY. This Act provides for mediation services related to custody, visitation and support of a child.

The Act provides that the intent of the General Assembly is that the parties to family law actions maintain responsibility for their decision making, improve their communications concerning their children, and commit themselves to the decisions they reach. The General Assembly finds that the best interests of children are normally served by maintenance of maximum contact with both parents, that parental conflict may result in emotional and psychological damage to the parties and their children, and that mediation should be utilized to the greatest extent possible in resolution of domestic relations disputes.

The Act provides that the court, on its own motion or on the motion of a party, may order the parties to participate in mediation in dissolution of marriage actions or other domestic relations actions. The provisions of Code Chapter 679C, relating to mediation including confidentiality, mediator privilege, and mediator immunity, apply to the provisions of the Act. The provisions of the Act do not apply if the action involves a child support or medical support obligation being enforced by the Department of Human Services' Child Support Recovery Unit or if the action involves domestic abuse. The provisions are not to affect a judicial district's or court's authority to order settlement conferences. On application of a party, the court may waive court-ordered mediation based upon demonstration of a history of domestic abuse.

The Act directs the Supreme Court to establish a dispute resolution program in family law cases and to prescribe rules for the mediation program, and provides standards for dispute resolution programs.

The Act also directs the Supreme Court to prescribe qualifications for mediators on or before January 1, 2001. The qualifications are not to include a requirement that the mediator be licensed to practice any particular profession.

The Act further directs the Supreme Court to submit a report to the General Assembly by January 1, 2001, including any recommendations for implementing, modifying and funding the Act.

The Act takes effect July 1, 2001, except that the portion of the Act relating to the submission of the report by the Supreme Court takes effect May 3, 2000.

#### **HOUSE FILE 2135 - Child Support — Liens — Motor Vehicle Registration — Income Withholding**

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to support obligations. The Act amends the section of the Code relating to development of a statewide support lien index. The Act provides that a task force previously established by the Child Support Recovery Unit of the Department of Human Services is to develop and implement provisions for the filing of notices of liens and actions to release liens, and a process for delaying the renewal of a motor vehicle registration due to a support delinquency and recommendations for additional statutory changes to the General Assembly. The law formerly required development, only, of a plan for a statewide support lien index. The Act adds specific members to the task force, including representatives of the Iowa Bankers Association, the Iowa Recreational Vehicle Dealers' Association, the Independent Automobile Dealers' Association of Iowa, the Iowa Mortgage Bankers' Association, the Iowa Motorcycle Association, and the Iowa Credit Union League.

The Act removes the date October 1, 1999, as the last date on which a payor of income (an employer, trustee or governmental entity) was required to include, in payment identification, the date income was withheld from a support obligor. By removing the date, the Act allows continuation of the practice of including the date that income was withheld in the identification of the support payments made by payors of income. The Act instructs the Department of Human Services to rescind any administrative rules in conflict with the Act.

The Act takes effect April 20, 2000.

**HOUSE FILE 2168 - Dissolutions of Marriage Hearings — Exceptions**

BY COMMITTEE ON JUDICIARY. This Act relates to the exceptions to the holding of a hearing in a dissolution of marriage action by eliminating the provision that prohibits the court from entering a decree of dissolution without a hearing if there are children of the marriage for whom support might be ordered. The same prohibition is also eliminated when a respondent has not entered an appearance or filed a motion or pleading in the case and the waiting period of 90 days, with exceptions, has expired. The Act does not change the provisions that require the parties to certify in writing that there has been a breakdown of the marriage relationship, to file all documents required by the court, and to provide a written agreement settling all of the issues involved in the dissolution of marriage.

**HOUSE FILE 2173 - Intestate Succession — Great-Grandparents, Great-Aunts, Great-Uncles, and Second Cousins**

BY COMMITTEE ON JUDICIARY. This Act amends the Code section relating to the rules of inheritance for intestate succession to provide for inheritance by great-grandparents or descendants of great-grandparents (great-aunts, great-uncles, and second cousins) when no descendants, parents, siblings or descendants of siblings, or grandparents or descendants of grandparents (aunts, uncles, and first cousins) are available to inherit from an intestate decedent.

**HOUSE FILE 2240 - Guardianships and Conservatorships — Notice — Counsel**

BY COMMITTEE ON JUDICIARY. This Act amends certain parallel Code sections relating to notice and the appointment of counsel in guardianship and conservatorship proceedings. The Act specifies the timing for the appointment of counsel and provides for notice of the hearing, both to the proposed ward and certain other interested parties; provides the court with certain rights to reconsider the determination of counsel and to discharge court-appointed counsel; and requires specific notice to the proposed ward that private counsel can be retained.

**HOUSE FILE 2254 - Real Estate Title Actions — Certain Older Claims**

BY COMMITTEE ON JUDICIARY. This Act changes two Code sections relating to certain older claims to real estate.

The Act adds Code Section 614.17A to a list of related Code sections in Code Section 614.19, which together address the handling of certain old claims to real estate. The effect of the addition is to negate the applicability of the special statute of limitations involving actions by minors and persons with mental illness.

The Act also makes certain language consistent in the two subsections of Code Section 614.22, which addresses actions relating to ancient deeds and the possession of those claiming title under the deeds.

**HOUSE FILE 2388 - Modification of Child Custody or Support Orders — Pilot Project**

BY COMMITTEE ON JUDICIARY. This Act provides for implementation of a pilot project relating to the concurrent jurisdiction of the juvenile court and the district court in modification of child custody and support orders when the juvenile court issues an order removing a child from the custody of a parent previously granted custody or support. The Act directs the Judicial Branch to implement the pilot project in at least one judicial district and to submit a report to the General Assembly on or before December 1, 2000, regarding the progress of the pilot project and recommendations for continuation or expansion of the project.

**HOUSE FILE 2473 - Reports and Proceedings Regarding School Violence and Other Activities — Immunity**

BY COMMITTEE ON EDUCATION. This Act creates new Code Section 280.27, which establishes civil and criminal immunity for a school employee related to the employee's reasonable and good faith participation in reporting or investigating violence, threats of violence, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function. A coordinating provision is added in Code Chapter 613, relating to immunity in civil actions.

**HOUSE FILE 2518 - Estates and Trusts**

BY COMMITTEE ON JUDICIARY. This Act amends several sections of Code Chapter 633 relating to probate and trusts.

The Act changes the notice and reporting date schedule for delinquent inventories and reports due by law; allows bequests of \$10,000 or less to a minor to be paid to a custodian for the minor under the Uniform Transfers to Minors Act without a court order; specifies that when a divorce of the testator revokes will provisions relating to the testator's spouse, the revocation includes dispositions, appointments of property, or nominations to serve in a fiduciary or representative capacity; amends the definition of "heir" in Code Sections 633.304 and 633.305 to include notice to grandparents or issue of grandparents of the decedent in addition to the decedent's children and parents; and allows an attorney in fact or agent to complete an affidavit that the attorney in fact or agent had no knowledge of the revocation or termination of a power of attorney at the time of an act pursuant to the power of attorney.

This Act also makes certain amendments to the Iowa Trust Code, which becomes effective on July 1, 2000. The Act amends the definition of "term" to include proof of a settlor's intent via evidence admissible under the rules of the evidence; deletes the procedure for setting aside an improper termination or modification of the trust, and provides that the court, rather than the trustee, shall distribute property upon termination of the trust; adds a new Code section relating to modification of administrative provisions of the trust when there is a change in circumstances not known or anticipated by the settlor of the trust; places a limitation on the combination or division of a trust when the trust is a court reporting trust, and provides a mechanism for division; specifies that revocation of trust provisions due to a settlor's divorce will also apply to dispositions, appointments of property, and nominations to serve in any fiduciary or representative capacity; expands the definition of "heir" to include grandparents and issue of grandparents, consistent with those entitled to inherit under Code Section 633.219, and specifies the notice that must be published if the decedent was not a resident of Iowa; places a limitation on trustee indemnification to the extent of distributions made to creditors; makes certain changes on filling trustee vacancies; eliminates the ability of the court to remove a trustee on its own motion; and repeals new Code Section 633.4309, relating to delegation of investment and management functions.

The Act also makes certain technical or grammatical amendments in many sections of the Trust Code.

**HOUSE FILE 2521 - Mediation of Farm Disputes**

BY COMMITTEE ON JUDICIARY. This Act amends the mandatory mediation provisions of two Code sections relating to resolution of farm disputes. The Act specifies that the mediation requirements in Code Sections 654A.6 and 654B.3 are jurisdictional prerequisites that must be satisfied before a case can be filed under those chapters. A 1999 federal district court ruling held that the current Code language did not prevent the filing of a suit under Code Chapter 654B prior to mediation of the dispute.

**HOUSE FILE 2522 - Domestic Abuse Actions — Plaintiff's Mailing Address**

BY COMMITTEE ON JUDICIARY. This Act provides that a plaintiff seeking relief from domestic abuse under Code Chapter 236 may use the mailing address of a shelter or other agency, a public or private post office box, or any other mailing address with the permission of the resident of that address, as a mailing address for purposes of filing a petition for relief under the Code chapter, as well as for obtaining utility or other services. Changes of address must be reported to the clerk of court within five days.

**HOUSE FILE 2525 - Motor Vehicle Accidents — Damages**

BY COMMITTEE ON JUDICIARY. This Act provides that a person shall not recover noneconomic losses including, but not limited to, pain and suffering, in an action to recover damages arising out of the operation or use of a motor vehicle if the injured person was the operator of the motor vehicle, a passenger in the motor vehicle, or a pedestrian and the injuries were caused by the person's commission of a felony. The Act provides that these provisions shall not apply if the injured person is found to have no fault in the accident. The Act provides that if a person injured in a motor vehicle accident has been formally charged with a violation of a felony in connection with the accident, motor vehicle liability and uninsured and underinsured motorist insurers shall advise the injured party that settlement of the claim will be resolved, pending a judgment on the charges.

## CRIMINAL LAW, PROCEDURE AND CORRECTIONS

- SENATE FILE 2015 - Sexually Predatory Offenses
- SENATE FILE 2031 - Sex Offender Registration
- SENATE FILE 2079 - Import of Cigarettes and Tobacco Products — Limitations
- SENATE FILE 2145 - National Crime Prevention and Privacy Compact
- SENATE FILE 2146 - Criminal Defendants — Appearance — Release
- SENATE FILE 2241 - Criminal Offenses and Liquor Licensee or Permittee Regulation
- SENATE FILE 2243 - Treatment Programs for Operating While Intoxicated Violators
- SENATE FILE 2245 - Law Enforcement — Personal Property Disposition — State and Local Penalties
- SENATE FILE 2246 - Incarceration in Other Jurisdictions — Credit Against Sentence
- SENATE FILE 2265 - Lascivious Acts — Additional Sentence
- SENATE FILE 2276 - Criminal Sentencing — Earned Time Credits
- SENATE FILE 2324 - DNA Profiling
- HOUSE FILE 723 - Animal Torture
- HOUSE FILE 2170 - Operating While Intoxicated — Chemical Test Evidence
- HOUSE FILE 2172 - Law Enforcement Employment — Polygraph Examinations
- HOUSE FILE 2229 - Abortion — “Woman’s Right to Know Act” — VETOED BY THE GOVERNOR
- HOUSE FILE 2253 - Escape and Absence From Custody — Jurisdiction
- HOUSE FILE 2331 - Operating a Motorboat or Sailboat While Intoxicated
- HOUSE FILE 2391 - Theft Detection and Detection Shielding Devices
- HOUSE FILE 2419 - Amphetamines and Drug Paraphernalia — Criminal Penalties
- HOUSE FILE 2420 - Sexual Abuse and Sexual Exploitation — Statute of Limitations
- HOUSE FILE 2470 - Indigent Defense
- HOUSE FILE 2510 - Operating While Intoxicated and Ignition Interlock Devices
- HOUSE FILE 2511 - Drinking Driver Restrictions
- HOUSE FILE 2519 - Probation and Parole Administration

### RELATED LEGISLATION

- SENATE FILE 2092 - Substantive Code Corrections
- SEE STATE GOVERNMENT.** This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. The Act includes the following:
- The Act corrects an internal reference in language relating to review of action or intended action by the State Public Defender on attorney fee claims and clarifies appointment and removal authority provisions relating to the State Public Defender to provide that the State Public Defender may both appoint and remove not only the local public defender but also other employees listed in the applicable paragraph of the Code.
  - Language in provisions relating to military proceedings that establish the requirements which must be met before a sentence imposing a dishonorable discharge, discharge under other than honorable conditions, dismissal, or confinement can be adjudged is conformed to language in Section 819 of Article 19 of the Military Code of Justice, and in provisions relating to which kinds of offenses are not cognizable in military proceedings, the offense of rape is replaced with the offense of sexual abuse.

- Language relating to the expunging of child abuse information from the Child Abuse Registry is changed to specify that information relating to the types of child abuse specified in paragraph "c" or "e" of Code Section 232.68, subsection 2, is not to be expunged for 30 years.
- Language relating to penalties applicable to mobile home dealers who acquire Iowa-titled mobile housing or manufactured housing, and who do not obtain a certificate of title for the homes or housing, is modified to provide that the penalties apply to both mobile home and manufactured housing acquisition.
- The Code section reference for the penalty applicable to penal offenses against the Motor Vehicle Title law is changed to refer to Code Section 805.8, which provides a listing of scheduled violations, instead of the general penalty provision for Code Chapter 321 violations, Code Section 321.482.
- Language in provisions relating to the fingerprinting of adults and juveniles is amended to clarify that final disposition reports are to be filled out on both arrests of adults and the taking of juveniles into custody and a Code section that specifies the situations in which a court appearance is required on a scheduled violation is amended to provide that language which describes what a defendant who has been charged with a scheduled violation must do, and what procedures apply, applies to all of the situations enumerated in the section.
- The words "of the inmate" are added to language relating to the deduction of amounts from an inmate's general account for legal and administrative financial obligations to provide that it is the inmate's obligations for which the deductions are to be made.

- SENATE FILE 2142** - Crime Victim Compensation  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act amends Code Section 915.86, relating to crime victim compensation.
- SENATE FILE 2212** - Procedures Administered by Clerk of Court  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act makes several changes governing the duties and responsibilities of clerks of the district court, including specific changes of procedure governing criminal matters. The Act extends the time for an initial appearance before a magistrate from 10 days to 30 days after arrest by warrant, or without warrant, and subsequent release on bail. In addition, the Act requires the clerk, rather than the sheriff, to provide 10 days' notice to the defendant and the defendant's sureties of entry of judgment for forfeited bail.
- SENATE FILE 2221** - Juvenile Court Jurisdiction  
*SEE CHILDREN & YOUTH.* This Act makes changes relating to proceedings involving juvenile offenders in juvenile and district court.
- SENATE FILE 2249** - State Agency Purchasing Preference — Bio-Based Fluids, Greases, and Lubricants  
*SEE STATE GOVERNMENT.* This Act requires the Department of Corrections to comply with purchasing preferences of bio-based hydraulic fluids, greases and other industrial lubricants.
- SENATE FILE 2300** - Interference With Lawful Hunting, Fishing, or Fur Harvesting  
*SEE NATURAL RESOURCES & OUTDOOR RECREATION.* This Act provides that a first offense of interfering with lawful hunting, fishing or fur harvesting is punishable as a simple misdemeanor and a second or subsequent offense is punishable as a serious misdemeanor.
- SENATE FILE 2308** - Domestic Abuse Records and Electronic Harassment  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act makes harassment via electronic communication a crime under Code Section 708.7. Harassment, and the punishment for harassment, varies according to the type of threat communicated.
- SENATE FILE 2366** - Purchase, Possession, and Sale of Cigarettes and Tobacco Products  
*SEE HEALTH & SAFETY.* This Act relates to cigarette and tobacco product provisions. The Act makes the use of a false or altered driver's license or nonoperator's identification card by a person under the age of 18 to obtain cigarettes or tobacco products a simple misdemeanor. The Act provides that a person, other than a retailer, who sells, gives, or otherwise supplies tobacco products or cigarettes to a person under 18 years of age is guilty of a simple misdemeanor; an employee of a retailer who violates this provision is subject to a simple misdemeanor punishable as a scheduled violation; and a person who violates the prohibition relating to the giving away of samples of cigarettes and tobacco products to minors is guilty of a simple misdemeanor. The Act eliminates the criminal fine for failure to pay an initial civil penalty.

- SENATE FILE 2435** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act provides appropriations to the Department of Human Services for FY 2000-2001 and includes provisions related to human services and health care. The Act provides an appropriation for payment of costs associated with the commitment and treatment of sexually violent predators.
- HOUSE FILE 2153** - Drug Policy Coordination  
*SEE STATE GOVERNMENT.* This Act deals with the coordination of drug policy at the state level. The Act changes the name of the Drug Enforcement and Abuse Prevention Coordinator to the Drug Policy Coordinator. The Act repeals the provision establishing the Narcotic Enforcement Advisory Council, changes the name of the Drug Abuse Advisory Council, and expands the membership of the renamed council.
- HOUSE FILE 2205** - Electronic Commerce  
*SEE BUSINESS, BANKING & INSURANCE.* This Act creates a new Code Chapter 554D, relating to electronic transactions, which replaces Code Chapter 554C, enacted during the 1999 Session. The Act provides that a person shall not knowingly create, publish, alter, or otherwise use an electronic record or an electronic signature for a fraudulent or other unlawful purpose. The Act provides that a person shall not knowingly misrepresent the person's identity or authorization to obtain a private key for use in a digital signature or in requesting suspension or revocation of a private key for use in a digital signature. A person convicted of a violation is guilty of a serious misdemeanor for a first offense, and a class "D" felony upon conviction of a second or subsequent violation.
- HOUSE FILE 2473** - Reports and Proceedings Regarding School Violence and Other Activities — Immunity  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act establishes criminal immunity for a school employee related to the employee's reasonable and good faith participation in reporting or investigating violence, threats of violence, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function.
- HOUSE FILE 2525** - Motor Vehicle Accidents — Damages  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act relates to limits on the recovery of noneconomic losses in an action to recover damages arising out of the operation or use of a motor vehicle if the injured person was the operator of the motor vehicle, a passenger in the motor vehicle, or a pedestrian, and the injuries were caused by the person's commission of a felony.
- HOUSE FILE 2533** - Federal Block Grant Appropriations  
*SEE APPROPRIATIONS.* This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001. The Act includes funding for various programs involving criminals and corrections, including the Drug Control and System Improvement and Residential Substance Abuse Treatment Block Grants.
- HOUSE FILE 2552** - Appropriations — Justice System  
*SEE APPROPRIATIONS.* This Act appropriates moneys for FY 2000-2001 to the Department of Justice, Office of Consumer Advocate, Board of Parole, Department of Corrections, including correctional facilities and the judicial district departments of correctional services, State Public Defender, Iowa Law Enforcement Academy, Department of Public Defense, and the Department of Public Safety, and contains related statutory provisions. Under the Act, the total appropriations to the justice system of \$364.3 million reflect an increase in appropriations from the General Fund of the State of approximately \$8.6 million, or 2.4 percent, from the FY 2000 appropriations.
- HOUSE FILE 2555** - Tobacco Settlement Fund Appropriations  
*SEE APPROPRIATIONS.* This Act relates to and makes appropriations from the Tobacco Settlement Fund. The appropriations include an appropriation to the Department of Corrections for day programming and the Drug Court Program. The Act also provides an appropriation to the Iowa Department of Public Health for a Tobacco Use Prevention and Control Initiative, including funds to expand activities that ensure compliance with laws and ordinances prohibiting the sale of tobacco products to persons under 18 years of age and including funds for payment of the costs of full-time equivalent positions to provide for enforcement of tobacco laws and regulations.

## CRIMINAL LAW, PROCEDURES AND CORRECTIONS

### SENATE FILE 2015 - Sexually Predatory Offenses

BY ANGELO. This Act makes changes to the Sexually Predatory Offenses Law, which became effective on July 1, 1996. A sexually predatory offense generally is defined to mean any offense or any attempt to commit an offense that involves sexual exploitation of a minor, pandering involving a minor, or any offense defined under Code Chapter 709, "Sexual Abuse."

The Act provides that a prior conviction for a sexually predatory offense occurring prior to, on or after March 31, 2000, may be used to enhance the penalty for any future conviction of a sexually predatory offense. Under existing law and judicial interpretation, only a conviction for a sexually predatory offense occurring on or after the effective date of the 1996 legislation can be used to enhance a future conviction for a sexually predatory offense.

The Act also changes the definition of a sexually predatory offense by excluding murder, kidnapping, burglary, and child endangerment offenses that involve sexual abuse, attempted sexual abuse, or intent to commit sexual abuse. The Act eliminates the requirement that a trial information include a statement that the offense charged is a sexually predatory offense. The Act also eliminates the requirement that the finder of fact make a factual determination whether certain offenses are sexually predatory offenses.

The Act takes effect March 31, 2000.

### SENATE FILE 2031 - Sex Offender Registration

BY ANGELO. This Act makes changes relating to the Sex Offender Registry.

The Act changes the period of time by which an offender must register from 10 days to five days.

The Act provides that an offender who knowingly violates any provision in Code Sections 692A.2 through 692A.4 of the Sex Offender Registry Law commits an aggravated misdemeanor for a first offense and a class "D" felony for a second or subsequent offense. The Act also provides that an offender who knowingly violates Code Sections 692A.2 through 692A.4 of the Sex Offender Registry Law and subsequently commits an offense against a minor or certain sexual offenses commits a class "C" felony. The Act also provides that the offender's probation, parole or work release shall be revoked if the offender knowingly commits a violation. These provisions, relating to offenders who knowingly violate the provisions of Code Sections 692A.2 through 692A.4, take effect April 5, 2000.

A class "C" felony is punishable by confinement for no more than 10 years and a fine of at least \$1,000 but not more than \$10,000. A class "D" felony is punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$500 but not more than \$5,000.

### SENATE FILE 2079 - Import of Cigarettes and Tobacco Products — Limitations

BY COMMITTEE ON JUDICIARY. This Act establishes as unlawful the act of shipping or importing into the state, or offering for sale, selling, distributing, transporting, or possessing within this state, cigarettes or tobacco products if the cigarettes or tobacco products had previously been exported from or manufactured for use outside the United States.

Existing penalties under Code Chapter 453A apply to violation of the prohibition. Under Code Section 453A.36, violation by a holder of a distributor's, wholesaler's or manufacturer's permit is grounds for revocation of the permit. Under Code Section 453A.37, a violation of the prohibition is a fraudulent practice that carries a range of criminal penalties based upon the amount of money or the property involved.

The Act takes effect April 17, 2000.

### SENATE FILE 2145 - National Crime Prevention and Privacy Compact

BY COMMITTEE ON JUDICIARY. This Act enacts the Crime Prevention and Privacy Compact Act of 1998.

The Act creates and organizes an electronic information sharing system between the federal government and the states for the purpose of exchanging criminal history records, excluding sealed records, for purposes such as background checks for governmental licensing or employment, immigration matters, and national security clearances. The Act requires that any record obtained under this Act may only be used for the purpose for which the record was requested.

Under the Act, the FBI, this state, and other states that are party to the compact agree to maintain their own *criminal history* database, which includes arrest and disposition records, and make such records available to the federal government or other states for background checks for noncriminal purposes.

The Act requires the states to provide information and records for the National Identification Index and the National Fingerprint File. The Act authorizes the compact council appointed by the U.S. Attorney General to adopt rules and procedures to administer the use of the National Identification System, which includes the National Fingerprint File.

The Act provides that the Commissioner of Public Safety shall implement and administer the sharing of criminal history records.

**SENATE FILE 2146 - Criminal Defendants — Appearance — Release**

BY COMMITTEE ON JUDICIARY. This Act relates to the appearance in court and the release from custody of certain criminal defendants.

The Act amends provisions in Code Section 805.6 relating to a defendant's provision of an unsecured appearance bond for certain simple misdemeanor offenses. An unsecured appearance bond given to the court authorizes the court to enter a conviction and render judgment against the defendant in the amount of the unsecured appearance bond if the defendant fails to appear in court. The Act prohibits a defendant charged with driving while the defendant's license is under suspension in violation of Code Section 321.218 or 321A.32 from giving the court an unsecured appearance bond. Under existing law, a defendant may give the court an unsecured appearance bond for any simple misdemeanor offense, including driving while under suspension in violation of Code Section 321.218 or 321A.32. The Act effectively requires the issuance of an arrest warrant for a defendant who fails to appear in court for driving while under suspension in violation of Code Section 321.218 or 321A.32.

The Act also requires an unsecured appearance bond equal to 1½ times any minimum fine for a simple misdemeanor offense in which an unsecured appearance bond is permitted. Under existing law, the amount of the unsecured appearance bond is limited to \$100 plus court costs.

The Act amends Code Section 805.10 to require a defendant to appear in court when the violation charged involved or resulted in a death or caused serious injury. Existing law requires a court appearance if the violation charged involved or resulted in an accident that caused \$1,000 or more in property damage or in an injury to a person. The Act also provides that an officer may require a person involved in an accident to appear in court based upon the person's driving record, failure to pay a fine or court costs, or any other circumstance involving the accident.

The Act amends Code Section 811.2 to require the court to consider a criminal defendant's failure to pay a prior fine and court costs when considering the release of a defendant from custody.

**SENATE FILE 2241 - Criminal Offenses and Liquor Licensee or Permittee Regulation**

BY COMMITTEE ON JUDICIARY. This Act relates to regulations concerning liquor licenses and permits, to consolidation of certain criminal offenses, and to penalties related to certain criminal offenses.

The Act permits a local authority to require certain liquor licensees and permittees to have trained security personnel on the premises before a liquor license or permit is issued. The training includes, but is not limited to, mediation techniques, civil rights education, and proper physical restraint methods.

This Act consolidates certain criminal offenses with other offenses. The Act consolidates computer theft and video rental theft into the theft statute. The Act also consolidates various election bribery and voting criminal offenses, and consolidates the criminal offense of computer damage within the criminal mischief statute. The Act maintains the current criminal penalties for the affected offenses and applies an evidentiary rule for computer printouts to the Code chapters on theft and criminal mischief.

The Act provides that a person who has a prior conviction for any drug-related offense under Code Chapter 124, 124A, 124B, or 453B, and who then commits the offense of possession of a controlled substance under Code Section 124.401, subsection 5, is guilty of an aggravated misdemeanor. The Act further provides that a person who has been convicted of two or more drug-related offenses, and who then commits the offense of possession of a controlled substance, is guilty of a class "D" felony. Under existing law, a person who has a prior conviction of possession of a controlled substance under Code Section 124.401, subsection 5, and who then commits another possession offense, is guilty of an aggravated misdemeanor, and a person who has two or more prior convictions of possession, and who then commits another possession offense, is guilty of a class "D" felony.

An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$500 but not more than \$5,000. A class "D" felony is punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500.

**SENATE FILE 2243 - Treatment Programs for Operating While Intoxicated Violators**

BY COMMITTEE ON JUDICIARY. This Act addresses placement of institutional operating while intoxicated (OWI) offenders in community OWI programs to allow credit within the community program for progress made by the offender within the institutional program, rather than requiring the offender to start the community program from the beginning. The Act also requires placement in an institutional program within 60 days of admission to the correctional system or as soon as practical.

**SENATE FILE 2245 - Law Enforcement — Personal Property Disposition — State and Local Penalties**

BY COMMITTEE ON JUDICIARY. This Act relates to the disposition of certain personal property which has been found by, seized by, turned in to, or otherwise comes into the lawful possession of a local law enforcement agency, by providing that a local law enforcement agency may use the same procedures to dispose of personal property as the Department of Public Safety. The Act also relates to the reclassification of certain misdemeanor criminal offenses and local ordinances.

The Act provides that an agency may dispose of personal property 90 days after mailing notice to the last known address of the owner or publishing notice that the agency is in possession of the personal property. The agency may dispose of the property by selling the property at auction, retaining the property for the agency's own use, giving the property to another agency, giving the property to charity, or destroying the property.

The Act provides that if the local law enforcement agency sells the property, the proceeds from the sale after reimbursement of expenses shall be deposited in the rural services fund if the selling agency is a county agency, or deposited in a city's general fund if the selling agency is a city agency. The Act is not applicable to abandoned motor vehicles or seized property subject to disposition under Code Chapter 809 or 809A.

The Act reclassifies certain simple misdemeanors as scheduled violations, which allows a defendant to pay a specified fine, court costs, and a criminal surcharge without making a formal court appearance. The simple misdemeanors reclassified under the Act include the following: special restrictions on lamps, operating a golf cart on city streets, overtaking on the right, pedestrian's right-of-way, abandonment of motor vehicles, fraudulent use of registration, antique vehicles and registration, overweight trucks, permitting unauthorized minors or persons to drive, transfers by operation of law, acts prohibited on fully controlled access roads, certain operating all-terrain vehicle offenses, certain commercial fishing offenses, and certain offenses related to fishing and hunting licenses, contraband, and guns.

The Act provides a \$100 scheduled fine for each reclassified offense, except for the offense relating to overweight trucks. Under the Act, a scheduled fine for an overweight truck depends upon the weight of the truck. The Act also adds references indicating that certain simple misdemeanors are punishable as scheduled violations.

**SENATE FILE 2246 - Incarceration in Other Jurisdictions — Credit Against Sentence**

BY COMMITTEE ON JUDICIARY. This Act provides that an inmate incarcerated in another jurisdiction may receive credit upon the inmate's Iowa sentence if the inmate is receiving credit upon a sentence in that other jurisdiction. Generally, an inmate would receive one day of credit on the inmate's Iowa sentence for one day served in the other jurisdiction.

Existing law prohibits an inmate who is incarcerated in another jurisdiction from receiving credit upon the inmate's Iowa sentence if the inmate is also receiving credit upon the inmate's sentence in the other jurisdiction.

**SENATE FILE 2265 - Lascivious Acts — Additional Sentence**

BY COMMITTEE ON JUDICIARY. This Act provides for the imposition of an additional sentence of mandatory parole or work release for certain persons convicted of the criminal offense of lascivious acts with a child. Generally, a person who commits lascivious acts with a child touches, solicits, or inflicts pain on a child for the purpose of arousing the sexual desires of the person or the child.

The Act provides that if an offender is sentenced to a period of confinement, the court shall also sentence the person to an additional sentence of parole or work release not to exceed two years. The additional sentence of parole or work release shall run consecutive to the first sentence of confinement. Upon the expiration of the first sentence, the Board of Parole shall determine whether the person shall be on parole or work release during the additional sentence. If a person violates a condition of the additional sentence of parole or work release, the additional sentence of parole or work release may be revoked and the person shall be sentenced to a period of confinement in the same manner as any other person on parole or work release status.

The Code provides that a person who commits lascivious acts with a child is guilty of a class "D" felony, which is currently punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500.

**SENATE FILE 2276 - Criminal Sentencing — Earned Time Credits**

BY COMMITTEE ON JUDICIARY. This Act provides for the application of earned time credits for persons serving a criminal sentence.

The Act changes the term "good conduct time" to "earned time." The Act provides that the Director of the Department of Corrections shall establish rules to implement the manner in which an inmate may earn time if programming is unavailable.

Additionally, the Act requires that earned time be calculated on a monthly basis as it accrues, and that the department is to generate a report for each inmate indicating the amount of earned time the inmate has accrued, the amount of actual time served, and the amount of time remaining on the inmate's sentence.

The Act provides that the department shall convert existing good time credits and other reductions in an inmate's sentence to earned time on the effective date of the Act. The earned time credited to an inmate's sentence on the effective date of this Act shall equal the good time credits and other reductions accumulated prior to January 1, 2001.

The Act takes effect January 1, 2001.

**SENATE FILE 2324 - DNA Profiling**

BY COMMITTEE ON JUDICIARY. This Act relates to DNA testing of certain criminal defendants. The Act provides that a defendant shall be ordered by the court to submit to a DNA test upon confinement in or release from a county jail, or as a condition of probation, or commitment to prison, or upon discharge of a sentence, if the defendant was convicted of an offense that requires testing as determined by the Attorney General. The Act codifies certain criminal offenses that the Attorney General has determined require a DNA test. Existing law limits DNA testing as a condition of probation, parole or work release.

The Act also requires the court to order DNA testing if the defendant was convicted of an offense requiring DNA testing.

Existing law and the Act provide that the court or Board of Parole may order DNA testing of any defendant if the test is deemed appropriate.

**HOUSE FILE 723 - Animal Torture**

BY COMMITTEE ON JUDICIARY. This Act amends Code Chapter 717B, which provides for offenses relating to the mistreatment of animals other than livestock.

This Act creates a new offense referred to as "animal torture." The Act provides that a person is guilty of animal torture if the person inflicts upon the animal severe physical pain with a depraved or sadistic intent to cause prolonged suffering or death. The Act provides for a number of exceptions, including exceptions based on actions consistent with animal husbandry practices; veterinary practice; hunting, trapping or fishing; self-defense or protection of property; research; and the humane destruction of abused or neglected animals.

A person convicted of animal torture is guilty of an aggravated misdemeanor for the first offense and a class "D" felony for a subsequent offense. The sentencing order must provide that the person submit to psychological evaluation and treatment. The person must pay the costs of the evaluation and treatment. In addition, the sentencing order for a first offense must provide a community work requirement, which may include work performed at an animal shelter or pound.

The Act provides that the juvenile court has exclusive original jurisdiction in a proceeding concerning a child who is alleged to have committed animal torture. The juvenile court cannot waive jurisdiction in a proceeding concerning an offense alleged to have been committed by a child under the age of 17.

**HOUSE FILE 2170 - Operating While Intoxicated — Chemical Test Evidence**

BY COMMITTEE ON JUDICIARY. This Act amends Code Section 321J.2, subsection 10, regarding the margin of error for chemical tests submitted as evidence in operating while intoxicated prosecutions, to specify application of the subsection to offenses under Code Section 321J.2, subsection 1, paragraphs "b" and "c." The referenced offenses are to operating while intoxicated offenses involving an alcohol concentration of 0.10 or more, and involving any amount of a controlled substance in a person's blood or urine.

**HOUSE FILE 2172 - Law Enforcement Employment — Polygraph Examinations**

BY COMMITTEE ON JUDICIARY. This Act amends Code Section 730.4 to allow polygraph examinations of applicants for a position with a law enforcement agency of a political subdivision who would have direct access to prisoner funds, other cash assets, and confidential information.

Such polygraph examinations are required to adhere to the published antidiscrimination policy of the state or political subdivision conducting the examination.

A person who violates the Code section commits a simple misdemeanor, punishable by a fine of at least \$250, in addition to any other penalties. The Code section may also be enforced through a civil action.

**HOUSE FILE 2229 - Abortion — "Woman's Right to Know Act" — VETOED BY THE GOVERNOR**

BY BODDICKER, BARRY, BAUDLER, BOAL, BRADLEY, BRAUNS, CARROLL, DAVIS, DOLECHECK, DRAKE, EDDIE, GARMAN, GIPP, HOFFMAN, HORBACH, HUSEMAN, JAGER, JOHNSON, KLEMME, LARSON, LORD, MERTZ, MUNDIE, O'BRIEN, RAECKER, RAYHONS, SUKUP, SUNDERBRUCH, THOMSON, AND VAN ENGELHOFEN. This bill would have established a new Code Chapter 146A, relating to informed consent prior to an abortion. The bill provided that the chapter would be known and cited as the "Woman's Right to Know Act." The bill prohibited an abortion from being performed on a woman in this state without the voluntary and informed consent of the woman. The bill provided that, with the exception of a medical emergency, consent to an abortion is voluntary and informed only if the referring physician, the physician who will perform the abortion, or an agent of either physician provides certain information to the woman at least 24 hours prior to the abortion, informs the woman of her right to review printed materials and provides such materials if the woman so desires, and obtains written certification from the woman that the information was provided.

The bill provided for alternatives to providing informed consent in the case of a medical emergency. The bill directed the Iowa Department of Public Health to cause the information required to be provided to be published in printed format on or before October 1, 2000.

The bill provided that a person who knowingly or recklessly performs or attempts to perform an abortion in violation of the bill is guilty of a simple misdemeanor. The bill also provided for protection of the confidentiality of a woman in any criminal proceeding resulting from a violation of the chapter. The bill provided that a person who knowingly violates the confidentiality requirements established relating to court proceedings is guilty of a simple misdemeanor.

**HOUSE FILE 2253 - Escape and Absence From Custody — Jurisdiction**

BY COMMITTEE ON JUDICIARY. This Act provides that a criminal offense committed outside the state may be prosecuted in this state if a statute specifically prohibits the conduct outside the state, and a state interest exists, and the person knows or should know that the conduct is likely to affect that interest. Existing law generally permits the state only to prosecute an offender who committed an offense that occurred at least partly in this state.

The Act also provides that an escape or absence from custody that occurs outside the state may be prosecuted in this state if a state interest exists, and the person knows or should know that the escape or absence from custody would affect that interest.

The Act further provides that an offender who escapes from the custody of any person to whom the offender has been entrusted commits the offense of escape. Under existing law, a person commits escape if the person escapes from the custody of a public officer or employee.

**HOUSE FILE 2331 - Operating a Motorboat or Sailboat While Intoxicated**

BY COMMITTEE ON JUDICIARY. This Act prohibits the operation of a motor boat or sailboat while intoxicated, and imposes an implied consent to test provision, penalties, and procedures similar to those imposed by Code Chapter 321J for operators of motor vehicles.

The Act provides that a person who operates a motorboat or sailboat while intoxicated commits a serious misdemeanor upon a first offense, an aggravated misdemeanor upon a second offense, a class "D" felony for a third or subsequent offense or for an offense resulting in serious injury to another, and a class "B" felony for an offense resulting in the death of another.

A first offense is punishable by 48 hours' imprisonment in the county jail, a fine of \$1,000, and prohibition of operation of a sailboat or motorboat for one year. A second offense is punishable by seven days' imprisonment in the county jail, a fine of at least \$1,500 but not more than \$5,000, and prohibition of operation of a motorboat or sailboat for two years. A third or subsequent offense is punishable by imprisonment for at least 30 days but not more than one year, a fine of at least \$2,500 but not more than \$7,500, and prohibition of operation of a sailboat or motorboat for six years. An offense causing serious injury

is punishable by imprisonment for at least 30 days but not more than five years, a fine of at least \$2,500 but not more than \$7,500, and an extra year of prohibition of operation of a motorboat or sailboat in addition to the time period of prohibition the offender would have received had no injury occurred. An offense resulting in death is punishable by 25 years' imprisonment and prohibition of operation of a motorboat or sailboat for six years. All offenders must undergo substance abuse evaluation and treatment at the offender's expense.

A person who refuses to submit to chemical testing is subject to a mandatory civil penalty of \$500 to \$2,000, and prohibition of operation of a motorboat or sailboat for one year.

A person who operates a motorboat or sailboat while prohibited from doing so commits a serious misdemeanor punishable by imprisonment of up to one year and a fine of \$1,000.

Corresponding amendments are made to Code Section 907.3 to prohibit deferral of judgment or sentencing, or suspension of execution of any part of a mandatory minimum sentence or fine under the new Code sections.

This Act makes inapplicable Code Section 25B.2, subsection 3, which would relieve a political subdivision from complying with a state mandate if funding for the cost of the state mandate is not provided or specified. Therefore, political subdivisions are required to comply with any state mandate included in this Act.

#### **HOUSE FILE 2391 - Theft Detection and Detection Shielding Devices**

BY COMMITTEE ON JUDICIARY. This Act creates new criminal offenses related to theft detection shielding and theft detection devices. The Act defines "theft detection shield" to mean a laminated or coated bag designed to shield merchandise from detection by a theft alarm system. The Act defines "theft detection device" to mean an electronic or other device attached to merchandise on display by a merchant.

The Act provides that a person shall not manufacture or attempt to manufacture, sell or attempt to sell, possess, use, or distribute or attempt to distribute a theft detection shielding device. The Act provides that a person shall not remove or attempt to remove a theft detection device from merchandise with the intention of committing a theft. The Act also provides that a person shall not possess a tool to remove a theft detection device with the intent to unlawfully remove such a device.

A person who commits a violation relating to manufacturing or distribution of theft detection shielding devices or possession of a tool to remove a theft detection device is guilty of a serious misdemeanor. A person who commits a violation relating to removal of a theft detection device commits a simple misdemeanor if the value of the goods does not exceed \$200, or a serious misdemeanor if the value of the goods exceeds \$200. A simple misdemeanor is punishable by confinement for no more than 30 days or a fine of at least \$50, but not more than \$500, or by both. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$250 but not more than \$1,500.

#### **HOUSE FILE 2419 - Amphetamines and Drug Paraphernalia — Criminal Penalties**

BY COMMITTEE ON JUDICIARY. This Act makes various changes to amphetamine-related crimes and establishes the crime of possession of drug paraphernalia.

The Act amends Code Section 124.401, subsection 5, which relates to misdemeanor possession of a controlled substance. The Act provides that the court shall impose a minimum two-day jail sentence which may be suspended, and shall place the person on probation, impose random drug tests as a condition of probation, and allow the person's probation officer to place the person in jail upon a violation of probation. If the controlled substance is amphetamine, the court may require intensive probation, which shall include random drug testing.

The Act amends Code Section 124.401D and makes changes in the penalties applicable to a person 18 years of age or older for the crimes of conspiring to manufacture for delivery, delivery of, and possession with intent to deliver, or conspiracy to deliver amphetamine to a person under 18 years of age. The Act provides that a felony committed under Code Section 124.401D is punishable by a sentence for an indeterminate term not to exceed 99 years. The court may reduce the person's maximum sentence by one-third if mitigating circumstances exist and the person pleads guilty. After a finding by the court that mitigating circumstances exist, the court may further reduce the remaining maximum sentence if the defendant cooperates in the prosecution of other persons. The Act provides that a person sentenced under Code Section 124.401D must serve a mandatory minimum sentence of 10 years of confinement before the person is eligible for parole even if the sentence is reduced by mitigating circumstances or the court finds the person cooperated with the prosecution of others.

A person who commits a second or subsequent offense of conspiracy to manufacture or deliver to a minor commits a class "A" felony.

The Act amends Code Section 124.401E, applying certain penalties for the manufacturing or delivery of amphetamine. If a person is convicted of delivery of or possession with intent to deliver five grams or less of amphetamine on a first offense, the court has the discretion to sentence the person to complete a drug court program if a drug court has been established, or to assign the person to a community-based correctional facility for a period of up to one year. If a person is convicted of manufacturing five grams or less of amphetamine, the court may sentence the person to complete a drug court program or assign the person to a community-based correctional facility for a period of up to one year. If a person is convicted of delivery of or possession with intent to deliver amphetamine for a second or subsequent offense, the person shall serve a mandatory prison sentence under Code Sections 124.401 and 124.413, and the length of such sentence is determined by the amount of amphetamine involved in the delivery.

The Act restricts a person's ability to post a bond upon a conviction of or when appealing a felony conviction for manufacturing, distributing, or possessing with intent to manufacture or distribute any amount of amphetamine to a minor. Current law generally permits a person awaiting sentencing or appealing a conviction to post a bond and remain free pending the final decision in the case.

The Act establishes the new criminal offense of possession of drug paraphernalia. The Act provides that a person who possesses any equipment or material used or attempted to be used unlawfully in combination with a controlled substance commits a simple misdemeanor.

A simple misdemeanor is punishable by confinement for no more than 30 days or a fine of at least \$50, but not more than \$500, or by both. A serious misdemeanor is punishable by confinement for no more than one year and a fine of at least \$250 but not more than \$1,500. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$500 but not more than \$5,000. A class "D" felony is punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500. A class "C" felony is punishable by confinement for no more than 10 years and a fine of at least \$1,000 but not more than \$10,000. A class "B" felony is punishable by confinement for no more than 25 years. A class "A" felony is punishable by confinement for life without the possibility of parole.

#### **HOUSE FILE 2420 - Sexual Abuse and Sexual Exploitation — Statute of Limitations**

BY COMMITTEE ON JUDICIARY. This Act amends Code Sections 802.2 and 802.3, which relate to the statute of limitations period for filing a sexual abuse criminal charge.

The Act extends the statute of limitations period for filing a criminal charge for sexual abuse in the first, second or third degree committed on or with a minor under 18 from five years after the minor reaches the age of 18 to 10 years after the minor reaches the age of 18. The Act also extends the statute of limitations period for filing a criminal charge for all other sexual abuse cases in the first, second or third degree from three to 10 years after the commission of the act.

The Act extends the statute of limitations period for filing a criminal charge for sexual exploitation by a counselor or therapist from five to 10 years.

The Code currently provides that sexual abuse in the first degree is a class "A" felony, which is punishable by confinement for life without possibility of parole. Sexual abuse in the second degree is a class "B" felony, which is punishable by confinement for no more than 25 years. Sexual abuse in the third degree is a class "C" felony, which is punishable by confinement for no more than 10 years and a fine of at least \$1,000 but not more than \$10,000. Sexual exploitation is punishable as an aggravated misdemeanor or a class "D" felony, depending on the nature of the offense.

#### **HOUSE FILE 2470 - Indigent Defense**

BY COMMITTEE ON JUDICIARY. This Act relates to the Office of the State Public Defender and indigent defense costs.

The Act amends Code Section 13B.8 to permit the State Public Defender to appoint an assistant local public defender and any other employee of a local public defender office. Existing law permits only the removal of an assistant local public defender or employee.

The amendments to Code Section 232.141 concern the county's base cost for juvenile indigent defense. The Act provides that the state shall pay all juvenile indigent defense costs and then shall seek reimbursement from the county, up to the county's base cost. Under current law, the county pays all juvenile indigent defense costs and then seeks reimbursement from the state up to the base cost.

The Act amends Code Section 815.7 to broaden a reference regarding attorney compensation to include cases that are not criminal offenses.

The Act amends Code Section 815.9 to require a judge, in determining whether to appoint an attorney to a case, to examine the nature of a case before appointing an attorney. Under existing law, the court, besides reviewing the financial background of a person, reviewed only the seriousness of the charge committed by the person.

The Act amends Code Section 815.10 to remove the State Public Defender from the possibility of being appointed by the court to represent an indigent person. However, the court may still appoint the State Public Defender's designee or certain other attorneys to represent an indigent person.

The amendment to Code Section 815.11 changes the placement of appropriated funds for indigent defense costs from the Department of Inspections and Appeals to the Office of the State Public Defender, which is located within the department.

The amendment to Code Section 910.2 specifies that court-appointed attorney fees ordered pursuant to Code Section 815.9 shall be part of an indigent person's restitution plan.

The Act sets the compensation rates for an attorney appointed to represent an indigent prior to July 1, 1999, at the rate of \$55 per hour for class "A" felonies, \$50 per hour for class "B" felonies, and \$45 per hour for all other cases. For purposes of determining the compensation rate for an attorney representing an indigent juvenile, the Act provides that the attorney is considered appointed on the date of the first dispositional hearing or first review hearing held on or after July 1, 1999, and shall be compensated at the rate of \$50 per hour.

#### **HOUSE FILE 2510 - Operating While Intoxicated and Ignition Interlock Devices**

BY COMMITTEE ON TRANSPORTATION. This Act addresses certain issues relating to operating while intoxicated (OWI) offenses.

The Act specifies that an ignition interlock device be installed on vehicles owned or operated by persons convicted of a second or subsequent OWI offense as a condition of reinstating the person's license.

The Act also provides that a court may waive up to \$500 of the fine for a first-time operating while intoxicated offender when the offender presents a temporary restricted license at the end of the minimum period of ineligibility. Current law provides that the court may waive such portion of the total fine regardless of whether the offender obtains the temporary restricted license.

#### **HOUSE FILE 2511 - Drinking Driver Restrictions**

BY COMMITTEE ON TRANSPORTATION. This Act makes changes related to drinking driver restrictions.

The Act amends Code Sections 321.560 and 321J.4 to provide for the availability of a court-ordered temporary restricted license under Code Section 321J.4 for a person who is determined to be a habitual offender under Code Section 321.555 due to a combination of offenses (operating while intoxicated, and driving while suspended, denied, revoked, or barred). Presently, Code Section 321J.4 provides a procedure for a court-ordered temporary restricted license for work purposes only for persons determined to be habitual offenders solely because of three Code Chapter 321J offenses within six years. Presently, Code Section 321.560 provides for availability of a temporary restricted license under Code Section 321.215 for persons determined to be habitual offenders solely for three offenses in six years of driving a motor vehicle while the person's driver's license is suspended, denied, revoked, or barred.

This Act also amends Code Section 321J.22, relating to the course for drinking drivers ordered under Code Chapter 321J and Code Section 707.6A for operating while intoxicated offenders. The Act permits the course to be taught by substance abuse treatment programs licensed under Code Chapter 125 as well as by community colleges, and requires the Department of Education to work with the substance abuse treatment programs in approving the course, creating a list of course times and dates to be supplied to the courts, and maintaining course completion statistics.

This Act further creates a parental and school notification requirement by a law enforcement officer when a child under the age of 18 violates Code Section 123.46 relating to public intoxication, or violates Code Section 321J.2 or 321J.2A relating to operating a motor vehicle while intoxicated or with a blood alcohol concentration at or above 0.02. The notice requirements are identical to the parental and school notice requirements under Code Section 123.47B when a child under the age of 18 is discovered to be in possession of alcohol.

#### **HOUSE FILE 2519 - Probation and Parole Administration**

BY COMMITTEE ON JUDICIARY. This Act deals with probation and parole in Iowa.

The Act delays the repeal of the provisions establishing the probation revocation hearings pilot project in the Sixth Judicial District from June 30, 2000, to June 30, 2002. The pilot project transfers the probation violation sanctioning jurisdiction of the

district court to an administrative parole and probation judge in the Sixth Judicial District.

The Act also establishes the position of vice chairperson on the Board of Parole. The vice chairperson shall be appointed from the members of the Board of Parole by the Governor and shall be a full-time, salaried member of the board.

The Act takes effect May 9, 2000.

## ECONOMIC DEVELOPMENT

- SENATE FILE 2439 - Accelerated Career Education and Job Training
- SENATE FILE 2447 - Financing of Public Improvements
- HOUSE FILE 2179 - Certified School to Career Program
- HOUSE FILE 2373 - Iowa Finance Authority
- HOUSE FILE 2422 - Local Housing Assistance Programs — Funding
- HOUSE FILE 2423 - Brownfield Redevelopment Program
- HOUSE FILE 2424 - Lewis and Clark Bicentennial
- HOUSE FILE 2540 - Economic Development Programs — Tax Credits — Incentives

### RELATED LEGISLATION

- SENATE FILE 2010 - Traditional Livestock Producers — Linked Investment Loans  
*SEE AGRICULTURE.* This Act amends several provisions relating to the Traditional Livestock Producers Linked Investment Loan Program by changing eligibility requirements for participation by borrowers and providing a preference to borrowers who are swine producers liquidating herds due to pseudorabies.
- SENATE FILE 2036 - Upper Mississippi Riverway Compact — Repeal  
*SEE STATE GOVERNMENT.* This Act repeals the Upper Mississippi Riverway Compact, which was adopted by the General Assembly in 1967, but was not adopted by other named states and was not ratified by the U. S. Congress.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. The Act specifies that the Department of Economic Development is responsible for the adoption of rules pertaining to the allocation of moneys to support program capital costs for the Accelerated Career Education Program.
- SENATE FILE 2428 - Appropriations — Economic Development  
*SEE APPROPRIATIONS.* This Act makes a number of appropriations from the General Fund of the State to the Department of Economic Development for the administration of the department and for specific programs and funds.
- SENATE FILE 2430 - Appropriations — Agriculture and Natural Resources  
*SEE APPROPRIATIONS.* This Act relates to agriculture and natural resources by making appropriations to support related entities. The Act also makes a number of statutory changes. The Act establishes an International Relations Fund in order to support costs incurred by the Department of Agriculture and Land Stewardship in promoting the sale of Iowa agricultural products.
- SENATE FILE 2453 - Appropriations — Infrastructure and Capital Projects  
*SEE APPROPRIATIONS.* This Act provides for the annual deposit of a portion of the state's gambling revenues into the Vision Iowa Fund, for a designated number of years, to be used for purposes of the Vision Iowa Program to assist communities in the development of major tourism facilities. The Act also allocates a portion of the moneys in the Vision Iowa Fund to the Department of Economic Development for administrative costs associated with the Vision Iowa Program.
- HOUSE FILE 2039 - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits  
*SEE APPROPRIATIONS.* This Act relates to state budgetary matters by providing for reductions and supplementation of appropriations for FY 1999-2000 and includes certain reductions in appropriations to the departments of Economic Development and Workforce Development.

- HOUSE FILE 2458** - Transportation — Aviation  
*SEE TRANSPORTATION.* This Act provides that the Department of Economic Development and the Iowa Department of Transportation shall jointly establish a committee on air service.
- HOUSE FILE 2491** - Production of Life Science Products  
*SEE AGRICULTURE.* This Act provides that, notwithstanding limitations on corporate and foreign entities holding agricultural land for purposes of farming, an exception is provided to a life science enterprise organized as a corporation or limited liability company for purposes of raising animals used to produce certain products in health-related industries. Provisions allowing for this exception are repealed on July 1, 2004.
- HOUSE FILE 2533** - Federal Block Grant Appropriations  
*SEE APPROPRIATIONS.* This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001. The Act includes funding for various substance abuse programs.
- HOUSE FILE 2560** - Income and Property Taxes — Credits, Deductions, and Exemptions  
*SEE TAXATION.* This Act provides various income tax credits, including a research activities credit for income tax purposes for businesses under the New Jobs and Income Program, the Quality Jobs Enterprise Zone Program, the incentives for building in enterprise zones, the individual income tax, and corporate income tax; a property rehabilitation credit equal to 25 percent of the costs of rehabilitating eligible properties, which are properties eligible to be listed on the National Register of Historic Places, historic properties in areas eligible to be designated local historic districts, local landmarks, or a barn constructed prior to 1937; and an assistive device credit equal to 50 percent of the first \$5,000 paid for the purchase, rental or modification of an assistive device or for the renovation of the workplace for an individual with a disability.

## ECONOMIC DEVELOPMENT

### SENATE FILE 2439 - Accelerated Career Education and Job Training

BY COMMITTEE ON WAYS AND MEANS. This Act amends the Accelerated Career Education Program which was enacted in 1999. The Act restores all of the language that was item vetoed by the Governor from last year's Act (1999 Iowa Acts, Chapter 179).

The Act provides that an accelerated career education program agreement may use tax credits from withholding as a possible funding source for program costs. The Act provides the method for using the tax credit from withholding. The Act provides that an amount up to 10 percent of the gross wages of the program jobs in an agreement shall be credited from the total payment made by the employer. The credit shall be against all withholding taxes due from the employer. The employer and community college must certify to the Department of Revenue and Finance that the credits are in accordance with the program agreement.

The Act limits the total amount of tax credits from withholding which shall be allocated for statewide accelerated career education programs in any one fiscal year to \$3 million in FY 2000-2001, \$6 million in FY 2001-2002, and \$6 million in FY 2002-2003 and every fiscal year thereafter. Any increase in the \$6 million maximum shall be developed based on recommendations in a study which shall be conducted by the Department of Economic Development and submitted to the General Assembly by December 31, 2002. The Act requires the Department of Economic Development to maintain an annual record of tax credits allocated and to allocate any available credits to community colleges in accordance with any agreements. Once the maximum statewide amount has been allocated, the department shall notify all community colleges in the state of this fact and that further credits will not be allocated during the fiscal year.

The Act provides that for FY 2000-2001 and FY 2001-2002, the Department of Economic Development shall allocate \$80,000 of the first \$1,200,000 of program job credits authorized and available to each community college in the state for use in providing funding for approved programs. For FY 2002-2003, and every fiscal year thereafter, the department shall divide equally among the community colleges 30 percent of the program job credits available for that fiscal year for allocation to each community college to be used to provide funding for approved programs. By April 1 of a fiscal year, any uncommitted portion is available for use by other community colleges. Once a community college has committed its allocation for any fiscal year, the community college may receive additional program job credit allocations from those program job credits authorized and still available for that fiscal year.

The Act provides that the Department of Economic Development shall administer the statewide allocation of program job credits and shall collect data related to the programs and prepare an annual report regarding the activities of the programs for submission to the Governor and the General Assembly.

The Act provides that the General Assembly shall act on or before March 1, 2006, to discontinue the program jobs credits from withholding.

The Act also establishes an Accelerated Career Education Grant Program to be administered by the College Student Aid Commission. The Act creates an Accelerated Career Education Grant Fund consisting of moneys appropriated by the General Assembly and any other moneys available to and obtained or accepted by the commission. To be eligible for a grant, an individual must be a resident of Iowa and enrolled at a community college as a participant in an accelerated career education program.

The Act provides that grant moneys received by a student shall be used to pay the student's cost of attendance, including community college tuition and fees, materials, textbooks and supplies, transportation, room and board, dependent care during the time the person is in class, and the purchase or rental of a computer. The amount of a grant shall not exceed a student's annual financial need or \$2,000, whichever is less, and grants shall be awarded on an annual basis. Grants shall be awarded in order of need insofar as funds permit.

The Act provides that, by December 15 of each year, the commission shall submit a report to the General Assembly, the Department of Management, and the Legislative Fiscal Bureau relating to the total funding of the grant program, the expenditures under the program, and related information.

The Act reduces the maximum amount of job training withholding that shall be transferred from all employers to the Workforce Development Fund Account from \$10 million per year to \$9 million per year.

The Act takes effect May 18, 2000.

**SENATE FILE 2447 - Financing of Public Improvements**

BY IVERSON AND GRONSTAL. This Act creates a Vision Iowa Program and Fund and a School Infrastructure Program and Fund.

The Act creates a Vision Iowa Board to establish a Community Attraction and Tourism Program and a Vision Iowa Program. The Department of Economic Development shall administer both programs subject to approval by the board. The Act provides that the board consists of 13 members, with most members appointed for three-year staggered terms. The board shall be located within the Department of Economic Development for administrative purposes. The Act provides for the compensation and reimbursement of expenses of board members.

The Act provides for the repeal of Code sections relating to the Community Attraction and Tourism Development Program and Fund, moves these sections to new Code Chapter 15F, and changes the name to the Community Attraction and Tourism Program and Fund. The new program is designed to assist communities in the development and creation of multiple-purpose attraction and tourism facilities. The Act allows a school district to submit a joint application for financial assistance with a city or county, provides that an applicant shall not receive financial assistance in an amount exceeding 50 percent of the total cost of a project, and provides that a review committee consisting of certain members of the board will review the applications for assistance and make recommendations to the board.

The Act directs the department to provide a staff review analysis and evaluation of the program applications to the review committee and the board. Upon review of the recommendations of the review committee, the board shall approve, defer or deny the applications. The Act also provides for the allocation of one-third of the moneys in the fund to provide assistance to cities with a population of 10,000 or less according to the most recently published census, and to counties with a population that ranks in the bottom 33 counties according to the most recently published census. The Act provides that any allocated moneys that are not awarded by April 1 of a fiscal year may be utilized to provide assistance to any city or county in the state.

The Act provides for the establishment of the Vision Iowa Program. The program is designed to assist communities in the development of major tourism facilities. The Act provides for a review committee consisting of certain members of the board to review the applications for assistance and make recommendations to the board. The department shall provide a staff review and evaluation of the program applications to the review committee and the board. The total cost of a project must be at least \$20 million in order for an applicant to receive assistance. An applicant or the board may divide a proposed project into component parts and the board may choose to provide financial assistance for one or more of the component parts. Financial and nonfinancial support for the project, which may be from a public or private source, must be demonstrated by the applicant and such support must be at least 50 percent of the total cost of the project. Assistance under the program shall not be used to refinance a loan or debt and a project shall not receive more than one award under the program unless the applicant demonstrates that the assistance would be used for a significant expansion of the project.

The Act provides for the creation of a Vision Iowa Fund as a separate and distinct fund in the State Treasury to be used for purposes of the Vision Iowa Program. Revenue for the fund shall include proceeds of bonds issued to capitalize the fund and other moneys received for purposes of the fund. An applicant shall not receive more than \$75 million in financial assistance from the fund.

The Act provides the Treasurer of State with powers relating to issuance of bonds and the deposit or disbursement of bond proceeds. The bonds are payable solely out of the moneys, assets or revenues of the Vision Iowa Fund and any bond reserve funds. The Act provides for the form the bonds shall take. The Act also provides for persons authorized to invest in the bonds, the manner in which the bonds shall be authorized, and that the authorization does not need to be recorded to be valid and binding. The interest on the bonds shall be exempt from the state income tax and the state inheritance and estate tax. Moneys in the Vision Iowa Fund may be used for administrative purposes. The Treasurer of State may issue refunding bonds. The Act authorizes the Treasurer of State to establish reserve funds to secure one or more issues of its bonds or notes.

The Act provides for the binding and valid nature of a pledge made in respect of bonds or notes issued by the Treasurer of State. The state shall not limit or alter the rights and powers vested in the board or the Treasurer of State to fulfill the terms of a contract made with respect to bonds or notes.

The Act provides the board with the ability to undertake a project for two or more applicants jointly and to combine, for financing purposes, a project with some or all future projects of an applicant.

The Act provides that the bonds and notes issued by the Treasurer of State are not debts of the state or of any political subdivision of the state or a pledge of the faith and credit of the state or of any political subdivision. The Act provides for the liberal construction of the bonding provisions of the Act.

The Act provides that repeal and reenactment of the Code sections relating to the Community Attraction and Tourism Development Program and Fund are intended to be a continuation of the prior statutes and that moneys in the current Community Attraction and Tourism Fund shall not revert to any other fund.

The Act provides the Treasurer of State with powers relating to issuance of bonds and the deposit or disbursement of bond proceeds for purposes of the School Infrastructure Program and Fund. The bonding provisions are essentially the same as for the Vision Iowa Program and Fund except that the Treasurer of State, under the Vision Iowa Program, may only issue bonds upon the request of the Vision Iowa Board. The Treasurer of State, under the School Infrastructure Program, shall not issue bonds which result in the deposit of bond proceeds of more than \$50 million into the School Infrastructure Fund; and separate funds are established for the Vision Iowa Program and the School Infrastructure Program.

The Act creates a School Infrastructure Program and Fund to provide financial assistance in the form of grants to certain school districts with infrastructure needs. A school district may apply for financial assistance under the program if the school meets the school district's local match requirement through the issuance of bonds, the local sales and services tax for school infrastructure moneys received pursuant to Code Section 422E.3, a physical plant and equipment levy under Code Chapter 298, or other moneys locally obtained by the school district excluding other state or federal grants. The Act provides that the local match requirement means the lesser of 50 percent or the quotient of the school district's capacity per pupil divided by the capacity per pupil for the school district at the 40<sup>th</sup> percentile multiplied by 50 percent. However, the local match requirement shall not be less than 20 percent. The Act provides that a school district's local match requirement is equivalent to the total investment of a project multiplied by the school district's local match requirement. The Act provides for the calculation of capacity per pupil by the Department of Education, in consultation with the Department of Revenue and Finance and the Department of Management. A school district may apply for conditional approval of a grant in order to secure the remaining costs of the project.

The Act provides that for FY 2000-2001, applications shall be submitted to the Department of Education by March 1, 2001, and for FY 2001-2002, and every fiscal year thereafter, applications shall be submitted by October 15 of each year.

The Department of Education is required to form a task force to review applications for financial assistance under the School Infrastructure Program and provide recommendations to the School Budget Review Committee. The Act requires the committee to review all applications for financial assistance to determine qualifying grant recipients and to make recommendations to the department, with the department making final grant awards. The School Budget Review Committee's recommendations shall be based on certain criteria. Under the program, grants totaling \$50 million shall be awarded over a period of three years. A school district shall not receive more than one grant under the program and that grant shall equal the lesser of \$1 million or the total capital investment of the project minus the local match requirement.

The Act provides that applicants receiving financial assistance under the program shall submit a progress report to the Department of Education as requested by the department.

The Act amends the definition of "public improvement" in Code Chapter 384 to exclude urban renewal demolition.

Senate File 2453 (see Appropriations) provides for the annual deposit of a portion of the state's gambling revenues into the Vision Iowa Fund and the School Infrastructure Fund for a designated number of years.

#### **HOUSE FILE 2179 - Certified School to Career Program**

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act modifies the definition of "certified school to career program" and makes a number of changes to the program.

The Code currently defines "certified school to career program" as a federally regulated, registered apprenticeship program or a program approved by the State Board of Education in conjunction with the Department of Economic Development. The Act replaces the state board-approved option with an option for an individual program of study, developed jointly by a secondary school, postsecondary institution, and an employer.

The Act limits the time during which an employer must provide paid employment to a period no earlier than the student's junior year and no later than the fall after the student's second year of postsecondary education.

The Act strikes a provision requiring the state board and the Department of Economic Development to approve programs, but requires the state board to adopt rules to guide school districts in determining whether a potential school to career program meets the standards for certification.

The Act adds a new standard that requires the assurance of a participant's high school that it will file with the Department of Education an initial notice of intent to conduct a certified program, including the name of the contact person charged with overseeing the district's program. The district is also required to maintain on file the certified program agreement.

The Act requires that the participant and employer agree in writing to the beginning date and duration of the training and employment and provides that if a participant is unable to complete the employment obligation because the employer does not afford the participant an employment opportunity, the participant is not required to repay the employer's portion of the participant's postsecondary education expenses.

#### **HOUSE FILE 2373 - Iowa Finance Authority**

**BY COMMITTEE ON ECONOMIC DEVELOPMENT.** This Act relates to activities of the Iowa Finance Authority, including the issuance of closing protection letters, mortgage release certificates, and the allocation of the state ceiling of federally tax-exempt private activity bonds.

The Act provides that a title guaranty, closing protection letter, or gap coverage issued by the Title Guaranty Division of the Iowa Finance Authority is an obligation of the division and not an indebtedness or liability of the state.

The Act removes requirements for payoff statements and mortgage release certificates regarding the inclusion of the legal description of property that will continue to be subject to the mortgage.

The Act provides that, in the context of prior mortgages, an effective release has not been filed of record if there appears that a mortgagee in the record chain of title to the mortgage has not filed of record either an assignment of the mortgage to another mortgagee in the record chain of title to the mortgage or a release of the mortgagee's interest in the mortgage.

The Act allows the authority through the Title Guaranty Division to issue a closing protection letter to a person to whom a proposed title guaranty is to be issued, upon the request of the person, if the division issues a commitment for title guaranty or title guaranty certificate. The Act provides that the closing protection letter may only indemnify a person to whom a proposed title guaranty is to be issued against loss of settlement funds due to the theft of settlement funds and the noncompliance with written closing instructions relating to title certificate coverage.

The Act provides that a closing protection letter shall only be issued to a person to whom a proposed title guaranty is to be issued for real property transactions in which the division has committed to issue an owner or lender certificate and for which the division receives a premium and other payments or fees for a title guaranty certificate or other coverage. The Act provides that the division may establish fees and the amount of the coverage, which shall not exceed the amount of the commitment or title guaranty to be issued. The Act prohibits the division from providing any other coverage which purports to indemnify against improper acts or omissions of a person with regard to escrow, settlement or closing services.

The Act requires the Treasurer of State, the Auditor of State, the Director of the Department of Economic Development, and the Executive Director of the Iowa Finance Authority to submit a joint report to the General Assembly by December 1, 2000, regarding proposals for a new allocation method for the state ceiling allocation under Code Section 7C.4A, subsection 5. The Act provides that, for the calendar year beginning January 1, 2001, applications for the state ceiling allocation under Code Section 7C.4A, subsection 5, shall not be approved prior to March 1, 2001.

#### **HOUSE FILE 2422 - Local Housing Assistance Programs — Funding**

**BY COMMITTEE ON ECONOMIC DEVELOPMENT.** This Act relates to the funding of the Local Housing Assistance Program administered by the Department of Economic Development.

The Act authorizes the Iowa Finance Authority to provide surplus moneys to the Local Housing Assistance Program for purposes of providing assistance to low and moderate income families. However, the surplus moneys shall not be used under the Local Housing Assistance Program for purposes of infrastructure and administration.

The Act takes effect April 7, 2000.

#### **HOUSE FILE 2423 - Brownfield Redevelopment Program**

**BY COMMITTEE ON ECONOMIC DEVELOPMENT.** This Act creates a Brownfield Redevelopment Program and Fund for purposes of providing financial and technical assistance for the acquisition, remediation or redevelopment of brownfield sites.

The Act provides that the Department of Economic Development shall administer the program. The Act provides that a person owning a site may apply for assistance if the site for which assistance is sought meets the definition of a brownfield site and the applicant has secured city or county sponsorship prior to applying. In reviewing applications for financial assistance, the

department must consider whether the site meets the definition of a brownfield site and whether alternative forms of assistance exist. The Act provides that the Iowa Economic Development Board may approve, deny or defer each application for financial assistance.

The Act provides that a person who is not an owner of a site may apply for financial assistance under the program if the site for which financial assistance is sought meets the definition of a brownfield site and the applicant has secured sponsorship prior to applying. The Act provides that an applicant shall enter into an agreement with the owner of the brownfield site for which financial assistance is sought, which shall include, at a minimum, an agreement regarding the estimated total cost for remediating the brownfield site, an agreement that the owner shall transfer title of the property to the applicant upon completion of the remediation of the property, and an agreement that, upon the sale of the property by the applicant to a person other than the original owner, the original owner shall receive not more than 75 percent of the estimated total cost for remediation. The Act provides that an applicant shall not receive financial assistance of more than 25 percent of the agreed upon estimated total cost of remediation. Upon the subsequent sale of the property by the applicant, the applicant shall repay the department for financial assistance received by the applicant. The repayment shall be in an amount equal to the sale price less the amount paid to the original owner pursuant to the agreement between the applicant and the original owner. The repayment amount shall not exceed the amount of financial assistance received by the applicant.

The Act provides for the creation of a Brownfield Redevelopment Fund from which awards for financial assistance under the Brownfield Redevelopment Program may be given.

The Act provides that the Department of Economic Development shall establish a Brownfield Redevelopment Advisory Council consisting of five members. The advisory council shall review each Brownfield Redevelopment Program application and provide recommendations to the department regarding financial and technical assistance.

The Act provides that the Iowa Department of Transportation shall amend existing administrative rules for local development projects under the Revitalize Iowa's Sound Economy Fund to include a rating factor for remediation or redevelopment of a brownfield site.

The Act directs the Department of Economic Development to amend existing administrative rules for projects under the Community Economic Betterment Program to include a rating factor for remediation or redevelopment of a brownfield site.

#### **HOUSE FILE 2424 - Lewis and Clark Bicentennial**

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act creates an Iowa Lewis and Clark Bicentennial Commission and Fund within the Department of Economic Development. The commission shall be chartered and operated as a nonprofit corporation for purposes of coordinating and promoting the observance of Iowa's bicentennial commemoration of the Lewis and Clark Expedition. The commission shall be composed of seven members consisting of four specific representatives of state government and three members appointed by the Governor, subject to confirmation by the Senate. Members appointed by the Governor shall have an interest or expertise in the history of the Lewis and Clark Expedition and at least one of the members shall be a member of an Indian tribe encountered by the Lewis and Clark Expedition.

The Act provides that an Iowa Lewis and Clark Bicentennial Fund is established as a separate fund in the State Treasury under the control of the commission and that the assets of the fund shall be used by the commission for carrying out the purposes of the commission.

The Act provides that the commission terminates by December 31, 2007.

The Act takes effect April 20, 2000.

#### **HOUSE FILE 2540 - Economic Development Programs — Tax Credits — Incentives**

BY COMMITTEE ON WAYS AND MEANS. This Act amends the Economic Development Enterprise Zone Program and the New Jobs and Income Program.

The Act amends the investment tax credit provisions under the New Jobs and Income Program. The Act provides that an eligible business whose project primarily involves the production of value-added agricultural products may elect to receive a refund for all or a portion of an unused tax credit. An eligible business that elects to receive a refund shall apply to the Department of Economic Development for a tax credit certificate. An eligible business whose project primarily involves the production of value-added agricultural products shall not claim a tax credit under the program unless a certificate is attached to the taxpayer's tax return for the tax year during which the tax credit is claimed. A certificate shall not be valid until the tax year following the date of the project completion.

The Act amends the definition of "new investment directly related to new jobs created by the location or expansion of an eligible business under the program" under Code Section 15.333A to match the language under Code Section 15.333. The definition is used in Code Section 15.333A for the insurance premium tax credit under the New Jobs and Income Program, which is also an incentive under the Economic Development Enterprise Zone Program.

The Act provides that any county may designate an enterprise zone if the area meets certain distress criteria. Not more than five enterprise zones shall be approved by the department prior to July 1, 2001.

The Act changes the deadline for a qualifying county or city to apply for an area to be certified as an enterprise zone from July 1, 2000, to July 1, 2003.

The Act expands the tax credit presently allowed individual and corporate income taxpayers who are eligible housing businesses that build or rehabilitate housing in a designated enterprise zone to include financial institutions and nonprofit organizations that are subject to the franchise tax. Eligible housing businesses shall provide enterprise zone commissions with information showing the total costs and sources of project financing that will be utilized for the new investment directly related to housing for which the business is seeking approval. These provisions apply retroactively to January 1, 2000, for tax years beginning on or after that date.

The Act provides that tax credits for eligible housing businesses shall be approved by the department, and the department, in determining the amount of the tax credit, shall not include the portion of the project cost financed through federal, state and local government tax credits, grants and forgivable loans.

The Act allows either a city or a county to designate an enterprise zone at any time prior to July 1, 2010, when a business closure occurs involving the loss of full-time employees, not including retail employees, at one place of business totaling at least 1,000 employees or 5 percent or more of the county's labor force. The enterprise zone may be established on property of the place of business that has closed and may include an area up to an additional 50 acres adjacent to the property.

The Act takes effect May 26, 2000, with the exception of the provision allowing an eligible business under the New Jobs And Income Program, whose project primarily involves the production of value-added agricultural products, to elect to receive a refund, which takes effect July 1, 2001, and applies to tax years beginning on or after that date.

## EDUCATION

- SENATE FILE 228 - School Employment or Volunteer Record Checks
- SENATE FILE 292 - Board of Educational Examiners — Investigative Information
- SENATE FILE 441 - Self-Insured Dental Insurance — School Corporations
- SENATE FILE 2082 - School Finance — Allowable Growth
- SENATE FILE 2111 - School Finance — Budget Adjustments
- SENATE FILE 2238 - Use of School Improvement Technology Funds
- SENATE FILE 2248 - College Student Aid — Commission — Programs
- SENATE FILE 2252 - School Finance Formula — Continuation — Review
- SENATE FILE 2294 - Juvenile Facility Education Costs
- SENATE FILE 2331 - School Board Members — Interest in School Contracts
- HOUSE FILE 2145 - Gifted and Talented Program Funding
- HOUSE FILE 2146 - Regulation of Para-Educators and Education Practitioners
- HOUSE FILE 2198 - School District Reorganization and Sharing Incentives Study
- HOUSE FILE 2279 - Education Practitioner Licenses — Renewal
- HOUSE FILE 2280 - Operation Recognition Program — World War II Veterans
- HOUSE FILE 2433 - Community College Governance
- HOUSE FILE 2435 - Asbestos Removal in Schools — Funding
- HOUSE FILE 2437 - Communications Between Postsecondary Schools and Students' Parents or Guardians
- HOUSE FILE 2474 - School and School District Accreditation Standards
- HOUSE FILE 2496 - School Finance — Supplementary Weighting
- HOUSE FILE 2550 - Iowa Educational Savings Plan Trust
- HOUSE FILE 2581 - Iowa Higher Education Loan Authority — Authorization

## RELATED LEGISLATION

- SENATE FILE 2089 - School Taxes — Physical Plant and Equipment Levy — Urban Renewal Projects  
*SEE TAXATION.* This Act provides that the revenues from a school district physical plant and equipment levy (PPEL) imposed in an urban renewal area that is utilizing tax increment financing shall be paid to the school district imposing the PPEL, except in limited circumstances. The Act applies to property taxes due and payable on or after July 1, 2000.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. The Department of Economic Development is specified under the Act as the department responsible for the adoption of rules pertaining to the allocation of moneys to support program capital costs for the Accelerated Career Education Program.
- SENATE FILE 2143 - Games and Raffles  
*SEE GAMING.* This Act authorizes parent-teacher organizations or school booster clubs to be licensed to conduct games of chance and raffles for the benefit of a school or school district with a notarized letter from a superintendent, principal, or school board president, in lieu of eligibility for exemption from federal income taxes, and requires a licensee who receives 90 percent of its income from bingo, raffles, and small games of chance to contribute at least 75 percent of the licensee's net receipts to an unrelated entity for public, charitable, civic, educational, patriotic, or religious uses of an unrelated entity.

- SENATE FILE 2249 - State Agency Purchasing Preference — Bio-Based Fluids, Greases, and Lubricants  
*SEE STATE GOVERNMENT.* This Act requires the board of directors of merged areas and the State Board of Regents and its institutions to comply with purchasing preferences of bio-based hydraulic fluids, greases, and other industrial lubricants.
- SENATE FILE 2313 - Driver Licensing, Authorized Emergency Vehicles, and Miscellaneous Motor Vehicle Provisions  
*SEE TRANSPORTATION.* This Act provides that a person shall not be required to hold a current Iowa teacher or administrator license at the elementary or secondary level or to have satisfied the educational requirements for an Iowa teacher license at the elementary or secondary level in order to be certified by the Iowa Department of Transportation or authorized by the Board of Educational Examiners to provide street or highway driving instruction for driver education.
- SENATE FILE 2314 - Communicable and Infectious Diseases  
*SEE HEALTH & SAFETY.* This Act addresses communicable and infectious diseases, including requirements and exceptions involving immunizations and medical treatment of children. In addition, the Act directs the Director of Public Health to establish a task force to review and recommend appropriate immunization requirements for postsecondary education students. The task force, which includes representatives of the Iowa Department of Public Health, the Department of Education, postsecondary education students, and others with interest and expertise, is directed to submit a report of its findings and recommendations to the Governor and the General Assembly on or before December 1, 2000.
- SENATE FILE 2428 - Appropriations — Economic Development  
*SEE APPROPRIATIONS.* This Act makes appropriations from the General Fund of the State to the State University of Iowa, the University of Northern Iowa, and Iowa State University of Science and Technology.
- SENATE FILE 2433 - Appropriations — State Government Technology and Operations  
*SEE APPROPRIATIONS.* This Act relates to state government technology operations by making appropriations to a number of entities concerned with technology, and by making appropriations for a number of specific technology projects. The Act makes appropriations for FY 2000-2001 from the General Fund of the State for support functions, related to the Iowa Communications Network, provided by the Public Broadcasting Division of the Department of Education. The Act also appropriates for FY 2000-2001, \$1.5 million from the moneys in the Pooled Technology Account to make technology adopted and purchased by a school district available to students of accredited nonpublic schools.
- SENATE FILE 2435 - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and includes provisions for grant funding to community empowerment areas.
- SENATE FILE 2439 - Accelerated Career Education and Job Training  
*SEE ECONOMIC DEVELOPMENT.* This Act amends the Accelerated Career Education Program, and establishes an Accelerated Career Education Grant Program and Fund under the College Student Aid Commission.
- SENATE FILE 2447 - Financing of Public Improvements  
*SEE ECONOMIC DEVELOPMENT.* This Act creates a School Infrastructure Program and Fund to provide financial assistance in the form of grants to certain school districts with infrastructure needs.
- SENATE FILE 2452 - Miscellaneous Appropriations and Other Provisions  
*SEE APPROPRIATIONS.* Division III of this Act makes a permanent reduction of \$2,000,000 in the standing appropriation for the Education Excellence Program. Division V permits funds remaining unencumbered from the FY 1999-2000 appropriation to the Iowa Waste Reduction Center at the University of Northern Iowa to carry over to FY 2000-2001 for purposes of the center. Division VI changes the guidelines for awarding Beginning Teacher Induction Program grants.
- SENATE FILE 2453 - Appropriations — Infrastructure and Capital Projects  
*SEE APPROPRIATIONS.* This Act provides for the annual deposit of a portion of the state's gambling revenues into the School Infrastructure Fund for a designated number of years, to be used for purposes of the School Infrastructure Program to provide financial assistance to certain school

districts with infrastructure needs. The Act also allocates a portion of the moneys in the School Infrastructure Fund to the Department of Public Safety evaluation of school structures by the State Fire Marshal.

- HOUSE FILE 2039** - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits  
**SEE APPROPRIATIONS.** This Act relates to state budgetary matters by providing for reductions and supplementation of appropriations for FY 1999-2000 and includes certain reductions in appropriations for K-12 education programs, including Phase III of the Educational Excellence Program, the College Student Aid Commission, Iowa Public Television, and State Board of Regents institutions.
- HOUSE FILE 2179** - Certified School to Career Program  
**SEE ECONOMIC DEVELOPMENT.** This Act modifies the definition of "Certified School to Career Program" and makes a number of changes to the program, including changes relating to program approval and a new standard requiring the assurance of a participant's high school that it will maintain on file, and will file with the Department of Education, specified program information.
- HOUSE FILE 2473** - Reports and Proceedings Regarding School Violence and Other Activities — Immunity  
**SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.** This Act establishes civil and criminal immunity for a school employee related to the employee's reasonable and good faith participation in reporting or investigating violence, threats of violence, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function.
- HOUSE FILE 2492** - State and Municipal Agencies — Fire and Emergency Medical Services — Townships  
**SEE LOCAL GOVERNMENT.** This Act makes several changes to the Code relating to fire protection service and emergency medical service. The Act renames the Fire Service Institute the "Fire Service Training Bureau," and moves it from under the auspices of Iowa State University to the Division of Fire Protection of the Department of Public Safety to be operated under the direction of the State Fire Service and Emergency Response Council. The Act further provides for transfer of Fire Service Institute employees to the Department of Public Safety and for disposition of facilities and equipment owned and operated by the Fire Service Institute.
- HOUSE FILE 2511** - Drinking Driver Restrictions  
**SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.** This Act provides for parental and school notification by law enforcement when a child under the age of 18 violates the Code sections related to public intoxication, operating while intoxicated, or driving with a blood alcohol concentration at or above 0.02. The Act also provides that the course for drinking drivers required under Code Section 321J.22 may be taught by substance abuse treatment programs licensed under Code Chapter 125 as well as by community colleges, and requires the Department of Education to work with the substance abuse treatment programs in approving the course, creating a list of course times and dates, and maintaining course completion statistics.
- HOUSE FILE 2549** - Appropriations — Education  
**SEE APPROPRIATIONS.** This Act appropriates moneys from the General Fund of the State for FY 2000-2001 to the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions. This year's Act appropriates over \$959 million and provides 17,399.58 full-time equivalent positions (FTEs), which is approximately \$5.8 million over, and 65.48 FTEs under, the Governor's recommendations. The total appropriations made in this year's Act exceed the total appropriations made in last year's Act (1999 Iowa Acts, Chapter 205) by approximately 1.29 percent.

## EDUCATION

### **SENATE FILE 228 - School Employment or Volunteer Record Checks**

BY COMMITTEE ON EDUCATION. This Act authorizes, for purposes of an employment or volunteer record check, the administrators of a public school district or an accredited private school to have access to founded child and dependent adult abuse information in the possession of the Department of Human Services.

### **SENATE FILE 292 - Board of Educational Examiners — Investigative Information**

BY COMMITTEE ON EDUCATION. This Act provides that all complaint files, investigation files, other investigation reports, and other investigative information in the possession of the Board of Educational Examiners or its employees or agents, which relate to licensee discipline, are privileged and confidential, and are not subject to discovery, subpoena, or other means of legal compulsion for their release to a person other than the respondent and the board and its employees and agents involved in licensee discipline, and are not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline. The Act provides, however, that investigative information in the possession of the board or its employees or agents which relates to licensee discipline may be disclosed to appropriate licensing authorities. The Act also provides that a final written decision and finding of fact of the board in a disciplinary proceeding is a public record.

### **SENATE FILE 441 - Self-Insured Dental Insurance — School Corporations**

BY COMMITTEE ON EDUCATION. This Act provides an exemption from certain plan requirements relating to self-insured dental insurance plans maintained by one or more school corporations. The Act provides that if a school corporation's yearly claims do not exceed 1 percent of the school corporation's general fund budget, the school corporation's self-insured dental insurance plan does not have to contract with a third-party administrator or maintain aggregate excess loss coverage. Both of these requirements currently apply to self-insured insurance plans, regardless of a plan's claim experience. The Act provides for annual determination of the yearly claim amount and provides that the exemption will not apply for a year following the year in which the level of claims is determined to exceed 1 percent of the school corporation's general fund budget.

### **SENATE FILE 2082 - School Finance — Allowable Growth**

BY COMMITTEE ON EDUCATION. This Act sets the state percent of growth under the State School Foundation Program at 4 percent for the school budget year beginning July 1, 2001. The Act is applicable for computing state school foundation aid for the school budget year beginning July 1, 2001.

### **SENATE FILE 2111 - School Finance — Budget Adjustments**

BY COMMITTEE ON EDUCATION. This Act provides that for the school budget year beginning July 1, 2000, if a school district's actual enrollment for the budget year is greater than its budget enrollment for the budget year, the school district is eligible to receive an on-time funding budget adjustment in the form of a modified allowable growth equal to 50 percent of the difference, multiplied by district cost per pupil. In order to receive the on-time funding budget adjustment, a school district board of directors must adopt a resolution and notify the School Budget Review Committee by November 1, 2000. The Act provides that a school district which determines that a need exists for additional on-time funding, beyond the on-time funding budget adjustment for which the district is eligible, can submit a request to the School Budget Review Committee for additional modified allowable growth pursuant to the provisions of Code Section 257.31.

The Act also provides that for the school budget year beginning July 1, 2000, if the Department of Management determines that the regular program district cost of a school district for a budget year is less than its regular program district cost with the budget guarantee provision for the year preceding the budget year, the school district will be eligible to receive a budget adjustment for the budget year up to an amount equal to the difference. A school district board of directors that wishes to receive this budget adjustment must adopt a resolution and immediately notify the Department of Management within 30 days following the enactment of the Act.

The Act takes effect April 6, 2000.

### **SENATE FILE 2238 - Use of School Improvement Technology Funds**

BY COMMITTEE ON EDUCATION. This Act permits a school district or area education agency to use School Improvement and Technology Program and School Improvement Technology Block Grant Program funds to employ or contract with information technology specialists to provide technical consulting and integration of technology in curriculum and instruction to advance student achievement.

**SENATE FILE 2248 - College Student Aid — Commission — Programs**

BY COMMITTEE ON EDUCATION. This Act makes changes relating to the College Student Aid Commission by striking Code language referring to defunct federal law and a discontinued federal report, changing the point in time when interest will begin to accrue on loans made under the Osteopathic Physician Recruitment Program and updating the name of the program's revolving fund, modifying the National Guard Educational Assistance Program, and making changes regarding the registration of postsecondary schools by the Office of Secretary of State.

The Act includes technical changes that make clear that an "accredited private institution" is an institution that meets at least one of the three specific criteria in the Code relating to accreditation and certification, and all of the criteria relating to equal opportunity and affirmative action efforts, a controlled substances policy, a sexual abuse policy, and the filing of the federal Student Right-To-Know and Campus Security Act report with the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights.

The Act makes changes to the Osteopathic Physician Recruitment Program to provide that interest will begin to accrue on a student loan on the day after the student graduates. The Act also changes the name of the program's revolving fund to indicate that the moneys in the fund may be used to supplement moneys appropriated for the program to provide loan forgiveness, loan repayment, and scholarships.

The Act modifies the National Guard Educational Assistance Program to strike language authorizing the Adjutant General to determine the amount of educational assistance received by a guard member, but permits the Adjutant General, in coordination with the commission, to determine the distribution of assistance. The Act also provides that the range of assistance shall be between 50 percent of the resident tuition charged by regents universities or 50 percent of the resident tuition rate at the institution attended by the guard member, and the maximum of 100 percent of the resident tuition amount charged by a regents university.

The Act also amends the Code chapter regulating the registration of postsecondary schools to require that a school registering with the Secretary of State's Office be accredited by an agency or organization approved or recognized by the U.S. Department of Education or be approved for operation by the commission.

**SENATE FILE 2252 - School Finance Formula — Continuation — Review**

BY COMMITTEE ON EDUCATION. This Act provides for the repeal of 1989 Iowa Acts, Chapter 135, Section 135, which provides for the repeal of Code Chapter 257, "Financing School Programs," effective July 1, 2001. The Act also provides for legislative review of the provisions of the chapter at least every five years, based on a legislative interim study committee status report prepared with the assistance of the departments of Education, Revenue and Finance, and Management. The Act provides that the report shall include recommendations for school finance formula changes or revisions based upon demographic changes, enrollment trends, and property tax valuation fluctuations observed during the preceding five-year interval; an analysis of the operation of the formula during the preceding five-year interval; and a summary of issues that have arisen since the previous review and potential approaches for their resolution. The Act provides that the first report shall be submitted to the General Assembly no later than January 1, 2005, with subsequent reports submitted by January 1 at least every fifth year thereafter.

**SENATE FILE 2294 - Juvenile Facility Education Costs**

BY COMMITTEE ON EDUCATION. This Act authorizes an area education agency to provide educational services to a newly established approved or licensed shelter care or juvenile detention facility if the facility makes a request for the services 90 days prior to the beginning of the time for which the services are requested. This provision takes effect April 20, 2000, and is applicable to a facility approved or licensed after December 1, 1998.

Previously, an area education agency could only provide educational services to an approved or licensed shelter care home or an approved juvenile detention facility if the facility made a request for educational services by December 1 of the school year prior to the beginning of the school year for which the services were being requested.

**SENATE FILE 2331 - School Board Members — Interest in School Contracts**

BY COMMITTEE ON EDUCATION. This Act permits a member of the board of directors of a school corporation to benefit from a contract with the director's school corporation for goods or services if the benefit is not more than \$2,500 and the contract is made upon competitive bidding. Currently the maximum benefit amount under a competitively bid contract is \$1,500.

**HOUSE FILE 2145 - Gifted and Talented Program Funding**

BY COMMITTEE ON EDUCATION. This Act provides that the \$38 increase in allowable growth applicable for the school budget year beginning July 1, 1999, will be multiplied by a school district's budget enrollment in determining the amount of

state funding provided for gifted and talented programs pursuant to Code Section 257.46. This corrects a technical oversight in legislation passed during the 1999 General Assembly that provided for the allowable growth increase (1999 Iowa Acts, Chapter 128, Section 8). By utilizing budget enrollment, additional enrollment generated by special education weighting will not be included for gifted and talented funding purposes.

The Act takes effect April 27, 2000.

**HOUSE FILE 2146 - Regulation of Para-Educators and Education Practitioners**

BY COMMITTEE ON EDUCATION. This Act broadens the authority of the Board of Educational Examiners and provides for the certification, rather than licensing, of a para-educator.

The Act requires the State Board of Education to adopt rules and a procedure for the approval of para-educator preparation programs. The programs must train and recommend individuals for para-educator certification.

The Act strikes Code language specifying the various types of para-educator licenses available, the qualifications necessary to achieve a para-educator license, and the list of reasons for which an applicant would be disqualified for a license. The Act also authorizes the board to adopt rules relating to a voluntary certification system for para-educators. However, the Act provides for the disqualification of an applicant for certification for any reason specified by administrative rule or under Code provisions that currently relate only to applicants for a practitioner's license. One of those current Code provisions requires a person to be at least 21 years of age in order to be licensed by the Board of Educational Examiners. House File 2549 (see Appropriations) amends this Act to permit the board to issue a para-educator certificate to a person who is at least 18 years of age.

The Act defines "certificate" to mean limited recognition to perform instruction and instruction-related duties in school, other than those duties for which practitioners are licensed. The Act further defines "license" to provide that a license is the exclusive authority to legally serve as a practitioner, a school, an institution, or a course of study to legally offer professional development programs.

**HOUSE FILE 2198 - School District Reorganization and Sharing Incentives Study**

BY COMMITTEE ON EDUCATION. This Act requires the Department of Education to study the feasibility of reauthorizing or initiating new school district reorganization and sharing incentives. The Act also directs the department to invite the Iowa High School Athletic Association and the Iowa Girls High School Athletic Union to submit information or advice for the elimination of sports-related barriers to reorganization.

At a minimum, the department's study shall review and report data from prior incentives; determine the costs and methods for implementing the incentives identified; list the current status of school districts that utilized prior reorganization or sharing incentives, the costs of the incentives, the districts that consolidated, and how incentives were used by the districts; study the feasibility of sharing incentives to encourage transportation partnering; determine the efficacy and the cost-effectiveness of the incentives; study school infrastructure funding as a reorganization incentive; and identify actions that have proven in the past to assist reorganization and sharing efforts.

The department is directed to report its findings, including any recommendations, to the General Assembly by January 1, 2001.

**HOUSE FILE 2279 - Education Practitioner Licenses — Renewal**

BY COMMITTEE ON EDUCATION. This Act provides that a license issued by the Board of Educational Examiners expires on the last day of the practitioner's birth month in the year in which the license expires. Currently, under the Code, a license issued by the board expires on August 31 of the year in which the license expires.

**HOUSE FILE 2280 - Operation Recognition Program — World War II Veterans**

BY COMMITTEE ON EDUCATION. This Act requires the Director of the Department of Education to develop and administer, with the cooperation of the Commission of Veterans Affairs, an "Operation Recognition" Program to award high school diplomas to World War II veterans who are residents or former residents of the state and who left high school prior to graduation to enter U.S. military service.

The department and the commission must jointly develop an application procedure, distribute applications, and publicize the program to school districts, accredited nonpublic schools, county commissions of veterans affairs, veterans organizations, and state, regional and local media.

Upon approval of an application, the department will issue an honorary high school diploma to an eligible veteran. Diplomas may be issued posthumously.

The department and the commission are also directed to provide school districts, schools, communities, and county commissions of veterans affairs with information about hosting a diploma ceremony on or around Veterans Day.

#### **HOUSE FILE 2433 - Community College Governance**

BY COMMITTEE ON EDUCATION. This Act relates to community college governance by requiring the Community College Council to prepare a five-year statewide strategic plan at least once every five years, requiring the community colleges to submit data uniformly to the Division of Community Colleges and Workplace Preparation via the division's management information system, and requiring the Director of the Department of Education to provide a comparison of community college data and progress reports related to the management information system.

In preparing the statewide strategic plan, the council must consult with a working group of stakeholders, the composition of which is set forth in the Act. The plan must be submitted to the State Board of Education for approval and adoption. The state board is required to submit a preliminary report regarding the initial statewide strategic plan by December 1, 2000, and the plan must be approved, adopted and implemented by July 1, 2001.

The Act also requires that the Director of the Department of Education provide various community college data comparison reports, progress reports, and plans to the General Assembly between June 30, 2000 (however, S.F. 2452 amends this Act to change the date to July 1, 2000 — see Appropriations), and January 15, 2001.

#### **HOUSE FILE 2435 - Asbestos Removal in Schools — Funding**

BY COMMITTEE ON EDUCATION. This Act provides for the repeal of provisions authorizing the levy of an enrichment property tax or combination of an enrichment property tax and income surtax by school districts involved in projects related to asbestos removal. However, asbestos removal projects would continue to be able to be financed out of any funds in the general fund of a school district, funds received from the physical plant and equipment levy, or moneys obtained through a federal asbestos loan program.

#### **HOUSE FILE 2437 - Communications Between Postsecondary Schools and Students' Parents or Guardians**

BY COMMITTEE ON EDUCATION. This Act specifically authorizes a postsecondary education institution to disclose to a parent or guardian of a student under the age of 21 years, information regarding violations of a federal, state or local law, or institutional rule or policy governing the use or possession of alcohol or a controlled substance by the student if the institution determines that the student committed a disciplinary violation with respect to the use or possession of alcohol or a controlled substance, regardless of whether that information is contained in the student's education records.

The Act also requires the State Board of Regents, in consultation with the Community College Council, the Iowa Association of Community College Trustees, and the Iowa Association of Independent Colleges and Universities, to study and recommend methods for expanding communication with the parents and guardians of students under the age of 21 who are attending Iowa's postsecondary institutions. The results of the study and any recommendations shall be submitted to the General Assembly by December 1, 2000.

#### **HOUSE FILE 2474 - School and School District Accreditation Standards**

BY COMMITTEE ON EDUCATION. This Act requires the State Board of Education to adopt administrative rules on or before January 1, 2001, requiring school districts and accredited nonpublic schools to adopt local policies relating to health services, media services programs, and guidance programs as part of the general accreditation standards applicable to school districts. The requirement applies strictly for policy reporting purposes and shall not be interpreted to require the provision or offering of health services, media services programs, or guidance programs.

#### **HOUSE FILE 2496 - School Finance — Supplementary Weighting**

BY COMMITTEE ON EDUCATION. This Act provides supplementary weighting for school districts involved in sharing programs on a district-to-district or district-to-community college basis, and for school districts with at-risk programs.

The Act provides that school districts which send their resident pupils to another school district, which jointly employ and share the services of teachers under Code Section 280.15, or which use the services of a teacher employed by another school district, will have assigned to the pupils an additional weighting of 0.48 of the percentage of the pupil's school day during which the pupil is involved in the shared program.

The Act also provides that school districts which send their resident pupils to a community college-offered class or to a class taught by a community college-employed teacher will have assigned to the pupils a weighting of 0.48 of the percentage of the pupil's school day during which the pupil is involved in the shared program. The Act provides that a number of requirements must be met regarding the nature of the class or classes being taken in order to qualify for supplementary weighting for programs

shared by a district with a community college, reflecting an Attorney General opinion indicating that a class must qualify for community college-level credit in order for supplementary weighting to be received.

The Act additionally provides that school districts will receive supplementary weighting for at-risk programs and alternative schools. A weighting of 0.0048 per pupil will be assigned based on the percentage of pupils enrolled in grades one through six who are eligible for free and reduced price meals, as reported by the school district on the basic educational data survey for the base year, multiplied by the budget enrollment in the school district, and a weighting of 0.0156 shall be assigned to pupils included in the budget enrollment of the school district. The Act provides that amounts received as supplemental weighting for at-risk pupils shall be utilized by a school district to develop or maintain at-risk pupils' programs, which may include alternative school programs.

The Act provides that a school district which received supplementary weighting for an alternative high school program offered by a community college for the school budget year beginning July 1, 1999, will receive the greater of either 65 percent of that amount for the school budget year beginning July 1, 2000, or the amount determined pursuant to the 0.0048 and 0.0156 weightings. The Act further provides that for the budget year beginning July 1, 2001, a school district shall receive the greater of either the amount determined pursuant to the 0.0048 and 0.0156 weightings or 40 percent of the amount of supplementary weighting received for an alternative high school program offered by a community college for the school budget year beginning July 1, 1999. The Act provides that for the budget year beginning July 1, 2002, and succeeding budget years, the 0.0048 and 0.0156 weightings shall be utilized.

The Act provides that if a school district receives an amount of supplementary weighting for the budget years beginning July 1, 2000, and July 1, 2001, equivalent to the 65 and 40 percent amounts, respectively, the Department of Management shall annually recalculate the supplementary weighting received to reflect the amount of the reduction in funding from one year to the next, with the intent that when weights are recalculated, the total amounts generated by each weight shall be approximately equal.

The Act also reduces the standing appropriation for at-risk programs by the amount allocated in FY 2000 for school-based youth services education programs, and strikes Code Section 279.51, subsection 3, which had previously provided school-based youth services education programming. The Act guarantees that a school district or consortium of school districts which received school-based youth services funding in prior years will receive no less than \$50,000 for the budget years beginning July 1, 2000, and July 1, 2001.

The Act provides that a pupil shall not be eligible to receive supplementary weighting pursuant to both a district-to-district program and an at-risk or alternative school program, in order to preclude the possibility of "double recovery" of supplemental weighting amounts.

The Act further provides for the annual preparation by the Department of Education of a school finance appropriations report, in which the funding status of school finance provisions or programs receiving a standing appropriation, including supplementary weighting, shall be summarized and reported to the General Assembly by January 1.

Additionally, the Act deletes several provisions that had previously authorized supplementary weighting for a specified, and now expired, duration.

The Act takes effect May 18, 2000.

#### **HOUSE FILE 2550 - Iowa Educational Savings Plan Trust**

BY COMMITTEE ON WAYS AND MEANS. This Act amends certain Code provisions relating to the Iowa Educational Savings Plan Trust.

The Act defines an "account balance limit" to mean the maximum allowable aggregate balance of accounts and account earnings, established for the same beneficiary, and provides that the Treasurer of State will establish an account balance limit for all accounts established for a designated beneficiary beyond which contributions will not be permitted, in order to maintain compliance with Internal Revenue Code Section 529. Currently, the maximum contribution limit is established at \$2,000 per year, adjusted annually to reflect changes in the Consumer Price Index. The Act provides that regardless of the level of contributions made, the maximum contribution per contributor that will be deductible for state income tax purposes cannot exceed the annually adjusted \$2,000 per beneficiary amount.

The Act additionally eliminates a provision that prohibited the substitution of beneficiaries after the *original beneficiary* has been admitted to college, and makes a technical correction eliminating the qualification that a substitute beneficiary not be older than the original beneficiary when the substitution is made.

The Act takes effect May 3, 2000.

**HOUSE FILE 2581 - Iowa Higher Education Loan Authority — Authorization**

BY COMMITTEE ON WAYS AND MEANS. This Act authorizes the Iowa Higher Education Loan Authority to issue obligations to make loans to entities other than educational institutions for the cost of capital projects if these projects are to be leased to educational institutions.

The Act also provides for a tax exemption from all state and local taxes of the obligations and interest income from the obligations issued on or after July 1, 2000.

**ELECTIONS, ETHICS AND CAMPAIGN FINANCE**

- HOUSE FILE 2330** - Polling Places — Directional Signs  
**HOUSE FILE 2431** - Ethics and Campaign Disclosure — Regulation and Enforcement

**RELATED LEGISLATION**

- SENATE FILE 2092** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. Certain provisions relating to the canvassing of the results of a judicial election are amended by adding the phrase "full-time associate juvenile judge, or full-time associate probate judge." Provisions pertaining to the Sheep and Wool Promotion Board are clarified to provide that the board has the authority to set an assessment if approved by a majority of voters at a referendum. A clerical error, which occurred during the drafting process of 1999 Iowa Acts, Chapter 158, is corrected in language which relates to the imposition of excise taxes on turkeys. Language relating to when stock ownership constitutes a prohibited personal interest in a municipal housing project or property included or to be included in a municipal housing project by a public official or employee of a municipality is modified to provide that a 5 percent ownership interest "shall not be deemed an interest of, or ownership or control by" the person. The word "part-time" is added before the words "associate probate judge" in provisions relating to the appointment, removal and qualification of part-time associate probate judges.
- SENATE FILE 2215** - Leaves of Absence for Partisan Political Candidates — Sheriffs and Civil Service Officers and Employees  
*SEE LOCAL GOVERNMENT.* This Act provides that a county officer or employee subject to civil service, and a chief deputy sheriff or second deputy sheriff, who becomes a candidate for a partisan elective office for remuneration, shall receive, upon request, a 30-day unpaid leave of absence before the primary and general election. The Act takes effect March 31, 2000.

## ELECTIONS, ETHICS AND CAMPAIGN FINANCE

### **HOUSE FILE 2330 - Polling Places — Directional Signs**

BY COMMITTEE ON STATE GOVERNMENT. This Act requires that the county commissioner of elections on the day of an election post a sign stating "vote here" at each driveway entrance leading to the building where a polling place is located. Signs must be visible from the street or highway fronting the driveway.

### **HOUSE FILE 2431 - Ethics and Campaign Disclosure — Regulation and Enforcement**

BY COMMITTEE ON STATE GOVERNMENT. This Act limits actions that can be commenced to enforce provisions of the Code relating to conflicts of interest of public officers and public employees. The Act provides that an action may only be brought against local officials or local employees and not against state employees or legislative employees. The Act does not impact the legislative ethics committees' jurisdiction over legislators and lobbyists and the Iowa Ethics and Campaign Disclosure Board's jurisdiction over state officials and employees of state government.

The Act provides that, in an action to enforce provisions of the Code relating to conflicts of interest of public officers and employees, the complaint shall be filed with another county attorney if the county attorney is the person against whom the complaint is filed or if the county attorney otherwise has a personal or legal conflict of interest. All other complaints are filed with the county attorney in the county where the accused resides.

The Act provides that if a person fails to comply with an action of the Iowa Ethics and Campaign Disclosure Board, the board may file a petition in the Polk County District Court to enforce the order.

The Act requires that a lobbyist's client file a report on or before January 31 and July 31 containing information on all salaries, fees and retainers paid by the lobbyist's client to the lobbyist for lobbying purposes, regardless of whether any payments have been made during the previous six months.

**ENERGY AND PUBLIC UTILITIES****RELATED LEGISLATION**

- SENATE FILE 2213** - Farmland Improvements Near Pipelines  
*SEE ENVIRONMENTAL PROTECTION.* This Act provides that, unless otherwise agreed to in writing by the landowner and the pipeline company, a landowner or contractor may require a pipeline company representative to be present on-site, at no charge to the landowner, at all times during each phase and separate activity related to a farmland improvement within 50 feet of either side of a pipeline.
- SENATE FILE 2416** - Appropriations — Energy Conservation Programs Funding  
*SEE APPROPRIATIONS.* This Act appropriates moneys for FY 2000-2001 from the Energy Conservation Trust, which receives deposits of settlements from oil overcharge refunds, to the Division of Community Action Agencies of the Department of Human Rights for energy conservation programs for low-income persons, and to the Department of Natural Resources for the State Energy Program and for administration of petroleum overcharge programs.
- SENATE FILE 2420** - Electricity and Natural Gas Replacement Tax  
*SEE TAXATION.* This Act amends provisions relating to the replacement tax imposed on the generation, transmission, delivery, consumption, and use of electricity and natural gas. The Act provides for a 60-day period for an appeal of a denial of refund or portion of a refund of replacement tax paid. Portions of the Act are made retroactively applicable to January 1, 1999, for tax years beginning on and after that date. The Act takes effect April 19, 2000.
- HOUSE FILE 2027** - Rural Water District Infrastructure Financing  
*SEE LOCAL GOVERNMENT.* This Act amends provisions in Code Chapter 357A by providing for financing by rural water districts in constructing water projects.
- HOUSE FILE 2148** - Business Telephone Listings  
*SEE BUSINESS, BANKING & INSURANCE.* This Act provides that it is an unlawful practice for a person to misrepresent the geographic location of a supplier or a service or product by listing a fictitious business name or assumed name in the local telephone directory or directory assistance database.
- HOUSE FILE 2247** - Natural Gas Pipeline Construction — Land Restoration  
*SEE ENVIRONMENTAL PROTECTION.* This Act removes the exemption from the land restoration provisions of Code Section 479A.14 for interstate natural gas pipeline construction projects that have received a certificate from the federal Energy Regulatory Commission prior to June 1, 1999.
- HOUSE FILE 2522** - Domestic Abuse Actions — Plaintiff's Mailing Address  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act provides that a victim of domestic abuse may use certain addresses other than the victim's actual address when obtaining utility services.
- HOUSE FILE 2533** - Federal Block Grant Appropriations  
*SEE APPROPRIATIONS.* This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001. The Act includes funding for the Low-Income Home Energy Assistance Program known as LIHEAP.

## ENVIRONMENTAL PROTECTION

- SENATE FILE 2213 - Farmland Improvements Near Pipelines  
 SENATE FILE 2326 - Household Hazardous Material Collection  
 SENATE FILE 2371 - Water Quality Initiatives  
 HOUSE FILE 2247 - Natural Gas Pipeline Construction — Land Restoration  
 HOUSE FILE 2438 - Hazardous Waste Facilities — Partial Suspension of Permitting Requirements

### RELATED LEGISLATION

- SENATE FILE 466 - Remediation of Agrichemical Sites  
*SEE AGRICULTURE.* This Act creates a new Code Chapter 161, referred to as the "Iowa Agrichemical Remediation Act." The Act provides for the remediation of sites where there has been contamination because of a release of pesticides or fertilizers. The remediation process is governed by the Department of Agriculture and Land Stewardship and an Agrichemical Remediation Board created under the Act.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.
- SENATE FILE 2430 - Appropriations — Agriculture and Natural Resources  
*SEE APPROPRIATIONS.* This Act relates to agriculture and natural resources by making appropriations to support related entities. The Act also makes a number of statutory changes. The Act establishes a pilot project involving the refund of moneys paid to the Department of Natural Resources for issuing stormwater discharge permits. The Act prohibits a person from selling or storing methyl tertiary butyl ether, other than in "trace amounts," and provides requirements for decals identifying oxygenate enhancers, including methanol, appearing on motor vehicle fuel pumps.
- SENATE FILE 2433 - Appropriations — State Government Technology and Operations  
*SEE APPROPRIATIONS.* This Act repeals the No Further Action Fund created in Code Section 455G.22, transfers moneys in the fund to the Pooled Technology Account, and transfers any liability of the No Further Action Fund to the remedial account established in Code Section 455G.3.
- SENATE FILE 2438 - Water Quality Districts  
*SEE LOCAL GOVERNMENT.* This Act provides for the creation of a water quality district in the same manner as provided for the creation of a benefited recreational lake district and authorizes the creation of a combined district.
- HOUSE FILE 2393 - Confinement Site Manure Applicator Certification  
*SEE AGRICULTURE.* This Act provides that a person required to be certified to apply manure stored at the site of a confinement feeding operation, other than a professional manure applicator, is exempt from paying a certification fee if a family member has paid a fee for that family member's certification.
- HOUSE FILE 2423 - Brownfield Redevelopment Program  
*SEE ECONOMIC DEVELOPMENT.* This Act creates a Brownfield Redevelopment Program and Fund for purposes of providing financial and technical assistance for the acquisition, remediation or redevelopment of brownfield sites.
- HOUSE FILE 2485 - Resource Enhancement and Protection Fund — Soil and Water Enhancement Account  
*SEE NATURAL RESOURCES & OUTDOOR RECREATION.* This Act removes the \$1 million maximum allocation of funds to the Water Quality Protection Projects Account and provides that 50 percent of the moneys allocated to the Soil and Water Enhancement Account of the Resource Enhancement and Protection Fund will be divided equally between the Water Quality Protection Projects Account and Water Protection Practices Account within the Division of Soil Conservation of the Department of Agriculture and Land Stewardship.

## ENVIRONMENTAL PROTECTION

### **SENATE FILE 2213 - Farmland Improvements Near Pipelines**

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act provides that, unless otherwise agreed to in writing by the landowner and the pipeline company, a landowner or contractor may require a representative of a pipeline company to be present on-site, at no charge to the landowner, at all times during each phase and separate activity related to a farmland improvement within 50 feet of either side of a pipeline. The Act provides that if the pipeline company and landowner or the contractor mutually agree that a representative of the pipeline company is not required to be present, the on-site requirements are waived. The Act provides that if a pipeline right-of-way is abandoned for pipeline use, but the pipe is not removed from the right-of-way, the pipeline company remains subject to the provisions of this Act. The Act applies to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines.

### **SENATE FILE 2326 - Household Hazardous Material Collection**

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act amends Code Section 455E.11, relating to the Groundwater Protection Fund, to allow for funding of efforts to support permanent household hazardous material collection systems and special events for household hazardous material collection. The Act provides that the repayment of moneys from the Iowa Business Loan Program for waste reduction and recycling shall be used to support household hazardous materials programs of the Department of Natural Resources.

### **SENATE FILE 2371 - Water Quality Initiatives**

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act provides for the establishment of water quality initiative programs by the Department of Agriculture and Land Stewardship and the Department of Natural Resources (DNR), including a conservation buffer strip program, a Conservation Reserve Enhancement Program, a water quality monitoring program, and a water quality protection program. An Iowa Clean Water Award is created to give recognition annually to a city or other political subdivision that makes exemplary efforts to improve water quality.

The Department of Agriculture and Land Stewardship is to establish a conservation buffer strip program in consultation with the DNR to accelerate a similar program promoted by the U. S. Department of Agriculture's program to install conservation buffer strips. Waivers are to be requested for projects to discourage the destruction of existing conservation buffer strips and monetarily reward landowners. Waivers shall also be requested to allow grazing up to 90 days on buffer strips. A prairie seed harvest program is to be established to assist in the restoration of prairies and complement the seeding of habitat. The five-year goal is established to add 407,500 acres to the conservation buffer strip program.

A Conservation Reserve Enhancement Program is also established within the Department of Agriculture and Land Stewardship to restore or construct wetlands to intercept tile line runoff, reduce nutrient loss, improve water quality, and enhance production. Requirements are specified for establishing or restoring wetlands. The five-year goal of the Conservation Reserve Enhancement Program is to establish 32,500 acres of wetlands.

The DNR is charged with operating water quality monitoring stations and gathering data to establish water quality benchmarks for the state.

A water quality protection program is to be implemented by the Department of Agriculture and Land Stewardship, with the federal government and other entities, to provide multiobjective resource protections for flood control, water quality, erosion control, and natural resource conservation. The department is to implement a statewide, voluntary Farm Management Demonstration Program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits.

Under the water quality protection program, the DNR is to establish a program to assist landowners residing outside of city limits with improving on-site wastewater systems. The department is also to provide local watershed managers with geographic information system data for their watershed work. The department shall also continue the establishment of an effective and efficient method of developing a total maximum daily load program based on other states' programs and investigating alternative methods of satisfying requirements.

The Act provides contracting procedures to be used by soil and water conservation districts when the estimated cost of a work project exceeds \$25,000.

The Act also defines "credible data" and specifies its use by the DNR in developing water quality standards, statewide water quality inventories, and related information related to evaluating water quality and determining responsibility for water pollution.

The Act requests that the Legislative Council establish a legislative interim committee to study the use of plant nutrients on Iowa soil and to report its findings to the General Assembly not later than January 15, 2001.

Any requirement of the Act that applies to a Section 303(d) list of polluted water shall take effect for all Section 303(d) lists created after the year 2000 list. Section 303(d) refers to a section of the federal Water Pollution Control Act that lists polluted waters.

**HOUSE FILE 2247 - Natural Gas Pipeline Construction — Land Restoration**

BY COMMITTEE ON COMMERCE AND REGULATION. This Act removes the exemption from the land restoration provisions of Code Section 479A.14 for interstate natural gas pipeline construction projects that have received a certificate from the federal Energy Regulatory Commission prior to June 1, 1999.

**HOUSE FILE 2438 - Hazardous Waste Facilities — Partial Suspension of Permitting Requirements**

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act amends several Iowa Acts to extend a partial suspension of requirements for permitting of facilities that deal with hazardous waste and eliminates the ending date for the partial suspension.

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**GAMING**

**SENATE FILE 2143** - Games and Raffles

**SENATE FILE 2443** - Lottery Compacts or Agreements

## GAMING

### **SENATE FILE 2143 - Games and Raffles**

BY COMMITTEE ON STATE GOVERNMENT. This Act authorizes an organization such as a parent-teacher organization or a booster club of a school district, or a school within the school district, to submit a notarized letter signed by the president of the school board, the superintendent of the school district, or the school principal recognizing the organization or club as a fund-raiser and supporter for the school district or school as a substitute for eligibility for exemption from federal income taxes as a requirement to be a qualified organization to conduct raffles and games of skill or chance.

This Act also defines "unrelated entity" and requires that if a licensee derives 90 percent or more of its total income from bingo, raffles or small games of chance, at least 75 percent of the licensee's net receipts must be distributed to an unrelated entity for educational, civic, public, charitable, patriotic, or religious uses.

### **SENATE FILE 2443 - Lottery Compacts or Agreements**

BY IVERSON AND GRONSTAL. This Act authorizes the Iowa Lottery Board and the Commissioner of the Lottery to enter into compacts or agreements with other states or territories of the United States, one or more political subdivisions of another state or territory of the United States, or a lottery operated outside of the United States. The compact, or agreement, shall meet the criteria of security, integrity and finance set by the Iowa Lottery Board.

## HEALTH AND SAFETY

- SENATE FILE 2144 - Regulation and Inspection of Health Care Facilities
- SENATE FILE 2302 - Public Health Programs and Issues
- SENATE FILE 2314 - Communicable and Infectious Diseases
- SENATE FILE 2366 - Purchase, Possession, and Sale of Cigarettes and Tobacco Products
- HOUSE FILE 2105 - Nurse Licensure Compact
- HOUSE FILE 2333 - Emergency Medical Care Providers — Authority to Provide Services
- HOUSE FILE 2362 - Domestic Abuse Death Review Team
- HOUSE FILE 2365 - Review of Child Deaths
- HOUSE FILE 2385 - Organ and Tissue Donor Registry
- HOUSE FILE 2565 - Tobacco Use Prevention and Control

### RELATED LEGISLATION

- SENATE FILE 174 - Medical Assistance Advisory Council Membership  
*SEE HUMAN SERVICES.* This Act changes Code references involving the membership of a council of health care provider organizations and other persons interested in the Medical Assistance (Medicaid) Program.
- SENATE FILE 182 - Acupuncture — Licensure and Regulation  
*SEE STATE GOVERNMENT.* This Act provides licensing requirements for the practice of acupuncture to be administered by the Board of Medical Examiners.
- SENATE FILE 2007 - Guardians — Procurement of Professional Services for Ward  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act provides that a guardian is not required to seek prior court approval in the instance in which, if necessitated by the physical or mental disability of the ward, anesthesia is used in providing the ward routine physical and dental examinations, and the anesthesia is administered within the health care practitioner's scope of practice.
- SENATE FILE 2048 - City Hospital and Health Care Facility Boards of Trustees — Appointment — Terms  
*SEE LOCAL GOVERNMENT.* This Act provides for the appointment and length of terms for members added to a hospital board of trustees when the city increases the total membership on the board by ordinance.
- SENATE FILE 2079 - Import of Cigarettes and Tobacco Products — Limitations  
*SEE CRIMINAL LAW, PROCEDURES & CORRECTIONS.* This Act establishes as unlawful the act of shipping or importing into the state, or offering for sale, selling, distributing, transporting, or possessing within this state, cigarettes or tobacco products if the cigarettes or tobacco products had previously been exported from or manufactured for use outside the United States.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. Changes are made in the quorum requirements for commissions having control over memorial hospitals to adjust for changes made by 1999 Iowa Acts, Chapter 36, which permits the commissions to consist of seven members, not just five, as was the case previously. Also, the word "care" is stricken from the term "health care facility" in provisions relating to the procedure for obtaining consent to HIV testing in cases where a significant exposure has occurred on the premises of the facility. The term "health facility" is defined in Code Chapter 141A.1, and covers acute care facilities, longer-term care facilities, and other types of facilities and institutions.

- SENATE FILE 2113** - Massage Therapy — Licensing  
**SEE STATE GOVERNMENT.** This Act provides that an individual shall not engage in the health care service of the healing art of massage therapy without having obtained a license for that purpose. The Act also provides for the imposition of penalties and provides transition provisions.
- SENATE FILE 2193** - Senior Living Program  
**SEE HUMAN SERVICES.** This Act creates a new Code Chapter 249H, the "Iowa Senior Living Program Act." The Act creates a Senior Living Trust Fund and provides for allocation of the moneys in the fund for nursing facility conversion, administrative purposes and service delivery related to the Senior Living Program and Trust Fund, and for implementation of a new reimbursement system. The Act also provides for reimbursement of nursing facility providers; expenses incurred due to rent expenses under the State Supplementary Assistance Program of consumers participating in a Medical Assistance (MA) Program (Medicaid) home and community-based services waiver; and administration of programs and delivery of long-term care services and program-related expenses. The Act provides for the awarding of grants for conversion of nursing facilities to provide assisted-living programs and for long-term care services development, and for additional grants to recipients for provision of child care for children with special needs, safe shelter for victims of dependent adult abuse, or respite care. The Act provides for an appropriation to the Department of Elder Affairs for activities related to home and community-based services for seniors to be provided through area agencies on aging. The Act provides for creation of a database directory of health care and support services for seniors and provides for the development of an informational packet relating to the MA Program and health care service options for seniors. The Act also provides for the establishment of a Caregiver Support Access and Education Program. The Act requires health care facilities to complete resident assessments for all prospective and current residents. The Act directs the Department of Human Services to make a recommendation to the General Assembly on or before October 1, 2000, regarding application of the Senior Living Program to residential care facilities, requires that the General Assembly maintain the fiscal effort in funding long-term care services that exist on June 30, 2000, and makes appropriations for FY 2000-2001. The Act takes effect March 1, 2000.
- SENATE FILE 2203** - Assignments of Benefits — VETOED BY THE GOVERNOR  
**SEE BUSINESS, BANKING & INSURANCE.** This bill provided that a person insured under a group or individual policy, contract, or health benefit plan was to be allowed the option by the carrier or organized delivery system to assign benefits, in writing, from the policy, contract or health benefit plan, to the health care provider, thereby allowing payment of benefits directly to the licensed health care provider.
- SENATE FILE 2249** - State Agency Purchasing Preference — Bio-Based Fluids, Greases, and Lubricants  
**SEE STATE GOVERNMENT.** This Act requires the Department for the Blind to comply with purchasing preferences of bio-based hydraulic fluids, greases, and other industrial lubricants.
- SENATE FILE 2344** - Child and Family Services  
**SEE CHILDREN & YOUTH.** This Act relates to child and family services involving the Department of Human Services, and includes provisions relating to child and dependent adult abuse registry access for purposes of performing employment checks for various health care facility services providers.
- SENATE FILE 2360** - Human Services — Administration and Employment  
**SEE HUMAN SERVICES.** This Act relates to various state and local administrative provisions involving human services and requires the Department of Human Services to conduct criminal and child abuse and dependent adult abuse record checks on employees, prospective employees, volunteers, and prospective volunteers in the department's local offices who have direct contact with the department's clients.
- SENATE FILE 2390** - Department of Inspections and Appeals — Duties — Divisions  
**SEE STATE GOVERNMENT.** This Act establishes the Health Facilities Division within the Department of Inspections and Appeals. The division currently exists within the department, but is not codified. The Act establishes the duties of the division in new Code Section 10A.702, some of which are currently codified as duties of the Investigations and Inspections Divisions of the department (eliminated as duties of these divisions in this Act), but which are carried out by the Health Facilities Division.

- SENATE FILE 2429** - Appropriations — Health and Human Rights  
*SEE APPROPRIATIONS.* This Act provides for a study regarding prevention of lead poisoning among Iowa's children. The study shall be conducted by the Director of the Iowa Department of Public Health, in consultation with an ad hoc committee of designated individuals, with recommendations submitted in a report to the Governor and the General Assembly by January 1, 2001.
- SENATE FILE 2430** - Appropriations — Agriculture and Natural Resources  
*SEE APPROPRIATIONS.* This Act relates to agriculture and natural resources by making appropriations to support related entities. The Act also makes a number of statutory changes. The Act provides for the inspection of aboveground petroleum storage tanks by the State Fire Marshal. The Act prohibits a person from selling or storing methyl tertiary butyl ether, other than in "trace amounts," and provides requirements for decals identifying oxygenate enhancers, including methanol, appearing on motor vehicle fuel pumps.
- SENATE FILE 2435** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act provides appropriations to the Department of Human Services (DHS) for FY 2000-2001 and includes health care provisions involving use of the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) funding under the Medical Assistance (MA) Program (Medicaid) for screening through the school system; directs DHS to increase the MA eligibility income limit for pregnant women and infants under the mothers and infants category to 200 percent of the federal poverty level; and provides for maintenance of the State Children's Health Insurance Program. The Act also directs DHS to discontinue the telemedicine and physician supervised weight-loss pilot programs under the MA Program; directs DHS to provide a period of 24 months of guaranteed eligibility for MA family planning services; directs DHS to provide for reimbursement under MA for certain family and pediatric nurse practitioners; and provides for implementation of a disease-specific pharmaceutical case management study.
- SENATE FILE 2452** - Miscellaneous Appropriations and Other Provisions  
*SEE APPROPRIATIONS.* Division II of this Act transfers moneys from the Tobacco Settlement Fund to the General Fund of the State and replaces the Tobacco Settlement Fund with a Tobacco Settlement Endowment Fund that will contain proceeds from any bonds issued which are payable from the tobacco settlement agreement, in addition to any moneys received pursuant to such agreement.
- HOUSE FILE 686** - Dental Assistants — Registration and Scope of Authority  
*SEE STATE GOVERNMENT.* This Act provides that individuals practicing as dental assistants are required to register with the Board of Dental Examiners. The Act provides a scope of practice for registered dental assistants performing delegated functions under the supervision of a licensed dentist, and authorizes the board to establish and regulate by rule dental assistant registration, renewal, and continuing education requirements, as well as standards relating to the revocation or suspension of registration.
- HOUSE FILE 754** - Insurance Coverage of Anesthesia and Hospital Charges for Dental Care  
*SEE BUSINESS, BANKING & INSURANCE.* This Act requires that an individual or group policy or contract providing for third-party payment or prepayment of health or medical expenses must provide coverage for the administration of general anesthesia and hospital or ambulatory surgical center charges related to the provision of dental care services to certain children under five years of age and other individuals determined to have certain medical conditions.
- HOUSE FILE 2039** - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits  
*SEE APPROPRIATIONS.* This Act relates to state budgetary matters by providing for reductions and supplementation of appropriations for FY 1999-2000 and includes certain reductions in appropriations for certain programs administered by the Iowa Department of Public Health and a requirement for the University of Iowa Hospitals and Clinics contract to increase claiming of reimbursement under the Medical Assistance (Medicaid) Program. The Act includes a supplemental appropriation for enhanced response to complaints regarding intermediate care facilities.
- HOUSE FILE 2153** - Drug Policy Coordination  
*SEE STATE GOVERNMENT.* This Act deals with the coordination of drug policy at the state level. The Act changes the name of the Drug Enforcement and Abuse Prevention Coordinator to the Drug

Policy Coordinator. The Act repeals the provision establishing the Narcotic Enforcement Advisory Council, changes the name of the Drug Abuse Advisory Council, and expands the membership of the renamed council.

- HOUSE FILE 2169** - Emergency Management Coordinators — Appointment  
*SEE LOCAL GOVERNMENT.* This Act strikes a provision providing for the appointment of the emergency management coordinator by the county board of supervisors.
- HOUSE FILE 2229** - Abortion — “Woman’s Right to Know Act” — VETOED BY THE GOVERNOR  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This bill would have established a new Code Chapter 146A, relating to informed consent prior to an abortion. The bill prohibited an abortion from being performed on a woman in this state without the voluntary and informed consent of the woman, and provided that, with the exception of a medical emergency, consent to an abortion was voluntary and informed only if the referring physician, the physician who performed the abortion, or an agent of either physician provided certain information to the woman at least 24 hours prior to the abortion, informed the woman of her right to review printed materials and provided such materials if the woman so desired, and obtained written certification from the woman that the information was provided. The bill provided for alternatives to providing informed consent in the case of a medical emergency. The bill also provided criminal penalties for violation of the bill’s provisions, and provided for protection of the confidentiality of a woman in any criminal proceeding that might have resulted from a violation of the chapter.
- HOUSE FILE 2315** - Health and Medical Insurance for Retirees — City Employees  
*SEE LOCAL GOVERNMENT.* This Act authorizes cities to provide retired city employees with health or medical insurance coverage, or supplemental coverage, and to pay for such coverage from amounts held in a trust and agency fund of the city or from an appropriation from the city general fund.
- HOUSE FILE 2327** - County Mental Health, Mental Retardation, and Developmental Disabilities Services Funding  
*SEE LOCAL GOVERNMENT.* This Act relates to county levy and expenditure authority involving the county mental health, mental retardation, and developmental disability services fund.
- HOUSE FILE 2377** - Access to Child Abuse Information  
*SEE CHILDREN & YOUTH.* This Act provides for access to child abuse information for purposes of review and public disclosure and requires the Director of Public Health to appoint an ad hoc committee to perform a special review of child abuse cases in which there is a child fatality.
- HOUSE FILE 2522** - Domestic Abuse Actions — Plaintiff’s Mailing Address  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act provides that a victim of domestic abuse may use certain addresses other than the victim’s actual address when applying for certain services.
- HOUSE FILE 2531** - Emergency Medical Services Funding and Lost Property Disposition  
*SEE LOCAL GOVERNMENT.* This Act provides that funding allocated by the Iowa Department of Public Health to a county for emergency medical service purposes may be used for emergency medical service equipment or training and education as determined by the county board of supervisors.
- HOUSE FILE 2533** - Federal Block Grant Appropriations  
*SEE APPROPRIATIONS.* This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001. The Act includes funding for maternal and child health, preventive health and health services, substance abuse, and other health-related programs.
- HOUSE FILE 2555** - Tobacco Settlement Fund Appropriations  
*SEE APPROPRIATIONS.* This Act relates to and makes appropriations from the Tobacco Settlement Fund, including appropriations to the Iowa Department of Human Services (DHS) for providers of services under the Medical Assistance (MA) Program (Medicaid) and for other providers of services under the purview of DHS, for expansion of home health care services and habilitative day care for children with special needs under the MA Program, for expansion of respite care services provided through home and community-based waivers under the MA Program, for supplementation of

the Children's Health Insurance Program, and for performance of an evaluation to study the effects of providing continuous eligibility for children under the MA Program; to the Iowa Department of Public Health for additional substance abuse treatment under the Substance Abuse Treatment Program, for development of a Healthy Iowans 2010 Plan, and for a Tobacco Use Prevention and Control Program; and for assistance to certain counties with limited county mental health, mental retardation, and developmental disabilities services fund balances to pay reimbursement increases. The Act codifies provisions for eligibility under the MA Program for an infant whose family income is not more than 200 percent of the federal poverty level, and for eligibility under the Healthy and Well Kids in Iowa Program for a child whose family income does not exceed 200 percent of the federal poverty level. The Act also codifies provisions for the methodology to be used, beginning November 1, 2000, for all applicable noninstitutional health providers, excluding anesthesia and dental services, under the MA Program.

**HOUSE FILE 2579**

- Tobacco Settlement Authority Act

**SEE BUSINESS, BANKING & INSURANCE.** This Act establishes a new Code Chapter 12E, the "Tobacco Settlement Authority Act." The Act creates a Tobacco Settlement Authority which is authorized, subject to a program plan, to invest funds available, including all or a portion of the state's share of the master settlement agreement entered into by the state with tobacco companies, to establish a stable source of revenue to be used for the purposes of the Tobacco Settlement Endowment Fund. New Code Chapter 12E is repealed March 1, 2001. The Act takes effect May 19, 2000.

## HEALTH AND SAFETY

### **SENATE FILE 2144 - Regulation and Inspection of Health Care Facilities**

BY COMMITTEE ON STATE GOVERNMENT. This Act relates to regulation and inspection of health care facilities under the purview of the Department of Inspections and Appeals. Under Code Chapter 135C, health care facilities include nursing facilities, intermediate care facilities, intermediate care facilities for persons with mental illness and such facilities for persons with mental retardation, and various forms of residential care facilities.

The Act changes the time frame for general unannounced inspections from at least once during a 15-month period to at least once during a 30-month period.

The Act provides that an inspection of a health care facility made pursuant to a complaint, which under prior law need not be limited to the matter or matters included in the complaint and which may become a general inspection if the inspection coincided with a scheduled general inspection, under the Act could also become a general inspection if a potential violation, in addition to any alleged violation included in the complaint, is evident to the inspector in the course of the inspection.

The Act also provides that the protection, in addition to the dignity of residents, is to be given the highest priority by the inspector and others.

The Act also provides for the establishment of a quality-based inspections system for health care facilities licensed only by the state. The system is to be implemented in the first inspection of a facility subsequent to the inspection of that facility during the period July 1, 2000, through September 1, 2001. The department is directed to submit a report to the General Assembly, the Governor and the Legislative Fiscal Bureau, on or before August 1, 2001. The report is to contain the criteria to be used in the quality-based inspections system and survey and complaint activities of state-licensed health care facilities completed in FY 1999-2000 and FY 2000-2001. The department is also to submit, to the same entities, an interim report on or before February 1, 2001, and a final report on or before August 1, 2001, regarding its progress in developing and implementing the quality-based inspections system. The Joint Appropriations Subcommittee on Administration and Regulation and the committees on human resources of both houses may also request that additional information be included in the reports and the department may include any recommendations in the reports.

### **SENATE FILE 2302 - Public Health Programs and Issues**

BY COMMITTEE ON HUMAN RESOURCES. This Act makes changes relating to programs under the purview of the Iowa Department of Public Health.

The Act adds to, provides exemptions from, and corrects references to the various scheduled controlled substances.

The Act requires the Commission on Substance Abuse to specifically review requests for initial licensure and renewal of licensure of a chemical substance abuse facility, in addition to the existing requirement for review of issuance, denial, suspension, or revocation of licensure.

The Act eliminates the requirement to inspect licensed facilities, but broadens the authority of the department to inspect any substance abuse treatment program to ensure compliance with applicable laws and rules.

The Act authorizes a woman to breast-feed her own child in a public place, where her presence is otherwise authorized, notwithstanding any other provision of law to the contrary.

The Act corrects the reference to "targeted housing" to read "target housing" for the purposes of the program relating to lead-poisoned children, and provides that the provisions apply to children under six years of age.

The Act eliminates the requirement that the Iowa Department of Public Health develop and establish area health education centers in cooperation with several other entities. The Act also eliminates the requirement of the Director of Public Health to establish a primary care collaborative work group.

The Act provides that information reported to the department relating to the human immunodeficiency virus (HIV) is to include both race and ethnicity.

The portion of the Act that relates to notifying a care provider who has had a significant exposure to an individual of the individual's HIV status deletes the requirements to be met in obtaining consent from an individual to be tested following the submission of a significant exposure report by a care provider. The changes would result in the individual being deemed to

have provided consent to an HIV test following submission of a significant exposure report by the care provider. The Act also provides that the results of the test may be shared with the care provider.

The Act eliminates the requirement that health care professional licensing boards maintain a handwritten registry book and identify on every license issued the entry into the registry book of such a license.

The Act changes the period of licensure for resident physicians and osteopathic physicians and surgeons from one year to a period as determined by the Board of Medical Examiners.

The Act eliminates the right of a physical therapist assistant to petition the Physical Therapy Examiners Board for a waiver of the education requirements.

The Act provides that occupational therapists may provide occupational therapy without referral from a physician, podiatric physician, dentist, or chiropractor, except that a hospital may require review and authorization by a member of the hospital medical staff prior to performance of occupational therapy.

The Act corrects the reference to the organization specified to accredit occupational therapy education programs.

The Act eliminates the provision that allowed students who were enrolled in a course of study for registered nurses on June 30, 1995, and thereby impacted by the change in the law in 1995, to apply that education to a license as a practical nurse.

The Act eliminates the use of practical examinations for licensure of audiologists.

The Act requires an applicant for licensure as an independent social worker to possess a master's or doctoral degree, specifically in social work.

The Act eliminates oral examinations and an internship proficiency requirement for licensure as a funeral director.

The Act provides for the establishment of practicums in mortuary science through rule of the Board of Mortuary Science Examiners and directs the board, by rule, to regulate the registration, training and fees for such practicums.

The Act increases the fee for filing an application to marry to \$35, which includes payment for one certified copy of the original certificate of marriage. The county retains \$4 of the fee. The Act eliminates the required issuance of an uncertified copy of the marriage certificate by the officiating minister or magistrate to the parties to the marriage, but provides for issuance of a certified copy of the original certificate of marriage by the county registrar, following receipt of the original certificate of marriage. The portions of the Act relating to provision of a certified copy of the certificate of marriage, including the increased fee for filing an application of a license to marry, take effect January 1, 2001.

The Act expands the duties of the State Medical Examiner. The Act provides the State Medical Examiner with confidentiality protection similar to that which was provided to the State Medical Examiner under the Department of Public Safety for preliminary findings, reports of findings, and investigations related to autopsies.

The Act authorizes the State Medical Examiner to retain fees associated with autopsies and stipulates that any funds collected by the State Medical Examiner, which remain unexpended at the end of the state fiscal year, are not to revert to the General Fund of the State.

The Act authorizes the State Medical Examiner to conduct death investigations, inquiries and hearings, and provides the office with administrative subpoena power. All actions taken, however, are contingent upon the State Medical Examiner coordinating efforts with the county medical examiner and any prosecutorial or law enforcement agencies having jurisdiction.

The Act directs the State Medical Examiner to adopt administrative rules governing the State Medical Examiner's Office and the relationship between the state office and the county medical examiners.

The Act eliminates the requirement that the Department of Agriculture and Land Stewardship and the Board of Pharmacy Examiners collect and deliver samples of venereal disease prophylactics to the Iowa Department of Public Health.

The Act directs the Iowa Department of Public Health, in cooperation with the Labor Commissioner, to conduct a study of state and federal laws and regulations relating to protection of persons who may be at risk of needlestick injuries in the course of employment, with a report to be submitted to the Governor and the General Assembly by December 15, 2000.

**SENATE FILE 2314 - Communicable and Infectious Diseases**

BY COMMITTEE ON HUMAN RESOURCES. This Act combines four Code chapters, "Communicable and Reportable Diseases and Poisonings," "Emergency Care Providers — Exposure to Disease," "Exposure-Prone Procedures," and "Venereal Disease Control" into new Code Chapter 139A, titled the "Communicable and Infectious Disease Reporting and Control Act."

The Act makes minor language changes in combining the chapters. Definitions used in the four chapters are combined.

With regard to the reporting of reportable diseases, the Act retains the same process, but also specifies information to be included in any report made.

Code Chapter 140, which applied only to venereal disease control, is replaced with a subchapter of the new Code Chapter 139A and is expanded to cover sexually transmitted diseases and infections.

With regard to required immunizations of children, the Act retains exceptions for health reasons and expands the religious exception to include not only members of a recognized religious denomination but also persons who are adherents to recognized religious denominations. A similar exception also applies to the instilling of a prophylactic solution in the eyes of newborns and to the broader category of a course of medical treatment prescribed by law or by a health care provider.

The Act also directs the Director of Public Health to establish a task force to review and recommend appropriate immunization requirements for postsecondary education students. The task force is directed to submit a report of its findings and recommendations to the Governor and the General Assembly on or before December 1, 2000.

The Act makes conforming changes throughout the Code resulting from the repeal of Code Chapters 139, 139B, 139C, and 140.

**SENATE FILE 2366 - Purchase, Possession, and Sale of Cigarettes and Tobacco Products**

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to cigarette and tobacco product provisions.

The Act creates new Code Section 321.216C, which makes the use of a false or altered driver's license or nonoperator's identification card by a person under the age of 18 to obtain cigarettes or tobacco products a simple misdemeanor. This provision is similar to the use of the same documents in obtaining alcohol. The procedure for seizing such documents is established under new Code Section 453A.4.

The Act provides that possession of cigarettes or tobacco products by an individual under the age of 18 as part of the individual's employment, if the individual is employed by a holder of a valid cigarette and tobacco products retail permit or by a person who lawfully offers for sale or sells cigarettes or tobacco products, does not constitute a violation of the prohibition against a minor possessing cigarettes or tobacco products.

The Act also provides that a person does not violate Code Section 453A.2 (titled, "Persons Under Legal Age") if conduct that would otherwise constitute a violation is performed to assess compliance with the law and if either the compliance effort is conducted by or under the supervision of law enforcement officers or the compliance effort is conducted with the advance knowledge of law enforcement officers and reasonable measures are adopted to ensure that minors do not use these products obtained as a result of the compliance efforts.

The Act provides that a person, other than a retailer, who sells, gives, or otherwise supplies tobacco products or cigarettes to a person under 18 years of age is guilty of a simple misdemeanor; an employee of a retailer who violates this provision is subject to a simple misdemeanor punishable as a scheduled violation. The scheduled fine for a first offense is \$100, for a second offense is \$200, and for a third or subsequent offense is \$500. A person who violates the prohibition relating to the giving away of samples of cigarettes and tobacco products to minors is guilty of a simple misdemeanor.

The Act provides that a person who violates the prohibition against a minor smoking, using, possessing, purchasing, or attempting to purchase tobacco, tobacco products or cigarettes is subject to a civil penalty and to performance of community work requirements. The Act increases the civil penalties for a first offense from \$25 to \$50, for a second offense from \$50 to \$100, and for a third or subsequent offense from \$100 to \$250. The Act eliminates the criminal fine for failure to pay the initial civil penalty. The Act requires that the current uniform judicial citation and complaint form include a place for citing a person for such a violation. The Act also requires judicial magistrates to hear and determine such violations, requires the magistrates to forward copies of the citations and of their dispositions to the clerk of the district court, and requires the clerk to maintain records of the citations and dispositions received and to forward a copy of these records to the Iowa Department of Public Health.

The Act requires the Department of Revenue and Finance and cities and counties issuing permits for the retail sales of cigarettes to submit a copy of any application submitted to, and any permit issued by, the entity to the Iowa Department of Public Health.

The Act provides that if a retailer or an employee of a retailer violates the laws relating to the supplying of tobacco products or cigarettes to minors through vending machines or relating to the prohibition against the giving away of samples, in addition to any other penalties that apply, the retailer is subject to a civil penalty of \$300 for a first offense, suspension of the retailer's permit for 30 days for a second violation within a period of two years, suspension of the retailer's permit for 60 days for a third violation within a period of three years, and revocation of the retailer's permit for a fourth violation within a period of three years.

The Act provides that if a retail permit is suspended or revoked, the suspension or revocation only applies to the place of business at which the violation occurred and not to any other place of business to which the permit applies but at which the violation did not occur. The Act also requires the Department of Revenue and Finance and cities and counties to report any suspensions or revocations of a retail permit to the Iowa Department of Public Health.

#### **HOUSE FILE 2105 - Nurse Licensure Compact**

**BY COMMITTEE ON STATE GOVERNMENT.** This Act provides for the adoption of the Nurse Licensure Compact. The compact facilitates the mutual recognition of a nursing license issued by a nurse's home state by all states that agree to be party states to the compact.

The compact is divided into several articles. Article I provides statements of findings and declarations of purpose. The purposes of the compact are to facilitate the states' responsibility to protect the public's health and safety, to encourage cooperation of party states regarding nurse licensure and regulation, to facilitate the exchange of information between party states, to promote compliance with laws governing the practice of nursing among the party states, and to invest party states with the authority to hold nurses accountable for meeting all state practice laws in the state in which the nurse is rendering care.

Article II of the compact provides a definition section.

Article III contains general provisions relating to the multistate licensure privileges among party states, providing that a license issued in a registered or licensed practical nurse's home state will be recognized by each party state.

Article IV deals with applications for licensure, providing that an application shall be acted upon based on information collected within a coordinated licensure information system. The coordinated licensure information system is defined in the Act as an integrated process for collecting, storing and sharing information on nurse licensure and enforcement activities related to nurse licensure laws.

Article V of the compact relates to adverse actions, addressing the reporting of adverse actions impacting a nurse's licensure to the coordinated licensure information system and indicating that while party states may take action regarding the multistate licensing privileges of a nurse, only the home state may take action directly impacting the nurse's home state licensure.

Article VI relates to the authority of party state nurse licensing boards with regard to adverse actions against licensed nurses.

Article VII addresses the operation of the coordinated licensure information system.

Articles VIII through XI primarily address administrative and procedural aspects of the compact's operation, and provide effective and withdrawal date provisions and provisions for amendment by an individual party state.

The Act makes conforming changes in the Code chapters dealing with health profession regulation and licensure, the practice of nursing, and general professional regulation and licensure.

#### **HOUSE FILE 2333 - Emergency Medical Care Providers — Authority to Provide Services**

**BY COMMITTEE ON STATE GOVERNMENT.** This Act provides for changes relating to the authorization of emergency medical care providers to provide emergency and nonemergency medical care services.

The Act expands a Code provision that relates to services provided by medical care providers in a hospital setting, by authorizing emergency medical care providers, when under the direct supervision of a physician, to provide services in any other entity in which health care is ordinarily provided and, when providing emergency and nonemergency medical care services while under the direct supervision of a physician, to act in an individual capacity, as well as in their capacity as a member of an authorized ambulance, rescue or first response service, while employed or assigned to the hospital or other entity in which health care is ordinarily provided. The Act further provides that the list of individuals under whose supervision an emergency

medical care provider may perform nonlifesaving procedures, which currently includes a physician, physician assistant or registered nurse, will now also include the phrase "including when the registered nurse is not acting in the capacity of a physician designee."

#### **HOUSE FILE 2362 - Domestic Abuse Death Review Team**

BY COMMITTEE ON JUDICIARY. This Act provides for establishment of the Iowa Domestic Abuse Death Review Team as an independent agency of state government, and specifies the membership of the team, the appointment of liaisons from certain state agencies, and the powers and duties of the team. The Act also establishes immunity for team members from certain acts or omissions made in the good faith performance of their official duties.

The duties of the team include the preparation of an annual report to be submitted to the Governor, the Supreme Court, the Attorney General, and the General Assembly concerning domestic abuse deaths, including the factors contributing to domestic abuse deaths and recommendations regarding prevention of domestic abuse deaths. The team is also to provide advice and counsel to state agencies regarding program and regulatory changes that may prevent domestic abuse deaths.

The Act enables the team to obtain confidential information from persons regarding a domestic abuse death to be used for the purposes of administration and the performance of official duties of the team, and establishes that the person releasing confidential information to the team does not incur liability. The information obtained by the team remains confidential, and improper disclosure of confidential information is punishable as a serious misdemeanor.

The Act directs the Iowa Department of Public Health to adopt rules relating to the administration of the team.

#### **HOUSE FILE 2365 - Review of Child Deaths**

BY COMMITTEE ON JUDICIARY. This Act amends the duties of the Child Death Review Team to require review of all deaths of children under age 18, rather than only those age six or younger.

#### **HOUSE FILE 2385 - Organ and Tissue Donor Registry**

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for establishment of a statewide organ and tissue donor registry. The Director of Public Health is authorized to contract for establishment of the registry. The contract is to provide for a centralized database and automated system to make donor information available to family members and physicians 7 days a week, 24 hours per day. In addition, the Act permits moneys in the Anatomical Gift Public Awareness and Transplantation Fund to be used for purposes of the registry. If sufficient funding is available to the Iowa Department of Public Health, the department is to conduct a feasibility study and may implement the registry.

#### **HOUSE FILE 2565 - Tobacco Use Prevention and Control**

BY RANTS. This Act creates new Code Chapter 142A, establishing a Tobacco Use Prevention and Control Initiative.

The Act states that the purpose of the chapter is to establish a comprehensive partnership among the General Assembly, the Executive Branch, communities, and the people of Iowa in addressing the prevalence of tobacco use in the state. The intent of the General Assembly is that the initiative will specifically address reduction of tobacco use by youth and pregnant women, promotion of compliance by youth and retailers with tobacco sales laws and ordinances, and enhancement of the capacity of youth to make healthy choices, and will provide for extensive involvement of youth in initiative activities. It is also the intent of the General Assembly that the initiative will foster a social and legal climate in which tobacco use becomes undesirable and unacceptable, in which role models and those who influence youth promote social norms and demonstrate behavior that counteracts the glamorization of tobacco use, and in which tobacco becomes less accessible to youth. The intent of the General Assembly is to be accomplished by engaging all who are affected by the use of tobacco in the state, including smokers and nonsmokers, youth and adults.

The Act provides definitions used in the chapter.

The Act creates a Tobacco Use Prevention and Control Division within the Iowa Department of Public Health and creates a Tobacco Use Prevention and Control Commission comprised of 10 voting members, three of whom are youth, and five ex officio, nonvoting members who are legislators and a youth leader. The voting members who are not youth are to be appointed by the Governor, subject to confirmation by the Senate. The commission may also designate an advisory council to include representatives of health care provider groups, parent groups, antitobacco advocacy programs and organizations, tobacco retailers, research and evaluation experts, and youth organizers. The Act provides that if a member of the commission is convicted of a crime relating to tobacco, alcohol or controlled substances, the member is subject to removal.

The Act specifies commission duties, the duties of the Director of Public Health, and the duties of the Administrator of the Division of Tobacco Use Prevention and Control under the chapter.

The Act also establishes the Comprehensive Tobacco Use Prevention and Control Initiative. The purpose of the initiative is to attain the specified results of reduction of tobacco use by youth, strong and active involvement of youth in tobacco use prevention and cessation activities, enhanced capacity of youth to make healthy choices, reduction of tobacco use by pregnant women, and increased compliance by minors and retailers with tobacco sales laws and ordinances. The Act specifies the type of data and survey results which will demonstrate success of the initiative. The initiative is to be implemented with the involvement of youth, parents, schools, and community members. The division is to encourage collaboration at the state and local levels to maximize available resources and to provide flexibility to support community efforts. Notwithstanding existing state competitive bidding practices, the Act permits the procurement of goods and services necessary to implement the initiative under a process established by the commission.

The Act specifies the components of the initiative, including youth programs; a media, marketing and communications program; independent evaluation of each component of the initiative; ongoing data assessment and initiative evaluation; an education program; and an enforcement program. The Act limits the administrative costs of each program to a reasonable level and requires that any request for information or request for proposals emphasize that performance measures are required for any contract or allocation of funding under the initiative.

The Act provides for the designation of community partnerships which are public agencies or nonprofit organizations operating in a local area under contract with the department to implement the initiative in that local area utilizing broad community involvement. Community partnership areas may be a county or multicounty area, a school district or multischool district area, a community empowerment area, or an enterprise zone, in accordance with criteria adopted by the commission for appropriate population levels and geographic area size. The commission is to adopt rules to provide procedures for initial designation of the community partnerships. Contracts entered into between the department and community partnerships are to include administrative functions, fiscal provisions, community and youth involvement in program and administrative decisions, law enforcement involvement, and evaluation of the program.

The Act provides for a youth program component. A youth program is to be implemented in each community partnership area. Each youth program is to include a structure for program participants to interact with other participating youth in the community partnership and throughout the state, a structure for formal youth involvement in youth program governance in the community partnership and in statewide youth summits, a structure for participation in a statewide executive body consisting of participants selected by the delegates to the statewide youth summit of the youth program, and youth activities that are character-based and focused on rewarding appropriate values, behavior and healthy choices by participants. The youth program is to be directed by youth for youth, and is to include utilization of and consultation with youth in the media, marketing and communications program; education efforts; evaluation; collaboration; enforcement; and other aspects of the initiative.

The Act directs the commission to develop and implement a statewide system for the initiative programs delivered through the community partnerships. The system is to provide for equitable allocation of funding, based upon school-age population, and other criteria established by the commission. The specific programs, distribution provisions, and other provisions approved by the commission for expenditure of the maximum allocation established for a community partnership area are to be outlined in the written contract with the community partnership. Allocations received by a community partnership must be matched with local funding, in-kind services, office support, or other tangible support, or offset of costs.

The Act provides for repeal of the new Code chapter June 30, 2010.

The Act provides for the initial appointments to the commission in a manner that staggers the terms of the voting members. The Act provides that initial appointments to the commission of members who are not youth members, or who are not nonvoting members, are to be appointed by the Governor. The Act provides that the Legislative Council may provide a list of qualified and capable candidates to the Governor for these initial appointments. The initial appointments to the commission are to be made within 60 days of the effective date of the Act.

The Act provides that the Tobacco Use Prevention and Control Commission, in cooperation with the Office of the Attorney General, the Iowa Department of Public Health, and the Alcoholic Beverages Division of the Department of Commerce, is to review current state and local tobacco enforcement regulations and activities, and submit recommendations to the Governor and the General Assembly on or before December 1, 2000, to provide for balanced and uniform enforcement statewide.

The Act provides that the provisions relating to the commission providing advice to and consultation with the Director of Public Health in hiring an administrator do not apply to the initial hiring of an administrator if the commission is not operational at that time. However, if the *ex officio* members of the commission are appointed at such time, the director is to consult with these members at the time that a formal offer for the position is extended.

The Act provides emergency rulemaking authority for the Iowa Department of Public Health. However, any rules adopted under this provision do not take effect until reviewed by the Administrative Rules Review Committee.

Funding for the new division and for the initiative, including the initial statewide youth summit, is provided in H. F. 2555 (see Appropriations).

The Act takes effect May 15, 2000.

## HUMAN SERVICES

- SENATE FILE 174 - Medical Assistance Advisory Council Membership
- SENATE FILE 2193 - Senior Living Program
- SENATE FILE 2254 - Child Support — Medical Support — Data Matching
- SENATE FILE 2360 - Human Services — Administration and Employment
- SENATE FILE 2368 - Family Investment Program — Miscellaneous Provisions
- HOUSE FILE 2321 - Medical Assistance — Eligibility — Transfer of Assets

### RELATED LEGISLATION

- SENATE FILE 228 - School Employment or Volunteer Record Checks  
**SEE EDUCATION.** This Act authorizes the administrators of a public school district or an accredited private school to have access, for purposes of a volunteer or employment record check, to founded child and dependent adult abuse information in the possession of the Department of Human Services.
- SENATE FILE 2007 - Guardians — Procurement of Professional Services for Ward  
**SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.** This Act provides that a guardian is not required to seek prior court approval in the instance in which, if necessitated by the physical or mental disability of the ward, anesthesia is used in providing the ward professional care, counseling, treatment, or services limited to the provision of routine physical and dental examinations, and the anesthesia is administered within the health care practitioner's scope of practice.
- SENATE FILE 2144 - Regulation and Inspection of Health Care Facilities  
**SEE HEALTH & SAFETY.** This Act relates to regulation and inspection of health care facilities under the purview of the Department of Inspections and Appeals. Under Code Chapter 135C, health care facilities include nursing facilities, intermediate care facilities, intermediate care facilities for persons with mental illness and such facilities for persons with mental retardation, and various forms of residential care facilities.
- SENATE FILE 2294 - Juvenile Facility Education Costs  
**SEE EDUCATION.** This Act authorizes an area education agency to provide educational services to a newly established approved or licensed shelter care or juvenile detention facility if the facility makes a request for the services 90 days prior to the beginning of the time for which the services are requested. The provision takes effect April 20, 2000, and is applicable to a facility approved or licensed after December 1, 1998.
- SENATE FILE 2344 - Child and Family Services  
**SEE CHILDREN & YOUTH.** This Act relates to child and family services involving the Department of Human Services, including home condition investigations, child and dependent adult abuse registry access, case permanency plan requirements and other child welfare provisions, and the State Child Care Assistance Program.
- SENATE FILE 2369 - Interagency Sharing of Confidential Information  
**SEE CHILDREN & YOUTH.** This Act permits the sharing of juvenile court social records pursuant to an interagency agreement. The Act also provides for the sharing of certain Department of Human Services records.
- SENATE FILE 2435 - Appropriations — Human Services  
**SEE APPROPRIATIONS.** This Act provides appropriations to the Department of Human Services for FY 2000-2001 and includes provisions related to human services and health care.
- SENATE FILE 2452 - Miscellaneous Appropriations and Other Provisions  
**SEE APPROPRIATIONS.** Division I of this Act appropriates for FY 2001-2002 for county mental health, mental retardation, and developmental disabilities services growth factor adjustment and makes other related changes.

- HOUSE FILE 683** - Child Custody, Visitation, and Support — Mediation  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act provides for mediation services related to custody, visitation and support of a child.
- HOUSE FILE 2039** - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits  
*SEE APPROPRIATIONS.* This Act relates to state budgetary matters by providing for reductions and supplementation of appropriations for FY 1999-2000 and includes certain reductions in appropriations for certain programs administered by the Department of Human Services, required actions to fill employee vacancies at a state hospital-school, and a requirement for the University of Iowa Hospitals and Clinics contract to increase claiming of reimbursement under the Medical Assistance Program (Medicaid).
- HOUSE FILE 2135** - Child Support — Liens — Motor Vehicle Registration — Income Withholding  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act relates to support obligations. The Act amends the section of the Code relating to development of a statewide support lien index. The Act also removes the date October 1, 1999, as the last date on which a payor of income (an employer, trustee or governmental entity) was required to include, in payment identification, the date income was withheld from a support obligor. The Act also instructs the Department of Human Services to rescind any administrative rules in conflict with the Act.
- HOUSE FILE 2327** - County Mental Health, Mental Retardation, and Developmental Disabilities Services Funding  
*SEE LOCAL GOVERNMENT.* This Act relates to county levy and expenditure authority involving the county mental health, mental retardation, and developmental disability services fund.
- HOUSE FILE 2377** - Access to Child Abuse Information  
*SEE CHILDREN & YOUTH.* This Act provides for access to child abuse information for purposes of review and public disclosure and addresses a number of areas involving responsibilities of the Department of Human Services.
- HOUSE FILE 2388** - Modification of Child Custody or Support Orders — Pilot Project  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act provides for implementation of a pilot project relating to the concurrent jurisdiction of the juvenile court and the district court in modification of child custody and support orders when the juvenile court issues an order removing a child from the custody of a parent previously granted custody or support.
- HOUSE FILE 2533** - Federal Block Grant Appropriations  
*SEE APPROPRIATIONS.* This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001. The Act includes funding for maternal and child health, preventive health and health services, substance abuse programs, low-income energy assistance, mental health, child care, social services, and other health and human services-related programs.
- HOUSE FILE 2555** - Tobacco Settlement Fund Appropriations  
*SEE APPROPRIATIONS.* This Act relates to and makes appropriations from the Tobacco Settlement Fund, including appropriations to the Iowa Department of Human Services (DHS) for providers of services under the Medical Assistance (MA) Program (Medicaid) and for other providers of services under the purview of DHS, for expansion of home health care services and habilitative day care for children with special needs under the MA Program, for expansion of respite care services provided through home and community-based waivers under the MA Program, for supplementation of the Children's Health Insurance Program, and for performance of an evaluation to study the effects of providing continuous eligibility for children under the MA Program; to the Iowa Department of Public Health for additional substance abuse treatment under the Substance Abuse Treatment Program, for development of a Healthy Iowans 2010 Plan, and for a Tobacco Use Prevention and Control Program; and for assistance to certain counties with limited county mental health, mental retardation, and developmental disabilities services fund balances to pay reimbursement increases.
- The Act codifies provisions for eligibility under the MA Program for an infant whose family income is not more than 200 percent of the federal poverty level, and provides for eligibility under the Healthy and Well Kids in Iowa Program for a child whose family income does not exceed 200

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percent of the federal poverty level. The Act also codifies provisions for the methodology to be used, beginning November 1, 2000, for all applicable noninstitutional health providers, excluding anesthesia and dental services, under the MA Program.

## HUMAN SERVICES

### **SENATE FILE 174 - Medical Assistance Advisory Council Membership**

BY COMMITTEE ON HUMAN RESOURCES. This Act changes Code references involving the membership of a council of health care provider organizations and other persons interested in the Medical Assistance (Medicaid) Program. The Director of Human Services is required to consult with the council at least semiannually and is to consider the advice and consultation offered by the council in the director's preparation of budget recommendations for the program. The Act strikes the membership position for the Community Mental Health Centers Association and replaces it with its successor organization, the Association of Community Providers. In addition, a membership position for the Iowa Psychiatric Nurse Managers Network is eliminated, as the network no longer exists.

The Act takes effect March 31, 2000.

### **SENATE FILE 2193 - Senior Living Program**

BY COMMITTEE ON HUMAN RESOURCES. This Act creates new Code Chapter 249H, the "Iowa Senior Living Program Act."

The Act provides the legislative findings related to the program. The goal of the program is to create a comprehensive long-term care system that is consumer-directed, provides balance between the options of institutional and noninstitutional care, and contributes to the quality of life.

The Act creates the Senior Living Trust Fund and provides for ongoing appropriations from the trust fund. The trust fund is created in the State Treasury under the authority of the Department of Human Services (DHS). Moneys deposited in the fund include those received through intergovernmental agreements for the Senior Living Program, grants, contributions, participant payments, and a portion of the federal moneys received by the department from public nursing facilities. The trust fund is to be operated in accordance with the guidelines of the Health Care Financing Administration of the U.S. Department of Health and Human Services. Moneys in the fund are to be appropriated only for the purposes of the Senior Living Program and are not considered part of the General Fund of the State. Moneys in the fund at the end of a fiscal year do not revert to the General Fund of the State and cannot be transferred, used, obligated, appropriated, or otherwise encumbered, except for purposes of the Senior Living Program. Interest or earnings on moneys in the trust fund are credited to the trust fund. The Act directs DHS to adopt rules to administer the trust fund and to establish participation in the program for public nursing facilities. The Act directs the Treasurer of State to provide a quarterly report of the trust fund activities and balances to the long-term care coordinating unit.

The Act provides for allocations from the trust fund, subject to appropriations by the General Assembly. Allocations include:

1. An allocation to DHS of a maximum of \$80 million over a maximum five-year period to be used for the conversion of existing nursing facility space and development of long-term care alternatives.
2. An allocation to the Department of Elder Affairs, annually, in an amount necessary to cover expenses of implementation and administration of long-term care services programs and for delivery of long-term care services to low and moderate income seniors.
3. An allocation to DHS, annually, for administrative purposes and service delivery costs related to the Senior Living Program and Trust Fund and for implementation of a new reimbursement system under the Medical Assistance (MA) Program (Medicaid).
4. An allocation to DHS, in an amount necessary to continue providing nursing facility provider reimbursements using a percentile-based reimbursement system and to provide funding for the transition to a case-mix reimbursement system. Funding is to be provided for the percentile-based reimbursement system until such time as the case-mix reimbursement system is fully implemented.
5. An allocation to DHS, annually, for additional expenses, relative to the Senior Living Program, that are incurred due to rent expenses under the State Supplementary Assistance Program of consumers participating in an MA Program home and community-based services waiver.

The remainder of the funds is to be invested with the interest and earnings to be used for administration of programs and delivery of long-term care services and for expenses related to implementation of the Senior Living Program and administration of the trust fund.

The Act provides the procedures and criteria for the awarding of grants for conversion of nursing facilities to provide assisted-living programs and for long-term care services development. A nursing facility that receives a grant for nursing facility conversion shall enter into a contract with DHS pursuant to which the nursing facility agrees to be reimbursed for nursing

facility costs at a fixed rate, with annual cost-of-living increases, for a period of four years. The Act also provides for separate grants to nursing facilities that are awarded nursing facility conversion grants, if the conversion includes provision of child care for children with special needs, safe shelter for victims of dependent adult abuse, or respite care. The Act does not create an entitlement to any funds available for grant purposes, but provides that DHS, in its discretion, may only award grants to the extent funds are available and applications are approved.

The Act provides for appropriation of funds beginning October 1, 2000, to the Department of Elder Affairs for activities related to home and community-based services for seniors. Moneys appropriated are to be disbursed through the area agencies on aging. The Act provides that the Act does not create an entitlement, but that the department, in its discretion, may only disburse funds to the extent funds are available and requests for funding are approved.

The Act describes provisions relating to the Program for All-Inclusive Care for the Elderly (PACE) Program and the Pre-PACE Program, which is defined in the Act as a program that provides delivery of comprehensive health and social services to seniors by integrating acute and long-term care services, and is operated by an entity as permitted under federal regulation. A Pre-PACE Program is defined as a PACE Program in its initial stages that provides the same scope of services as a PACE Program.

The Act directs the Department of Elder Affairs and the area agencies on aging, in consultation with the Senior Living Coordinating Unit, to create a database directory of all health care and support services available to seniors. The database is to be made available electronically to the public. The Act directs the department to seek foundation funding to provide an educational program to individuals age 21 and older to assist them in planning for financing health care services and other supports in their senior years.

The Act also directs DHS to develop and distribute an informational packet to the public that explains the MA Program relative to health care services options for seniors. The Act provides that the Director of Human Services, Director of the Department of Elder Affairs, Director of Public Health, Director of the Department of Inspections and Appeals, Director of Revenue and Finance, and Commissioner of Insurance are to constitute a Senior Advisory Council to provide oversight in the development and operation of all informational aspects of the Senior Living Program.

The Act provides for the establishment of a Caregiver Support Access and Education Program to provide access to respite care and education to caregivers, through the area agencies on aging or other appropriate agencies.

The Act provides a sunset provision for new Code Section 249H.6, which is the section that provides grants for nursing facility conversion and long-term care services development, effective June 30, 2005.

The Act requires nursing facilities, regardless of the individual's source of payment for care, to complete a resident assessment for all prospective and current residents.

The Act changes the name of the Long-term Care Coordinating Unit of the Department of Elder Affairs to the Senior Living Coordinating Unit; adds four members of the General Assembly to the membership of the unit as ex officio, nonvoting members; and adds to the duties of the unit the provision of direction and oversight for disbursement of moneys from the Senior Living Trust Fund and the required consultation with state universities and other institutions with expertise in senior issues and long-term care.

The Act requests that the Legislative Council authorize a Senior Living Insurance and Incentives Study Committee to review current long-term care insurance laws, current long-term care insurance options available in the state, the types of services covered under a long-term care insurance option, and incentives for the purchase of long-term care insurance including, but not limited to, tax credits.

The Act directs DHS to convene a task force to develop a case-mix reimbursement methodology. The Act directs the task force to submit a report to the Governor and the General Assembly by December 15, 2000, regarding the reimbursement methodology developed and including a summary of any expenditures for nursing facility conversion and for long-term care service development.

The Act directs DHS to review and make recommendations to the General Assembly on or before October 1, 2000, regarding the feasibility of applying the Senior Living Program to residential care facilities and in applying any reimbursement methodology changes to these facilities.

The Act states that the General Assembly is to maintain the fiscal effort in funding long-term care services existing on June 30, 2000, and is not to make reductions in appropriations for this purpose as a result of the Act.

The Act provides for FY 2000-2001 appropriations to DHS and the Department of Elder Affairs relating to the Senior Living Program.

The Act provides for emergency rulemaking authority for DHS and the Department of Elder Affairs in implementing the Act.

The Act takes effect March 1, 2000. The portion of the Act relating to the receipt of federal funds on or after October 1, 1999, is retroactively applicable to October 1, 1999.

**SENATE FILE 2254 - Child Support — Medical Support — Data Matching**

BY COMMITTEE ON HUMAN RESOURCES. This Act provides changes in child support law relating to medical support, to payment of financial institutions for the costs of quarterly data matches and automation program development, and to liability of financial institutions relating to data matches.

The Act provides that an order under the "Medical Support" chapter (Code Chapter 252E) must include a notice of the order issued by the Child Support Recovery Unit to an employer. Additionally, the Act provides that an order of a foreign jurisdiction for medical support may be entered or filed with the clerk of the district court. However, such an entry or filing does not constitute registration of that foreign order, thereby requiring registration under the Uniform Interstate Family Support Act, Code Chapter 252K.

The Act also changes the law allowing carryover of charges from the current fiscal year to the subsequent fiscal year for payment of fees to financial institutions for data matches and automation program development, to limit the carryover authorization only to costs incurred during the fiscal year beginning July 1, 1999, and carried over into the fiscal year beginning July 1, 2000.

The Act expands the immunity provisions for financial institutions relating to disclosure of information in complying with the data match requirements. The Act defines "financial institution" for the purposes of the data match section to include officers, directors, employees, contractors, and agents of a financial institution.

The portion of the Act relating to liability of financial institutions is retroactively applicable to January 1, 2000.

**SENATE FILE 2360 - Human Services — Administration and Employment**

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to various state and local administrative provisions involving human services.

Division I — Administration of Human Services Institutions

This division amends various Code provisions involving the administration of the institutions under the Department of Human Services. Under current law, the Director of Human Services is authorized to appoint a deputy director or other employee to have administrative authority over the state juvenile institutions. However, prior law specified that the Administrator of the Division of Mental Health and Developmental Disabilities had primary administrative authority over the four state mental health institutes and the two state hospital-schools (renamed as state resource centers by this Act). Under the Act, the director is authorized to assign the administrative authority over the institutes and the resource centers in the same way as for the state juvenile institutions. In addition, references to the superintendents and other administrative personnel assigned directly to institutions are made consistent. Conforming changes are made throughout the Code.

Division II — Renaming State Hospital-Schools as State Resource Centers

This division renames the Glenwood and Woodward State Hospital-Schools as the Glenwood and Woodward State Resource Centers. Conforming changes are made throughout the Code and the Code Editor is directed to make other conforming changes in law.

Division III — County Cluster Employee and Volunteer Record Checks

This division directs the department to conduct criminal and child and dependent adult abuse record checks of persons who are potential employees, employees, potential volunteers, and volunteers in the department's county cluster offices and who are in a position having direct contact with the department's clients. If it is determined that a person has committed a crime or has a record of founded child or dependent adult abuse, an evaluation is to be performed by the department to determine whether prohibition of employment or participation as a volunteer is warranted. If it is determined that the prohibition is warranted, the person is prohibited from employment or participation as a volunteer in county cluster offices in a position having direct contact with the department's clients.

Division IV — County Mental Health and Developmental Disabilities Services Administration

This division relates to mental health, mental retardation, and developmental disabilities (MH/MR/DD) services administered by the department and counties.

Under current law, individual case management services funded under the Medical Assistance (Medicaid) Program for persons with certain disabilities are to be provided by the department except when a county or consortium of counties contracts with the department to be the provider. This division amends law that required a county or consortium to notify the department of any changes by a particular date by instead requiring the notification to be made at least 90 days before the change will take effect.

Provisions requiring the department to work with Linn, Polk and Tama/Poweshiek Counties to establish a funding decategorization pilot project for adult MH/MR/DD services are expanded to include two additional counties, Washington and Webster.

The department is directed to develop data that tracks the county of residence for all individuals who received MH/MR/DD services funded by the Medicaid Program and for which the nonfederal share was paid by the county or the state. Initially, the data is to be compiled for such individuals for fiscal years 1998-1999 and 1999-2000. The data is to be reported as soon as is practicable to the Governor, General Assembly, and any study committee created by the Legislative Council to study related issues. This division takes effect April 19, 2000.

**SENATE FILE 2368 - Family Investment Program — Miscellaneous Provisions**

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the Family Investment Program (FIP) and associated provisions. The program receives federal funding under the federal Temporary Assistance for Needy Families (TANF) Block Grant that replaced the Aid to Families with Dependent Children (AFDC) Program.

The Act eliminates a Code provision relating to confidentiality of records of persons receiving assistance through the Department of Human Services. The eliminated provision required the department to file a quarterly report in local and county offices showing the names and last known addresses of persons receiving assistance under Code Chapter 249, "State Supplementary Assistance"; Code Chapter 239B, "Family Investment Program"; and Code Chapter 249A, "Medical Assistance."

The Act revises the conditions of eligibility for FIP by eliminating various restrictions and requirements regarding the unemployment status of parents in a two-parent family.

The Act amends certain policy requirements for family investment agreements. The Act provides a new exemption to the requirements for participation in a family investment agreement for persons who are not U.S. citizens and are not qualified aliens as defined in federal law.

The Act amends Code Section 239B.9, relating to limited benefit plans under FIP, by specifying that any limited benefit plan applied to a two-parent family more than once is to be treated as a subsequent limited benefit plan. A subsequent limited benefit plan is a defined term requiring a six-month period of eligibility for reduced assistance or ineligibility for cash assistance, followed by an indeterminate period until the individual participant completes significant contact with or action in regard to the JOBS Program (the employment-related training component of FIP).

The Act amends Code Section 239B.11, "Family Investment Program Account," to expand the uses of the program diversion subaccount. Under the Act, the subaccount can be used to provide services and payments for persons whose FIP eligibility has ended, in order to help the persons to stabilize or improve their employment status. The Act provides a similar authorization in Code Section 239B.17, relating to activities required to be provided as part of the JOBS (or Promoting Independence and Self-sufficiency Job Opportunities and Basic Skills) Program under FIP.

The Act amends Code Section 239B.14, relating to fraudulent practices under FIP, to direct the department to adopt rules for the recovery of overpayments. The rules are to include a provision for withholding of cash assistance or other FIP benefits.

The Act amends Code Section 239B.18, relating to required participation in the JOBS Program for FIP participants. Under prior law, those exempt from the requirement to enter into a family investment agreement could choose to voluntarily participate in the JOBS Program. However, under the Act, this choice is not available to a participant who is not a U.S. citizen and is not a qualified alien as defined in federal law.

**HOUSE FILE 2321 - Medical Assistance — Eligibility — Transfer of Assets**

BY COMMITTEE ON HUMAN RESOURCES. This Act amends portions of the Code relating to the Medical Assistance (MA) Program (Medicaid).

The Act adds eligibility categories relating to coverage for certain Medicare beneficiaries. Coverage of these categories of individuals was mandated in the federal Balanced Budget Act of 1997, to be effective January 1998. To date, this required coverage has been implemented under administrative rules. The Act codifies existing practice.

The first of the required coverage categories, additional specified low-income Medicare beneficiaries, includes individuals whose income is at least 120 percent but less than 135 percent of the federal poverty level. For these individuals, coverage would provide for payment of the full Medicare Part B premium. Part B covered services include physician and other medical services, outpatient hospital care, ambulatory surgical services, home health, clinical diagnostic laboratory services, and preventive services. The second of the required coverage categories, home health care for specified low-income Medicare beneficiaries, includes individuals whose income is at least 135 percent but not more than 175 percent of the federal poverty level. For these individuals, coverage would provide for payment of only the home health care portion of the Medicare Part B premium.

The Act addresses disclaimers of inheritance and failure of a spouse to take against a will rather than taking what is provided under the provisions of the will under the Probate Code, as these mechanisms relate to transfer of assets policies when establishing eligibility under the MA Program. Current use of these mechanisms could allow a person to avoid receiving assets resulting in the person being erroneously eligible for the program. The Act establishes that under the Probate Code, a disclaimer of property, interest or right constitutes a transfer of assets, in determining eligibility for the program, in the amount of the value of the property, interest or right. The Act also provides that failure of a spouse to take against a will constitutes a transfer of assets, in determining program eligibility, to the extent the value received by taking against the will would have exceeded the value of the inheritance received under the will. The Act provides conforming language in both the "Medical Assistance" chapter (Code Chapter 249A) and in the "Probate Code" chapter (Code Chapter 633).

The Act also includes changes relating to transfer of assets relating to medical assistance debt. The Act corrects the exemption of transfers of assets of less than \$2,000 per calendar year to instead provide for exemption of a transfer of assets of \$2,000 over the five-year look back period, which is consistent with federal law. The Act also eliminates a provision that exempts the transfer of a homestead to any person rather than just to those persons exempt under federal law. Other existing provisions in the Code remain to allow for the federally required exemptions relating to transfer of a homestead. The Act also provides that actions initiated under the transfer of assets for "Transfer of Assets — Medical Assistance Debt" chapter (Code Chapter 249F) are not subject to administrative contested case proceedings under Code Chapter 17A and that review by the district court would be an original hearing before the court.

## LABOR AND EMPLOYMENT

- SENATE FILE 2274 - Gubernatorial Executive Orders — Null and Void — VETOED BY THE GOVERNOR
- SENATE FILE 2307 - Public and Workplace Safety and Wage Payment Collection
- SENATE FILE 2373 - Workers' Compensation — Nonresident Employers — Earnings Calculation — Lien Amount Approval
- HOUSE FILE 2376 - Veterans Preference — Public Employment

## RELATED LEGISLATION

- SENATE FILE 228 - School Employment or Volunteer Record Checks  
*SEE EDUCATION.* This Act authorizes the administrators of a public school district or an accredited private school to have access to founded child and dependent adult abuse information in the possession of the Department of Human Services for purposes of a volunteer or employment record check.
- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. An internal reference is corrected in language relating to review of action or intended action by the State Public Defender on attorney fee claims. Appointment and removal authority provisions relating to the State Public Defender are clarified to provide that the State Public Defender may both appoint and remove not only the local public defender but also other employees listed in that provision. Language relating to public employment and appointment preferences for honorably discharged persons is amended to apply the definition of "veteran" found in Iowa Code Section 35.1 to Code Chapter 35C. The word "contractor" is substituted for the word "employer" in language relating to the contesting of citations or proposed assessments of penalties by the Labor Commissioner against contractors. The Department of Economic Development is specified as the department responsible for the adoption of rules pertaining to the allocation of moneys to support program capital costs for the Accelerated Career Education Program. The words "of the inmate" are added to language relating to the deduction of amounts from the earnings in an inmate's general account for legal and administrative financial obligations to provide that it is the inmate's obligations for which the deductions are to be made.
- SENATE FILE 2145 - National Crime Prevention and Privacy Compact  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act enacts the Crime Prevention and Privacy Compact Act of 1998. The Act creates and organizes an electronic sharing system between the federal government and the states for the purpose of exchanging criminal history records for background checks for governmental licensing or employment, immigration matters, and national security clearances.
- SENATE FILE 2368 - Family Investment Program — Miscellaneous Provisions  
*SEE HUMAN SERVICES.* This Act makes various changes to the Family Investment Program, including employment-related requirements.
- SENATE FILE 2411 - Public Retirement Systems  
*SEE STATE GOVERNMENT.* This Act makes numerous changes pertaining to public retirement systems, including the Public Safety Peace Officers' Retirement, Accident, and Disability System (Code Chapter 97A), the Iowa Public Employees' Retirement System (Code Chapter 97B), the Statewide Fire and Police Retirement System (Code Chapter 411), and the Judicial Retirement System.
- SENATE FILE 2428 - Appropriations — Economic Development  
*SEE APPROPRIATIONS.* This Act makes appropriations from the General Fund of the State and from the Special Employment Security Contingency Fund to the Department of Workforce Development for the administration of the department and for specific programs.

- SENATE FILE 2439** - Accelerated Career Education and Job Training  
*SEE ECONOMIC DEVELOPMENT.* This Act amends the Accelerated Career Education Program Act and establishes an Accelerated Career Education Grant Program and Fund.
- HOUSE FILE 2172** - Law Enforcement Employment — Polygraph Examinations  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act permits a polygraph examination of an applicant for a position with a law enforcement agency of a political subdivision who would have direct access to prisoner funds, other cash assets, and confidential information.
- HOUSE FILE 2463** - Department of Personnel — Miscellaneous Provisions  
*SEE STATE GOVERNMENT.* This Act makes changes governing the employment of persons covered under the state employee merit system. The Act eliminates the requirement of hiring, retaining and promoting merit system employees based primarily upon competitive examinations.

## LABOR AND EMPLOYMENT

### **SENATE FILE 2274 - Gubernatorial Executive Orders — Null and Void — VETOED BY THE GOVERNOR**

BY IVERSON. This bill would have declared null and void Executive Order Numbers 7 and 11, which were issued by the Governor on September 14, 1999.

Executive Order Number 7 rescinded the prior executive order enacted on April 30, 1992, Executive Order Number 44. The two executive orders relate to equal opportunity and affirmative action programs in state employment. The protected classes of persons enumerated under these programs in the 1999 gubernatorial executive order are modified from those enumerated in the 1992 gubernatorial executive order. The 1999 gubernatorial executive order also created a task force for equal opportunity in employment and defined its duties.

Executive Order Number 11 requires each agency to initiate rulemaking proceedings to adopt uniform waiver rules providing for both mandatory and discretionary waiver of rules under different standards set out in the uniform waiver rules. Existing law does not require an agency to adopt uniform waiver rules but does require an agency in the preamble to its rulemaking filings to include the reasons for its failure to provide for waiver of rules in specified situations.

### **SENATE FILE 2307 - Public and Workplace Safety and Wage Payment Collection**

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act makes changes to, or adds to, definitions in the Boiler and Unfired Steam Pressure Vessels Law and the Elevator Law, and specifically provides for the applicability of the Iowa Wage Payment Collection Law to former employees.

The Act replaces, within the Boiler and Unfired Steam Pressure Vessels Law, the definition of "places of public assembly" with a definition for "public assembly." In contrast to the prior definition, the new definition includes a building or structure primarily used as a museum, arena, exhibition hall, dormitory, bowling alley, physical fitness center, family entertainment center, lodge hall, union hall, pool hall, casino, funeral home, hospital, or child care or adult day care; and includes any building or structure owned by or leased to the state, or its agencies or political subdivisions. The Act also stipulates that the definition does not include the assembly of people in any building used exclusively by an employer for employee training or instruction.

The Act creates within the Elevator Law a definition of "owner" of a facility. Under the Act, "owner" means the owner of the facility unless the facility is a new installation or is undergoing major alterations, in which case the person installing or altering the facility is the owner until the elevator has passed final inspection by the Division of Labor Services of the Department of Workforce Development.

The Act also establishes that the Iowa Wage Payment Collection Law applies to an employer's former as well as current employees until the rights and obligations established in the law are fulfilled.

### **SENATE FILE 2373 - Workers' Compensation — Nonresident Employers — Earnings Calculation — Lien Amount Approval**

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act makes several changes to the workers' compensation system.

The Act provides that a nonresident employer who has services performed by an employee in this state is deemed to be doing business in this state and is therefore subject to the jurisdiction of the Workers' Compensation Commissioner and the laws pertaining to workers' compensation. The changes further provide that the Workers' Compensation Commissioner has jurisdiction over an entity if that entity has sufficient minimum contacts with the state. The Act also provides for the service of process on a nonresident employer as provided in Code Section 617.3 and on any person based on the Rules of Civil Procedure. The previous Code provision governing service and notice is repealed by this Act.

The Act adds provisions detailing how to determine an employee's weekly earnings for purposes of determining workers' compensation benefits if the employee is not employed for the entire 13-week period immediately preceding the injury or if earnings of other employees in a similar position cannot be determined. Generally, the Act provides that the employee's weekly earnings for weeks not employed or if otherwise undetermined will be established in an amount that reflects what the employee would have earned or in an amount which otherwise fairly reflects the employee's earnings.

The Act also eliminates the current Code requirement that a lien for the costs of legal, medical, hospital, and burial services be approved by the Workers' Compensation Commissioner before it can be enforceable.

**HOUSE FILE 2376 - Veterans Preference — Public Employment**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that at the time of application for appointment or employment in a public position in this state or at an interview for the position, a military veteran applicant may request notification of refusal only, or notification of refusal and the specific grounds for refusal, which shall be sent within 10 days after the successful applicant is selected.

## LOCAL GOVERNMENT

- SENATE FILE 428 - Rent Control Ordinances
- SENATE FILE 2047 - County Warrants
- SENATE FILE 2048 - City Hospital and Health Care Facility Boards of Trustees — Appointment — Terms
- SENATE FILE 2061 - County Recorder Duties — Registration and Licensing
- SENATE FILE 2091 - Discontinuance of Cities — Procedures
- SENATE FILE 2215 - Leaves of Absence for Partisan Political Candidates — Sheriffs and Civil Service Officers and Employees
- SENATE FILE 2253 - Matters Related to County Officers' Duties — Instruments Affecting Property — Fees
- SENATE FILE 2327 - Purchase or Condemnation of Property by Utilities
- SENATE FILE 2342 - Creation of Real Estate Improvement Districts
- SENATE FILE 2418 - Property Tax Certification by Townships
- SENATE FILE 2419 - Investments by City Hospitals
- SENATE FILE 2438 - Water Quality Districts
- SENATE FILE 2459 - Annual Financial Report for Urban Renewal Areas — Filing Deadline
- HOUSE FILE 2027 - Rural Water District Infrastructure Financing
- HOUSE FILE 2169 - Emergency Management Coordinators — Appointment
- HOUSE FILE 2315 - Health and Medical Insurance for Retirees — City Employees
- HOUSE FILE 2327 - County Mental Health, Mental Retardation, and Developmental Disabilities Services Funding
- HOUSE FILE 2429 - Official Publications and County Records
- HOUSE FILE 2492 - State and Municipal Agencies — Fire and Emergency Medical Services — Townships
- HOUSE FILE 2502 - County Fee-Supported Services and Law Enforcement — VETOED BY THE GOVERNOR
- HOUSE FILE 2528 - Condemnation of Property — Miscellaneous Provisions
- HOUSE FILE 2531 - Emergency Medical Services Funding and Lost Property Disposition
- HOUSE FILE 2541 - Rural Improvement Zones

### RELATED LEGISLATION

- SENATE FILE 2089 - School Taxes — Physical Plant and Equipment Levy — Urban Renewal Projects  
**SEE TAXATION.** This Act provides that the revenues from a school district physical plant and equipment levy (PPEL) imposed in an urban renewal area that is utilizing tax increment financing shall be paid to the school district imposing the PPEL except in limited circumstances. The Act applies to property taxes due and payable on or after July 1, 2000.
- SENATE FILE 2092 - Substantive Code Corrections  
**SEE STATE GOVERNMENT.** This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. Changes are made in the quorum requirements for commissions having control over memorial hospitals to adjust for changes made by 1999 Iowa Acts, Chapter 36, which permits the commissions to consist of seven members, not just five, as was the case previously. Language relating to when stock ownership constitutes a prohibited personal interest in a municipal housing project or property included or to be included in a municipal housing project by a public official or employee of a municipality is modified to provide that a 5 percent ownership interest "shall not be deemed an interest of, or ownership or control by" the person. Language is deleted relating to an obsolete certification of the amount of the personal property tax replacement base for each taxing district by the Director of Revenue. A reference to the Department of Management is changed to the Depart-

ment of Revenue and Finance in language pertaining to the adjustment function in the personal property tax replacement base.

- SENATE FILE 2194** - Vacation of Roads and Rights-of-Way  
**SEE TRANSPORTATION.** This Act provides that the agency which has jurisdiction over a road may vacate a road right-of-way held by easement without a public hearing if certain exceptions apply. The Act also eliminates a requirement that an agency holding a hearing on the vacation of a road, part of a road, or railroad crossing within its jurisdiction notify, by regular mail, all property owners located outside the boundary of a city who own 10 or more acres of land within one mile of the road.
- SENATE FILE 2241** - Criminal Offenses and Liquor Licensee and Permittee Regulation  
**SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.** This Act relates to regulations concerning the issuance of liquor licenses and permits, consolidation of certain criminal offenses, and to certain criminal penalties.
- SENATE FILE 2245** - Law Enforcement — Personal Property Disposition — State and Local Penalties  
**SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.** This Act relates to the disposition of property by law enforcement agencies and to scheduled violations and local ordinances.
- SENATE FILE 2302** - Public Health Programs and Issues  
**SEE HEALTH & SAFETY.** This Act makes changes relating to programs under the purview of the Iowa Department of Public Health. The Act increases the fee for filing an application to marry to \$35, which includes payment for one certified copy of the original certificate of marriage, and allows the county to retain \$4 of the fee. The Act eliminates the required issuance of an uncertified copy of the marriage certificate by the officiating minister or magistrate to the parties to the marriage, but provides for issuance of a certified copy of the original certificate of marriage by the county registrar, following receipt of the original certificate of marriage.
- SENATE FILE 2303** - Administration of Justice — Appointments — Benefits — Magistrate Apportionment  
**SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.** This Act makes changes in the Code relating to benefits applicable to Judicial Branch employees and in the manner of making certain quasi-judicial appointments. The Act provides that the county board of supervisors, and not the district court, has the authority to appoint an acting county attorney. In addition, the Act provides that the member of the civil service commission previously appointed by the presiding district court judge be appointed by the county board of supervisors.
- SENATE FILE 2331** - School Board Members — Interest in School Contracts  
**SEE EDUCATION.** This Act permits a member of the board of directors of a school corporation to benefit from a contract with the director's school corporation for goods or services if the benefit is not more than \$2,500 and the contract is made upon competitive bidding. Currently the maximum benefit amount under a competitively bid contract is \$1,500.
- SENATE FILE 2342** - Creation of Real Estate Improvement Districts  
**SEE LOCAL GOVERNMENT.** This Act strikes a provision that prohibits the creation of a real estate improvement district after June 30, 2000.
- SENATE FILE 2348** - Loess Hills Development and Conservation Authority — Hungry Canyons Alliance — Loess Hills Alliance  
**SEE NATURAL RESOURCES & OUTDOOR RECREATION.** This Act creates a Hungry Canyons Alliance, includes agricultural producers owning real property within the loess hills landform as members of the Loess Hills Alliance, and directs state agencies to coordinate, cooperate and consult with the Loess Hills Development and Conservation Authority and its alliance on matters relating to the loess hills.
- SENATE FILE 2360** - Human Services — Administration and Employment  
**SEE HUMAN SERVICES.** This Act relates to various state and local administrative provisions involving human services, requires the Department of Human Services to conduct criminal and child abuse and dependent adult abuse record checks on employees, prospective employees, volunteers, and prospective volunteers in the department's local offices who have direct contact with the

department's clients, and also includes provisions involving county mental health, mental retardation, and developmental disabilities services.

- SENATE FILE 2366** - Purchase, Possession, and Sale of Cigarettes and Tobacco Products  
*SEE HEALTH & SAFETY.* This Act relates to cigarette and tobacco product provisions. The Act requires the Department of Revenue and Finance and cities and counties issuing permits for the retail sales of cigarettes to submit a copy of any application submitted to and any permit issued by the entity to the Iowa Department of Public Health. The Act also requires the Department of Revenue and Finance and cities and counties to report any suspensions or revocations of a retail permit to the Iowa Department of Public Health.
- SENATE FILE 2368** - Family Investment Program — Miscellaneous Provisions  
*SEE HUMAN SERVICES.* This Act makes various changes to the Family Investment Program and associated provisions, including deletion of a requirement for the Department of Human Services to file a report in local and county offices concerning persons receiving assistance.
- SENATE FILE 2411** - Public Retirement Systems  
*SEE STATE GOVERNMENT.* This Act makes numerous changes pertaining to public retirement systems, including the Public Safety Peace Officers' Retirement, Accident, and Disability System (Code Chapter 97A), the Iowa Public Employees' Retirement System (Code Chapter 97B), the Statewide Fire and Police Retirement System (Code Chapter 411), and the Judicial Retirement System.
- SENATE FILE 2426** - Horizontal Property Regimes  
*SEE TAXATION.* This Act specifies that a building unit, and general common interests and limited common interests appurtenant to the building unit, in a horizontal property regime, i.e., condominium complex, constitutes a separate parcel of real property. The Act also provides that, for property taxation purposes, the fair market value determined for the building unit in a condominium complex includes the value of the land and general and limited common elements; after April 25, 2000, existing structures shall not be converted to condominiums unless the structures meet the applicable building codes; and a 60-day notice must be provided to the applicable city or county or to the state before the filing of the declaration to convert a structure to a condominium complex. The Act takes effect April 25, 2000.
- SENATE FILE 2435** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act provides appropriations to the Department of Human Services for FY 2000-2001 and includes provisions related to human services and health care. The Act includes provisions for grant funding to community empowerment areas, mental health and developmental disability services funding, juvenile justice funding, and many other programs and appropriations affecting human services programs administered by counties.
- SENATE FILE 2444** - Taxation of Property Used by Iowa National Guard  
*SEE TAXATION.* This Act provides that property of the Iowa National Guard is exempt from property tax when it is devoted for public use and not for pecuniary gain. Property leased by a city or county to the Iowa National Guard or to a federal agency for the benefit of the Iowa National Guard is also exempt from property taxation.
- SENATE FILE 2447** - Financing of Public Improvements  
*SEE ECONOMIC DEVELOPMENT.* This Act amends the definition of "public improvement" in Code Chapter 384 to exclude urban renewal demolition.
- SENATE FILE 2452** - Miscellaneous Appropriations and Other Provisions  
*SEE APPROPRIATIONS.* Division I of this Act makes the FY 2001-2002 appropriation for county mental health, mental retardation, and development disabilities services allowed growth and includes other provisions affecting county administration of these services. Division VI of this Act amends H.F. 2492 to change the membership of the newly created State Fire Service and Emergency Response Council of the Department of Public Safety. Division VIII of this Act provides for a \$100,000 lump sum death benefit for the death of a volunteer emergency services provider. The death benefit is repealed July 1, 2002.

- S.J.R. 2005** - Nullification of Administrative Rule — Property Tax Classification of Condominiums  
**SEE TAXATION.** This Joint Resolution nullifies two amendments to administrative rules of the Department of Revenue and Finance that define, for property tax purposes, units in a condominium complex as commercial real estate if more than one-half of the units are used for commercial purposes, i.e., rented without intent to sell. The Joint Resolution takes effect May 9, 2000.
- HOUSE FILE 2280** - Operation Recognition Program — World War II Veterans  
**SEE EDUCATION.** This Act establishes an "Operation Recognition" Program to award high school diplomas to World War II veterans who left high school prior to graduation to enter U.S. military service, and directs the Department of Education, with the cooperation of the Commission of Veterans Affairs, to publicize the program and to provide school districts, schools, communities, and county commissions of veterans affairs with information about hosting a diploma ceremony on or around Veterans Day.
- HOUSE FILE 2376** - Veterans Preference — Public Employment  
**SEE LABOR & EMPLOYMENT.** This Act provides that at the time of application for appointment or employment in a public position in this state or at an interview for the position, a military veteran applicant may request notification of refusal only, or notification of refusal and the specific grounds for refusal, which shall be sent within 10 days after the successful applicant is selected.
- HOUSE FILE 2431** - Ethics and Campaign Disclosure — Regulation and Enforcement  
**SEE ELECTIONS, ETHICS & CAMPAIGN DISCLOSURE.** This Act relates to Ethics and Campaign Disclosure Board procedures and to conflicts of interest of public officers and employees. The Act provides that an action may only be brought against local officials or local employees and not against state employees or legislative employees. Also, in an action to enforce provisions of the Code relating to conflicts of interest of public officers and employees, the complaint shall be filed with another county attorney if the county attorney is the person against whom the complaint is filed or if the county attorney otherwise has a personal or legal conflict of interest. All other complaints are filed with the county attorney in the county where the accused resides.
- HOUSE FILE 2486** - Taking of Fish and Game  
**SEE NATURAL RESOURCES & OUTDOOR RECREATION.** This Act authorizes the taking of deer within a city with a firearm within 50 yards of an inhabited building or feedlot pursuant to a special deer population control plan if the hunter has the permission of the owner or tenant of the inhabited facilities.
- HOUSE FILE 2533** - Federal Block Grant Appropriations  
**SEE APPROPRIATIONS.** This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2000, and ending September 30, 2001. The Act includes funding for local law enforcement, health and human services, and other programs administered at the local level.
- HOUSE FILE 2540** - Economic Development Programs — Tax Credits — Incentives  
**SEE ECONOMIC DEVELOPMENT.** This Act makes amendments to the Economic Development Enterprise Zone Program relating to the ability of cities and counties to designate enterprise zones.
- HOUSE FILE 2548** - Tax Administration and Related Matters — VETOED BY THE GOVERNOR  
**SEE TAXATION.** This bill would have amended various provisions of the state and local tax laws to specify the length of time for which an urban revitalization tax exemption would be allowed in the case of untimely filed applications; impose a duty on the county auditor to notify the Director of Revenue and Finance of the outcome of an election relating to the local option sales and services taxes; impose local option sales and services taxes only on motor fuels and special fuels on which the state motor fuel tax has not been imposed or, if imposed, refund the state tax; and change the dates for filing claims for various tax exemptions to February 1.
- HOUSE FILE 2555** - Tobacco Settlement Fund Appropriations  
**SEE APPROPRIATIONS.** This Act relates to and makes appropriations from the Tobacco Settlement Fund. The Act provides an appropriation for assistance to certain counties with limited county mental health, mental retardation, and developmental disabilities services fund balances to pay reimbursement increases.

**HOUSE FILE 2560** - Income and Property Taxes — Credits, Deductions, and Exemptions

**SEE TAXATION.** This Act provides various property tax incentives, and includes a barn preservation exemption for the increase in value added to a farm structure resulting from improvements made to the pre-1937 structure to preserve it as a barn and a one-room schoolhouse preservation exemption for the increase in value added to a one-room schoolhouse as a result of improvements made to the structure for purposes of preserving the integrity of the internal and external features of the structure as a one-room schoolhouse.

## LOCAL GOVERNMENT

### **SENATE FILE 428 - Rent Control Ordinances**

BY COMMITTEE ON STATE GOVERNMENT. This Act prevents a county or city from adopting or enforcing any ordinance imposing rent controls on private residential or commercial property. The Act permits a county or city to manage and control residential property in which the county or city has a property interest.

### **SENATE FILE 2047 - County Warrants**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act changes the requirements of the county auditor and county treasurer relating to issuance of county warrants and preservation of records relating to county warrants.

The Act requires the county auditor to send a list of the warrants to be issued to the county treasurer before the warrants are issued. The treasurer must acknowledge receipt of the list. The signature acknowledging receipt may be in electronic form if Code requirements relating to electronic commerce security are met. The Act allows the auditor, in lieu of issuing a warrant to a drawee, to issue a warrant payment order to the treasurer, who may then pay the drawee through an electronic funds transfer.

The Act requires warrant lists to be preserved for at least two years. Current Code requires that the original warrants be preserved for at least two years. The Act allows counties to preserve warrants and warrant lists in electronic form if Code requirements relating to electronic commerce security are met.

### **SENATE FILE 2048 - City Hospital and Health Care Facility Boards of Trustees — Appointment — Terms**

BY COMMITTEE ON STATE GOVERNMENT. This Act provides for the appointment and length of terms for members added to a hospital board of trustees when the city increases the total membership on the board by ordinance.

This Act provides that when the number of hospital board of trustees is increased pursuant to city ordinance from three to five members, or from five to seven members, the two additional members shall be appointed immediately and one of the two additional members shall serve until the next succeeding general or city election. The other additional member serves until the second succeeding election. If the board is expanded from three members to seven, the four additional members will be appointed immediately and two of the additional members will serve until the next election with the remaining two additional members serving until the second succeeding election. The determination of the differing length of appointed terms for additional members is to be made by lot.

### **SENATE FILE 2061 - County Recorder Duties — Registration and Licensing**

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act makes three technical amendments to the duties of the county recorder relating to the registration of transferred all-terrain vehicles, the amount of a writing fee for vessel registrations, and the issuance of hunting, fishing, fur-harvesting, and related state licenses on behalf of the Department of Natural Resources.

This Act strikes a requirement that if an all-terrain vehicle or snowmobile is stored at the time of transfer, the transferor shall provide the transferee with a copy of the affidavit filed with the county recorder at the time of delivering the all-terrain vehicle or snowmobile.

A technical change is made to Code Section 462A.5 to strike a second reference to the dollar amount of a writing fee for vessel registrations. The amount of the writing fee is specifically provided for in Code Section 462A.53.

The Act also gives county recorders the option of selling hunting, fishing, fur-harvesting, and related licenses and permits for the Department of Natural Resources.

### **SENATE FILE 2091 - Discontinuance of Cities — Procedures**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides alternative procedures for discontinuance of a city. Currently, a city may discontinue by six years of inactivity, which means no elections and no taxes have been certified for six years, or by following involuntary discontinuance procedures in Code Sections 368.11 through 368.22.

The Act provides that a city council may adopt a resolution of intent to discontinue and conduct a public hearing on the resolution. After the public hearing, the city council may adopt a resolution of discontinuance or a resolution abandoning the proposal. If the resolution of discontinuance is adopted, opponents may file a petition for an election on the proposal within 30 days after the effective date of the resolution. If the election favors discontinuance or if no petition for an election is filed, the city clerk shall notify the City Development Board which shall take control of the property of the discontinued city and supervise the necessary discontinuance procedures as provided in Code Section 368.21.

**SENATE FILE 2215 - Leaves of Absence for Partisan Political Candidates — Sheriffs and Civil Service Officers and Employees**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that a county officer or employee subject to civil service and a chief deputy sheriff or second deputy sheriff, who becomes a candidate for a partisan elective office for remuneration, shall receive, upon request, a 30-day unpaid leave of absence before the primary and general election.

This Act takes effect on March 31, 2000.

**SENATE FILE 2253 - Matters Related to County Officers' Duties — Instruments Affecting Property — Fees**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act makes several changes relating to the duties of county treasurers, county auditors, county recorders, and sheriffs and to duties relating to mobile homes.

Code Section 321.45 is amended to provide that a dealer who acquires a used mobile home or manufactured housing to be titled in Iowa must, within 30 days of acquisition, apply for and obtain title to the home. If the home is encumbered, the 30 days does not begin to run until the lien or encumbrance is released.

Code Section 331.602 is amended to provide that mortgages, mortgage releases, and assignments of mortgages are not real property conveyance instruments required to contain the statement "address tax statement."

Code Section 331.902 is amended to require that the county auditor, county treasurer, county recorder, and sheriff retain records of fees for three years. Current law requires they be retained permanently.

Code Section 384.84 is amended to require that notice of a delinquent utility account be given to the holder of the account at least 30 days prior to certification of the lien to the county treasurer for collection.

Code Section 435.24 is amended to require that a mobile home park owner or manager prepare an annual report to be filed with the county treasurer by June 1 listing the owner and mailing address of each home located in the mobile home park. If changes have occurred after the annual report is filed, the park owner or manager is required to file another report due December 1.

Code Section 448.1 is amended to provide that a treasurer's deed will be issued upon presentation by the purchaser of the certificate of purchase and payment of the appropriate deed and recording fees. The amendment also provides that the treasurer shall record the deed with the county recorder and shall transmit the deed to the purchaser after recording.

**SENATE FILE 2327 - Purchase or Condemnation of Property by Utilities**

BY COMMITTEE ON LOCAL GOVERNMENT. House File 2528, enacted during the 2000 Legislative Session, amended Code Section 6B.2A to provide that the requirement that notice of an informational meeting be given when a utility is condemning property for construction of an electronic transmission line under Code Chapter 478, or a gas pipeline under Code Chapter 479, satisfies the public improvement notice requirements of Code Section 6B.2A. This Act amends H.F. 2528 to provide that the requirement of a public hearing under Code Section 6B.2A is satisfied when a utility conducts an informational meeting as required under Code Chapter 478 or 479.

**SENATE FILE 2342 - Creation of Real Estate Improvement Districts**

BY COMMITTEE ON COMMERCE. This Act strikes a provision that prohibits the creation of a real estate improvement district after June 30, 2000. A real estate improvement district permits the acquisition, construction and maintenance of public improvements to enhance the economic health and development of communities, housing and related infrastructure.

**SENATE FILE 2418 - Property Tax Certification by Townships**

BY COMMITTEE ON WAYS AND MEANS. This Act requires that township property taxes be certified by the board of township trustees to the county auditor and county board of supervisors by March 15 of each year. The Act also provides that for property taxes due and payable in the fiscal year beginning July 1, 2000, that deadline date shall be May 1. If township taxes are not certified to the county by the deadline, the amount of taxes collected for the township shall be the amount collected in the previous year, subject to existing levy rate and assessment limitations. However, this provision of the Act establishing the deadline is also repealed under the Act, because Code Section 359.49, which includes the same language, was enacted in H.F. 2492.

The Act takes effect April 19, 2000.

**SENATE FILE 2419 - Investments by City Hospitals**

BY COMMITTEE ON WAYS AND MEANS. This Act amends Code Section 12B.10, which provides requirements for the investment of public funds, including investment standards which provide for the safety of principal, maintaining levels of

liquidity, and obtaining a reasonable return on investments, in accordance with written policies. The Code section currently provides that the Treasurer of State and the treasurer of each political subdivision must keep moneys coming into their possession as public moneys in a secure place, including a depository such as a financial institution. The Code section provides that the Treasurer of State and the treasurer of each political subdivision may invest public funds not currently needed in investments authorized by the section.

These investments include obligations of the U.S. government, certificates of deposit, prime bankers' acceptances that mature within 270 days, commercial paper or short-term corporate debt, certain repurchase agreements, investments authorized for the Iowa Public Employees' Retirement System, and open-end management investment companies registered with the federal Securities and Exchange Commission. The Code section prohibits the investment in futures and option contracts.

Code Section 12B.10 also provides that a number of investments are not subject to these requirements and standards, including but not limited to investments by the Public Safety Peace Officers' Retirement System, investments by the Iowa Public Employees' Retirement System, investments by the Iowa Finance Authority, and investments by the State Board of Regents. The Act adds to this class of exempt investments, investments made by city hospitals. The Act provides that investments by city hospitals are limited to the same types of investments made by the Treasurer of State and other state agencies or investments in common stock.

#### **SENATE FILE 2438 - Water Quality Districts**

BY COMMITTEE ON WAYS AND MEANS. This Act provides for the creation of a water quality district. The Act amends Code Chapter 357E, which provides for the creation of a benefited recreational lake district. The procedures for creating the water quality district are the same as those used for creating the benefited recreational lake district. The Act provides for the creation of a separate water quality district or a combined district with a benefited recreational lake district.

The water quality district may carry out activities including public information, grass waterways, wetlands, dredging, bank stabilization, water treatment, water monitoring, watershed protection, activities outside of a district which affect water quality within the district, and other activities that will improve water quality of a stream, river or lake. A petition requesting the creation of a water quality district requires the signatures of the fewer of 25 property owners of the proposed district or 25 percent of the property owners of the proposed district. After two public hearings and an engineer's report, the board of supervisors may call an election to approve an annual tax levy not to exceed \$.25 per \$1,000 of the assessed value of all taxable property in the district except property assessed as agricultural land. A combined district is limited to the annual tax levy for a benefited recreational lake district, which is \$4 per \$1,000 of taxable value. Agricultural land cannot be taxed for purposes of a water quality district. Three trustees are also elected to manage and control the affairs of the district. The water quality district will have the same authority as a benefited recreational lake district to issue anticipatory bonds, add territory, or dissolve.

#### **SENATE FILE 2459 - Annual Financial Report for Urban Renewal Areas — Filing Deadline**

BY COMMITTEE ON WAYS AND MEANS. This Act changes the filing deadline for urban renewal annual reports from September 30 to December 1. The Act also provides that if a municipality has not filed an annual report with the state and the county auditor by the statutory deadline, the county treasurer shall withhold disbursement of tax increment revenues to the municipality. For purposes of urban renewal, a municipality is a city or a county.

#### **HOUSE FILE 2027 - Rural Water District Infrastructure Financing**

BY KLEMME. This Act amends provisions in Code Chapter 357A, which, in part, provides authority to rural water districts to finance projects under their authority.

Code Section 357A.11 provides that financing of rural water district projects must be in accordance with the terms and procedures set forth for cities under various sections in Code Chapter 384, "City Finance." In addition to those Code sections, cities are authorized to enter into loan agreements to borrow money to support public purposes under Code Section 384.24A. This Act permits a rural water district to provide financing by entering into loan agreements to the same extent that a city may enter into such agreements under Code Section 384.24A.

Code Section 357A.15 provides that projects constructed or acquired by a rural water district are not taxable by the state or local governments. The section further provides that revenue or interest on bonds issued by a district is exempt from taxation. This Act provides that the exemption also applies to notes and the interest on notes issued by a district.

#### **HOUSE FILE 2169 - Emergency Management Coordinators — Appointment**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act strikes a provision providing for the appointment of an emergency management coordinator by the county board of supervisors. Before 1992, the board of supervisors was the appointing authority, but Code Section 29C.10 was amended in 1992 to have the emergency management coordinator appointed by the

local or joint emergency management commission. Code Section 331.321, subsection 1, was not amended in 1992 to reflect the change in appointing authority.

**HOUSE FILE 2315 - Health and Medical Insurance for Retirees — City Employees**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act authorizes cities to provide retired city employees with health or medical insurance coverage, or supplemental coverage, and to pay for such coverage from amounts held in a trust and agency fund of the city or from an appropriation from the city general fund.

**HOUSE FILE 2327 - County Mental Health, Mental Retardation, and Developmental Disabilities Services Funding**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act relates to county levy and expenditure authority involving the county mental health, mental retardation, and developmental disability services fund.

The Act provides that for a capital asset, as defined in the Act, that is used exclusively for services payable from a county's services fund or administration of the fund, an appropriation may be made from the services fund for acquisition or improvement of the capital asset. If a capital asset is owned by the county or is to be used in part for a purpose payable from the services fund, the services fund is to annually reimburse the county general fund for the use of the asset.

The Act authorizes a county to request approval for an adjustment to the county's base year expenditure amount in order to accrue revenues and expenditures for a capital asset to the county's general fund instead of the county's services fund. The base year expenditure amount is used for a variety of purposes, including for determining the amount of property tax the county may levy for the county's services fund and for determining state property tax relief payment amounts and growth payments.

As enacted into law on April 13, 2000, the portion of the Act involving capital assets was to be first applicable to county budgets for the fiscal year beginning July 1, 2000. However, this portion of the Act was subsequently amended by S.F. 2452 (see Appropriations) to be first applicable to county budgets for the fiscal year beginning July 1, 2001. As amended by S.F. 2452, the request for approval to revise the base year expenditure amount must be submitted to the county finance committee on or before December 1, 2000.

In addition to the capital asset provisions, the Act provides that moneys that were appropriated to the Property Tax Relief Fund and allocated to the risk pool within that fund that are unexpended or unobligated at the close of the fiscal year remain available in the risk pool for expenditure in the succeeding fiscal year. The risk pool is used to assist counties that are projected to have service expenditures in excess of the amount available in the county's services fund.

The Act takes effect April 13, 2000; however, as noted above, the provisions of the Act relating to capital assets were later amended by S.F. 2452 and those amendments are retroactively applicable to April 13, 2000.

**HOUSE FILE 2429 - Official Publications and County Records**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides for the maintenance of public records by electronic means in a county system and establishes a new rate for official publications.

The Act amends 72 chapters of the Code to add a subsection or section, as applicable, to define "book," "list," "record," or "schedule" kept by a county officer as a part of the "county system." "County system" was added to Code Chapters 445, 446, 447, and 448 and Code Sections 331.553 and 427.8, in 1991 to mean a method of data storage and retrieval as approved by the Auditor of State for tax lists, books, records, indexes, registers, and schedules. The Act extends the use of the same data storage and retrieval system to other chapters of the Code in which county officers have responsibility to keep lists, books, records, indexes, registers, and schedules.

This Act also establishes a new publication rate for official publications at 34 cents for each line of eight-point type two inches in length for a new insertion and 23 cents for each subsequent insertion. Beginning June 1, 2001, and each subsequent June 1, the State Printing Administrator shall calculate a new rate based on the percentage change in the Consumer Price Index for all urban consumers as determined by the U.S. Department of Labor, Bureau of Labor Statistics. The new rate shall be effective on the first of the month following publication in the Iowa Administrative Bulletin.

**HOUSE FILE 2492 - State and Municipal Agencies — Fire and Emergency Medical Services — Townships**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act makes several changes to the Code relating to fire protection service and emergency medical service provided by townships, cities, counties, and other entities. The Act also makes several changes to the law relating to townships. The Act provides that mutual aid agreements between fire departments must be in writing. In addition, a municipality that provides fire protection service or emergency medical service for a municipality must do so by written agreement. The written agreement may provide for establishment of an advisory board which makes budget, financial

and services decisions relating to fire protection. The board is comprised of one member of the governing body of each municipality that is a party to the agreement.

The Act provides that employees of the state who are volunteer fire fighters or emergency medical service personnel are entitled to a paid leave of absence to respond to emergency calls. This does not apply to temporary state employees or state employees considered to be essential personnel.

The Act establishes the State Fire Service and Emergency Response Council in the Division of Fire Protection of the Department of Public Safety. Council members are appointed by the Governor. The council is made up of members of associations representing fire fighters and fire chiefs and one member from the general public. This section was later amended by S.F. 2452 (see Appropriations) to provide that a person nominated for membership on the council need not be a member of the organization that nominated the person. The Labor Commissioner, or the commissioner's designee, is an ex officio member of the council. Council members are provided per diem compensation and expenses for service on the council.

The duties of the Labor Commissioner are amended to provide that reports of inspections and investigations conducted by the Office of Labor Commissioner shall be presented to the State Fire Service and Emergency Response Council.

The Fire Service Institute, renamed the Fire Service Training Bureau, is moved from under the auspices of Iowa State University to the Division of Fire Protection of the Department of Public Safety to be operated under the direction of the State Fire Service and Emergency Response Council. The Commissioner of Public Safety shall appoint an administrator to direct the operations of the bureau, subject to the approval of the council. The Act further provides for transfer of Fire Service Institute employees to the Department of Public Safety and for disposition of facilities and equipment owned and operated by the Fire Service Institute.

The Act provides that counties may, by resolution, assume responsibility for providing fire protection service and emergency medical service in any township located in the unincorporated area of the county. The board would have the same powers and duties as township trustees relating to providing these emergency services. The service would be paid from an emergency services levy of the county. The Act allows the board of supervisors to establish an emergency services fund and to levy an additional 60 $\frac{3}{4}$  cents per \$1,000 of assessed value of taxable property in the unincorporated area served for fire protection and emergency medical service.

The Act changes the required number of board of township trustees meetings from once a year to two times a year and requires that at least one of those meetings be scheduled to prepare the township budget, hear comments on the budget, and finalize the budget.

The Act requires that township records and documents be kept for five years, except that records and documents relating to bonds or other indebtedness shall be kept for at least 11 years and records and documents relating to real property transactions shall be maintained permanently.

Currently, each township is required to prepare an annual financial statement and file the statement with the county auditor. The Act requires that the statement or a summary of the statement show the current public debt of the township and the balance of each township reserve account. The Act also requires that the statement be posted by the county auditor. The Act provides that a county shall not disburse township taxes collected until the financial statement is filed with the auditor. The county auditor may waive the requirement that the township submit an annual financial statement to the auditor.

The Act requires each township to prepare an annual budget. A summary of each proposed township budget is to be posted by the county auditor and the board of trustees is to schedule a regular meeting of the board no less than 10 and no more than 20 days after posting to hear comments on the budget. The Act requires the township trustees to certify the township tax levy to the county board of supervisors and the county auditor. The Act also provides that a county shall not disburse township taxes collected until copies of the township budget are filed with the county auditor. The Act directs the county to collect the amount of taxes collected for the township in the previous fiscal year if the township does not file a copy of its budget by March 15. The Act allows a township to amend its budget to permit expenditure of unencumbered cash balances on hand and not anticipated in the budget and to permit expenditure of amounts anticipated from sources other than property tax that were also not anticipated in the budget. The Act requires a township to keep separate accounts that correspond to its budget.

The Act requires townships to follow certain procedures when disposing of personal property or real property by sale, lease or gift. The board of township trustees must adopt a resolution regarding disposal of the property and must publish notice of the resolution and of a public hearing on the proposal to dispose of the property. The procedures do not apply to the sale of

cemetery plots by townships. The Act prohibits a township from disposing of real property by gift, except to a governmental body for a public purpose.

**HOUSE FILE 2502 - County Fee-Supported Services and Law Enforcement — VETOED BY THE GOVERNOR**

BY COMMITTEE ON LOCAL GOVERNMENT. This bill defined fee-supported services to mean those services provided to a city for payment or pursuant to a Code Chapter 28E agreement and provided that the fee-supported services are a part of the general county services.

The bill also specified the law enforcement salaries and expenses to be paid by appropriation of the county board of supervisors from the general fund for general county services.

The bill requested the Legislative Council establish an interim legislative study of all aspects of funding law enforcement services of the office of county sheriff. As of July 1, 2000, the bill would apply to all counties that budgeted or funded, for the fiscal year beginning July 1, 1999, law enforcement services from the rural services fund. The bill applied to those counties using the rural services fund for law enforcement expenses and to Lyon County and Story County after final disposition of related litigation pending before the respective district courts.

**HOUSE FILE 2528 - Condemnation of Property — Miscellaneous Provisions**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act makes several changes to the law relating to the condemnation of private property by an acquiring agency. Code Chapter 6B, "Procedure Under Eminent Domain," is amended to add "contract purchaser" to most references to "owner of the property."

Code Section 6B.1 is amended to provide that the Code chapter prescribing the condemnation process does not apply to property dedicated to an acquiring agency or to property obtained by an acquiring agency through voluntary negotiation and purchase.

Code Section 6B.2A is amended to strike the requirement that an acquiring agency serve notice on the owner of private property of a proposed public improvement that may involve condemnation of the property. That requirement is replaced with the requirement that an acquiring agency mail to the owner of agricultural land located outside a city, and publish, notice of a public hearing on a proposed public improvement that may involve condemnation of the agricultural land. The notice must be mailed at least 30 days before the public hearing. The Act requires that the notice include the acquiring agency's contact person regarding the public improvement and the statement of rights of property owners with respect to acquisition of their property. A corresponding amendment is made to Code Section 6B.2B to strike the general requirement that each owner who receives a notice of proposed public improvement also receive a statement of individual rights.

Code Section 6B.2A is also amended to specify what information is required in the published notice. The notice must be mailed at least four but no more than 20 days before the hearing. Code Section 6B.2A is amended to provide that the time deadlines do not apply during an emergency requiring construction or repair of public improvements.

Finally, Code Section 6B.2A is amended to provide that the requirement of notice of an informational meeting when a utility is condemning property for construction of an electronic transmission line under Code Chapter 478, or a gas pipeline under Code Chapter 479, satisfies the public improvement notice requirements of eminent domain. However, S.F. 2327 amends this provision to provide that the public hearing requirement is satisfied when a utility conducts an informational meeting.

Code Section 6B.2B is amended to provide that an acquiring agency may not make an offer to purchase land for less than fair market value as determined by the agency in its appraisal. However, the agency is not required to offer more than the appraised value in order to meet the requirement that it negotiate in good faith with the owner. Also, if an agency follows the acquisition policies as set forth in Code Chapter 6B, the agency is conclusively presumed to have satisfied the requirement to negotiate in good faith. Code Section 6B.2B is also amended to provide that the requirement that an acquiring agency negotiate in good faith is satisfied by the notice, public meeting, and hearing requirements of a utility condemning property for construction of an electric transmission line under Code Chapter 478 or a gas pipeline under Code Chapter 479.

Code Section 6B.2C is enacted to provide that condemnation proceedings shall not begin until the governing body of the acquiring agency approves the use of condemnation and the acquiring agency has complied with applicable standards and obtained the necessary permits.

Code Section 6B.3, which contains the requirements for condemnation applications, is amended to provide that excess property may be condemned as an uneconomical remnant having little or no value or utility to the owner.

Code Section 6B.3 is also amended to provide that the application for condemnation shall be mailed by certified mail to the owner and published in a newspaper of general circulation no less than four and no more than 20 days before the compensation commission meets to assess damages. Under current law, the application must be published only if service by certified mail cannot be made. The section is also amended to allow the applicant to personally serve the application on the owner in lieu of mailing and publishing. Mailing, publishing and personal service must be completed before or contemporaneously with the mailing and publication or service of the list of compensation commissioners as required in Code Section 6B.4.

Code Section 6B.4 is amended to provide that the condemner shall mail the list of compensation commissioners and alternates to the property owner. The condemner is also required to publish the list. The Act also provides that in lieu of mailing and publishing, the condemner may serve the list by personal service. Code Section 6B.4 is also amended to strike language identifying a compensation commission as a governmental body subject to the Open Meetings Law in Code Chapter 21.

Code Section 6B.5 is amended to allow parties to a condemnation to challenge appointment of a commissioner and to provide that if someone selected to serve on a compensation commission is unable to serve or is stricken from the commission, the sheriff shall notify alternate commissioners in the order directed by the chief judge until a replacement is appointed.

New Code Section 6B.6 is enacted to require the sheriff to arrange the meeting of the compensation commission and to provide a meeting place.

Code Section 6B.7 is amended to remove the language on appointment and striking of commissioners to correspond with the amendment to Code Section 6B.5.

Code Section 6B.8 is amended to strike the requirement that the 30-day notice of assessment be served on out-of-state residents by certified mail and publication. Code Section 6B.8, in general, provides that the condemnation application and order shall be personally served on the property owner.

Code Section 6B.14 is amended to require that the assessment report be signed by all the commissioners who conducted the appraisal. The Act requires the compensation commission to meet in open session to view the property and receive evidence, but permits the commission to deliberate in closed session. During closed session deliberations, commissioners are prohibited from communicating with any party to the action unless the other party consents. The Code section is also amended to provide that a commissioner may not communicate with a party to the action prior to the open meeting and to require that the commission keep minutes of its meetings.

Code Section 6B.25 is amended to provide that a property owner may apply to the court for release of a portion of damages prior to expiration of the time for appeal.

Code Section 6B.33 is amended to increase the per diem for compensation commission members from \$50 to \$200.

Currently, Code Section 6B.45 requires that an acquiring agency secure a copy of an appraisal of land to be condemned and provide a copy of the appraisal to the property owner at least 10 days before the acquiring agency contacts the property owner to begin negotiations. Code Section 6B.45 is amended to allow an acquiring agency to obtain a written waiver from an owner to allow negotiations to commence prior to expiration of the 10-day period.

Code Section 6B.57 is amended to add all acquiring agencies to the procedural compliance section. Currently, only cities are covered by this section which provides that a procedural error in providing notices for a condemnation action is not fatal to the action if the error can be corrected or if it does not unreasonably prejudice the property owner.

Code Sections 6B.12 and 6B.13, relating to service of notice, are repealed and included elsewhere in Code Chapter 6B.

The Act makes corresponding amendments to Code Sections 478.2, 478.6, 479.5, and 479.7 to add the statement of individual rights to the information to be mailed with the notice to the landowner by the utility and to be provided at the informational meeting held on the project.

The Act also amends Code Sections 478.2 and 479.5 to require that the notice of informational meeting provide a description of the process followed by the utility when granting a franchise or condemning property and state the possibility that the right-of-way may be acquired by condemnation.

The Act takes effect May 10, 2000.

**HOUSE FILE 2531 - Emergency Medical Services Funding and Lost Property Disposition**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that funding allocated by the Iowa Department of Public Health to a county for emergency medical service purposes may be used for emergency medical service equipment or training and education as determined by the county board of supervisors.

The Act also amends provisions of Code Chapter 556F relating to the disposition of lost goods, financial instruments, and other things of value. If the owner of lost goods and money valued at \$5 or more is unknown, the finder shall take the money and description of other property to the county sheriff or the chief of police of the county where the property was found, and provide an affidavit of the property and circumstances of the finding to the sheriff or chief of police. A copy of the affidavit is sent to the county auditor for recording in the auditor's lost property book.

The finder is also required to advertise the finding and the finder's address by posting at the courthouse or at the city hall or police station and at one other of the most public places in the county. However, if the value of the finding exceeds \$40, an advertisement must be published once each week for three consecutive weeks in a newspaper having general circulation in the county.

**HOUSE FILE 2541 - Rural Improvement Zones**

BY COMMITTEE ON WAYS AND MEANS. Previous law allowed a county with a population of more than 10,500 residents but less than 11,500 residents with a private lake development in its unincorporated areas to designate a rural improvement zone that includes the lake development. This Act expands this authority to counties with populations of less than 18,500.

The Act provides that if a standby tax is imposed to ensure the payment of principal and interest of certificates issued to pay for improvements, the rate must be at least \$.50 per \$1,000 of assessed value but not more than \$2.50 per \$1,000 of assessed value.

## NATURAL RESOURCES AND OUTDOOR RECREATION

- SENATE FILE 2300** - Interference With Lawful Hunting, Fishing, or Fur Harvesting
- SENATE FILE 2348** - Loess Hills Development and Conservation Authority — Hungry Canyons Alliance — Loess Hills Alliance
- HOUSE FILE 2008** - Hunting, Fishing, and Fur Harvesting — Residency Status
- HOUSE FILE 2090** - Department of Natural Resources — Forests and Forestry Division
- HOUSE FILE 2485** - Resource Enhancement and Protection Fund — Soil and Water Enhancement Account
- HOUSE FILE 2486** - Taking of Fish and Game

### RELATED LEGISLATION

- SENATE FILE 2036** - Upper Mississippi Riverway Compact — Repeal  
*SEE STATE GOVERNMENT.* This Act repeals the Upper Mississippi Riverway Compact, which was adopted by the General Assembly in 1967, but was not adopted by other named states and was not ratified by the U.S. Congress.
- SENATE FILE 2061** - County Recorder Duties — Registration and Licensing  
*SEE LOCAL GOVERNMENT.* This Act makes three technical amendments to the duties of the county recorder relating to the registration of transferred all-terrain vehicles, the amount of a writing fee for vessel registrations, and the issuance of hunting, fishing, fur harvesting, and related state licenses on behalf of the Department of Natural Resources.
- SENATE FILE 2092** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. References to the year July 1, 1999, are changed to refer to July 1, 2000, in provisions relating to mineral, water, timber, and other resources of a trust that are contained within the Uniform Principal and Income Act.
- SENATE FILE 2371** - Water Quality Initiatives  
*SEE ENVIRONMENTAL PROTECTION.* This Act provides for the establishment of water quality initiative programs by the Department of Agriculture and Land Stewardship and the Department of Natural Resources, including a Conservation Buffer Strip Program, a Conservation Reserve Enhancement Program, a Water Quality Monitoring Program, and a Water Quality Protection Program.
- SENATE FILE 2438** - Water Quality Districts  
*SEE LOCAL GOVERNMENT.* This Act provides for the creation of a water quality district in the same manner as provided for the creation of a benefited recreational lake district and also authorizes the creation of a combined district.
- SENATE FILE 2453** - Appropriations — Infrastructure and Capital Projects  
*SEE APPROPRIATIONS.* This Act creates an Environment First Fund to be used for the protection, conservation, enhancement, or improvement of natural resources or the environment. The Act provides an annual standing appropriation from the Rebuild Iowa Infrastructure Fund to the Environment First Fund.
- HOUSE FILE 2039** - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits  
*SEE APPROPRIATIONS.* This Act relates to state budgetary matters by providing for reductions and supplementation of appropriations for FY 1999-2000 and includes certain reductions in appropriations for various divisions of the Department of Natural Resources.
- HOUSE FILE 2277** - Livestock and Hunting Preserves  
*SEE AGRICULTURE.* This Act amends Code Chapter 484B, which provides for the regulation of hunting preserves by the Department of Natural Resources, including disease control requirements. The Act provides that the regulations do not apply to livestock, including ostriches, rheas and emus.

or farm deer such as elk. The Department of Agriculture and Land Stewardship is authorized to establish programs for control of diseases among livestock.

- HOUSE FILE 2331** - Operating a Motorboat or Sailboat While Intoxicated  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act prohibits operation of a motorboat or sailboat while intoxicated, and imposes an implied consent to test provision, penalties, and procedures similar to those imposed by Code Chapter 321J for operators of motor vehicles.
- HOUSE FILE 2541** - Rural Improvement Zones  
*SEE LOCAL GOVERNMENT.* This Act allows a county with a population of less than 18,500 residents, with a private lake development in its unincorporated areas, to designate a rural improvement zone which includes the lake development. The Act expands this authority to counties with populations of less than 18,500.

## NATURAL RESOURCES AND OUTDOOR RECREATION

### **SENATE FILE 2300 - Interference With Lawful Hunting, Fishing, or Fur Harvesting**

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act prohibits a person from interfering with the lawful hunting, fishing or fur-harvesting activities of another person. Interference includes intentionally placing oneself in a location where a human presence may affect the behavior of a fur-bearing animal, game, bird, or fish or the feasibility of killing or taking a fur-bearing animal, game, bird, or fish, with the intent of obstructing or harassing another person who is lawfully hunting, fishing or fur harvesting; intentionally creating a visual, aural, olfactory, or physical stimulus for the purpose of affecting the behavior of a fur-bearing animal, game, bird, or fish with the intent of obstructing or harassing another person who is acting lawfully; and intentionally affecting the condition or altering the placement of personal property used for the purpose of killing or taking a fur-bearing animal, game, bird, or fish. The Act was amended by 2000 Iowa Acts, S.F. 2452 (see Appropriations), Section 76, to correct references to furbearing animals and game.

The Act provides that a first offense of interfering with lawful hunting, fishing or fur harvesting is punishable as a simple misdemeanor and a second or subsequent offense is punishable as a serious misdemeanor. A simple misdemeanor is punishable by a fine of at least \$50 but not more than \$500, imprisonment for not more than 30 days, or both. A serious misdemeanor is punishable by a fine of at least \$250 but not more than \$1,500, imprisonment for not more than one year, or both.

The interference prohibition does not apply to the normal agricultural operations or activities of landowners, tenants, or employees of landowners or tenants or to the activities of law enforcement officers.

### **SENATE FILE 2348 - Loess Hills Development and Conservation Authority — Hungry Canyons Alliance — Loess Hills Alliance**

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act creates by statute a Hungry Canyons Alliance, which shall operate under the general direction of the Loess Hills Development and Conservation Authority.

The Hungry Canyons Alliance is governed by a board of directors appointed as provided in its bylaws and is responsible for erosion control and related conservation activities of the authority. The Loess Hills Development and Conservation Authority provides the general direction and oversees the activities of the Hungry Canyons Alliance and the Loess Hills Alliance. The Act provides that, on matters relating to the conservation, development or preservation of the loess hills, state agencies shall coordinate, consult and cooperate with the Loess Hills Development and Conservation Authority and its alliances.

The Act provides that members of the Loess Hills Alliance board of directors appointed by the board of supervisors shall include agricultural producers owning real property within the loess hills landform.

### **HOUSE FILE 2008 - Hunting, Fishing, and Fur Harvesting — Residency Status**

BY BRAUNS. This Act authorizes a military person who is on active duty, and on authorized leave, to hunt or fish without a license if the military person is carrying leave papers and a copy of the person's earnings statement showing a deduction for Iowa income taxes or, in lieu of the earnings statement, the military person claims residency by being registered to vote in this state. This Act also amends 2000 Iowa Acts, Chapter 1116, relating to what constitutes residency and dual residency.

### **HOUSE FILE 2090 - Department of Natural Resources — Forests and Forestry Division**

BY COMMITTEE ON NATURAL RESOURCES. This Act changes the name of the Forests and Forestry Division of the Department of Natural Resources to the Forests and Prairies Division and expands its duties to include administering programs for prairie management assistance to private and public landowners.

### **HOUSE FILE 2485 - Resource Enhancement and Protection Fund — Soil and Water Enhancement Account**

BY COMMITTEE ON NATURAL RESOURCES. This Act removes the \$1 million maximum allocation of funds to the Water Quality Protection Projects Account and provides that 50 percent of the moneys allocated to the Soil and Water Enhancement Account of the Resource Enhancement and Protection Fund will be divided equally between the Water Quality Protection Projects Account and Water Protection Practices Account within the Division of Soil Conservation of the Department of Agriculture and Land Stewardship.

### **HOUSE FILE 2486 - Taking of Fish and Game**

BY COMMITTEE ON NATURAL RESOURCES. This Act authorizes the Natural Resource Commission to designate which fish species may be taken by hand fishing, snagging, spearing, and using a bow and arrow. The commission, by rule, shall determine the times, places and conditions for taking fish by the listed methods.

The Act also amends the requirements to be met in order to be considered a resident for hunting, fishing and fur harvesting purposes. References to Code Section 321.1A, subsections 1 through 6, are stricken. These subsections refer to a person who has filed for a homestead tax exemption or for a military tax exemption, registered to vote, enrolled a child in a public school, received public assistance, or resided continuously in this state for at least 30 days. The definition of "resident" is also amended to retain requirements that the person is registered to vote in this state and has physically resided in this state at least 30 consecutive days before applying for or purchasing a game or fish license, and has been issued an Iowa driver's license.

The Act also prohibits a person from applying for or purchasing a resident license or permit if the person claims residency in any other state, territory or foreign nation. The single residency requirement does not apply to full-time students, a nonresident under 18 years of age visiting a parent, or a member of the Armed Forces of the United States on active duty who claims residency and has filed a state income tax return. 2000 Iowa Acts, Chapter 1175, Section 2 (H.F. 2008), amends this Act to correct a reference to the provision on dual residency. Persons violating new provisions relating to dual residency are subject to an existing penalty in Code Section 483A.42. The penalty is a simple misdemeanor with a minimum fine of \$10.

This Act also authorizes the taking of deer with a firearm within 50 yards of an inhabited building or feedlot within a city if the person has the permission of the owner or tenant of the inhabited facilities and the taking is conducted pursuant to an approved special deer population control plan. A firearm silencer may also be used for taking deer pursuant to an approved special deer population control plan with a valid federal permit.

## STATE GOVERNMENT

- SENATE FILE 182 - Acupuncture — Licensure and Regulation
- SENATE FILE 419 - Veterinary Practice Requirements
- SENATE FILE 2036 - Upper Mississippi Riverway Compact — Repeal
- SENATE FILE 2092 - Substantive Code Corrections
- SENATE FILE 2113 - Massage Therapy — Licensing
- SENATE FILE 2141 - Merchant Marine Bonus Fund
- SENATE FILE 2249 - State Agency Purchasing Preference — Bio-Based Fluids, Greases, and Lubricants
- SENATE FILE 2266 - Department of Public Defense — National Guard Officers — Emergency Response Commission Membership
- SENATE FILE 2388 - Corporate Reporting to Secretary of State
- SENATE FILE 2390 - Department of Inspections and Appeals — Duties — Divisions
- SENATE FILE 2395 - State Information Technology
- SENATE FILE 2411 - Public Retirement Systems
- SENATE FILE 2427 - Manufactured Homes — VETOED BY THE GOVERNOR
- HOUSE FILE 475 - Terminology Changes — Armed Forces — Gender — Lessors of Property
- HOUSE FILE 686 - Dental Assistants — Registration and Scope of Authority
- HOUSE FILE 2113 - Recognition of Federal Rights and Service — VETOED BY THE GOVERNOR
- HOUSE FILE 2136 - Nonsubstantive Code Corrections
- HOUSE FILE 2153 - Drug Policy Coordination
- HOUSE FILE 2206 - Waiver or Variance of Administrative Rules
- HOUSE FILE 2220 - Public Information Requests — Internet Protocol Numbers — Confidentiality
- HOUSE FILE 2442 - International Relations
- HOUSE FILE 2463 - Department of Personnel — Miscellaneous Provisions
- HOUSE FILE 2557 - Unclaimed Property

## RELATED LEGISLATION

- SENATE FILE 2091 - Discontinuance of Cities — Procedures  
*SEE LOCAL GOVERNMENT.* This Act provides alternative procedures for discontinuation of a city. The City Development Board shall take control of the property of the discontinued city after approval of a resolution of discontinuance by the city council if a petition for an election on the resolution is not filed within 30 days, or after an election approving discontinuance.
- SENATE FILE 2143 - Games and Raffles  
*SEE GAMING.* This Act authorizes parent-teacher organizations or school booster clubs to be licensed to conduct games of chance and raffles for the benefit of a school or school district with a notarized letter from a superintendent, principal or school board president, in lieu of eligibility for exemption from federal income taxes, and requires a licensee who receives 90 percent of its income from bingo, raffles and small games of chance to contribute at least 75 percent of the licensee's net receipts to an unrelated entity for public, charitable, civic, educational, patriotic, or religious uses of an unrelated entity.
- SENATE FILE 2145 - National Crime Prevention and Privacy Compact  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act creates and organizes an electronic sharing system between the federal government and the states for the purpose of exchanging criminal history records for background checks. The Act requires the Commissioner of Public Safety to implement and administer the sharing of criminal history records.

- SENATE FILE 2274** - **Gubernatorial Executive Orders — Null and Void — VETOED BY THE GOVERNOR**  
**SEE LABOR & EMPLOYMENT.** This bill declared null and void Executive Order Number 7, which relates to equal opportunity and affirmative action programs in state employment, and Executive Order Number 11, which requires each state agency to initiate rulemaking proceedings to adopt uniform waiver rules.
- SENATE FILE 2302** - **Public Health Programs and Issues**  
**SEE HEALTH & SAFETY.** This Act makes changes relating to programs under the purview of the Iowa Department of Public Health, and does the following:
- Eliminates the requirement that health care professional licensing boards maintain a handwritten registry book and identify the registry entry on every license issued.
  - Changes the period of licensure for resident physicians and osteopathic physicians and surgeons from one year to a period as determined by the Board of Medical Examiners.
  - Eliminates the right of a physical therapist assistant to petition the Physical Therapy Examiners Board for a waiver of the education requirements.
  - Permits occupational therapists to provide occupational therapy without referral from a physician, podiatric physician, dentist, or chiropractor, except that a hospital may require review and authorization by a member of the hospital medical staff prior to performance of occupational therapy.
  - Eliminates the provision that allowed students who were enrolled in a course of study for registered nurses on June 30, 1995, and thereby impacted by the change in the law in 1995, to apply that education to a license as a practical nurse.
  - Eliminates the use of practical examinations for licensure of audiologists.
  - Requires an applicant for licensure as an independent social worker to possess a master's or doctoral degree specifically in social work.
  - Eliminates oral examinations and an internship proficiency requirement for licensure as a funeral director, provides for the establishment of practicums in mortuary science through rule of the Board of Mortuary Science Examiners, and directs the board to regulate the registration, training and fees for such practicums.
  - Expands the duties and authority of the State Medical Examiner, and provides the State Medical Examiner with protection similar to that which was provided under the Department of Public Safety, for preliminary findings, reports of findings, and investigations related to autopsies.
- SENATE FILE 2303** - **Administration of Justice — Appointments — Benefits — Magistrate Apportionment**  
**SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.** This Act makes changes in the Code relating to benefits applicable to Judicial Branch employees and in the manner of making certain quasi-judicial appointments. The Act permits the Judicial Branch to establish a benefits plan for its employees and allows the branch to extend certain benefits relating to sick leave to employees not covered by a collective bargaining agreement which are consistent with benefits applied to employees covered by a collective bargaining agreement.
- SENATE FILE 2307** - **Public and Workplace Safety and Wage Payment Collection**  
**SEE LABOR & EMPLOYMENT.** This Act makes changes or adds to definitions in the Boiler and Unfired Steam Pressure Vessels Law and the Elevator Law, and specifically provides for the applicability of the Iowa Wage Payment Collection Law to an employer's former employees.
- SENATE FILE 2327** - **Purchase or Condemnation of Property by Utilities**  
**SEE LOCAL GOVERNMENT.** This Act amends H.F. 2528 (see Local Government) to provide that the requirement of a public hearing under Code Section 6B.2A, when a utility is condemning property for construction of an electronic transmission line or gas pipeline, is satisfied when a utility conducts an informational meeting as required under Code Chapter 478 or 479.
- SENATE FILE 2348** - **Loess Hills Development and Conservation Authority — Hungry Canyons Alliance — Loess Hills Alliance**  
**SEE NATURAL RESOURCES & OUTDOOR RECREATION.** This Act creates a Hungry Canyons Alliance, includes agricultural producers owning real property within the loess hills landform as members of the Loess Hills Alliance, and directs state agencies to coordinate, cooperate and consult

with the Loess Hills Development and Conservation Authority and its alliance on matters relating to the loess hills.

- SENATE FILE 2360** - Human Services — Administration and Employment  
*SEE HUMAN SERVICES.* This Act relates to various state and local administrative provisions involving human services and includes an authorization for the Director of Human Services to assign administrative authority over the four state mental health institutes and the two state hospital-schools (renamed by this Act as state resource centers).
- SENATE FILE 2371** - Water Quality Initiatives  
*SEE ENVIRONMENTAL PROTECTION.* This Act provides for the establishment of water quality initiative programs and monitoring by the Department of Agriculture and Land Stewardship and the Department of Natural Resources, including a conservation buffer strip program, the Conservation Reserve Enhancement Program, and a water quality protection program.
- SENATE FILE 2429** - Appropriations — Health and Human Rights  
*SEE APPROPRIATIONS.* This Act provides that an amount of the tax revenue received by the state Racing and Gaming Commission pursuant to Code Section 99D.15 equal to 0.3 percent of the gross sum wagered by the pari-mutuel method is appropriated to the Iowa Department of Public Health. The Act provides that out of this amount, not more than \$50,000 shall be used to supplement amounts otherwise budgeted for the Childhood Lead Poisoning Prevention Program. The Act provides that remaining moneys shall be used for costs associated with the Child Fatality Review Committee provisions under Code Section 135.43 as enacted by 2000 Iowa Acts, Chapter 1137, the expansion of the age range for child death case review provisions as enacted under 2000 Iowa Acts, Chapter 1051, and the Iowa Domestic Review Team provisions as enacted under 2000 Iowa Acts, Chapter 1136.
- SENATE FILE 2430** - Appropriations — Agriculture and Natural Resources  
*SEE APPROPRIATIONS.* This Act relates to agriculture and natural resources by making appropriations to support related entities. The Act also makes a number of statutory changes. The Act establishes a pilot project involving the refund of moneys paid to the Department of Natural Resources (DNR) for issuing stormwater discharge permits. It requires the Department of Agriculture and Land Stewardship and the DNR to notify members of the General Assembly of any transfer of moneys for full-time equivalent positions made by either department that is not authorized by the General Assembly. It requires the Department of Agriculture and Land Stewardship to publicize the availability of farm programs to women and minority persons. It provides for the inspection of aboveground petroleum storage tanks by the State Fire Marshal. It establishes an International Relations Fund in order to support costs incurred by the Department of Agriculture and Land Stewardship in promoting the sale of Iowa agricultural products. Finally, the Act prohibits a person from selling or storing methyl tertiary butyl ether (MTBE), other than in "trace amounts," and provides requirements for decals identifying oxygenate enhancers, including methanol, appearing on motor vehicle fuel pumps.
- SENATE FILE 2433** - Appropriations — State Government Technology and Operations  
*SEE APPROPRIATIONS.* This Act creates an operations revolving fund to be administered by the Information Technology Department for the operations of the department. The Act amends provisions relating to IowaAccess transferring duties and responsibilities associated with IowaAccess to the Information Technology Department. These provisions take effect April 25, 2000.
- SENATE FILE 2435** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act provides appropriations to the Department of Human Services for FY 2000-2001 and includes provisions related to human services and health care. The Act includes numerous provisions involving health-related and other services, including Medical Assistance, mental health and developmental disabilities services, prevention of disabilities, substance abuse services, child and family services, child support recovery, and child care.
- SENATE FILE 2443** - Lottery Compacts or Agreements  
*SEE GAMING.* This Act authorizes the Iowa Lottery Board and the Commissioner of the Lottery to enter into compacts or agreements with other states or territories of the United States, one or more

political subdivisions of another state or territory of the United States, or a lottery operated outside of the United States.

- SENATE FILE 2450** - Compensation for Public Employees  
*SEE APPROPRIATIONS.* This Act relates to and appropriates \$42.2 million for FY 2000-2001 to fund salary adjustments for state elected officers, state appointed nonelected officers, justices, judges, magistrates, employees subject to collective bargaining agreements, and certain noncontract employees.
- SENATE FILE 2452** - Miscellaneous Appropriations and Other Provisions  
*SEE APPROPRIATIONS.* Division VI of this Act eliminates the three-month time limit for filing a claim against the state as a reason for disallowing a claim.
- HOUSE FILE 2008** - Hunting, Fishing, and Fur Harvesting — Residency Status  
*SEE NATURAL RESOURCES & OUTDOOR RECREATION.* This Act authorizes a military person who is on active duty, and on authorized leave, to hunt or fish without a license if the military person is carrying leave papers and a copy of the person's earnings statement showing a deduction for Iowa income taxes or, in lieu of the earnings statement, the military person claims residency by being registered to vote in this state.
- HOUSE FILE 2039** - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits  
*SEE APPROPRIATIONS.* This Act relates to state budgetary matters by providing for reductions and supplementation of appropriations for FY 1999-2000 and includes reductions in state government administration and regulation functions, technology initiatives, and salary adjustment and travel funding for state employees.
- HOUSE FILE 2090** - Department of Natural Resources — Forests and Forestry Division  
*SEE NATURAL RESOURCES & OUTDOOR RECREATION.* This Act changes the name of the Forests and Forestry Division of the Department of Natural Resources to the Forests and Prairies Division and expands its duties to include administering programs for prairie management assistance to private and public landowners.
- HOUSE FILE 2099** - Beginning Farmer Loan Program Eligibility  
*SEE AGRICULTURE.* This Act amends eligibility requirements for participation in programs administered by the Agricultural Development Authority.
- HOUSE FILE 2105** - Nurse Licensure Compact  
*SEE HEALTH & SAFETY.* This Act provides for the adoption of the Nurse Licensure Compact. The compact facilitates the mutual recognition of a nursing license issued by a nurse's home state by all states which are party states to the compact.
- HOUSE FILE 2205** - Electronic Commerce  
*SEE BUSINESS, BANKING & INSURANCE.* This Act creates new Code Chapter 554D, relating to electronic transactions, which replaces Code Chapter 554C, enacted during the 1999 Session. The Act provides that a governmental agency of this state shall determine whether, and the extent to which, it will create and retain electronic records and convert written records to electronic records. The Act also provides for the acceptance and distribution of electronic records by state governmental agencies and provides that a governmental agency of this state shall determine whether, and the extent to which, it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.
- HOUSE FILE 2328** - Dairy Trade Practices Regulation  
*SEE AGRICULTURE.* This Act repeals Code Chapter 192A, which regulates trade practices in the dairy industry as administered by the Department of Agriculture and Land Stewardship.
- HOUSE FILE 2329** - Linked Investment Programs — Qualification Period  
*SEE AGRICULTURE.* This Act amends several provisions providing for linked investment programs administered by the Treasurer of State.

- HOUSE FILE 2333** - Emergency Medical Care Providers — Authority to Provide Services  
*SEE HEALTH & SAFETY.* This Act provides for changes relating to the authorization of emergency medical care providers to provide emergency and nonemergency medical care services.
- HOUSE FILE 2376** - Veterans Preference — Public Employment  
*SEE LABOR & EMPLOYMENT.* This Act provides that at the time of application for appointment or employment in a public position in this state or at an interview for the position, a military veteran applicant may request notification of refusal only, or notification of refusal and the specific grounds for refusal, which shall be sent within 10 days after the successful applicant is selected.
- HOUSE FILE 2394** - Frozen Food Locker Plant Regulation  
*SEE AGRICULTURE.* This Act repeals Code Chapter 172, which provides for the regulation of frozen food locker plants by the Department of Agriculture and Land Stewardship.
- HOUSE FILE 2424** - Lewis and Clark Bicentennial  
*SEE ECONOMIC DEVELOPMENT.* This Act creates an Iowa Lewis and Clark Bicentennial Commission and Fund for the purposes of coordinating and promoting the observance of Iowa's bicentennial commemoration of the Lewis and Clark Expedition.
- HOUSE FILE 2431** - Ethics and Campaign Disclosure — Regulation and Enforcement  
*SEE ELECTIONS, ETHICS & CAMPAIGN DISCLOSURE.* This Act relates to Ethics and Campaign Disclosure Board procedures and to conflicts of interest of public officers and employees.
- HOUSE FILE 2458** - Transportation — Aviation  
*SEE TRANSPORTATION.* This Act directs the departments of Economic Development and Transportation to jointly establish a committee on air service.
- HOUSE FILE 2492** - State and Municipal Agencies — Fire and Emergency Medical Services — Townships  
*SEE LOCAL GOVERNMENT.* This Act makes several changes to the Code relating to fire protection service and emergency medical service. The Act provides that state employees who are volunteer fire fighters or emergency medical service personnel are entitled to a paid leave of absence to respond to emergency calls. The Act also establishes the State Fire Service and Emergency Response Council in the Division of Fire Protection of the Department of Public Safety, increases the duties of the Labor Commissioner, and renames and moves the Fire Service Institute to the Division of Fire Protection of the Department of Public Safety to be operated under the direction of the State Fire Service and Emergency Response Council.
- HOUSE FILE 2513** - Uniform Commercial Code — Secured Transactions  
*SEE BUSINESS, BANKING & INSURANCE.* This Act adopts revisions to Article 9 of the Uniform Commercial Code as proposed by the American Law Institute and the National Conference of Commissioners on Uniform State Laws, and conforming amendments to a number of articles within that Code chapter, as well as other chapters providing for security interests and liens, which provide for the creation, priority and enforcement of creditors' consensual liens, which are defined as security interests in personal property and fixtures.
- HOUSE FILE 2519** - Probation and Parole Administration  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act establishes the position of vice chairperson on the Board of Parole. The vice chairperson shall be appointed from the members on the Board of Parole by the Governor and shall be a full-time, salaried member of the board. The Act takes effect May 9, 2000.
- HOUSE FILE 2528** - Condemnation of Property — Miscellaneous Provisions  
*SEE LOCAL GOVERNMENT.* This Act makes several changes to the law relating to the condemnation of private property by an acquiring agency.
- HOUSE FILE 2545** - Appropriations — Administration and Regulation  
*SEE APPROPRIATIONS.* This Act relates to and appropriates \$90.4 million from the General Fund of the State to various state departments, agencies, funds, and certain other interstate and national entities and authorizes 1,909.4 full-time equivalent positions for FY 2000-2001. The state departments and agencies include the Auditor of State, Iowa Ethics and Campaign Disclosure Board, Department of Commerce, Department of General Services, Capitol Planning Commission, Office of

Governor including the Lieutenant Governor and Terrace Hill quarters, Department of Inspections and Appeals, Department of Management, Department of Personnel, Iowa Public Employees' Retirement System, Department of Revenue and Finance, Secretary of State, Office of State-Federal Relations, and Treasurer of State.

- HOUSE FILE 2579** - Tobacco Settlement Authority Act  
*SEE BUSINESS, BANKING & INSURANCE.* This Act establishes new Code Chapter 12E, the "Tobacco Settlement Authority Act." The Act creates a tobacco settlement authority which is authorized, subject to a program plan, to invest funds available, including all or a portion of the state's share of the master settlement agreement entered into by the state with tobacco companies, to establish a stable source of revenue to be used for the purposes of the Tobacco Settlement Endowment Fund. The powers of the authority are vested in a board consisting of the Treasurer of State, the Auditor of State, and the Director of the Department of Management. The Act establishes a Tobacco Settlement Trust Fund under the control of the authority. The fund is to consist of moneys paid to the authority and not pledged to the payment of bonds or otherwise obligated. New Code Chapter 12E is repealed March 1, 2001. The Act takes effect May 19, 2000.
- H.J.R. 2014** - World Food Prize Awards Ceremony  
*SEE ALCOHOL REGULATION & SUBSTANCE ABUSE.* This Resolution authorizes the consumption of wine at an awards ceremony to be held by the World Food Prize Foundation at the State Capitol on or around October 12, 2000.

## STATE GOVERNMENT

### **SENATE FILE 182 - Acupuncture — Licensure and Regulation**

BY SZYMONIAK. This Act provides licensing requirements for the practice of acupuncture to be administered by the Board of Medical Examiners. Previously, an individual engaged in the practice of acupuncture was not required to be licensed, but was required to be registered with the Board of Medical Examiners.

The Act provides a revised definition of "acupuncture" and provides that in order to obtain a license to practice acupuncture, an applicant must maintain current active status as a diplomate in acupuncture of the National Commission for the Certification of Acupuncturists and must have successfully completed a three-year postsecondary training program or acupuncture college program which is accredited by, in candidacy for accreditation by, or which meets the standards of the National Accreditation Commission for Schools and Colleges of Acupuncture and Oriental Medicine. The applicant must also have successfully completed a course in clean needle technique approved by the National Commission for the Certification of Acupuncturists. The Act provides, however, that licensure will be granted to a resident of the state who has successfully completed an acupuncture degree program approved by the board, or an apprenticeship or tutorial program approved by the board, on or before July 1, 2001.

The Act retains requirements previously contained in Code Chapter 148E regarding the posting and furnishing of information to patients, grounds for revocation or suspension of a license to practice acupuncture, the statement that accident and health insurance coverage for acupuncture services is not compelled under the chapter, and the standard of care of a licensee. The Act adds a requirement regarding the posting and furnishing of a statement indicating that a license to practice acupuncture does not authorize a person to practice medicine and surgery in Iowa, and that the services of an acupuncturist must not be regarded as diagnosis and treatment by a person licensed to practice medicine and must not be regarded as medical opinion or advice. The Act repeals a requirement relating to an acupuncturist obtaining an evaluation and referral of an individual's condition by a person licensed to practice medicine and surgery, osteopathy, osteopathic medicine and surgery, chiropractic, podiatry, or dentistry, prior to the performance of acupuncture upon the individual.

### **SENATE FILE 419 - Veterinary Practice Requirements**

BY COMMITTEE ON STATE GOVERNMENT. This Act establishes certification requirements for veterinary clinics. The Act provides that any individual who provides veterinary medical services, owns a veterinary clinic, or practices in the state of Iowa shall obtain a certificate from the Board of Veterinary Medicine and be subject to the same standards of conduct applicable to a licensed veterinarian, unless a standard of conduct is determined by the board to be inapplicable.

The Act provides that certificate issuance, renewal or denial; rules relating to standards of conduct; and disciplinary action shall be administered by the board in accordance with established procedures relating to veterinary license suspension and revocation or licensee discipline. The Act directs the board to establish certification fees in an amount sufficient to fully offset certification costs. The Act provides that for FY 2001, the Department of Agriculture and Land Stewardship shall retain collected fees to administer the program, and that for FY 2002 and succeeding fiscal years, certification fees shall be deposited in the General Fund of the State and are appropriated to the department to administer the certification provisions.

The Act provides that, prior to January 1, 2001, and prior to implementation of the certification provisions, the board shall submit a certification program report to the General Assembly. The report shall include the criteria to be used for certification, the methods and procedures to be used in the certification process, the anticipated cost of operating the certification program, the estimated certification fee to be charged each clinic, and the general manner of implementation of the program.

As previously stated, the Act contains a delayed effective date of July 1, 2001, with regard to the certification provisions contained in Section 1 of the Act. Section 2 of the Act, relating to submission of the certification program report, takes effect July 1, 2000.

### **SENATE FILE 2036 - Upper Mississippi Riverway Compact — Repeal**

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act repeals the Upper Mississippi Riverway Compact that was adopted by the General Assembly in 1967. The compact was drafted to include the states of Illinois, Iowa, Minnesota, and Wisconsin. The state of Missouri was also invited to join. The purpose of the compact was to encourage economic development, tourism and resource conservation along the river area within the member states. The compact was not adopted by any of the other states and not ratified by the U.S. Congress.

Also repealed is a provision in the Iowa Public Employees' Retirement System that offered an agreement extending IPERS membership to employees of the Upper Mississippi Riverway Commission.

**SENATE FILE 2092 - Substantive Code Corrections**

BY COMMITTEE ON JUDICIARY. This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

The word "bank" is substituted for the words "financial institution," and an internal reference to the section relating to payment of losses in a bank is added in provisions that relate to banks and to credit unions.

An internal reference is corrected in language relating to review of action or intended action by the State Public Defender on attorney fee claims. Appointment and removal authority provisions relating to the State Public Defender are clarified to provide that the State Public Defender may both appoint and remove not only the local public defender but also other employees listed in the applicable paragraph in the Code.

Language in provisions relating to military proceedings that establish the requirements which must be met before a sentence imposing a dishonorable discharge, discharge under other than honorable conditions, dismissal, or confinement can be adjudged is conformed to language in Section 819 of Article 19 of the Military Code of Justice. In provisions relating to which kinds of offenses are not cognizable in military proceedings, the offense of rape is replaced with the offense of sexual abuse.

Language relating to public employment and appointment preferences for honorably discharged persons is amended to apply the definition of "veteran" found in Code Section 35.1 to Code Chapter 35C.

Changes are made in the quorum requirements for commissions having control over memorial hospitals to adjust for changes made by 1999 Iowa Acts, Chapter 36, which permitted the commissions to consist of seven members, not just five, as was the case previously.

Certain provisions relating to the canvassing of the results of a judicial election are amended by adding the phrase "full-time associate juvenile judge, or full-time associate probate judge."

The name of the Division of Capitol Security is changed to the "Division of Capitol Police" and references to capitol security officers are accordingly changed to "capitol police officers."

The word "contractor" is substituted for the word "employer" in language relating to the contesting of citations or proposed assessments of penalties by the Labor Commissioner against contractors.

The civil penalty applicable to holders of liquor licenses or permits for first offense violations of Code Section 123.39, applicable to holders of liquor licenses or permits for first offense violations of Code Section 123.49, subsection 2, paragraph "h," which relates to sales of alcohol to minors, is changed from \$300 to \$500.

The word "care" is stricken from the term "health care facility" in provisions relating to the procedure for obtaining consent to HIV testing in cases where a significant exposure has occurred on the premises of the facility. The term "health facility" is defined in Code Chapter 141A.1, and covers acute care facilities, longer-term care facilities, and other types of facilities and institutions.

Provisions pertaining to the Sheep and Wool Promotion Board are clarified to provide that the board has the authority to set an assessment if approved by a majority of voters at a referendum.

A clerical error that occurred during the drafting process of 1999 Iowa Acts, Chapter 158, is corrected in language which relates to the imposition of excise taxes on turkeys.

Language relating to the expunging of child abuse information from the Child Abuse Registry is changed to specify that information relating to the types of child abuse specified in paragraph "c" or "e" of Code Section 232.68, subsection 2, are not to be expunged for 30 years.

The Department of Economic Development is specified as the department responsible for the adoption of rules pertaining to the allocation of moneys to support program capital costs for the Accelerated Career Education Program.

A parenthesis is moved to reflect the correct plant name in language designating the types of primary noxious weeds.

Motorcycles and trailers are added to the list of vehicles for which owners may apply for Legion of Merit special plates.

Language relating to penalties applicable to mobile home dealers who acquire Iowa-titled mobile homes or manufactured

housing and who do not obtain a certificated of title for the homes or housing is modified to provide that the penalties apply to both mobile home and manufactured housing acquisition.

The Code section reference for the penalty applicable to penal offenses against the Motor Vehicle Title Law is changed to refer to Code Section 805.8, which provides a listing of scheduled violations, instead of the general penalty provision for Code Chapter 321 violations, Code Section 321.482. Under Code Section 805.8, subsection 12, a \$50 fine only is specified for these title law offenses.

Language pertaining to the regulation of distributor and factory branches and representatives is stricken and one section is repealed. The licensing and regulation of these types of entities by the Iowa Department of Transportation was repealed by 1997 Iowa Acts, Chapter 108.

Language relating to when stock ownership constitutes a prohibited personal interest in a municipal housing project or property included or to be included in a municipal housing project by a public official or employee of a municipality is modified to provide that a 5 percent ownership interest "shall not be deemed an interest of, or ownership or control by" the person.

Language relating to an obsolete certification of the amount of the personal property tax replacement base for each taxing district by the Director of Revenue is deleted. A reference to the Department of Management is changed to the Department of Revenue and Finance in language pertaining to the adjustment function in the personal property tax replacement base. Language pertaining to certain events that have already occurred is also stricken.

The words "maximum pressure" are substituted for the word "rate" in provisions relating to the dispersing of manure through spray irrigation equipment orifices.

The words "received from the sales" are replaced with the word "sold" in language relating to the portion of the amounts received from the sales of various types of trees and shrubs that must be deposited into the Forestry Management and Enhancement Fund.

References to Code Section 483A.30 are deleted in provisions relating to use of revenue from nonresident deer and wild turkey hunting licenses. Code Section 483A.30 was repealed in 1999.

A provision relating to the methods of causing a mechanic's lien which has been satisfied to be cancelled or forfeited is amended to provide that it is the demand and required attachments which are to be filed with the clerk of the district court and subsequently mailed by the clerk to both parties affected by a mechanic's lien.

The phrase "a lien created under this section" is stricken and the phrase "a lien created under section 579B.3" is substituted. The lien for amounts owed contract producers is actually created under Code Section 579B.3, not Code Section 579B.4.

Provisions relating to temporary emergency jurisdiction of courts of this state in child-custody matters are amended by replacing the word "or" in the phrase "court or another state under a statute" with the word "of."

Language relating to the listing, in an order for hearing in a child-custody proceeding, of the circumstances which must be demonstrated by a respondent to prevent the hearing from going forward is amended to reflect the mutual exclusivity of those circumstances.

The word "part-time" is added before the words "associate probate judge" in provisions relating to the appointment, removal and qualification of part-time associate probate judges.

References to the year July 1, 1999, are changed to refer to July 1, 2000, in provisions relating to mineral, water, timber, and other resources of a trust that are contained within the Uniform Principal and Income Act.

Language in provisions relating to the fingerprinting of adults and juveniles is amended to clarify that final disposition reports are to be filled out on both arrests of adults and the taking of juveniles into custody.

A Code section that specifies the situations in which a court appearance is required on a scheduled violation is amended to provide that language which describes what a defendant who has been charged with a scheduled violation must do, and what procedures apply, applies to all of the situations enumerated in the section.

The words "of the inmate" are added to language relating to the deduction of amounts from the earnings in an inmate's general account for legal and administrative financial obligations to provide that it is the inmate's obligations for which the deductions are to be made.

Subsection 8 of Code Section 29 of 1999 Iowa Acts, Chapter 13, is amended to clarify that Code Section 321.21, not Code Section 321.1, was to be repealed effective upon enactment of 1999 Iowa Acts, Chapter 13. Section 28 of 1999 Iowa Acts, Chapter 13, contains the repeal of Code Section 321.21. The change is made retroactively applicable to April 7, 1999.

Section 5 of 1999 Iowa Acts, Chapter 55, is amended by adding "Code 1999" to clarify that the limitation which applied through June 30, 1999, is the limitation that existed in Code 1999 prior to enactment of 1999 Iowa Acts, Chapter 55, which took effect July 1, 1999. This change is made retroactively applicable to April 23, 1999.

Section 3 of 1999 Iowa Acts, Chapter 131, is amended by striking the phrase "all claims of exemption under this section" and inserting the phrase "all claims of exemption under this Act," in order to apply the effective date provision to the substantive part of 1999 Iowa Acts, Chapter 131. This change is made retroactively applicable to May 17, 1999.

#### **SENATE FILE 2113 - Massage Therapy — Licensing**

BY COMMITTEE ON STATE GOVERNMENT. This Act provides that an individual shall not engage in the health care service of the healing art of massage therapy without having obtained a license for that purpose.

The Act provides that the practice of massage therapy is strictly prohibited by unlicensed individuals, and that it is unlawful to use the initials "L.M.T." or the words "licensed massage therapist," "massage therapist," "masseur," "masseuse," or any other word or title that implies or represents that the person practices massage therapy, unless the person possesses a massage therapy license issued pursuant to Code Section 152C.3. The Act also adds cosmetology arts and sciences to the list of professional practices or services which shall not be considered massage therapy pursuant to Code Section 152C.1, subsection 3.

The Act additionally provides that the Massage Therapy Advisory Board may impose a civil penalty upon a person who practices as a massage therapist without a license, or upon a person or business that employs an individual who is not licensed, in an amount not exceeding \$1,000 for each offense, with each day of a continued violation after an order or citation from the board has been received constituting a separate offense. However, the maximum penalty imposed shall not exceed \$10,000. The Act specifies several factors the board may consider in determining the amount of a civil penalty and also prescribes notice, hearing, judicial review, and penalty for nonpayment provisions.

The Act additionally provides transition provisions governing situations regarding an applicant for a new license to practice massage therapy applying prior to July 1, 2002, an applicant with a license that has lapsed prior to July 1, 2000, who applies for reinstatement prior to July 1, 2002, and an applicant with a license that has lapsed prior to July 1, 2000, who does not apply for reinstatement prior to July 1, 2002.

#### **SENATE FILE 2141 - Merchant Marine Bonus Fund**

BY COMMITTEE ON STATE GOVERNMENT. This Act creates a Merchant Marine Bonus Fund in the State Treasury and appropriates \$150,000 from the General Fund of the State to be used to pay bonus compensation to World War II oceangoing merchant marine veterans. The Merchant Marine Bonus Program was created in 1999 Iowa Acts, Chapter 180, Section 5.

#### **SENATE FILE 2249 - State Agency Purchasing Preference — Bio-Based Fluids, Greases, and Lubricants**

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act relates to the procurement by state agencies of bio-based hydraulic fluids, greases, and other industrial lubricants. The Act requires that the Department of General Services, or a state agency authorized by the department, give preference to purchasing hydraulic fluids, greases, and other industrial lubricants manufactured from soybeans. The Act requires the department to revise procurement specifications to ensure that the preference by state agencies for bio-based hydraulic fluids, greases, and other industrial lubricants occurs.

The Act amends Code Sections 216B.3, 260C.19B, 262.25B, 307.21, and 904.312B, which require the Department for the Blind, the board of directors of merged areas, the State Board of Regents and institutions under the board, the Iowa Department of Transportation, and the Department of Corrections to comply with the purchasing preference of bio-based hydraulic fluids, greases, and other industrial lubricants.

The Act defines "bio-based hydraulic fluids, greases, and other industrial lubricants" as the same as defined by the U.S. Department of Agriculture, if the department has adopted such a definition. Otherwise, the term means hydraulic fluids, greases, and other lubricants containing a minimum of 51 percent soybean oil. The Act also defines "other industrial lubricants" as lubricants used or applied to machinery.

**SENATE FILE 2266 - Department of Public Defense — National Guard Officers — Emergency Response Commission Membership**

BY COMMITTEE ON STATE GOVERNMENT. This Act provides for the appointment of deputy adjutants general for the Iowa National Guard and three additional members to the Iowa Emergency Response Commission.

Division I of the Act amends Code Chapter 29A to provide that the state active duty position of administrative orders officer is eliminated and replaced by an additional deputy adjutant general position.

The Act also changes the requirements for appointment of Adjutant General as follows:

1. The appointee must be a member of the U.S. Army or Air National Guard, the Army or Air Force Reserve, or the active U.S. Army or Air Force.
2. The appointee must have attained at least the rank of colonel.
3. The appointee must be eligible for federal recognition as a brigadier general, if not a federally recognized brigadier general at the time of appointment.

The Act also creates the positions of deputy adjutant general for the Army National Guard and deputy adjutant general for the Air National Guard. The requirements for appointment as a deputy adjutant general are that the appointee must be a member of the Iowa Army or Air National Guard and the appointee must have obtained at least the rank of colonel and be eligible for federal recognition at the next higher rank.

The Act provides that in the absence of the Adjutant General, the senior deputy adjutant general present for duty, based upon the date of the state appointment, shall perform the duties of the Adjutant General.

The provisions of this Act concerning public defense and adjutant generals take effect March 30, 2000.

The Act also expands the membership of the Iowa Emergency Response Commission from 12 to 15 members. The new members shall be a representative from a local emergency planning committee, a representative from the Iowa Hazardous Materials Task Force, and an additional private industry representative. The representatives of the departments of Workforce Development, Natural Resources, Public Defense, Public Safety, and Transportation, which are responsible under federal and state law for staffing and support of the commission, and one private industry representative are designated as voting members of the commission. The remaining members are designated as nonvoting, advisory members.

**SENATE FILE 2388 - Corporate Reporting to Secretary of State**

BY COMMITTEE ON STATE GOVERNMENT. This Act amends a number of provisions requiring the filing of reports with the Secretary of State.

The Act amends Code Section 9H.9, which provides for the filing of reports by meat processors regarding the number of head of livestock fed and slaughtered. Generally, the reports must be filed for the processor's calendar or fiscal year. Code Section 9H.9 currently requires that the processor file information about the total number of hogs and cattle owned and fed more than 30 days by the processor during the preceding calendar year. This Act provides that the information may be based on a calendar or fiscal year, consistent with the other provisions.

Prior to 1998, a number of different Code chapters required persons to file reports with the Secretary of State. Several of these chapters required reports to be filed by corporate entities holding agricultural land in this state. Code Section 9H.5A required reports to be filed by corporations, including authorized corporations, limited partnerships, trusts, and limited liability companies. Code Section 501.103 required reports to be filed by cooperative corporations (now referred to as "cooperatives"). Code Section 567.8 required reports to be filed by nonresident aliens, foreign businesses and foreign governments. In 1998, the General Assembly enacted H.F. 2335, which combined these reporting requirements into several provisions in Code Chapter 10B. That Act also provided that reporting requirements under those other chapters were suspended until July 1, 2000. This Act provides that the reporting requirements found in the other chapters are permanently suspended.

In 1997, the General Assembly enacted H.F. 637 (1997 Iowa Acts, Chapter 171), which required a number of corporate entities organized under various provisions of the Code to file reports with the Secretary of State on a biennial rather than annual basis. However, the Act did not change the filing requirement for all corporate entities, and it did not amend provisions in all chapters where biennial filing was required. This Act changes the reporting requirement for foreign public utility corporations organized under Code Chapter 495 and professional corporations and foreign professional corporations organized under Code Chapter 496C by requiring biennial reporting for those entities. This Act also amends various sections in chapters where biennial reporting is required in order to provide consistency with other provisions in the chapters. Thus, the Act amends provisions

governing cooperative associations organized under Code Chapters 497, 498 and 499, to require biennial rather than annual reporting in all relevant sections.

In 1996, the General Assembly enacted S.F. 2135 (1996 Iowa Acts, Chapter 1010), which created cooperative corporations eligible to hold agricultural land. The Act provided for the filing of annual reports with the Secretary of State. In 1998, the General Assembly amended the chapter in S.F. 2404 (1998 Iowa Acts, Chapter 1152). That Act changed the name of those entities to simply cooperatives and made a number of other changes based on provisions in Code Chapter 490 governing corporations. The Act provided for the filing of an annual report, but also referred to a biennial report requirement. In 1999, the General Assembly enacted S.F. 102 (1999 Iowa Acts, Chapter 96), the nonsubstantive Code Editor's bill. The Act corrected the reference to an annual report. This Act provides that reports filed by cooperatives under Code Chapter 501 must also be filed on a biennial basis.

**SENATE FILE 2390 - Department of Inspections and Appeals — Duties — Divisions**

BY COMMITTEE ON STATE GOVERNMENT. This Act makes changes in the Code relative to the duties of divisions within the Department of Inspections and Appeals.

The Act establishes the Health Facilities Division within the Department of Inspections and Appeals. The division currently exists within the department, but is not codified. The Act establishes the duties of the division in new Code Section 10A.702, some of which are currently codified as duties of the Investigations and Inspections Divisions of the department (eliminated as duties of these divisions in this Act), but which are, or under the Act will be, carried out by the Health Facilities Division, including investigations relative to standards and practices of hospitals, hospices, birth centers, and health care facilities; inspections and other licensing procedures relative to the hospice program, hospitals, birth centers, and health care facilities; inspections relative to hospital and health care facility construction projects; and inspections of child foster care facilities and private institutions for the care of dependent, neglected and delinquent children.

The Act deletes the responsibility assigned the Investigations Division of performing investigations pertaining to standards and practices of hospitals, hospices and health care facilities, which is instead assigned in the Act to the Health Facilities Division.

The Act also eliminates as a duty of the Inspections Division the inspection of land situated outside of Iowa which is proposed for sale within the state. The Act adds as a duty of the Inspections Division the current practice of inspections and licensing procedures related to social and charitable gambling pursuant to Code Chapter 99B.

**SENATE FILE 2395 - State Information Technology**

BY COMMITTEE ON STATE GOVERNMENT. This Act creates new Code Chapter 14B, which establishes the Information Technology Department. The Act states that the mission of the department is to foster the development and application of information technology to improve the lives of Iowans.

Under the Act, the department is empowered to provide information technology to participating state agencies and other governmental entities. A "participating agency" is any unit of state government other than the State Board of Regents and associated institutions, the Public Broadcasting Division of the Department of Education, the Iowa Department of Transportation, the Department of Public Safety law enforcement communications systems, and the Iowa Telecommunications and Technology Commission.

The new department is also required to implement a strategic information technology plan prepared by the Information Technology Council; develop and implement a business continuity plan to be used if a disruption in providing information technology occurs; develop and implement recommended standards for information technology; recommend and implement standards for an electronic repository for maintaining mandated agency reports; develop and maintain security policies and systems to ensure the integrity of the state's information resources; develop and implement effective and efficient strategies for the use and provision of information technology; coordinate the acquisition of information technology by participating agencies; enter into agreements necessary to implement the chapter; and establish and maintain, in cooperation with the Department of Revenue and Finance and the Department of General Services, an inventory of information technology devices used by participating agencies and other governmental entities using the department's services.

The department is authorized to charge a participating agency or other governmental entity a reasonable and necessary amount for information technology provided by the department to such agency or entity.

The Act establishes an Information Technology Council composed of 17 members to oversee the department and the information technology activities of participating agencies. The voting members of the council must annually elect a member to serve as chairperson. The council is directed to develop recommended standards for consideration with respect to the procurement of

information technology by all participating agencies; appoint advisory committees as appropriate to assist the council; prepare and annually update a strategic information technology plan for all of state government; review and recommend, as appropriate, legislative proposals; review recommendations of the IowaAccess Advisory Council regarding rates to be charged for access to and for value-added services performed through IowaAccess, and make recommendations to the General Assembly regarding such rates; and review and approve the annual budget recommendation for the department as proposed by the director of the department. The council may grant a waiver from the application of information technology standards to a participating agency.

The department is to include a policy and planning division responsible for the integration of information technology into all business aspects of state government; an operations division responsible for server systems, desktop support, and applications integration; a customer liaison division responsible for support and promotion of departmental services and information technology; a digital government bureau responsible for initiating and supporting the development of electronic commerce, electronic government, and Internet applications across participating agencies and in cooperation with other governmental entities; and the IowaAccess Advisory Council responsible for providing a service to Iowans that is the gateway for one-stop electronic access to government information and transactions, whether federal, state or local.

The Act directs the Information Technology Council to develop recommended standards for the procurement of information technology by all participating agencies. The Act states the intent of the General Assembly that information technology standards be established to guide such procurements.

The Act requires the Information Technology Department and the Department of General Services to enter into an interagency agreement regarding the division of responsibilities between the two departments with respect to the procurement of information technology. The Act also establishes several options by which the Information Technology Department may procure information technology.

The Act provides that an agency required to compile and maintain a report, on and after July 1, 2001, must maintain such report in an electronic form, giving consideration to the standards for electronic records recommended by the department. The Act also provides that the director of the department is to be an additional member of the State Records Commission.

The Act also provides for a review of the operations of the Iowa Communications Network and the department by the General Assembly during the 2002 Regular Session for the purpose of determining whether the oversight and administration of the network should be under the authority of the department.

The Act takes effect April 25, 2000.

#### **SENATE FILE 2411 - Public Retirement Systems**

**BY COMMITTEE ON STATE GOVERNMENT.** This Act makes numerous changes pertaining to public retirement systems, including the Public Safety Peace Officers' Retirement, Accident, and Disability System (Code Chapter 97A), the Iowa Public Employees' Retirement System (Code Chapter 97B), the Statewide Fire and Police Retirement System (Code Chapter 411), and the Judicial Retirement System (Code Chapter 602).

*PUBLIC SAFETY PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM (PORS).* The Act contains the following provisions relating to PORS:

1. The membership of the board of trustees of the system is increased from three to five members. Of the members added, one shall be a retired member of the system and one shall be appointed by the Governor from the financial services industry.
2. The calculation of retirement benefits for a service retirement is changed to provide that a member of PORS will receive upon retirement a benefit equal to 2.75 percent of the member's average final compensation for each year of service up to a total of 32 years of service or a maximum of 88 percent. Previously, a member of PORS received a benefit equal to 60 percent of the member's average final compensation for 22 years of service, plus an additional 1.5 percent for each year of service over 22 years, to a maximum of 10 additional years of service or a maximum of 75 percent.
3. Code Section 97A.6, subsection 8, governing an ordinary death benefit, is amended to provide that certain eligible beneficiaries of a member who dies shall receive, at a minimum, a monthly pension equal to 25 percent, rather than 20 percent, of the monthly pay of a senior patrol officer if the member died in service. This change takes effect April 12, 2000, and is applicable from July 1, 1996.
4. The method of annually adjusting a retired member's pension to reflect cost-of-living changes is amended. Code Section 97A.6, subsection 14, governing the annual readjustment of pensions, also called the escalator provision, is amended to increase the percentages used to provide an annual readjustment of the pensions payable from the current

30 percent and 33½ percent to 40 percent, and from the current 15 percent to 24 percent. In addition to the modification of the current escalator increase received by an eligible member or beneficiary each July 1, the Act provides for adding to the amount calculated using the current escalator provisions an additional dollar amount based on the number of years the member has been retired. The additional amount is \$15 for a member retired less than five years, \$20 for a member retired between five and 10 years, \$25 for a member retired between 10 and 15 years, \$30 for a member retired between 15 and 20 years, and \$35 for a member retired over 20 years.

5. Code Section 97A.6, new subsection 16, provides for a \$100,000 lump sum payment to a person authorized to receive an accidental death benefit if a member in service covered by PORS dies as a result of a traumatic personal injury incurred in the line of duty. The benefit is in addition to the benefit currently provided for an accidental death while in the performance of duty.

*IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (IPERS).* The Act contains the following provisions relating to IPERS:

1. Code Section 97B.1A, subsection 24, concerning the definition of "three-year average covered wage" used in determining IPERS retirement benefits, is amended by modifying the multiyear mechanism for implementing a revision to the calculation of the three-year average covered wage if the member's average wage exceeds a certain dollar level. Previously, the law provided that a member's "three-year average covered wage" would be calculated using the highest seven years for a member who retires during calendar year 2000, 2001 or 2002, and whose three-year average covered wage exceeds \$55,000. The Act provides that only the highest six years will be used, that the income threshold will increase to \$65,000 for persons retiring on or after January 1, 2000, but before January 1, 2001, and to \$75,000 for persons retiring in calendar year 2001, and that the modification ends after calendar year 2001 and not after calendar year 2002. The portion of this change that applies to members retiring during calendar year 2000 takes effect April 12, 2000, and is applicable on or after January 1, 2000.
2. Code Section 97B.1A, subsection 24, concerning the three-year average covered wage, is also amended to provide for a new determination of this covered wage for a member who retires on or after July 1, 2003. The change provides that beginning July 1, 2003, a member's three-year average covered wage shall be the greater of the member's highest 12 quarters of service, or the member's highest three years of service. Under current law, a member's three-year average covered wage is determined based solely on calendar years.
3. Code Section 97B.1A, subsection 26, defining "wages" is amended. The new definition specifically provides that wages payable to an employee, but that are otherwise deducted from the employee's pay and paid to certain IRS qualified plans, are considered wages. Payments for compensatory time are also included up to 240 hours per year. In addition, the amendment lists several categories of payment to an employee that are not considered wages.
4. Code Section 97B.5 is amended to permit IPERS staff members to seek and hold nonpartisan, elective public offices. Previously, IPERS staff members were not allowed to seek or hold any elective public office.
5. New Code Section 97B.14A is created to require employers to report wages to the Department of Personnel in a manner and form as prescribed by the department. The new section also permits the department to seek additional information from an employer if the wages reported for an employee appear to be distorted and to require an employer to resubmit wage information if the wages for that employee were misreported.
6. The Act provides that persons employed by a municipal water utility or waterworks that has established an alternative pension and annuity retirement system for its employees pursuant to Code Chapter 412 may decide to become members of IPERS. The change provides that persons hired on or after July 1, 2000, will become members of IPERS unless they elect coverage in the alternative retirement system established in Code Chapter 412. Persons hired before July 1, 2000, become members of IPERS as of July 1, 2000, unless they opt for coverage in the alternative system by August 31, 2000. Persons who become members of IPERS pursuant to this Act have the ability to purchase service credit for time employed by a water utility or waterworks while covered under a retirement system established pursuant to Code Chapter 412.
7. Code Section 97B.44, governing the designation of a beneficiary for death benefits by a member, is amended to require that the member obtain the written consent of the member's spouse for an original or changed designation.
8. Code Section 97B.48A, subsection 1, is amended to increase the earned income limit before a member's retirement allowance is reduced pursuant to that section. Previously, a member could earn the greater of \$12,000 or the amount of income permitted under federal social security before a reduction is potentially applied. This change provides that the \$12,000 be increased to \$14,000.
9. Code Section 97B.49B, concerning benefits provided to a member of a protection occupation, is changed by the Act. The Act provides for a modification, over time, of the applicable percentage used in calculating a protection occupation member's retirement benefit. Prior to July 1, 2000, a member received a benefit equal to 60 percent of the member's three-year average covered wage for 25 years of service with an additional 1 percent for up to five additional years of service exceeding 25 years of service. For those members retiring from July 1, 2000, to July 1, 2001, the Act

- provides for a 60 percent benefit for 24 years of service and an additional 1 percent for up to six additional years of service over 24 years. From July 1, 2001, to July 1, 2002, the Act provides for 60 percent for 23 years of service and an additional 1 percent for up to seven additional years of service over 23 years. From July 1, 2002, to July 1, 2003, the Act provides for 60 percent for 22 years of service and an additional 1 percent for up to eight additional years of service over 22 years. Finally, for those retiring on or after July 1, 2003, the Act provides for 60 percent for 22 years of service and an additional 1.5 percent for up to 8 additional years of service over 22 years. This change gradually provides that the percentage benefit allowed for a member of a protection occupation shall match the percentage benefit granted sheriffs, deputy sheriffs, and airport fire fighters under IPERS. In addition, the definition of "employees included in a protection occupation" is amended to add airport security employees covered by the state's merit system who carry or are authorized to carry a weapon for their jobs.
10. Code Section 97B.49F, governing the determination of the cost-of-living dividend, is amended. The dividend program for pre-July 1990 retirees is amended to provide that 100 percent, and not 80 percent, of the percentage based on the Consumer Price Index shall be used in calculating the appropriate percentage to use in determining the dividend adjustment each year. The current 3 percent annual limitation on this percentage is not changed by this Act.
  11. Code Section 97B.49F, subsection 1, concerning the cost-of-living dividend, is amended to provide that the person eligible to receive the dividend must live until November 1 of any particular year to receive a dividend as of the last day of November for that particular year.
  12. Code Section 97B.49F, subsection 2, concerning the favorable experience dividend, is amended. The change provides that the amount deposited in the reserve account of IPERS for the payment of this dividend each year shall not exceed the amount necessary to pay this dividend for the next 10 years.
  13. Code Section 97B.49G is amended to add new subsection 12. This subsection provides that a person employed as a probation officer III or parole officer III, who was a member of the protection occupation for that service between July 1, 1994, and June 30, 1998, shall have the contributions that were contributed to the retirement fund in excess of the percentage applied to most IPERS members deposited in a separate additional contribution account. In addition, any service as a member of a protection occupation for that service will be credited as regular IPERS service. Any amount in that account, plus interest, will be available upon request of the member or upon retirement. Before July 1994, and after June 1998, probation and parole officer IIIs were not included in the protection occupation classification.
  14. Code Section 97B.50, subsection 1, concerning early retirement, is amended to provide that a vested member can use the normal retirement date calculated using the rule of 88 for that member in determining the applicable reduction in the member's retirement allowance for an early retirement. Under current law, for each year a member retires prior to the normal retirement date, the applicable percentage multiplier is reduced by 3 percent. The Act provides that this change will not be implemented until January 1, 2001, or later, if the system can afford the change after the system determines that the death benefit as provided in this Act can be implemented.
  15. New Code Section 97B.50A provides for disability retirement benefits for special service members of IPERS. A special service member of IPERS includes a person who is a member of a protection occupation or who is a sheriff, deputy sheriff, or airport fire fighter. An eligible special service member of IPERS who becomes disabled for duty while in the performance of the member's duty is entitled to an in-service disability retirement allowance equal to the greater of one-twelfth of 60 percent of the member's three-year average covered wage or the amount the member would receive under a normal retirement. For purposes of establishing an in-service disability, heart or lung disease is presumed to have been contracted while on duty. A member who becomes disabled and unable to perform the member's job is entitled to a monthly ordinary disability retirement allowance equal to the greater of one-twelfth of 50 percent of the member's three-year average covered wage or what the member would receive under a normal retirement. For both disability retirements, the Department of Personnel makes the decision as to whether the person is totally disabled. The new Code section also has provisions for offsets to disability allowances, reexamination of members on disability, reemployment, death benefits, establishing the medical board, and subrogation. The costs of administering the disability program shall be paid through contributions from the special service employees and their employers in the same manner as additional benefits are paid. The new Code section applies to a special service member who became disabled prior to July 1, 2000, if the member did not terminate the special service employment before July 1, 2000.
  16. Code Section 97B.51, governing the retirement allowance options a retired IPERS member may select, is retained but rewritten and reordered to provide that all five primary options available to a member upon retirement are listed in the order IPERS refers to them in its administrative rules. In addition, the rewritten section provides a new option to a member retiring, which is reflected in subsection 1, paragraph "d", subparagraph (2). This option allows a member to obtain a decreased retirement allowance and to provide the member's beneficiary with a retirement allowance upon the member's death. The change from the current option reflected in subparagraph (1) is that the member can resume receiving an unreduced retirement allowance as otherwise calculated by Code Chapter 97B if the designated beneficiary dies before the retiree. The new option added by this Act is applicable on or after July 1, 2001.
  17. Code Section 97B.52, governing the death benefit provided a beneficiary of a member who dies prior to retirement, is

- changed. The change provides that, for a member who dies on or after January 1, 2001, a beneficiary can elect to receive a death benefit equal to the current death benefit or an amount representing the actuarial value of the member's retirement benefit as of the date of death. The Act provides that a death benefit can be paid as an annuity only if there is one beneficiary and the beneficiary so elects. This change shall not be implemented until the system can afford it. Once this change is implemented, the Act also provides that a beneficiary of a member who died on or after January 1, 1999, and before the implementation of this section, is eligible to apply for the new death benefit.
18. Code Section 97B.52, new subsection 1A, provides for a \$100,000 lump sum payment to a beneficiary of a special service member of IPERS who dies as a result of a traumatic personal injury incurred in the line of duty. The benefit is in addition to the death benefit currently provided to a member of IPERS.
  19. Code Section 97B.52A, concerning bona fide retirement, is modified to permit an elective official, such as a mayor or a member of the General Assembly, to remain in that position and still receive a retirement allowance following termination of other covered employment so long as the elective official or member of the General Assembly is not contributing to IPERS coverage for the elected position. A corresponding change was made to Code Section 97B.1A, subsection 8, paragraph "a", subparagraph (1), in this Act to permit an elective official to opt out of IPERS coverage if the official terminates employment from all employment covered under this chapter other than employment as an elective official and applies to receive a retirement benefit under IPERS.
  20. Code Section 97B.52A, concerning bona fide retirement, is also changed to provide that commencing July 1, 2000, a member has a bona fide retirement if the member does not return to any employment with a covered employer until the member has received at least one month of retirement benefits and does not return to any covered employment until the member has received at least four months of retirement benefits. Previously, a member had to receive four months of benefits before returning to any employment with a covered employer.
  21. Code Section 97B.60 is amended to require an actuarial investigation of the experience of IPERS every four years beginning with an investigation in calendar year 2002. Previously, IPERS was required to conduct such an experience study every two years.
  22. Code Section 97B.73 is amended to permit a member with five or more full calendar years of covered wages under IPERS to purchase service credit of up to five additional years under IPERS for comparable service as an employee in a qualified Canadian governmental entity which is a publicly supported elementary school, secondary school, or college or university in Canada. The purchase of membership service credit shall be the actuarial cost of the additional service.
  23. New Code Section 97B.73B permits a person who served as a patient advocate appointed under Code Section 229.19 to obtain credit for that service. The new Code section provides that the employer of the patient advocate is liable for unpaid contributions for that service of up to a maximum of one year of service and allows the advocate to purchase additional service credit.
  24. New Code Section 97B.80A permits a member with five or more full calendar years of covered wages under IPERS to purchase service credit of up to five additional years under IPERS for service as an employee of an employer defined in Code Chapter 97B when the employee did not otherwise qualify for coverage under IPERS for that service. The purchase of membership service credit shall be the actuarial cost of the additional service. An example of service eligible for this purchase would be temporary employment for the state, such as substitute teaching.
  25. New Code Section 97B.80B permits a member with five or more full calendar years of covered wages under IPERS to purchase service credit of up to five years under IPERS for service in the federal Peace Corps Program. The purchase of membership service credit shall be the actuarial cost of the additional service.
  26. The Act permits certain IPERS members who prior to July 1, 2000, elected to receive a retirement benefit upon reaching age 70 while still working, to have their retirement allowance recalculated upon termination of employment on or after January 1, 2000, based upon the applicable formula for calculating benefits in place at the time of the termination and not at the time the benefit was elected. This provision takes effect April 12, 2000, and is retroactively applicable to January 1, 2000.
  27. The Act requires IPERS to conduct a study to consider various proposals to provide persons covered under IPERS increased portability of pensions earned prior to coverage under IPERS and of the pension earned under IPERS. IPERS is required to submit a report of its findings and recommendations to the Legislative Service Bureau by September 1, 2001, for distribution to the Public Retirement Systems Committee.

*STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM (Chapter 411).* The Act contains the following provisions relating to the Code Chapter 411 retirement system:

1. Code Section 400.8, governing civil service entrance examinations, is amended to provide that the physical examination of applicants for appointment to positions of police officer, police matron, and fire fighter shall be conducted by the medical board established under Code Chapter 411.

2. New Code Section 400.8A requires the board of trustees of the Code Chapter 411 retirement system, in consultation with the medical board established in Code Chapter 411, to establish and maintain protocols and guidelines for ongoing wellness and fitness of police officers and fire fighters while in service. The new section allows, but does not require, cities to apply the protocols and guidelines to their applicable employees.
3. Code Section 411.1, subsection 19, defining "surviving spouse," is amended. The change provides that a person who marries a retired member of the system after the member retired is the member's surviving spouse regardless of the length of the marriage. Previously, a person who married a retired member after retirement must be married for at least two years prior to the member's death to be considered a surviving spouse of the deceased member.
4. Code Section 411.4, governing the crediting of service, is amended. The change provides that a member can receive credit for a previous period of service under Code Chapter 411 if the member returned to service after an absence from service of less than four years. If the member returned to service after an absence of four or more years, the Act permits the crediting of prior service only if the prior service was long enough to allow for the receipt of a retirement allowance. Code Section 411.1, subsection 12, is also amended to provide that membership service means only that service credited to the member. The changes to Code Section 411.4 and to Code Section 411.1, subsection 12, take effect April 12, 2000, and are retroactively applicable to January 1, 1992.
5. Code Section 411.5, subsection 6, is amended to allow the release of otherwise confidential records under the board's control to a governmental entity for use in a civil or criminal law enforcement activity.
6. Code Section 411.5, subsection 8, concerning the composition and duties of the medical board, is amended. The Act provides that the system can designate a single medical provider network to arrange for the medical examinations required to be conducted and to assist the system in implementing the comprehensive disability program. The Act provides that a physician specializing in occupational medicine, and another physician specialist selected by that physician, shall conduct disability examinations as required by Code Chapter 411. Under prior law, three physicians are designated as the medical board and three physicians from the University of Iowa are required to conduct all disability examinations as required by Code Chapter 411. This section of the Act takes effect July 1, 2001.
7. Code Section 411.6, subsection 2, concerning the retirement allowance for a service retirement, is amended. The change provides, for members retiring on or after July 1, 2000, that the member will receive a service retirement equal to 66 percent of the member's average final compensation instead of the current 60 percent. In addition, the subsection is amended to provide that a member retiring on or after July 1, 2000, with more than 22 years of service will receive an increase in the percentage applied to the member's average final compensation of 2 percent for each year of additional service over 22 years, up to a maximum of eight additional years of service.
8. Code Section 411.6, subsection 5, concerning an accidental disability benefit, is amended to provide that a city shall notify the retirement system if a member is temporarily incapacitated for at least 60 days, or if the city expects a member to be temporarily incapacitated for at least 60 days. The change also provides that the medical board can consult with the member's treating physician during the incapacity. Previously, the system had no right to be involved until the city determined that the disability is likely to be permanent.
9. Code Section 411.6, subsection 7, concerning reexaminations of disability retirement beneficiaries, is amended. One change permits the medical board, when the medical board reexamines a disability-retired member, to suggest appropriate treatment or rehabilitation for the member if the medical board believes it might return the retired member to duty. The earnings test for disability retirement beneficiaries is also changed to provide that the test does not apply to a beneficiary who is 55 years old or older. Previously, the earnings test would still apply to a disability beneficiary over 55 if that beneficiary would not have completed 22 years of service if the beneficiary had remained in active service. Finally, Code Section 411.6, subsection 7, is amended by adding a new paragraph which provides that a disability retirement benefit shall cease if the member returns to duty in a public safety occupation. The Act defines "public safety occupation" as service as a special service member under IPERS, a member of PORS, or a member under Code Chapter 411, who was not restored to active duty.
10. Code Section 411.6, subsection 11, concerning pensions to the spouse or children of a deceased pensioned member, is amended to provide that a person over 22 years old, but who still meets the definition of "child" under the chapter, will receive a pension as provided in this subsection.
11. Code Section 411.6 is amended by adding new subsection 14, governing the designation of a death benefit beneficiary. The new subsection provides that a designation of a person other than the spouse of a member must have the consent of the spouse. In addition, a beneficiary designation is deemed revoked if the member marries, divorces or files a new designation.
12. Code Section 411.6, new subsection 15, provides for a \$100,000 lump sum payment to a person authorized to receive an accidental death benefit if a member in service covered by the municipal fire and police retirement system dies as a result of a traumatic personal injury incurred in the line of duty. The benefit is in addition to the benefit currently provided for an accidental death while in the performance of duty. This provision takes effect April 12, 2000, and applies retroactively to January 1, 1992.

13. Code Section 411.6 is amended by adding new subsection 16, providing that a member otherwise eligible for a disability pension would be ineligible under certain circumstances if the disability was caused by the member's chemical dependency on certain controlled substances, an act in which the member is convicted of a felony, or by appropriate disciplinary actions taken against the member or conflicts at work.
14. Code Section 411.6 is amended by adding new subsection 17, providing that a member otherwise eligible for a pension would be ineligible for that period during which the member is incarcerated due to a conviction for a felony. The member's pension would be paid to the member's spouse, if any, and then to any children of the member. However, if no spouse or children exist, then the pension remains payable to the individual.
15. Code Section 411.11, concerning contributions to the system by a city, is amended. One change provides that if a member is awarded back pay from a city that would otherwise constitute earnable compensation under the chapter, contributions and interest on the back pay awarded shall be paid to the system. In addition, the back pay is then allocated to the member's earnable compensation for the period in which it would have been paid. Another change to the section allows the system to collect interest on unpaid contributions at a rate equal to the system's interest rate assumption or the interest charged by a bank on the system's short-term investment fund account. In addition, the system is granted the right to collect unpaid contributions from a city in a legal action with costs of the action assessed to the city if the system prevails. The changes to this section take effect April 12, 2000, and are retroactively applicable to January 1, 1992.
16. Code Section 411.22, concerning the system's right to maintain an action to recover benefits paid when a third party is liable, is amended to provide that the system is subrogated to the rights of a member's beneficiary who receives a death benefit for the death of a member in which a third party is liable. In addition, the section is changed to provide that the system is entitled to bring an action against a liable third party for lost earnings and lost earnings capacity prior to the time that the member or the member's estate has the right to seek recovery. Previously, the member had the right to seek legal action and the system was entitled to maintain an action only if the member failed to bring an action after the system requested the member to bring the action.

**JUDICIAL RETIREMENT SYSTEM.** The Act contains the following provisions relating to the judicial retirement system:

1. Code Section 602.9104, governing contributions from judges and the state to the judicial retirement system, is amended to provide that each judge will contribute 5 percent, instead of the current 4 percent, of the judge's salary to the fund.
2. Code Section 602.9107, governing the basic retirement annuity for a judge, is amended to provide that the maximum annuity for a judge retiring between July 1, 2000, and July 1, 2001, shall be limited to 56 percent of the judge's average annual salary for the last three years of service, while the maximum annuity for a judge retiring on or after July 1, 2001, shall be limited to 60 percent. Under current law, a judge receives an annuity based on 3 percent of salary multiplied by the number of years of service with a cap of 52 percent. The increase in this percentage is also applied to the calculation of a senior judge pension with the percentage to be applied to the benefits in existence as of the date the judge ceased to be a full-time judge.
3. The Act requires the State Court Administrator to notify the General Assembly when the system is about to achieve fully funded status based upon benefits authorized judges as of July 1, 2001, and to conduct a study, in consultation with the Iowa Judges Association, concerning the appropriate means of financing the system when the system reaches fully funded status. The Act provides that the intent of the General Assembly is that when the fund reaches fully funded status, the contributions to the system required from judges and the state should match the ratio of contributions from employees and employers under IPERS.

**MISCELLANEOUS.** The Act directs the Department of Management to conduct a study concerning the possible implementation of a system to provide retirement, and death and survivor benefits, to volunteer fire fighters and emergency medical service providers. The department shall submit a report to the General Assembly on the study by January 8, 2001.

**SENATE FILE 2427 - Manufactured Homes — VETOED BY THE GOVERNOR**

**BY COMMITTEE ON WAYS AND MEANS.** This bill would have modified the definition of a factory-built structure to specifically include a mobile home, manufactured home, or a modular home as those terms are defined in Code Section 435.1, and would have provided for the certification of manufactured home installers pursuant to rules adopted by the State Building Code Commissioner. The proposed amendment to the definition adds modular homes to current law governing factory-built structures. A person who installs manufactured homes would have been certified by the State Building Code Commissioner. The commissioner would have established a fee for certification of the installers. All fees collected would have been credited to the General Fund of the State and would have been appropriated to the commissioner to pay the costs of administering the certification process.

The bill also would have established a civil penalty, not exceeding \$1,000 per violation, which could have been assessed by the State Building Code Commissioner against a person who violated a manufacturing or installation standard or failed to allow or perform an act required by Code Chapter 103A or rules of the commissioner. Each violation involving a separate manufactured home or a separate failure or refusal to allow or perform an act required by Code Chapter 103A or by rule would have constituted a separate offense. The maximum civil penalties for a series of violations occurring within one year from the date of the first violation could have not exceeded \$1,000,000.

The bill would have authorized a separate civil action by any person who is injured in person or property by reason of another person's violation of any of the standards adopted for the installation of manufactured homes.

**HOUSE FILE 475 - Terminology Changes — Armed Forces — Gender — Lessors of Property**

BY COMMITTEE ON STATE GOVERNMENT. This Act makes changes to the Code by modifying language that may be gender specific.

Code Sections 331.441 and 602.8105 are amended to change references to soldiers, sailors and marines, to members of the armed services.

Code Section 554.1102 is amended and Code Section 633.4 is repealed to eliminate provisions indicating that reference to the masculine includes the feminine. In both instances, the Code does not make a specific reference to the masculine, making the language in these two Code sections unnecessary.

The Act also directs the Code Editor to substitute the words "property lessor" and "property lessor's" for "landlord" and "landlord's," respectively, in the Code unless a contrary intent is clearly evident. However, this provision, changing landlord to property lessor, is repealed in S.F. 2452 (see Appropriations).

**HOUSE FILE 686 - Dental Assistants — Registration and Scope of Authority**

BY COMMITTEE ON STATE GOVERNMENT. This Act provides that individuals practicing as dental assistants are required to register with the Board of Dental Examiners. The Act provides a scope of practice for registered dental assistants performing delegated functions under the supervision of a licensed dentist, and authorizes the board to establish and regulate by rule dental assistant registration, renewal, and continuing education requirements, as well as standards relating to the revocation or suspension of registration.

The Act provides that registration requirements shall include both education components and an examination. The Act provides that the education requirements will be determined by the board by rule, and can be satisfied either through formal classes or by job equivalency training. The examination will include sections regarding infection control, hazardous materials, and jurisprudence.

The Act additionally provides that an individual employed as a dental assistant as of July 1, 2001, shall be registered with the board and receive a certificate of registration, and that an individual becoming employed as a dental assistant after July 1, 2001, will have a 60-day period to become registered from the date of employment. The Act provides a legislative intent provision that the board adopt rules on or before January 1, 2001, concerning dental assistants and that in developing the rules, the board shall consider the recommendations of the scope of practice review committee relating to practice as a dental assistant, and that specified services shall not be delegated to a dental assistant. The Act provides that the legislative intent provision regarding the adoption of rules by January 1, 2001, takes effect February 23, 2000.

**HOUSE FILE 2113 - Recognition of Federal Rights and Service — VETOED BY THE GOVERNOR**

BY BRADLEY. This bill authorized and requested the Governor to issue annually a proclamation designating December 15, the month and day of ratification in 1791 of the first 10 amendments to the Constitution of the United States, as "Bill of Rights day." The bill also provided that persons recognized by the U.S. armed forces as retired from the U.S. armed forces are considered to be "retired" for purposes of obtaining a U.S. armed forces retired motor vehicle license plate.

**HOUSE FILE 2136 - Nonsubstantive Code Corrections**

BY COMMITTEE ON JUDICIARY. This Act makes Code changes and corrections that are considered to be nonsubstantive and noncontroversial, in addition to style changes.

Changes made include updating or correcting various names of public and private entities, updating various forms, deleting references to events or things which no longer exist, and correcting internal Code and subject matter references, as well as making various grammatical corrections. Subject matter areas in which the technical, grammatical, and other nonsubstantive changes are made include the following: sale of condemned property, the Department for the Blind, the Linked Investments for

Tomorrow Act, the Traditional Livestock Producers Linked Investment Loan Program, Iowa Agricultural Industry Finance loans, the appointment of the Executive Director of the Commission of Veterans Affairs, elections, workers' compensation contested cases, transportation of anhydrous ammonia, medical clinical education programs, brain injuries, area health education centers, the primary care collaborative work group, contagious and infectious diseases, the Agricultural Energy Management Advisory Council, brucellosis control in swine, hog-cholera vaccines and serum, excise taxes on turkeys, commitment of sexually violent predators, a health professional training campaign concerning substance abuse and pregnancy, the Leadership Council for Child Care Training and Development, payment of medical claims from the University of Iowa Hospitals and Clinics, the public schools' gifted and talented programs, the Osteopathic Physician Recruitment Program, the Center for Health Effects of Environmental Contamination, at-risk educational programming for young children, fencing materials requirements, sales and use taxes on aircraft, tax credits for cow-calf operations, elections for local option taxes, property tax valuations and exemptions, tax deeds, sewer and water supply systems, petroleum underground storage tanks, nonprofit health care service corporation contracts, the Iowa Comprehensive Health Insurance Association, rental company insurance sales, the Uniform Commercial Code, child custody proceedings, probate, habeas corpus, and sex offender registration. The Act also corrects the Code based on the change in the century to eliminate references to the 1900s where the current year is intended.

#### **HOUSE FILE 2153 - Drug Policy Coordination**

BY COMMITTEE ON JUDICIARY. This Act deals with the coordination of drug policy at the state level.

The Act changes the name of the Drug Enforcement and Abuse Prevention Coordinator to the Drug Policy Coordinator. In addition, the Act provides that the coordinator shall direct the Governor's Office of Drug Control Policy. Prior references to the Governor's Alliance on Substance Abuse in the Code are amended and replaced with reference to the Governor's Office of Drug Control Policy.

The Act also repeals the provision establishing the Narcotic Enforcement Advisory Council and changes the name of the Drug Abuse Prevention and Education Advisory Council to the Drug Policy Advisory Council and adds enforcement to one of its areas of concern. In addition, the membership on the Drug Policy Advisory Council is expanded to 15 members by adding a member from the Division of Criminal and Juvenile Justice Planning, a certified substance abuse prevention specialist, a substance abuse treatment program director, a justice or judge selected by the Chief Justice of the Supreme Court, and representatives of the Iowa Association of Chiefs of Police and Peace Officers, the Iowa State Police Association, and the Iowa State Sheriffs' and Deputies' Association.

#### **HOUSE FILE 2206 - Waiver or Variance of Administrative Rules**

BY COMMITTEE ON ADMINISTRATIVE RULES REVIEW. This Act provides statutory guidelines for the waiver of administrative rules by state agencies. The Act permits a state agency, upon petition by a person, to grant a waiver or variance from an administrative rule of that agency at the discretion of the agency. The Act provides that a petition for a waiver or variance of a rule shall be granted only if the agency has jurisdiction over the rule and establishes a procedure permitting the issuance of waivers or variances, and the law otherwise permits the granting of a petition for waiver or variance. The Act provides that the burden of persuasion is on the person seeking a waiver or variance and provides that a petition for waiver or variance can be granted only if the agency finds, by clear and convincing evidence, that the rule would constitute an undue hardship, that the waiver would not prejudice others, that the specific rule provision is not mandated by statute, and that substantially equal protection of health and safety can be afforded by means other than the rule. The Act provides that waivers or variances should be narrowly drawn and should, if possible, be temporary in nature.

The Act also requires that the Administrative Code Editor and Administrative Rules Coordinator establish a means to identify rules for which a petition for a waiver or variance has been granted or denied. In addition, each agency shall, on a semiannual basis, prepare a report concerning its actions on waivers and variances.

#### **HOUSE FILE 2220 - Public Information Requests — Internet Protocol Numbers — Confidentiality**

BY COMMITTEE ON STATE GOVERNMENT. This Act amends the Public Records Law by providing that the portion of a record request that contains an Internet protocol number which identifies the computer from which a person requests a record shall be kept confidential by a governmental body, whether the person using such computer makes the request through the IowaAccess Network or directly to a lawful custodian, unless the person requesting the record gives express written consent to the release of that portion of the record. The record would also be subject to release pursuant to a court order under current law.

#### **HOUSE FILE 2442 - International Relations**

BY COMMITTEE ON STATE GOVERNMENT. This Act relates to international relations by establishing an International Relations Advisory Council, a legislative branch protocol officer, and an executive branch protocol officer, and by directing the International Relations Committee of the Legislative Council to develop protocol for state, national and international visitors to the Capitol.

The International Relations Advisory Council is to coordinate state and local international relations activities through both the public and private sectors, and is to provide recommendations relating to international relations activities to the Governor and the General Assembly. The council membership includes the cochairpersons of the International Relations Committee, or their designees; four members of the General Assembly; the directors of the departments of Economic Development, General Services, Workforce Development, Cultural Affairs, Education Public Health, or their designees; the Secretary of Agriculture, or the secretary's designee; and representatives of agriculture, private business and industry, international programs provided through universities and colleges in the state, Iowa Sister States, the Refugee Services Center of the Department of Human Services, and others selected by the Legislative Council based on recommendations by the International Relations Committee. The cochairpersons of the Advisory Council are the cochairpersons of the International Relations Committee. The Act specifies the duties of the council.

The Act directs the International Relations Committee of the Legislative Council to establish and utilize protocol for state, national and international visitors. In developing the protocol the committee is directed to work with the executive and legislative branch protocol officers.

The Act establishes the position of legislative branch protocol officer to coordinate activities related to state, national and international visitors to the State Capitol or with an interest in the General Assembly, and related to travel of members of the General Assembly abroad. The legislative branch protocol officer is to act in a consultative capacity and provide staff support to the International Relations Advisory Council, to cooperate with the executive branch protocol officer in coordinating state, national and international relations activities, and to submit periodic reports to the International Relations Committee regarding the visits of state, national and international visitors and regarding international activities.

The Act provides that the Lieutenant Governor or the Lieutenant Governor's designee is the executive branch protocol officer. The executive branch protocol officer is directed to act in a consultative capacity to the International Relations Advisory Council, to work with the International Relations Committee and with the legislative branch protocol officer in developing and implementing protocol for state, national and international visitors to the State Capitol, and to improve coordination between legislative and executive branch international relations activities.

#### **HOUSE FILE 2463 - Department of Personnel — Miscellaneous Provisions**

BY COMMITTEE ON STATE GOVERNMENT. This Act makes several changes to provisions concerning the Department of Personnel and state employees.

The Act makes changes concerning the responsibilities of the department by adding dental insurance to the list of benefit programs administered by the department, specifying that the department will have the primary responsibility for coordinating and managing the state's Human Resource Information System; and changing the name of the Governor's task force that is responsible for equal employment opportunity from the Affirmative Action Task Force to the Equal Opportunity in Employment Task Force.

Code Section 19A.2A is amended to provide that appointments to positions covered by the merit system can be made by using appropriate screening methods in addition to examinations.

Code Section 19A.3, governing exceptions to the applicability of the merit system to certain persons, is amended to expand the exception to merit system coverage for persons who are paid on a contract-for-services basis to all persons and not just part-time persons. Residents, patients and inmates in state institutions are permanently excluded from coverage under the merit system. The exemption to the merit system for the superintendent, deputy and employees of the Savings and Loan Division of the Department of Commerce is eliminated.

Code Section 19A.8, governing the duties of the Director of the Department of Personnel, is amended to eliminate the provision that excludes Board of Regents employees from the list of state employees, and their pay, that the director is required to maintain. The director is required to report to the Governor concerning the operation of Code Chapter 19A on an annual, and not a semiannual, basis. In addition, the director is permitted to delegate various aspects of the hiring processes to an executive branch agency at the request of the agency and upon the approval of the director. In addition, the department is allowed to utilize other executive branch employees to recruit and examine prospective state employees.

The Act makes several changes to Code Section 19A.9, which provides for rules adopted by the department concerning the administration of the merit system and the requirements of Code Chapter 19A. The Act provides that appeals of job classification decisions are to be heard by a committee appointed by the director rather than as provided by the state Administrative Procedure Act. In addition, provisions governing applicants for positions, promotions, and rejections of applicants are amended to provide hiring entities increased flexibility in these decisions as it relates to the use of examinations. The requirement that

the appointment of state employees be limited to candidates with the highest six examination scores on the list of candidates is eliminated. The requirement that departments notify the director of the department whether a probationary employee is satisfactory is eliminated. Rules governing temporary employment and references to emergency and intermittent employment are also eliminated.

The department is permitted to provide rules for the transfer of employees from a position in a department to a similar position in the same department.

Code Section 19A.9, subsection 12, is amended to permit a former state government employee who resigned in good standing to return to state government employment at any time and receive the same vacation and sick leave accrual rate as the employee enjoyed at the time of resignation. The change to this subsection takes effect May 8, 2000, and is retroactive to January 1, 2000.

Code Section 19A.9 is also amended to establish a performance management system in which appointing authorities may use the information in the system to make decisions related to salary increases, promotions, layoffs, reinstatement, evaluation, and other personnel decisions related to the employee. In addition, an appointing authority is allowed to equally weigh an employee's performance and length of service in making a layoff decision rather than giving first preference to the employee's performance. The Act also restricts recall to state employment to the organizational unit from which an employee was subject to layoff.

New Code Section 19A.12D creates the Iowa State Employee Deferred Compensation Match Trust Fund. The director of the department administers the fund and funds held in this trust account can only be held for the exclusive benefit of the participants or their beneficiaries in the plan.

New Code Section 19A.12E establishes a Dependent Care Spending Account Trust Fund. The fund consists of participant moneys that are used to pay dependent care claims and administrative costs. The moneys in the fund can only be used for the exclusive benefit of participants in this benefit program and shall be administered consistent with Sections 125 and 129 of the federal Internal Revenue Code. The director is the trustee of the fund. This new section takes effect May 8, 2000, and is retroactively applicable to January 1, 2000.

Code Section 19A.13 is amended to permit the director to certify payrolls every year instead of every six months.

Code Section 19A.16 is amended to provide that when the department provides services to a political subdivision of the state, reimbursement will be made to the department and not to the state.

Code Section 19A.35 is amended to provide that administrative charges paid by state departments and agencies relating to the State Employee Health Flexible Spending Account Trust Fund shall be deposited in the fund.

Code Section 70A.16, governing interview and moving expenses, is amended to allow an appointing authority to reimburse the expenses of a person interviewing for a position in state government in an amount different than the rate for reimbursement of expenses for a state employee on state business.

Code Section 70A.25 is amended to provide that educational leave or assistance to a state employee need not be limited to education that benefits the employee in the employee's current job but can also apply to a position to which the employee may be assigned.

Code Section 70A.31, governing eligibility for the Phased Retirement Incentive Program, is amended to permit participation for any length of time up to five years. Previously, the law required participation for five years.

#### **HOUSE FILE 2557 - Unclaimed Property**

**BY COMMITTEE ON WAYS AND MEANS.** This Act requires, under the state's "Disposition of Unclaimed Property" chapter, a holder of abandoned property to keep records of the property for up to four years after the holder has filed the required report with the Treasurer of State. The Act also requires the Treasurer of State to give notice of intended action by December 31, 2000, and to adopt rules providing for the conditions and requirements for entering into a contract with an independent auditor to conduct examination of records on behalf of the Treasurer of State. The rules must contain, at a minimum, the procedures and conduct of the independent auditor in making the examination, the method for payment, the requirement for confidentiality, and procedures for appeals by the person whose records are examined.

## TAXATION

- SENATE FILE 2089** - School Taxes — Physical Plant and Equipment Levy — Urban Renewal Projects
- SENATE FILE 2420** - Electricity and Natural Gas Replacement Tax
- SENATE FILE 2424** - Internal Revenue Code References and Income Tax Provisions
- SENATE FILE 2426** - Horizontal Property Regimes
- SENATE FILE 2444** - Taxation of Property Used by Iowa National Guard
- S.J.R. 2005** - Nullification of Administrative Rule — Property Tax Classification of Condominiums
- HOUSE FILE 2351** - Limited Sales and Use Tax Exemption for Clothing and Footwear
- HOUSE FILE 2542** - World War II Victim Property Reparations
- HOUSE FILE 2548** - Tax Administration and Related Matters — **VETOED BY THE GOVERNOR**
- HOUSE FILE 2560** - Income and Property Taxes — Credits, Deductions, and Exemptions
- HOUSE FILE 2562** - Sales and Use Taxes — Information Services — Transactions Delivered Electromagnetically, Digitally, or Via Cable or Fiber Optics
- HOUSE FILE 2563** - Sales and Use Taxes — Nonprofit Hospital Construction Contracts
- HOUSE FILE 2569** - Taxation of Sale of Livestock Ear Tags

## RELATED LEGISLATION

- SENATE FILE 2092** - Substantive Code Corrections  
**SEE STATE GOVERNMENT.** This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. Provisions pertaining to the Sheep and Wool Promotion Board are clarified to provide that the board has the authority to set an assessment if approved by a majority of voters at a referendum. A clerical error that occurred during the drafting process of 1999 Iowa Acts, Chapter 158, is corrected in language which relates to the imposition of excise taxes on turkeys. Language relating to an obsolete certification of the amount of the personal property tax replacement base for each taxing district by the Director of Revenue is deleted. A reference to the Department of Management is changed to the Department of Revenue and Finance in language pertaining to the adjustment function in the personal property tax replacement base. Section 3 of 1999 Iowa Acts, Chapter 131, is amended by striking the phrase "all claims of exemption under this section" and inserting the phrase "all claims of exemption under this Act," in order to apply the effective date provision to the substantive part of 1999 Iowa Acts, Chapter 131. This change is made retroactively applicable to May 17, 1999.
- SENATE FILE 2111** - School Finance — Budget Adjustments  
**SEE EDUCATION.** This Act provides that for the school budget year beginning July 1, 2000, if a school district's actual enrollment for the budget year is greater than its budget enrollment for the budget year, the school district is eligible to receive an on-time funding budget adjustment in the form of a modified allowable growth equal to 50 percent of the difference, multiplied by district cost per pupil. The Act also provides that for the school budget year beginning July 1, 2000, if the Department of Management determines that the regular program district cost of a school district for a budget year is less than its regular program district cost with the budget guarantee provision for the year preceding the budget year, the school district will be eligible to receive a budget adjustment for the budget year up to an amount equal to the difference.
- SENATE FILE 2418** - Property Tax Certification by Townships  
**SEE LOCAL GOVERNMENT.** This Act requires that township property taxes be certified to the county by May 1, 2000, for FY 2000-2001. The Act takes effect April 19, 2000.

- SENATE FILE 2438** - Water Quality Districts  
*SEE LOCAL GOVERNMENT.* This Act provides for the creation of a water quality district in the same manner as provided for the creation of a benefited recreational lake district and authorizes the creation of a combined district.
- SENATE FILE 2439** - Accelerated Career Education and Job Training  
*SEE ECONOMIC DEVELOPMENT.* This Act provides that a possible funding source which could be used to pay the program costs for an agreement under the Accelerated Career Education Program is a tax credit from withholding.
- SENATE FILE 2459** - Annual Financial Report for Urban Renewal Areas — Filing Deadline  
*SEE LOCAL GOVERNMENT.* This Act changes the filing deadline for urban renewal annual reports from September 30 to December 1 and provides that if the annual report is not filed by the deadline, the county treasurer shall withhold disbursement of tax increment revenues to the municipality.
- HOUSE FILE 2027** - Rural Water District Infrastructure Financing  
*SEE LOCAL GOVERNMENT.* This Act amends provisions in Code Chapter 357A by providing for financing by rural water districts in constructing water projects. The Act provides that notes and the interest on notes issued by a district are not subject to taxation by the state or local government, just as bonds and interest earned by bonds are not subject to such taxation.
- HOUSE FILE 2205** - Electronic Commerce  
*SEE BUSINESS, BANKING & INSURANCE.* This Act provides for the abatement of unpaid state sales and use taxes and local sales and services taxes owed by a retailer in the event that the retailer failed to collect tax from the purchaser as a result of erroneous written advice issued by the department. These provisions take effect May 15, 2000.
- HOUSE FILE 2435** - Asbestos Removal in Schools — Funding  
*SEE EDUCATION.* This Act provides for the repeal of provisions authorizing the raising of an additional enrichment amount to fund asbestos removal projects.
- HOUSE FILE 2540** - Economic Development Programs — Tax Credits — Incentives  
*SEE ECONOMIC DEVELOPMENT.* This Act amends tax credit provisions of the New Jobs and Income Program and the Economic Development Enterprise Zone Program.
- HOUSE FILE 2541** - Rural Improvement Zones  
*SEE LOCAL GOVERNMENT.* This Act allows a county with a population of less than 18,500 residents, with a private lake development in its unincorporated areas, to designate a rural improvement zone that includes the lake development. The Act provides that if a standby tax is imposed to ensure the payment of principal and interest of certificates issued to pay for improvements, the rate must be at least \$.50 per \$1,000 of assessed value but not more than \$2.50 per \$1,000 of assessed value.
- HOUSE FILE 2550** - Iowa Educational Savings Plan Trust  
*SEE EDUCATION.* This Act amends certain Code provisions relating to the Iowa Educational Savings Plan Trust. The Act provides that the Treasurer of State will establish an account balance limit for all accounts established for a designated beneficiary beyond which contributions will not be permitted in order to maintain compliance with Internal Revenue Code Section 529. However, of the level of contributions made, the maximum contribution per contributor that will be deductible for state income tax purposes cannot exceed the annually adjusted \$2,000 per beneficiary amount. The Act takes effect May 3, 2000.
- HOUSE FILE 2581** - Iowa Higher Education Loan Authority — Authorization  
*SEE EDUCATION.* This Act provides for a tax exemption from all state and local taxes of the obligations and interest income from the obligations issued on or after July 1, 2000, by the Iowa Higher Education Loan Authority.

## TAXATION

### **SENATE FILE 2089 - School Taxes — Physical Plant and Equipment Levy — Urban Renewal Projects**

BY COMMITTEE ON WAYS AND MEANS. This Act provides that the revenues from a school district physical plant and equipment levy (PPEL) imposed in an urban renewal area that is utilizing tax increment financing shall not be paid to the municipality implementing the urban renewal plan, but shall be paid to the school district imposing the PPEL unless the levy is needed to pay indebtedness for the urban renewal area incurred before July 1, 2000. The amount certified is to be paid to the municipality by November 1 following certification. The Act applies to both the regular PPEL and the voter-approved PPEL.

The Act applies to property taxes due and payable on or after July 1, 2000.

### **SENATE FILE 2420 - Electricity and Natural Gas Replacement Tax**

BY COMMITTEE ON WAYS AND MEANS. This Act amends provisions relating to a "replacement tax" imposed on the generation, transmission, delivery, consumption, and use of electricity and natural gas. Code Section 421.10 is amended to provide for a 60-day period for an appeal of a denial of refund or portion of a refund of a replacement tax paid.

Code Section 437A.3 is amended to provide that the "base year assessed value" for a municipal utility subject to Code Section 437A.17A is the value certified by the Department of Revenue and Finance and local assessors to the county auditors for the assessment date of January 1, 1998. Currently, such value is the value certified by the department and local assessors to the county auditors for the assessment date of January 1, 1997. A municipal utility subject to Code Section 437A.17A is one whose property tax assessment for the 1998 assessment year was adjusted by the department to include depreciation and whose property tax assessment for the 1997 assessment year did not include depreciation in determining its assessment.

Code Section 437A.5 is amended to exempt from the replacement tax, natural gas delivered by a pipeline not permitted under Code Chapter 479, to a person other than an electric company, natural gas company, electric cooperative, or municipal utility, who consumes the gas for the purpose of bypassing the local natural gas company or municipal utility.

Code Section 437A.6 is amended to provide that a taxpayer participating in a jointly owned or leased generation facility is to pay replacement tax on the number of kilowatt-hours of electricity generated and dispatched by such facility to the account of the taxpayer. The Code section is also amended to provide that the number of kilowatt-hours generated by a generation facility excludes any kilowatt-hours used in the operation of the generation facility.

Code Section 437A.8 is amended to provide that a generation and transmission electric cooperative is not liable for unpaid replacement tax due from a distribution electric cooperative member or a municipal utility purchasing member so long as appropriate notice, as provided for in the Code section, is given to the Director of Revenue and Finance. If a generation and transmission electric cooperative, after notice, does not timely pay the correct amount of replacement tax attributable to the excess property tax liability to the appropriate county treasurer, after receiving the required payment from the distribution electric cooperative member or municipal utility purchasing member, such replacement tax is to be enforced solely against the generation and transmission electric cooperative.

Code Section 437A.11 is amended to authorize the collection of accrued interest associated with the replacement taxes and special utility property tax levies. The Act also authorizes the county treasurer to enforce payment of the special utility property tax levy by the tax sale process in the same manner as other property tax payments are enforced. The Act provides that a tax deed issued does not extinguish a tax lien or judgment lien for replacement taxes that has attached to the property.

Code Section 437A.14 is amended to provide that if an amount of overpaid replacement tax is attributable to payment of excess property tax liability, a claim for refund or credit may only be made by, and a refund or credit shall only be made to, the person who made such excess payment. Code Section 437A.15 is amended to provide for the allocation of electric delivery replacement tax attributable to excess property tax liability, if excess property tax liability has been assigned under Code Section 437A.4. The Code section is also amended to provide for the accrual of a penalty and interest on a delinquent special utility property tax levy payment.

Code Section 437A.19 is amended to conform to Code Section 437A.3 regarding the definition of "base year assessed value" for a municipal utility subject to Code Section 437A.17A.

Code Section 437A.21 is amended to provide that a taxpayer is not required to file a return under this section or remit any statewide property tax for any tax year in which the taxpayer's statewide property tax liability is \$1 or less.

Code Section 443.2 is amended to provide that the actual value and the taxable value of property subject to the statewide property tax under Code Chapter 437A is to be listed by the county auditor as part of the aggregate actual value and the aggregate taxable value of all taxable property within the county for purposes of computing the debt-incurring capacity of the county or political subdivision.

Code Section 445.57 is amended to provide that all interest and penalties collected on delinquent replacement taxes and special utility property tax levies are to be deposited in the county general fund. The Code section is also amended to specifically state that replacement taxes collected by the county treasurer are to be apportioned as directed in that Code section.

The Act requires the Director of Revenue and Finance to recompute the electric replacement delivery tax rate applicable to each electric competitive service area under Code Section 437A.4 in order to clearly reflect the electric generation tax component determined under Code Section 437A.6, as amended by this Act. The Act provides that Code Section 437A.5, subsection 7; Code Section 437A.6; Code Section 437A.8, subsection 4; Code Section 437A.14, subsection 1; and Code Section 437A.15, subsection 3, as amended in this Act, are made retroactively applicable to January 1, 1999, for tax years beginning on and after that date.

The Act takes effect April 19, 2000.

#### **SENATE FILE 2424 - Internal Revenue Code References and Income Tax Provisions**

BY COMMITTEE ON WAYS AND MEANS. This Act updates the references to the Internal Revenue Code to make the federal income tax revisions enacted by Congress in 1999 applicable for Iowa income tax purposes.

Code Sections 15.335, 15A.9, 422.10, and 422.33 are amended to update the references to the state research activities credit for individuals, corporations, corporations in economic development areas, and corporations in quality jobs enterprise zones to include the 1999 federal changes in the research activities credit.

Code Section 422.3 is amended to update the reference to January 1, 2000, to include the federal income tax revisions made by Congress in the 1999 calendar year, making those revisions applicable for Iowa income tax purposes.

Code Section 422.12B, providing the earned income credit, is amended to delete extraneous language relating to a health insurance credit.

Code Section 422.13 is amended to require nonresident taxpayers to file state income tax returns if the taxpayers are subject to the alternative minimum tax.

Code Section 422.21 is amended to provide tax benefits to military personnel who serve in hazardous duty areas.

All but one of the provisions in the Act apply retroactively to January 1, 1999, for tax years beginning on or after that date. The provision amending Code Section 422.13 relating to nonresident taxpayers applies retroactively to January 1, 2000, for tax years beginning on or after that date.

The Act takes effect April 26, 2000.

#### **SENATE FILE 2426 - Horizontal Property Regimes**

BY COMMITTEE ON WAYS AND MEANS. This Act specifies that a building unit, and general common interests and limited common interests appurtenant to the building unit, in a horizontal property regime, i.e., condominium complex, constitutes a separate parcel of real property. Also, the Act provides that, for property taxation purposes, the fair market value determined for the building unit in a condominium complex includes the value of the land and general and limited common elements. After April 25, 2000, existing structures shall not be converted to condominiums unless the structures meet the applicable city or county building code or the State Building Code if the city or county does not have a building code. The Act provides that a 60-day notice must be provided to the applicable city or county or to the state before the filing of the declaration to convert a structure to a condominium complex.

This Act takes effect April 25, 2000.

#### **SENATE FILE 2444 - Taxation of Property Used by Iowa National Guard**

BY COMMITTEE ON WAYS AND MEANS. This Act provides that property of the Iowa National Guard is exempt from property tax when it is devoted for public use and not for pecuniary gain. Property leased by a city or county to the Iowa National Guard or to a federal agency for the benefit of the Iowa National Guard is also exempt from property taxation.

**SENATE JOINT RESOLUTION 2005 - Nullification of Administrative Rule — Property Tax Classification of Condominiums**

BY COMMITTEE ON WAYS AND MEANS. This Joint Resolution nullifies two amendments to administrative rules of the Department of Revenue and Finance that define, for property tax purposes, units in a condominium complex as commercial real estate if more than one-half of the units are used for commercial purposes, i.e., rented without intent to sell.

The Joint Resolution takes effect May 9, 2000.

**HOUSE FILE 2351 - Limited Sales and Use Tax Exemption for Clothing and Footwear**

BY COMMITTEE ON WAYS AND MEANS. This Act provides for a sales and use tax exemption for clothing and footwear purchased on the first Friday and Saturday of August in each year. The exemption only applies if the article of clothing or footwear purchased costs less than \$100. The exemption does not apply to special clothing or footwear that is primarily designed for athletic or protective use, to accessories such as jewelry, watches, handbags, and wallets, or to the rental of clothing or footwear. The exemption would also apply to local sales and services taxes.

The Act also requires the appropriate standing committees to review this exemption during the 2002 Legislative Session as to the impact on the economy and on tax revenues of the state. After reviewing such impact, the appropriate committees shall consider the benefits of expanding the exemption to apply to whenever such sales take place.

The Act takes effect May 26, 2000.

**HOUSE FILE 2542 - World War II Victim Property Reparations**

BY COMMITTEE ON WAYS AND MEANS. This Act provides that certain payments made to, and income from lost property of, a victim of racial, ethnic or religious persecution by any Axis power or the heirs of such victims are not to be considered as income or assets in determining eligibility for state or local governmental benefit or entitlement programs. In addition, such payments and income are not included in net income for purposes of the individual income tax.

The Act takes effect April 14, 2000, and the income tax provision applies retroactively to January 1, 2000, for tax years beginning on or after that date.

**HOUSE FILE 2548 - Tax Administration and Related Matters — VETOED BY THE GOVERNOR**

BY COMMITTEE ON WAYS AND MEANS. This bill would have amended various provisions of state and local tax laws. The bill, in addition to eliminating obsolete provisions, would have done the following:

- Allowed a business that is eligible to receive benefits under the New Jobs and Income Act to file a claim for refund of sales and use tax paid by the contractor under a building contract within one year of the project's completion rather than the six months currently allowed.
- Specified that the length of time over which an urban revitalization property tax exemption may be allowed in situations where a timely application for exemption was not filed is equal to the number of remaining years left in the exemption schedule selected.
- Expanded the scope of the technical advice received from other state agencies to include that related to all taxes administered by the Department of Revenue and Finance (DORF) rather than just property taxes.
- Authorized DORF to enter into agreements with an Indian tribe to collect and distribute a state tax or a tribal tax.
- Extended the Director of Revenue and Finance's authority to abate unpaid state sales and use taxes and local option sales and services taxes to situations in which a retailer who is responsible for collecting these taxes fails to do so in reliance on erroneous written advice specially issued to the retailer by DORF, and the retailer is unable to collect the unpaid taxes from purchasers. Subsequent written advice sent by DORF to the retailer, or a change in state or federal law, a reported contrary court case, a contrary rule adopted by the department, or the retailer's misrepresentation would preclude the abatement. An abatement of the unpaid tax by a retailer under the circumstances provided in the bill would not preclude DORF from collecting the tax from the purchaser. Language enacted in H.F. 2205 (see Business, Banking & Insurance).
- Abated taxes not collected as a result of certain erroneous written advice issued by DORF to a retailer prior to July 1, 1999, relating to sales and use taxes on charges for access to on-line computer services. Language enacted in H.F. 2205 (see Business, Banking & Insurance).
- Expanded the computer access exemption from sales and use taxes. The present exemption only applies to access to the Internet. The amendment would have included other information made available through any computer server. Language enacted in H.F. 2205 (see Business, Banking & Insurance).
- Allowed a sales tax permit holder to keep the same permit when the business is relocated in the state if the ownership remains the same.

- Replaced the words “eligible purchasers” with the word “distributors” to reflect more accurate terminology as defined in the “Motor Fuel and Special Fuel Taxes” chapter.
- Imposed a duty upon the county auditor to notify, within 10 days, the Director of Revenue and Finance of the outcome of the election favoring the imposition, repeal or rate change of the local hotel and motel tax.
- Imposed local options sales and services taxes only on motor fuels and special fuels for which tax pursuant to the state “Motor Fuel and Special Fuel Taxes” chapter has not been imposed or, if paid, will be refunded.
- Added limited liability companies to the list of businesses that are exempt from the use tax for the transfer of vehicles subject to registration between businesses where the purpose of the transfer is to continue the business. The exemption would also apply to such transfer made by a corporation as part of its liquidation to its shareholders if the shareholders retransfer the vehicles to another business owned by them for the purpose of continuing the business of the corporation.
- Reduced the period for assessing the environmental protection charge or for filing a claim for refund of an environmental protection charge paid from five to three years. This would have promoted consistency by bringing those periods into harmony with the time allowed for assessing or filing a claim for refund of sales or use tax paid.
- Amended the “Environmental Protection Charge on Petroleum Diminution” Law to replace the word “tax” with “charge” and to change the reference to “taxpayer” to “person against whom (a charge) is assessed.” The bill would have reduced from five years to three years the length of time that depositors of underground petroleum are required to keep records for purposes of the environmental protection charge.
- Changed the dates for filing claims for various property tax exemptions to February 1 for purposes of uniformity.
- Specified the effective date of an order issued by the director that revokes or modifies a property tax exemption for a specific year either on the director’s own motion or upon application by a taxpayer. The bill would have allowed the director to modify an exemption rather than simply revoke it.
- Provided that any additional real estate transfer tax owed that cannot be collected by the local county recorder would be collected by DORF in the same manner as individual income tax.
- Allowed distributions to beneficiaries to be exempt from Iowa inheritance tax whether such distributions are lump sum in nature or in the form of installments. Installment payments are currently exempt from tax. The bill would have provided for the exemption from Iowa inheritance tax of distributions from nonresident employment-related pensions and pension income excluded from net income under the state individualized income tax.
- Removed outdated reciprocity language and included additional language to specify the tax treatment of fraternal and social organizations.
- Added definitions for “denatured alcohol” and “racing fuel” for purposes of the “Motor Fuel and Special Fuel Taxes” chapter and redefined “motor fuel” to include ethanol blended gasoline (also under the “Motor Fuel and Special Fuel Taxes” chapter).
- Provided that the tax on alcohol be paid when it is withdrawn from the terminal rather than when it is sold within the terminal and permitted a refund of tax paid on fuel used for racing.
- Provided for moist snuff to be taxed on a per ounce basis similar to the federal method of taxation under the “Cigarette and Tobacco Taxes” chapter. The bill also would have specified under that chapter that an appeal of a cigarette permit suspension or revocation must be made to the authority that issued the permit, i.e., DORF, the city, or county.

The bill would have taken effect upon enactment with some provisions having different effective and applicability dates.

#### **HOUSE FILE 2560 - Income and Property Taxes — Credits, Deductions, and Exemptions**

BY COMMITTEE ON WAYS AND MEANS. This Act provides various income tax and property tax incentives and credits as follows:

##### Research Activities Credit

The Act expands the research activities credit for income tax purposes for businesses under the New Jobs and Income Program, the Quality Jobs Enterprise Zone Program, the incentives for building in enterprise zones, the individual income tax, and corporate income tax. The expansion provides for an alternative method of computing the tax credit based upon the federal approach using an incremental computation method for measuring increased research activities. This alternative method is in lieu of a portion of Iowa’s present computation approach. Therefore, the present Iowa law is rewritten in a manner that coincides with the computation under the federal income tax credit. The federal approach has three tiers under the incremental approach with a different percentage for each tier. The Act uses the same percentages for the three tiers that were used for federal income taxes for tax years beginning before July 1, 1999.

These provisions apply retroactively to January 1, 2000, for tax years beginning on or after that date.

### Property Rehabilitation Credit

The Act provides for an individual and corporate income tax credit equal to 25 percent of the costs of rehabilitating eligible properties, which are properties eligible to be listed on the National Register of Historic Places, historic properties in areas eligible to be designated local historic districts, local landmarks, or a barn constructed prior to 1937. In the case of commercial property, rehabilitation costs must equal at least 50 percent of the assessed value of the property, excluding the land, prior to rehabilitation. In the case of residential property or barns, the rehabilitation costs must equal at least \$25,000 or 25 percent of the fair market value, excluding the land, prior to rehabilitation, whichever is less. In addition, the rehabilitation project must be approved by the State Historic Preservation Office of the Department of Cultural Affairs.

Rehabilitation costs include amounts that are properly includable in computing the basis of the eligible property for tax purposes. Costs of sidewalks, parking lots and landscaping do not constitute rehabilitation costs for purposes of determining the credit.

Only \$2.4 million in tax credits may be approved in a fiscal year, with credit certificates issued on the basis of the earliest awarding of certificates of completion. To receive the tax credit certificate, the taxpayer must obtain a certification of completion of the rehabilitation project from the State Historic Preservation Office. If the tax credit is in excess of the taxpayer's tax liability, a refund, at a discounted amount, of the excess credit over the tax liability is provided.

The Department of Cultural Affairs, in consultation with the Department of Economic Development, is responsible for keeping the General Assembly and Legislative Fiscal Bureau apprised of the overall economic impact of the tax credit as it relates to rehabilitation of eligible properties.

The rehabilitation tax credit provisions apply to rehabilitation costs incurred on or after July 1, 2000.

### Pension Exclusion Increased

The Act increases the pension income exclusion under the individual income tax from \$5,000 for single filers and \$10,000 for joint filers to \$6,000 and \$12,000, respectively. This provision applies to tax years beginning on or after January 1, 2001.

### Assistive Device Credit

The Act allows a tax credit equal to 50 percent of the first \$5,000 paid for the purchase, rental or modification of an assistive device or for the renovation of the workplace for an individual with a disability. The credit is refundable and applies to both the individual and corporate income taxes. Only small businesses are entitled to the credit. A small business is one that either had gross receipts in the preceding tax year of \$3 million or less or employed not more than 14 full-time employees during its preceding tax year. An assistive device is an item, piece of equipment, or product system which is used to increase, maintain or improve the functional capabilities of an individual with a disability in the workplace or on the job. If the assistive tax credit is claimed, the small business is not allowed to deduct any amount of the cost of the device or modification that is deductible for federal income tax purposes.

The Act provides that only \$500,000 in combined individual and corporate income tax credits are allowed for any fiscal year. Because of this, eligible small businesses must apply for the credits with the Department of Economic Development, which approves the eligible credits on an earliest-date-applied basis.

The assistive device tax credit applies retroactively to January 1, 2000, for tax years beginning on or after that date.

### Barn Preservation Exemption

The Act provides a property tax exemption for the increase in value added to a farm structure resulting from improvements made to the structure to preserve it as a barn. The structure must have been constructed and first placed in service as a barn prior to 1937. The exemption is equal to 100 percent of the assessed value added and is ongoing until the farm structure ceases to be used as a barn. A barn is any agricultural structure used for storage of farm products or feed or for the housing of farm animals, poultry or farm equipment.

### One-Room Schoolhouse Preservation Exemption

The Act provides a property tax exemption for the increase in value added to a one-room schoolhouse as a result of improvements made to the structure for purposes of preserving the integrity of the internal and external features of the structure as a one-room schoolhouse. The exemption is equal to 100 percent of the assessed value added and is ongoing so long as the structure

is not used for dwelling purposes and is preserved as a one-room schoolhouse. The exemption applies even though the structure is no longer used for instructional purposes.

#### Study Request

The Act requests the Legislative Council to establish an interim study committee for the 2000 Interim to review the benefits of allowing state tax credits to be transferable. The study committee would analyze the benefits of transferability of credits to the transferor, transferee and the state, the costs involved, and the conditions or restrictions under which transferability should be allowed.

#### **HOUSE FILE 2562 - Sales and Use Taxes — Information Services — Transactions Delivered Electromagnetically, Digitally, or Via Cable or Fiber Optics**

BY COMMITTEE ON WAYS AND MEANS. This Act authorizes the Director of Revenue and Finance to enter into agreements or compacts with remote sellers, retailers, or third-party providers for the voluntary collection of Iowa sales or use taxes.

The Act provides that a sale of tangible personal property does not occur for purposes of the sales and use taxes if the substance of the transaction is delivered to the purchaser digitally, electronically or utilizing cable, or by radio waves, microwaves, satellites, or fiber optics. This provision is repealed December 31, 2002.

The Act also exempts from the sales and use taxes the furnishing, sale or rental of information or data processing services regardless of how the resultant information is transferred. Every business activity, process or function by which the seller or its agent accumulates, prepares or organizes for a buyer is an information service. Information services include but are not limited to the accumulation, preparation or organization of database files, mailing lists, subscription files, market research, credit reports, surveys, real estate listings, bond rating reports, abstracts of title, bad check lists, broadcasting rating services, wire services, and scouting reports.

The Act also requests the Legislative Council to establish an e-commerce task force to study the issues that e-commerce has generated under the state sales and use taxes, including the status as tangible or intangible property of the substance of transactions that are delivered digitally, electromagnetically, or through or by means of cable, satellites or fiber optics, and vendor discounts.

The Act takes effect May 16, 2000, and applies retroactively to March 15, 1995. As a result of the retroactivity of the exemption, refunds are provided for but are limited to \$25,000 in the aggregate.

#### **HOUSE FILE 2563 - Sales and Use Taxes — Nonprofit Hospital Construction Contracts**

BY COMMITTEE ON WAYS AND MEANS. This Act provides an exemption from the sales and use taxes for construction materials and services used in fulfillment of a written contract with a nonprofit hospital. This exemption only applies if the following three conditions are met:

1. The sales and delivery of the materials or the services occur between July 1, 1998, and December 31, 2001.
2. The written construction contract was entered into prior to December 31, 1999, or bonds were issued to fund the construction prior to December 31, 1999.
3. The materials were purchased by the contractor as the agent for the hospital or directly by the hospital.

The Act takes effect May 19, 2000, and applies retroactively to July 1, 1998. Because of this retroactive applicability, refunds are allowed. However, a limit of \$25,000 in the aggregate is set on the amount of refunds.

#### **HOUSE FILE 2569 - Taxation of Sale of Livestock Ear Tags**

BY COMMITTEE ON WAYS AND MEANS. This Act exempts from the sales and use taxes the sale of livestock ear tags by a nonprofit organization whose income is exempt from federal taxation where the proceeds are used in bovine research programs approved by that organization.

## TRANSPORTATION

- SENATE FILE 2147 - Motor Vehicle Regulation — Miscellaneous Provisions
- SENATE FILE 2156 - Authorized Emergency Vehicles — Blue Lights
- SENATE FILE 2164 - Dust Control on Municipal Streets — Primary Road Fund Expenditure
- SENATE FILE 2194 - Vacation of Roads and Rights-of-Way
- SENATE FILE 2256 - Soydiesel Fuel Pilot Project
- SENATE FILE 2313 - Driver Licensing, Authorized Emergency Vehicles, and Miscellaneous Motor Vehicle Provisions
- SENATE FILE 2315 - Motor Vehicle Lemon Law
- SENATE FILE 2329 - Transportation Regulation — Miscellaneous Provisions
- SENATE FILE 2330 - Low-Speed Vehicles
- SENATE FILE 2455 - Retired United States Armed Forces Motor Vehicle License Plates
- HOUSE FILE 620 - Persons With Disabilities — Wheelchair Parking Cones — Trailer Registration Plates
- HOUSE FILE 2248 - Proof of Motor Vehicle Financial Responsibility
- HOUSE FILE 2368 - Implements of Husbandry
- HOUSE FILE 2458 - Transportation — Aviation
- HOUSE FILE 2477 - Nonhighway Transportation
- HOUSE FILE 2480 - Motor Vehicle Registration Periods
- HOUSE FILE 2512 - Rented Motor Vehicles — Stopping, Standing, or Parking Violations

### RELATED LEGISLATION

- SENATE FILE 2092 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities. Motorcycles and trailers are added to the list of vehicles for which owners may apply for Legion of Merit special plates. Language relating to penalties applicable to mobile home dealers who acquire Iowa-titled mobile homes or manufactured housing and who do not obtain a certificate of title for the homes or housing is modified to provide that the penalties apply to both mobile home and manufactured housing acquisition. The Code section reference for the penalty applicable to penal offenses against the Motor Vehicle Title Law is changed to refer to Code Section 805.8, which provides a listing of scheduled violations, instead of the general penalty provision for Code Chapter 321 violations, Code Section 321.482. Language pertaining to the regulation of distributor and factory branches and representatives is stricken and one section is repealed, as the licensing and regulation of these types of entities by the Iowa Department of Transportation was repealed in 1997. A Code section that specifies the situations in which a court appearance is required on a scheduled violation is amended to provide that language describing what a defendant who has been charged with a scheduled violation must do, and what procedures apply, applies to all of the situations enumerated in the section. Also, subsection 8 of Section 29 of 1999 Iowa Acts, Chapter 13, is amended to clarify that Code Section 321.21, not Code Section 321.1, was to be repealed effective upon enactment of the Act. This change is made retroactively applicable to April 7, 1999.
- SENATE FILE 2245 - Law Enforcement — Personal Property Disposition — State and Local Penalties  
*SEE CRIMINAL LAW, PROCEDURES & CORRECTIONS.* This Act reclassifies certain simple misdemeanors to scheduled violations. The Act provides for a \$100 scheduled fine for each reclassified offense except for overweight trucks, which depends upon the weight of the truck.
- SENATE FILE 2249 - State Agency Purchasing Preference — Bio-Based Fluids, Greases, and Lubricants  
*SEE STATE GOVERNMENT.* This Act requires the Iowa Department of Transportation to comply with purchasing preferences of bio-based hydraulic fluids, greases, and other industrial lubricants.

- SENATE FILE 2433** - Appropriations — State Government Technology and Operations  
*SEE APPROPRIATIONS.* The Act relates to state government technology operations by making appropriations to a number of entities concerned with technology, and by making appropriations for a number of specific technology projects. The Act provides funding of \$1 million for Iowa Access by transferring to the Information Technology Department the first \$1 million collected by the Iowa Department of Transportation for transactions involving the furnishing of a certified abstract of a vehicle operating record.
- SENATE FILE 2435** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and includes provisions for the fee charged for reinstatement of motor vehicle licenses to be allocated to local juvenile justice programs.
- SENATE FILE 2453** - Appropriations — Infrastructure and Capital Projects  
*SEE APPROPRIATIONS.* This Act creates an Aviation Hangar Revolving Loan Fund to be used by the Iowa Department of Transportation for loans to provide assistance for the design, construction or improvement of hangars at general aviation airports.
- HOUSE FILE 2039** - Miscellaneous Appropriations, Reductions, Supplementals, Transfers, and Credits  
*SEE APPROPRIATIONS.* This Act relates to state budgetary matters by providing for reductions and supplementation of appropriations for FY 1999-2000 and includes elimination of a General Fund of the State appropriation to the Iowa Department of Transportation for planning and programming.
- HOUSE FILE 2106** - Licensure, Ownership, Operation, or Control of Motor Vehicle Dealers — Manufacturers, Distributors, Wholesalers, and Importers  
*SEE BUSINESS, BANKING & INSURANCE.* This Act adds a new provision to Code Section 322.3, prohibiting a motor vehicle manufacturer, distributor, wholesaler, or importer from directly or indirectly being licensed as, owning an interest in, operating, or controlling a motor vehicle dealer. The Act also provides several exceptions to the prohibition.
- HOUSE FILE 2113** - Recognition of Federal Rights and Service — VETOED BY THE GOVERNOR  
*SEE STATE GOVERNMENT.* This bill provided that persons who are recognized by the U.S. armed forces as retired from the U.S. armed forces are considered to be "retired" for purposes of obtaining a U.S. armed forces retired motor vehicle license plate.
- HOUSE FILE 2170** - Operating While Intoxicated — Chemical Test Evidence  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act amends Code Section 321J.2, subsection 10, regarding the margin of error for chemical tests submitted as evidence in operating while intoxicated prosecutions, to specify application of the subsection to offenses under Code Section 321J.2, subsection 1, paragraphs "b" and "c." The referenced offenses are to operating while intoxicated offenses involving an alcohol concentration of 0.10 or more, and involving any amount of a controlled substance in a person's blood or urine.
- HOUSE FILE 2510** - Operating While Intoxicated and Ignition Interlock Devices  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act requires a first-time operating while intoxicated (OWI) offender to present a temporary restricted license to the court before the court may waive up to \$500 of the fine, and requires installation of an ignition interlock device on all motor vehicles owned or operated by a person seeking reinstatement of a driver's license following a second or subsequent OWI offense, unless the person previously received a temporary restricted license.
- HOUSE FILE 2511** - Drinking Driver Restrictions  
*SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.* This Act provides for the availability of a temporary restricted license for persons determined to be habitual offenders due to a combination of offenses for operating while intoxicated, and for driving while suspended, denied, revoked, or barred.
- HOUSE FILE 2525** - Motor Vehicle Accidents — Damages  
*SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION.* This Act relates to limits on the recovery of noneconomic losses in an action to recover damages arising out of the operation or use

of a motor vehicle if the injured person was the operator of the motor vehicle, a passenger in the motor vehicle, or a pedestrian and the injuries were caused by the person's commission of a felony.

**HOUSE FILE 2538** - Appropriations — Transportation

**SEE APPROPRIATIONS.** This Act makes appropriations for FY 2000-2001 from the General Fund of the State, the Road Use Tax Fund, and the Primary Road Fund to the Iowa Department of Transportation (IDOT). The Act provides that certain disabled veterans may obtain a special or personalized vehicle registration plate by paying the difference between the fee for a regular registration plate and the fee for the special or personalized plate. The Act allows IDOT to conduct a pilot project for waiving or refunding fees for identification cards and driver's licenses. The Act also provides for the temporary transfer of Revitalize Iowa's Sound Economy (RISE) Fund moneys to the Primary Road Fund to cover road construction costs from April 7, 2000, through June 30, 2001.

## TRANSPORTATION

### SENATE FILE 2147 - Motor Vehicle Regulation — Miscellaneous Provisions

BY COMMITTEE ON TRANSPORTATION. This Act makes various Code changes relating to motor vehicle registration and titling, motor vehicle dealer licensing, motor vehicle enforcement, and motor carrier authority.

The Act makes several changes to Code Sections 321.20A, 321.25, 321.46, 321.52, and 321.89, relating to the times for applying for motor vehicle registration, certificates of title, and junking certificates, by extending the time period from 15 to 30 days.

The Act amends Code Section 321.30, relating to grounds for refusing vehicle registration or titling, to direct the Iowa Department of Transportation (IDOT) or the county treasurer to refuse registration of a vehicle unless the applicant has an Iowa driver's license or the application is made by more than one applicant and one of the applicants is at least 18 years of age.

The Act amends Code Section 321.50, relating to security interest provisions on certificates of title, to allow any county to note the release of a lien by a lienholder on the face of the certificate of title.

The Act also amends Code Section 321.58, relating to applications for special dealer certificates and plates, to eliminate a requirement that a licensed new motor vehicle wholesaler furnish proof of written authorization from the manufacturer of the new motor vehicle of the person's status as a wholesaler of the vehicle.

The Act creates new Code Section 321.101A, permitting the county treasurer to revoke the registration and registration plates for a vehicle if the registration fees are paid by check and the payer's financial institution dishonors the check.

The Act strikes a provision in Code Section 321.123 subjecting trailers and bulk spreaders that are not self-propelled, have a gross weight of not more than 12 tons, and are used for the transportation of fertilizers and chemicals used for farm crop production, to a registration fee of \$5.

The Act amends Code Section 321.454, relating to the width of vehicles operated on the highways of this state, to provide that all vehicles operated on Iowa highways shall be allowed a total outside width, exclusive of safety equipment and certain other appurtenances, of 8 feet 6 inches.

The Act also amends Code Section 321.457 to provide that the maximum length for a lowboy semitrailer, laden or unladen, which is designed and exclusively used for the transportation of construction equipment, is 57 feet when used as a truck tractor-semitrailer combination. This provision takes effect March 29, 2000.

The Act revises the schedule of fines for violations of the maximum gross weight restrictions on vehicles in Code Section 321.463. The fine schedule is expanded to include specific fines for vehicles overloaded by more than 6,000 to more than 20,000 pounds and provides for a set fine for each level of violation, except overloading by more than 20,000 pounds, rather than a set fine for each level plus an additional amount based on the number of pounds by which the vehicle is overloaded.

The Act amends Code Sections 321F.4, 321H.4, 322.7, 322.29, 322B.4, 322C.4, and 322C.9, relating to licenses for the leasing of vehicles, authorized vehicle recycler licenses, motor vehicle dealer licenses, motor vehicle manufacturer's, distributor's and wholesaler's licenses, mobile home manufacturer's and distributor's licenses, travel trailer dealer's licenses, and travel trailer manufacturer's and distributor's licenses, respectively. The Act provides that holders of such licenses shall have a one-month license renewal grace period after expiration of the license. Persons failing to renew their license within the grace period who desire to hold a license are required to file a new license application and pay the required fee.

The Act also amends Code Section 322.29 to allow persons who rebuild vehicles into ambulances, rescue vehicles, or fire vehicles to be issued a license as a new motor vehicle wholesaler without written authorization from the vehicle manufacturer and to allow persons who rebuild vehicles into towing or recovery vehicles, as newly defined by the Act, or who install certain equipment on new large motor trucks, to likewise obtain such license.

The Act amends Code Section 325A.3, relating to applications for and issuance of motor carrier permits and certificates, to require a motor carrier to keep such permits or certificates, or copies of such permits or certificates, in the vehicle being operated by the motor carrier and to show the permits, certificates or copies to any peace officer upon request. Persons violating this requirement would be subject to a scheduled fine of \$50 under Code Section 805.8.

The Act also makes several changes in Code Chapter 325A, relating to motor carrier authority, which are necessary to comply with federal legislation which preempted the ability of states to regulate charter carriers in regard to rates, routes and service. The Act modifies a provision in Code Section 325A.2, prohibiting a local authority from imposing any regulations upon the operation of motor carriers that are more restrictive than those regulations in the Code, by including within the prohibited regulations special registration or inspection requirements.

The Act amends Code Section 325A.3 by eliminating a requirement that the application for a motor carrier permit or certificate contain a sponsor certification of support statement provided by charter carriers establishing a need for the proposed motor carrier service. The Act also provides that IDOT may deny issuance of such a permit or certificate if there is evidence the motor carrier cannot comply with the requirements of Code Chapter 325A or the rules and regulations adopted pursuant to that Code chapter.

The Act changes the term for the certificate required to be obtained by a charter carrier that transports passengers pursuant to Code Chapter 325A from a "certificate of convenience and necessity" to a "charter passenger certificate."

The Act amends Code Section 325A.13, relating to certificates for motor carriers of passengers, by prohibiting a charter carrier of passengers from operating as a regular-route passenger carrier unless it holds a regular-route passenger certificate. Persons violating this provision would be subject to a scheduled fine of \$250 under Code Section 805.8.

The Act repeals Code Sections 325A.14, 325A.15, 325A.17, 325A.18, 325A.19, and 325A.20, relating to applications for charter carrier or regular-route passenger certificates, protests against such applications, uncontested application procedure, granting of applications, payment of expenses for hearings on contested applications, and review of decisions on applications, respectively.

The Act strikes Code Section 325A.16, providing for the adoption of rules by IDOT, to establish the procedure for filing motor carrier passenger certificate applications, and by the Department of Inspections and Appeals for the conduct of hearings regarding objections by other persons to the issuance of a motor carrier certificate to an applicant. The stricken language is replaced with language providing a procedure for persons whose applications for permits or certificates under Code Chapter 325A have been denied, or whose permits or certificates have been suspended, to contest the decision.

The Act also amends Code Section 325A.21, relating to the transferability of certificates of convenience and necessity and regular-route passenger certificates, by eliminating the provisions relating to the transferability of certificates of convenience and necessity (renamed charter passenger certificates pursuant to the Act).

The Act makes several Code changes relating to IDOT's motor vehicle registration and titling system, including modification of the information required on applications for motor vehicle registration and certificate of title. These changes take effect July 1, 2001.

The Act amends Code Section 321.20, relating to applications for motor vehicle registration and certificate of title, to specify that the application must contain the owner's full legal name rather than simply the owner's name; to require the application to include certain information pertaining to any lessee of the vehicle; and to allow up to three owners' names to be listed on the application. Code Section 321.20 is also amended to provide that if the vehicle is owned by a nonresident, the application is to include certain information pertaining to the primary user of the vehicle and to require IDOT to adopt rules on the method for providing applicants' signatures for applications made by electronic means. Code Section 321.20 is also amended to provide an exception that information relating to the lessee of a vehicle shall not be required on an application for a vehicle with a gross vehicle weight rating of 26,000 pounds or more.

The Act amends Code Section 321.24, relating to the issuance of motor vehicle registrations and certificates of title, to provide that up to three owners of a motor vehicle may be listed on a registration receipt and certificate of title and to require that the title number assigned to the owner or owners of a vehicle appear only on the certificate of title and not on the registration receipt.

The Act amends several provisions in Code Section 321.42, relating to lost or destroyed certificates of title, to provide that the copy of the certificate issued by the department or county treasurer shall be a replacement copy rather than a certified copy and to provide that such copy shall be clearly marked "replacement" rather than "duplicate." Code Section 321.42 is also amended to eliminate a requirement that the replacement copy be identical to the original.

The Act amends Code Section 321.50, relating to security interest provisions on certificates of title, to provide that up to three security interests may be perfected against a vehicle and shown on an Iowa certificate of title.

The Act also amends Code Sections 321.157 and 321.159, relating to schedules of prices and weights of various models of motor vehicles sold or offered for sale in the state. The Act provides that, in lieu of filing a sworn statement showing the various models manufactured by the manufacturer, importer, distributor, dealer, or other person, and the retail list price and weight of each model, a manufacturer or importer may electronically provide the information to the department, or, if the manufacturer or importer provides the required information to a third-party vendor, the manufacturer or importer shall make the information available to the department through the third-party vendor.

**SENATE FILE 2156 - Authorized Emergency Vehicles — Blue Lights**

BY COMMITTEE ON TRANSPORTATION. This Act permits a blue light to be used on an authorized emergency vehicle if the blue light is on the passenger side of the vehicle and is used in conjunction with a red light positioned on the driver side of the vehicle. The Act prohibits a person from using only a blue light on a vehicle unless the vehicle is a fire department vehicle or is owned by a member of a fire department and authorized by the chief of the fire department.

Currently, the use of any blue light on a vehicle is reserved solely for fire department vehicles and vehicles owned by fire department members and authorized by the chief of the fire department. A violation of this provision is a scheduled violation punishable by a scheduled fine of \$20.

**SENATE FILE 2164 - Dust Control on Municipal Streets — Primary Road Fund Expenditure**

BY COMMITTEE ON TRANSPORTATION. This Act amends Code Section 313.4, relating to disbursements from the Primary Road Fund, to provide that the Iowa Department of Transportation may use moneys from the fund for dust control on a municipal street within a municipal street system if such street has a notable increase in traffic due to closure of a road by the department for purposes of establishing, constructing or maintaining a primary road.

**SENATE FILE 2194 - Vacation of Roads and Rights-of-Way**

BY COMMITTEE ON TRANSPORTATION. This Act provides that the agency which has jurisdiction over a road may vacate a road right-of-way held by easement without a public hearing if the vacation will not change the existing traveled portion of the road or deny access to the road by adjoining landowners.

The Act also eliminates a requirement that an agency holding a hearing on the vacation of a road, part of a road, or railroad crossing within its jurisdiction notify, by regular mail, all property owners located outside the boundary of a city who own 10 or more acres of land within one mile of the road. The public notice requirements, and the notice requirements for adjoining landowners, remain in place.

**SENATE FILE 2256 - Soydiesel Fuel Pilot Project**

BY COMMITTEE ON TRANSPORTATION. This Act directs the Iowa Department of Transportation to conduct a biodiesel fuel pilot project at two field garages in the state which have underground diesel fuel storage tanks. The department shall use biodiesel fuel in motor vehicles that operate on diesel fuel. The pilot project is contingent upon an appropriation to the department for assistance in purchasing biodiesel fuel. The department is to file with the General Assembly a preliminary report by February 1, 2001, and a final report by January 1, 2002.

The Act requires department motor vehicles operating on biodiesel fuel to be affixed with a sticker notifying the traveling public that the vehicle uses biodiesel fuel. The Act defines "biodiesel fuel," for purposes of the Act, as "soydiesel fuel" as defined in Code Section 159A.2. Code Section 159A.2, providing definitions for the Code chapter relating to the research and promotion of renewable fuels and coproducts, is also amended to modify the definition of "soydiesel fuel" by imposing a requirement that the processed soybean oil which is mixed with the diesel fuel meet American Society for Testing and Materials standards.

**SENATE FILE 2313 - Driver Licensing, Authorized Emergency Vehicles, and Miscellaneous Motor Vehicle Provisions**

BY COMMITTEE ON TRANSPORTATION. This Act makes several Code changes in Code Chapters 321, 321G and 321J relating to driver licensing, the use of child restraints and seat belts for children, the designation of certain vehicles as authorized emergency vehicles, and liability for damages resulting from the operation of certain vehicles.

The Act amends Code Section 321.11, relating to the records of the Iowa Department of Transportation (IDOT), to provide that personal information maintained by the department in regard to an individual shall not be disclosed to a person requesting the information, other than certain persons allowed by federal law, unless the individual has given express written consent to such disclosure. This provision takes effect April 21, 2000. Currently, such information is disclosed to requestors if the individual did not elect to prohibit disclosure to the general public.

The Act amends Code Section 321.178, relating to driver education, to specifically provide that a person shall not be required to hold a current Iowa teacher or administrator license at the elementary or secondary level or to have satisfied the educational requirements for an Iowa teacher license at the elementary or secondary level in order to be certified by IDOT or authorized by the Board of Educational Examiners to provide street or highway driving instruction. The Act amends Code Sections 321.188 and 321.196 to provide that a driver's license is renewable without a driving skills test within one year after its expiration date, unless federal law provides otherwise.

The Act amends Code Section 321.208, relating to the disqualification of persons from operating commercial motor vehicles for the commission of certain acts or offenses, to provide that a person can be disqualified from operating a commercial motor vehicle while any amount of a controlled substance is present in the person, as measured in the person's blood or urine. Pursuant to Code Section 321.218, a person who operates a commercial motor vehicle when disqualified under Code Section 321.208 commits a serious misdemeanor if a commercial driver's license is required for the person to operate the commercial motor vehicle.

The Act amends Code Section 321.210D, providing for suspension of a person's driver's license when the person is charged with the offense of homicide by vehicle, by eliminating a provision that allows such suspension if the person's license has not previously been suspended under Code Chapter 321J for operating while intoxicated.

The Act also amends Code Section 321.215, relating to temporary restricted driver's licenses and permits, to eliminate the authority of IDOT to issue a temporary restricted license that allows for commercial driver's license privileges, in order to facilitate compliance with federal regulations. The Act makes corresponding Code language changes in Code Sections 321J.4, 321J.13 and 321J.20 to specify that a temporary restricted license may only be issued if the sanctioned license was noncommercial.

Code Section 321.446, relating to child restraint devices in vehicles, is amended to require children under six years of age to be in a child restraint system or safety belt when transported in a motor vehicle subject to registration. The Act provides an exception to this requirement for children transported in motor homes, unless the child is transported in the front passenger seat of the motor home. Currently, the use of a child restraint system or safety belt is not required when a child is transported in a motor vehicle that has a gross weight of 10,000 pounds or more.

The Act amends Code Section 321.451, relating to designation of vehicles by the Director of Transportation as authorized emergency vehicles, to provide that privately owned state or county medical examiner vehicles, sheriffs' or deputy sheriffs' vehicles, police officer vehicles, and certain fire chiefs' vehicles may be so designated. The Act requires the application for a certificate of designation to contain certain information and requires the certificate of designation to be carried in the vehicle designated. The certificate may be revoked by the director upon a showing of abuse.

Code Section 321.556, relating to notice and hearing for persons determined to be habitual offenders of certain motor vehicle laws, is amended to eliminate a requirement that the notice direct the person named in the notice to appear for hearing and show cause why the person should not be barred from operating a motor vehicle. The elimination of this requirement agrees with the current IDOT practice of allowing hearings to be held by telephone conference.

The Act also amends Code Section 321G.18 to provide that the owner of an all-terrain vehicle or snowmobile shall be liable for injury or damage occasioned by the negligent operation of the vehicle only if the owner was the operator of the vehicle or if the operator had the owner's consent to operate the vehicle.

#### **SENATE FILE 2315 - Motor Vehicle Lemon Law**

BY COMMITTEE ON TRANSPORTATION. This Act makes various Code changes in and relating to the Motor Vehicle Lemon Law in Code Chapter 322G.

The Act amends Code Section 322G.12, relating to the resale of vehicles returned to a manufacturer pursuant to a settlement, determination or decision under the Motor Vehicle Lemon Law, to require a manufacturer who accepts such a return to obtain a new certificate of title for the vehicle in the manufacturer's name. The motor vehicle shall be titled in the county of the transferor's residence and the manufacturer shall be exempt from the registration fee requirements. The Act provides that a manufacturer's acceptance of such a return shall not be considered a "use" subject to the use tax on motor vehicles. The Act also modifies the definition of a "settlement," for purposes of Code Section 322G.12, to include an agreement entered into between the manufacturer and the consumer that occurs after the thirtieth day following the manufacturer's receipt of the consumer's written notification of the nonconformity of a motor vehicle manufactured by the manufacturer and purchased by the consumer.

The Act also amends Code Sections 321.24 and 322G.12 to require the Iowa Department of Transportation or the county treasurer to include a designation indicating a motor vehicle was returned to the manufacturer on the registration receipt and certificate of title for a returned vehicle and every subsequently issued registration receipt or certificate of title, whether the prior certificate of title was issued in Iowa or another state. The department is to determine the manner in which Iowa's and other states' designations are to be indicated on Iowa registration receipts and certificates of title and may determine that a "REBUILT" or "SALVAGE" designation supersedes the returned designation and include the "REBUILT" or "SALVAGE" designation on the registration receipt and certificate of title in lieu of the returned designation.

Manufacturers who do not comply with the provisions of Code Chapter 322G may be subject to an administrative fine of up to \$1,000 levied by the Attorney General pursuant to Code Section 322G.9.

The Act takes effect January 1, 2001.

#### **SENATE FILE 2329 - Transportation Regulation — Miscellaneous Provisions**

**BY COMMITTEE ON TRANSPORTATION.** This Act makes several transportation-related Code changes. The Act amends a provision regarding lessee information on applications for vehicle registration and certificate of title added by S.F. 2147. The Act provides that lessee information on such applications is not required for vehicles with a gross vehicle weight rating of 10,000 pounds or more rather than 26,000 pounds or more.

The Act requires the Iowa Department of Transportation to adopt rules concerning hours of service for drivers of vehicles operated for hire and designed to transport more than eight persons, including the driver. The Act provides that the rules shall not apply to certain vehicles regulated by local authorities.

The Act revises the definition of "selling" to include "delivering" for the purposes of Code Chapter 322 regulating motor vehicle manufacturers, distributors and dealers.

The Act also makes several railroad-related Code changes. The Act provides that a railway corporation shall not close a railway crossing to the traveling public for more than 30 days for the purpose of repairing or upgrading the crossing. A railway corporation that violates the prohibition is subject to a Schedule 1 penalty of \$100.

The Act doubles the fine from \$50 to \$100 for violations of Code provisions requiring vehicle operators to obey signals of the immediate approach of a train, stop signals, and signs at railroad crossings, and certain stopping requirements at railroad crossings for certain vehicles carrying passengers for hire, school buses, vehicles carrying hazardous material, and heavy equipment. The Act also provides that such violations are punishable by a fine of \$200 if the violation created an immediate threat to the safety of a person or property.

#### **SENATE FILE 2330 - Low-Speed Vehicles**

**BY COMMITTEE ON TRANSPORTATION.** This Act defines a low-speed vehicle, for purposes of Code Chapter 321, "Motor Vehicles and Law of the Road," as a motor vehicle manufactured in compliance with the National Highway and Traffic Safety Administration standards for low-speed vehicles. The Act deems compliance with the equipment requirements in the standards to be compliant with the equipment requirements of Code Chapter 321.

The Act provides that the manufacturer's or importer's certificate accompanying an application for registration and certificate of title for a new low-speed vehicle shall certify the vehicle was manufactured in compliance with the standards.

The Act excludes low-speed electric vehicles from Code Section 321.116, which provides a lower annual registration fee for electric motor vehicles than for other motor vehicles.

The Act also prohibits low-speed vehicles from being operated on streets with posted speed limits greater than 35 miles per hour, except when crossing such a street. A violation of this prohibition is a simple misdemeanor.

#### **SENATE FILE 2455 - Retired United States Armed Forces Motor Vehicle License Plates**

**BY IVERSON AND GRONSTAL.** This Act provides that persons who are recognized by the U.S. armed forces as retired from the U.S. armed forces are considered to be "retired" for purposes of obtaining a U.S. armed forces retired motor vehicle license plate. Currently, only persons who have served 20 years or longer or persons who have served 10 years or longer and received an honorable discharge due to a medical disqualification are eligible to receive the special plate.

#### **HOUSE FILE 620 - Persons With Disabilities — Wheelchair Parking Cones — Trailer Registration Plates**

**BY COHOON.** This Act makes several Code changes relating to parking for persons with disabilities who use wheelchairs. The Act provides that certain owners of trailers used to transport wheelchairs may apply for persons with disabilities registration

plates for the trailers, in addition to any persons with disabilities registration plates ordered by the person for a motor vehicle used to tow such a trailer.

The Act also amends Code Section 321L.2A to provide that a person issued a persons with disabilities parking permit who uses a wheelchair due to a disability that renders the person permanently unable to walk may park in certain parking spaces and reserve up to an 8-foot space adjacent to the motor vehicle for purposes of exiting and entering the motor vehicle if several conditions are met. The person must place a wheelchair parking cone within 8 feet of the motor vehicle's entry and display the persons with disabilities parking permit in the motor vehicle in the manner provided in Code Section 321L.4. The motor vehicle and the wheelchair parking cone must not obstruct an aisle, street or roadway so that other vehicles are unable to pass through the aisle, street or roadway and the parking space must be provided by the state, a political subdivision of the state, or an entity providing nonresidential parking, whether or not designated as a persons with disabilities parking space. A person issued a persons with disabilities parking permit who does not meet these requirements when using a wheelchair parking cone is subject to a scheduled fine of \$20. A person who interferes with a wheelchair parking cone properly placed is subject to a scheduled fine of \$100.

The Act modifies a requirement that a persons with disabilities parking permit only be displayed when the motor vehicle is parked in a persons with disabilities parking space and a provision that the requirement be included in information contained on a removable windshield placard, to provide an exception for persons parking in other spaces pursuant to Code Section 321L.2A, as amended. The Act also provides that persons with disabilities windshield placards issued prior to July 1, 2000, may be used until they otherwise become invalid, notwithstanding the modified information requirements for such placards.

#### **HOUSE FILE 2248 - Proof of Motor Vehicle Financial Responsibility**

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends Code Section 321A.25 to provide that a person may prove motor vehicle financial responsibility by filing an endorsed certificate of deposit with the Treasurer of State. The certificate of deposit shall be made payable jointly to the person and the Treasurer of State and shall be obtained from an Iowa financial institution in the amount of \$55,000 plus any early withdrawal penalty fee. Currently, Code Section 321A.25 provides that a person may prove motor vehicle financial responsibility by depositing with the Treasurer of State \$55,000 in cash, or securities which may legally be purchased by a state bank or trust funds of a market value of \$55,000. The Act also makes corresponding language changes relating to the filing of the certificates of deposit in Code Sections 321.1, 321A.18, 321A.27, and 321A.29.

The Act takes effect March 30, 2000.

#### **HOUSE FILE 2368 - Implements of Husbandry**

BY COMMITTEE ON TRANSPORTATION. This Act amends Code Section 321.463, relating to the maximum gross weight allowed for vehicles operated on the highways of this state, by modifying the weight restrictions enacted by the 1999 Session of the General Assembly relating to fence-line feeders, grain carts, and tank wagons manufactured on or after July 1, 2001, and, after July 1, 2005, to all such vehicles. The Act eliminates a provision allowing a 20 percent tolerance over the maximum weight restrictions otherwise allowed by Code Chapter 321 for fence-line feeders, grain carts, and tank wagons, replacing it with set weight restrictions. The Act provides that the weight on any one axle of a fence-line feeder, grain cart, or tank wagon shall not exceed 24,000 pounds from February 1 through May 31 or 28,000 pounds from June 1 through January 31, provided, however, that the maximum gross vehicle weight of the vehicle shall not exceed 96,000 pounds.

The Act provides that a fence-line feeder, grain cart, or tank wagon shall comply with the weight restrictions for other vehicles over bridges. A local authority may issue a special permit, based on a statewide standard developed by the Iowa Department of Transportation (IDOT), for the operation of a fence-line feeder, grain cart, or tank wagon over a bridge within its jurisdiction.

The Act also directs IDOT to continue the implements of husbandry study required by the 1999 Session of the General Assembly, as the study pertains to tracked vehicles. The department is required to report its findings and recommendations to the General Assembly by December 1, 2000.

#### **HOUSE FILE 2458 - Transportation — Aviation**

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act relates to aviation transportation issues in the state.

The Act states the findings of the General Assembly that air service and aviation issues should be given a higher priority within state government and that improved communication and coordination between various state agencies regarding aviation issues is necessary.

The Act provides that, by July 1, 2000, the Department of Economic Development and the Iowa Department of Transportation (IDOT) shall jointly establish a committee on air service consisting of at least nine members and composed of geographically diverse representatives of the business community and airports in the state and shall include representatives from IDOT and the Department of Economic Development. The Act provides that the committee shall report to the General Assembly by September 1, 2000, regarding issues related to air service. The Act provides that the report shall include, at a minimum, findings and recommendations on the current unmet needs of Iowa business and leisure travelers, how a total transportation system of highways, rail and airports can be better networked to meet air service needs, and whether a permanent air service council is needed to study issues related to air service in Iowa.

The Act provides that the Joint Appropriations Subcommittee on Transportation, Infrastructure and Capitals of the General Assembly shall review existing and potential funding streams for airports.

The Act takes effect May 11, 2000.

#### **HOUSE FILE 2477 - Nonhighway Transportation**

BY COMMITTEE ON TRANSPORTATION. This Act makes several Code changes relating to nonhighway transportation.

The Act defines "Midwest regional rail system" as the passenger rail system identified through a multistate planning effort in cooperation with Amtrak, for purposes of Code Chapter 327J, relating to passenger rail service; exempts aircraft displayed in museums from aircraft registration and registration fee requirements; and expresses the intent of the Legislature that Road Use Tax Fund moneys not be used to support passenger rail service.

The Act amends Code Section 327J.3, relating to administration by the Director of Transportation of the Passenger Rail Service Revolving Fund and of activities related to passenger rail service, to allow the director to enter into agreements with Amtrak and the other states associated with the Midwest regional rail system to develop a rail passenger system serving the Midwest, including service from Chicago to Omaha through Iowa.

The agreements may include cost-sharing arrangements for costs associated with initiating service and other necessary costs and joint powers agreements and other institutional arrangements associated with the administration, management and operation of a Midwest regional rail system. The section is also amended to require the director to enter into discussions with Iowa's congressional delegation to foster rail passenger service in Iowa and the Midwest and to maximize federal funding for such service. The director is permitted to provide assistance and enter into agreements with cities on the route of the system to ensure that rail stations and terminals are designed and developed in accordance with certain objectives.

The Act also requires the Director of Transportation to report annually to the General Assembly concerning the development and operation of the system and the state's rail passenger service.

Currently, Code Section 327J.3 requires the director to enter into various discussions with the states of Illinois and Nebraska, Amtrak, and Iowa's congressional delegation for the purpose of securing Amtrak passenger service from Chicago to Omaha using the Chicago and Northwestern Transportation Company railroad tracks. The Code section also currently allows the director to provide technical assistance to cities along the proposed Amtrak route to ensure that passenger facilities meeting Amtrak requirements are available in a timely manner and requires the director to report regularly to the General Assembly concerning the progress of efforts to secure central Iowa Amtrak passenger service.

#### **HOUSE FILE 2480 - Motor Vehicle Registration Periods**

BY COMMITTEE ON TRANSPORTATION. This Act amends several Code provisions relating to the registration of vehicles to allow a three-month period for renewal of a vehicle registration and to allow persons registering a vehicle for the first time in the eleventh month of what will be the person's registration year to register the vehicle for the remaining eleventh and twelfth months of what will be the person's registration year or for the eleventh and twelfth months and for the following registration year, upon payment of the applicable prorated registration fee and full-year registration fee. The new provisions do not apply to vehicles registered under Code Chapter 326. Code Chapter 326 allows for proportional registration between Iowa and other states of fleets of certain commercial vehicles.

The Act takes effect July 1, 2001.

#### **HOUSE FILE 2512 - Rented Motor Vehicles — Stopping, Standing, or Parking Violations**

BY COMMITTEE ON TRANSPORTATION. This Act amends a provision in Code Section 321.484, relating to the liability of owners of vehicles for certain stopping, standing or parking violations committed by a person other than the owner, to exempt

the owner if the owner establishes that the vehicle was in the custody of a person other than the owner at the time of the violation pursuant to a rental agreement. The citation and complaint will then be issued to the renter of the vehicle. Currently, Code Section 321.484 contains the same exemption for leased vehicles.

## CHAPTER NUMBERS OF THE 2000 IOWA ACTS

## Senate Files

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
174 .....	1029	2200 .....	1046	2344 .....	1067
182 .....	1053	2212 .....	1032	2348 .....	1111
228 .....	1153	2213 .....	1139	2349 .....	1048
292 .....	1199	2214 .....	1210	2360 .....	1112
324 .....	1093	2215 .....	1033	2366 .....	1105
419 .....	1183	2221 .....	1056	2368 .....	1088
421 .....	1145	2238 .....	1075	2369 .....	1123
428 .....	1083	2241 .....	1201	2371 .....	1068
441 .....	1200	2243 .....	1202	2372 .....	1021
466 .....	1184	2245 .....	1203	2373 .....	1007
2007 .....	1063	2246 .....	1204	2388 .....	1022
2010 .....	1172	2248 .....	1095	2390 .....	1155
2015 .....	1030	2249 .....	1109	2395 .....	1141
2031 .....	1044	2252 .....	1186	2409 .....	1023
2036 .....	1031	2253 .....	1085	2411 .....	1077
2047 .....	1084	2254 .....	1096	2416 .....	1217
2048 .....	1015	2256 .....	1018	2418 .....	1113
2061 .....	1019	2265 .....	1165	2419 .....	1156
2079 .....	1104	2266 .....	1020	2420 .....	1114
2082 .....	1001	2276 .....	1173	2424 .....	1146
2089 .....	1054	2294 .....	1121	2426 .....	1142
2091 .....	1006	2300 .....	1076	2428 .....	1230
2092 .....	1154	2302 .....	1140	2429 .....	1222
2111 .....	1055	2303 .....	1057	2430 .....	1224
2126 .....	1120	2307 .....	1097	2433 .....	1226
2141 .....	1218	2308 .....	1132	2435 .....	1228
2142 .....	1064	2312 .....	1110	2438 .....	1181
2143 .....	1130	2313 .....	1133	2439 .....	1196
2144 .....	1180	2314 .....	1066	2443 .....	1124
2145 .....	1065	2315 .....	1047	2444 .....	1205
2146 .....	1131	2324 .....	1122	2447 .....	1174
2147 .....	1016	2326 .....	1086	2450 .....	1219
2156 .....	1045	2327 .....	1178	2452 .....	1232
2158 .....	1094	2329 .....	1134	2453 .....	1225
2164 .....	1017	2330 .....	1005	2455 .....	1157
2193 .....	1004	2331 .....	1187	2459 .....	1158
2194 .....	1074	2342 .....	1087		

## Senate Joint Resolution

File No.	Acts Chapter
SJR 2005 .....	1234

## CHAPTER NUMBERS OF THE 2000 IOWA ACTS

## House Files

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
475	1188	2280	1081	2477	1168
620	1206	2315	1089	2480	1028
683	1159	2316	1050	2485	1128
686	1002	2317	1147	2486	1116
723	1152	2321	1060	2491	1197
754	1193	2327	1090	2492	1117
2008	1175	2328	1091	2494	1082
2027	1078	2329	1026	2496	1198
2039	1214	2330	1039	2510	1118
2059	1215	2331	1099	2511	1138
2085	1049	2333	1009	2512	1061
2090	1160	2351	1212	2513	1149
2099	1010	2362	1136	2518	1150
2105	1008	2365	1051	2519	1177
2106	1003	2368	1040	2521	1129
2135	1125	2373	1166	2522	1119
2136	1058	2376	1106	2525	1062
2145	1151	2377	1137	2528	1179
2146	1098	2385	1052	2531	1043
2148	1079	2388	1092	2533	1220
2153	1126	2391	1108	2538	1216
2168	1034	2393	1107	2540	1213
2169	1011	2394	1100	2541	1190
2170	1135	2419	1144	2542	1103
2172	1059	2420	1027	2545	1231
2173	1012	2422	1071	2549	1223
2179	1013	2423	1101	2550	1163
2197	1211	2424	1127	2552	1229
2198	1143	2425	1041	2554	1227
2205	1189	2429	1148	2555	1221
2206	1176	2431	1042	2557	1191
2218	1035	2433	1167	2560	1194
2220	1014	2435	1072	2561	1164
2239	1024	2437	1161	2562	1195
2240	1036	2438	1073	2563	1207
2247	1080	2442	1102	2565	1192
2248	1025	2458	1182	2569	1169
2253	1037	2463	1171	2579	1208
2254	1069	2470	1115	2581	1209
2277	1038	2473	1162		
2279	1070	2474	1170		

## House Joint Resolution

File No.	Acts Chapter
HJR 2014	1233

## 2000 SECTIONS AMENDED, ADDED OR REPEALED

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Scn</u>	<u>File #</u>	<u>Effective</u>
1C.12	New section	HF	2113.1	VETO
2D.1	New section	HF	2442.1	J
2D.2	New section	HF	2442.2	J
2D.3	New section	HF	2442.3**	J
2D.3	New section amended	SF	2452.41	J
2D.4	New section	HF	2442.4	J
4.1*	Subsection 39, unnumbered paragraph 1 amended	HF	2205.24	J
6B	New definition added	HF	2429.1	J
6B*	New definition added	HF	2429.1	J
6B.1	Section amended	HF	2528.1	E
6B.2A*	Subsection 1 amended	HF	2528.2	E
6B.2A*	Subsections 2 & 3 rewritten	HF	2528.3**	E
6B.2A*	Rewritten subsection 3 amended	SF	2327.1	J
6B.2A*	New subsection 5	HF	2528.4	E
6B.2B*	Subsection 1 amended	HF	2528.5	E
6B.2B*	Subsection 2 stricken	HF	2528.6	E
6B.2	New section	HF	2528.7	E
6B.3*	Subsection 1, paragraph g amended	HF	2528.8	E
6B.3*	Subsection 2 rewritten	HF	2528.9	E
6B.4*	Unnumbered paragraph 2 amended	SF	2212.1	J
6B.4*	Unnumbered paragraph 2 amended	HF	2528.10	E
6B.4*	Unnumbered paragraph 3 stricken	HF	2528.11	E
6B.5	Section rewritten	HF	2528.12	E
6B.6	New section	HF	2528.13	E
6B.7*	Section amended	HF	2528.14	E
6B.8*	Section amended	HF	2528.15	E
6B.9	Section rewritten	HF	2136.56	J
6B.12*	Section repealed	HF	2528.29	E
6B.13	Section repealed	HF	2528.29	E
6B.14*	Unnumbered paragraph 1 amended	HF	2528.16	E
6B.14*	New unnumbered paragraph after unnumbered paragraph 1	HF	2528.17	E
6B.25	Section amended	HF	2528.18	E
6B.33*	Section amended	HF	2528.19	E
6B.45*	Section amended	HF	2528.20	E
6B.57*	Section amended	HF	2528.21	E
6B.59*	Section amended	HF	2136.1	J
7E.5	Subsection 1, paragraph v amended	HF	2136.2	J
7E.5	Subsection 1, new paragraph x	SF	2395.11	E
7H.1*	Section repealed	SF	2450.18	J
8.39A	New section	SF	2430.21	J
8.57	Subsection 5, paragraph e amended	SF	2453.30	E
8.57A	New section	SF	2453.22	IV
8.58	Section amended	SF	2453.23	J
8.60	Subsection 4 stricken	SF	2430.22	C
8A*	Chapter repealed	HF	2545.39	J
8D.3*	Subsection 1 amended	SF	2395.12	E

EFFECTIVE DATE - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

A - Applicability provisions	M - Modified by subsequent bill	00-00-00 - Specified effective date
C - Conditional effective date	R - Retroactive applicability	* - 1999 Code Supplement
E - Effective upon enactment	S - See 99 Acts, chapter 125	** - Section amended by subsequent bill
J - Effective July 1, 2000	V - Variable effective date	VETO - Entire bill section vetoed
IV - Part of bill section vetoed		

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
9H.1*	New subsection 6A	SF 2349.1	E
9H.1*	Subsection 16 amended	HF 2239.1	J
9H.2	Section amended	SF 2349.2	E
9H.9	Subsection 2 amended	SF 2388.1	J
10.1	Section rewritten	HF 475.5	Repealed
10.4	Section rewritten	HF 475.5	Repealed
10.6	Section rewritten	HF 475.5	Repealed
10A	New definition added	HF 2429.1	J
10A*	New definition added	HF 2429.1	J
10A.104*	Subsection 8 amended	SF 2390.1	J
10A.106*	Section amended	SF 2390.2	J
10A.402	Subsection 4 stricken	SF 2390.3	J
10A.502	Section amended	SF 2390.4	J
10A.701	New section	SF 2390.5	J
10A.702	New section	SF 2390.6	J
10B.1	Subsection 8 amended	HF 2239.2	J
10B.4	Subsection 2, new paragraph g	HF 2491.1	E
10B.4A	New section	SF 2388.2	J
10C.1	New section	HF 2491.2	E
10C.1	New section repealed	HF 2491.6	7/1/04
10C.2	New section	HF 2491.3	E
10C.2	New section repealed	HF 2491.6	7/1/04
10C.3	New section	HF 2491.4	E
10C.3	New section repealed	HF 2491.6	7/1/04
10C.4	New section	HF 2491.5	E
10C.4	New section repealed	HF 2491.6	7/1/04
10C.5	New section	HF 2491.6	E
10C.5	New section repealed	HF 2491.6	7/1/04
10C.6	New section	HF 2491.7	E
11	New definition added	HF 2429.1	J
11.5B	New subsection 14	SF 2395.13	E
12.30	Subsection 1, paragraph a amended	HF 2579.19	E
12.31	Section amended	HF 2136.3	J
12.32*	Unnumbered paragraph 1 amended	HF 2136.4	J
12.32*	Subsection 4 amended	HF 2136.5	J
12.43A*	Subsection 1, paragraph d amended	SF 2010.2	J
12.43A*	Subsection 3, paragraphs c & d amended	SF 2010.3	J
12.65	Section rewritten	SF 2452.12	J
12.67	New section	SF 2452.19	VETO
12.71	New section	SF 2447.15	J
12.72	New section	SF 2447.16	J
12.72A	New section	SF 2453.31	E
12.73	New section	SF 2447.17**	J
12.73	New section, subsection 1 amended	SF 2452.42	J
12.74	New section	SF 2447.18	J
12.75	New section	SF 2447.19	J
12.76	New section	SF 2447.20	J
12.81	New section	SF 2447.21	J
12.82	New section	SF 2447.22	J
12.82A	New section	SF 2453.32	E
12.83	New section	SF 2447.23**	J
12.83	New section amended	SF 2452.43	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen</u>	<u>File #</u>	<u>Effective</u>
12.84	New section	SF	2447.24	J
12.85	New section	SF	2447.25	J
12B	New definition added	HF	2429.1	J
12B.10	Subsection 6, new paragraph i	SF	2419.1	J
12B.10	Subsection 6, new paragraph i	HF	2579.20	E
12B.10A	Subsection 6, new paragraph i	HF	2579.21	E
12B.10B	Subsection 3, new paragraph i	HF	2579.22	E
12B.10C	New subsection 8	HF	2579.23	E
12C.6A*	Subsection 5, paragraph b amended	SF	2092.1	J
12C.25*	Unnumbered paragraph 2 amended	SF	2092.2	J
12C.26	New section	SF	2452.22	R 1/1/00
12D.1	New subsection OA	HF	2550.1	E
12D.3*	Subsection 1, paragraph a amended	HF	2550.2	E
12D.3*	Subsection 2 amended	HF	2550.3	E
12D.3*	Subsection 5, paragraph a amended	HF	2550.4	E
12D.4A*	Section repealed	HF	2545.39	J
12E.1	New section	HF	2579.1	E
12E.3	New section	HF	2579.2**	E
12E.3	New section, subsection 7 amended	SF	2452.13	E
12E.4	New section	HF	2579.3**	E
12E.4	New section, subsection 2, paragraph i amended	SF	2452.14	E
12E.5	New section	HF	2579.4	E
12E.6	New section	HF	2579.5	E
12E.7	New section	HF	2579.6	E
12E.8	New section	HF	2579.7	E
12E.9	New section	HF	2579.8	E
12E.10	New section	HF	2579.9	E
12E.11	New section	HF	2579.10	E
12E.12	New section	HF	2579.11	E
12E.13	New section	HF	2579.12	E
12E.14	New section	HF	2579.13	E
12E.15	New section	HF	2579.14	E
12E.16	New section	HF	2579.15	E
12E.17	New section	HF	2579.16	E
12E.18	New section	HF	2579.17	E
12E.19	New section	HF	2579.18	E
12E	Chapter repealed	HF	2579.24	3/1/01
13.10	Section amended	SF	2324.1	J
13B.4*	Subsection 4, paragraph c, unnumbered paragraph 2 amended	SF	2092.3	J
13B.8*	Subsection 2 amended	HF	2470.1	J
13B.8*	Subsection 2 amended	SF	2092.4	J
14B.101	New section	SF	2395.2	E
14B.102	New section	SF	2395.3**	E
14B.102	New section, subsection 2, paragraph d amended	SF	2433.23	VETO
14B.102	New section, subsection 3 rewritten	SF	2433.7	J
14B.102A	New section	SF	2433.8	4/25/00
14B.103	New section	SF	2395.4	E
14B.104	New section	SF	2395.5**	E

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A - Applicability provisions      M - Modified by subsequent bill      00-00-00 - Specified effective date  
C - Conditional effective date      R - Retroactive applicability      \* - 1999 Code Supplement  
E - Effective upon enactment      S - See 99 Acts, chapter 125      \*\* - Section amended by subsequent bill  
J - Effective July 1, 2000      V - Variable effective date      VETO - Entire bill section vetoed  
IV - Part of bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
14B.104	New section, subsection 2, paragraph b amended	SF 2433.24	VETO
14B.105	New section	SF 2395.6	E
14B.106	New section	SF 2395.7	E
14B.107	New section	SF 2395.8**	E
14B.107	New section amended	SF 2433.25	VETO
14B.108	New section	SF 2395.9**	E
14B.108	New section, subsection 2, paragraph a amended	SF 2433.26	VETO
14B.201	New section	SF 2395.10	E
15.104	New subsection 4A	HF 2491.8	E
15.221	New section	HF 2424.1	E
15.222	New section	HF 2424.2	E
15.223	New section	HF 2424.3	E
15.224	New section	HF 2424.4	E
15.225	New section	HF 2424.5	E
15.291	New section	HF 2423.1	J
15.292	New section	HF 2423.2	J
15.293	New section	HF 2423.3	J
15.294	New section	HF 2423.4	J
15.295	New section	HF 2423.5	J
15.313*	Subsection 2, new paragraph i	SF 2428.14	J
15.331A	Subsection 2 amended	HF 2548.1	VETO
15.333*	Subsection 1 amended	HF 2540.1	A 7/1/01
15.333A	Subsection 1, unnumbered paragraph 2 amended	HF 2540.2	E
15.335*	Section amended	HF 2560.1	R 1/1/00
15.335*	Unnumbered paragraph 1 amended	SF 2424.1	R 1/1/99
15.342A*	Section amended	SF 2428.15	J
15.342A*	Section amended	SF 2439.1	Repealed
15.343*	Subsection 3 amended	SF 2428.16	J
15.362	Subsections 1 & 2 amended	HF 2179.1	J
15.363	Unnumbered paragraphs 1 & 2 amended	HF 2179.2	J
15.363	New subsection 6	HF 2179.3	J
15.364*	Subsections 2, 3, & 8 amended	HF 2179.4	J
15.371*	Section repealed	SF 2447.30	J
15.372*	Section repealed	SF 2447.30	J
15.373*	Section repealed	SF 2447.30	J
15A.9*	Subsection 8 amended	HF 2560.2	R 1/1/00
15A.9*	Subsection 8, unnumbered paragraph 2 amended	SF 2424.2	R 1/1/99
15E.91	Subsection 7 amended	HF 2513.160	7/1/01
15E.112	New subsection 5	SF 2428.18	J
15E.175	Subsection 2, paragraph b, new subparagraph (4)	SF 2428.19	VETO
15E.192	New subsection 2A	HF 2540.3	E
15E.192	Subsection 3 amended	HF 2540.4	E
15E.193B	Subsection 2 amended	HF 2540.5	R 1/1/00
15E.193B	Subsection 5, new paragraph c	HF 2540.6	R 1/1/00
15E.193B	Subsection 6, paragraph a amended	HF 2540.7	R 1/1/00
15E.193B	New subsection 9	HF 2540.8	E
15E.194	New subsection 4	HF 2540.9	E
15E.208*	Subsection 4, paragraph b amended	HF 2136.6	J
15F.101	New section	SF 2447.1	J
15F.102	New section	SF 2447.2	J
15F.103	New section	SF 2447.3	J
15F.103A	New section	SF 2447.4	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
15F.104	New section	SF 2447.5	J
15F.105	New section	SF 2447.6	J
15F.201	New section	SF 2447.7	J
15F.202	New section	SF 2447.8	J
15F.203	New section	SF 2447.9	J
15F.204	New section	SF 2447.10	J
15F.301	New section	SF 2447.11	J
15F.302	New section	SF 2447.12	J
15F.303	New section	SF 2447.13	J
15F.304	New section	SF 2447.14**	J
15F.304	New section, subsection 3, paragraph h, subparagraph (4) amended	SF 2452.44	J
16.10	Subsection 1 amended	HF 2422.1	E
16.26	Subsection 7 amended	HF 2513.161	7/1/01
16.91	Subsection 2 amended	HF 2373.1	J
16.92*	Subsection 1, paragraph f, subparagraph (4) amended	HF 2373.2	J
16.92*	Subsect. 2, para. a, subpara. (1), subpara. subdivision (b) amended	HF 2373.3	J
16.92*	Subsection 3, paragraph d, subparagraph (2) amended	HF 2373.4	J
16.92*	Subsection 7 amended	HF 2373.5	J
16.93	New section	HF 2373.6	J
16A.9	Subsection 7 amended	HF 2513.162	7/1/01
17A.9A	New section	HF 2206.1	J
18.3	Subsection 7, new unnumbered paragraph	SF 2453.33	VETO
18.6*	Subsection 12, paragraph b amended	SF 2249.1	J
18.6*	New subsection 16	HF 2552.16	J
18.22	Subsection 4 amended	SF 2249.2	J
18.183*	Subsections 1 & 2 amended	SF 2433.9	4/25/00
18.184	Section amended	SF 2433.10	4/25/00
18.185	Section amended	SF 2433.11	4/25/00
18.187*	Section amended	SF 2433.12	4/25/00
18A.6	New section	SF 2453.34	E
19A.1	Subsection 2 amended	HF 2463.1	J
19A.1	Subsection 3 amended	HF 2463.2	J
19A.1A*	Subsection 1 amended	HF 2463.3	J
19A.1A*	Subsection 3 amended	HF 2463.4	J
19A.2A	Section amended	HF 2463.5	J
19A.3	Subsections 5, 8, 10, 15, & 20 amended	HF 2463.6	J
19A.3	Unnumbered paragraph 2 amended	HF 2463.7	J
19A.8*	Subsection 2 amended	HF 2463.8	J
19A.8*	Subsection 6 amended	HF 2463.9	J
19A.8*	New unnumbered paragraph after unnumbered paragraph 2	HF 2463.10	J
19A.8*	Unnumbered paragraph 3 amended	HF 2463.11	J
19A.9*	Subsections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, & 23 amended	HF 2463.12	J
19A.9*	Subsection 12 amended	HF 2463.12	R 1/1/00
19A.12D	New section	HF 2463.13	J
19A.12E	New section	HF 2463.14	R 1/1/00
19A.13	Unnumbered paragraphs 1 & 2 amended	HF 2463.15	J
19A.15	Unnumbered paragraph 2 amended	HF 2463.16	J
19A.16	Section amended	HF 2463.17	J

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**E** - Effective upon enactment      **S** - See 99 Acts, chapter 125      \*\* - Section amended by subsequent bill  
**J** - Effective July 1, 2000      **V** - Variable effective date      **VETO** - Entire bill section vetoed  
**IV** - Part of bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
19A.19	Unnumbered paragraph 1 amended	HF 2463.18	J
19A.19	Unnumbered paragraph 3 amended	HF 2463.19	J
19A.35*	Subsection 2 amended	HF 2463.20	J
19B.3	Subsection 2, paragraph h amended	SF 2248.1	J
22.7*	Subsection 1 amended	HF 2437.1	J
22.7*	Subsection 38 amended	HF 2205.25	J
22.7*	New subsection 39	HF 2220.1	J
22.7*	New subsection 39	HF 2317.27	J
22.7*	New subsection 39	SF 2302.1	J
23A.2*	Section rewritten	SF 2360.51	J
24	New definition added	HF 2429.1	J
28.3*	Subsection 2 amended	HF 2549.17	J
28A.6	Section rewritten	HF 2136.56	J
28F.31	Section amended	HF 2492.1	J
28E.32	New section	HF 2492.2	J
29A.1	Subsection 1 amended	SF 2266.1	E
29A.11	Section amended	SF 2266.2	E
29A.16	Section amended	SF 2266.3	E
29A.17	Unnumbered paragraph 1 amended	SF 2266.4	E
29A.66	Section amended	SF 2266.5	E
29B.20	Section amended	SF 2092.5	J
29B.116	Section rewritten	SF 2092.45	J
30.2	Subsection 2 amended	SF 2266.7	J
30.2	Subsection 2 amended	SF 2452.45	J
35A.1	Subsection 4 amended	HF 2136.7	J
35A.8*	Subsection 4, new paragraph f	SF 2141.1	J
35B	New definition added	HF 2429.1	J
35B*	New definition added	HF 2429.1	J
35C.1	Subsection 1 amended	SF 2092.6	J
35C.3*	Section amended	HF 2376.1	J
37.9*	Unnumbered paragraph 6 amended	SF 2092.7	J
43	New definition added	HF 2429.1	J
43.26	Section rewritten	HF 2136.57	J
46.9	Section rewritten	HF 2136.58	J
46.24*	Unnumbered paragraph 2 amended	SF 2092.8	J
49.21	New unnumbered paragraph	HF 2330.1	J
50	New definition added	HF 2429.1	J
50.16	Section amended	HF 2136.8	J
50.29	Section amended	HF 2136.9	J
50.41	Section amended	HF 2136.10	J
52.9	Section rewritten	HF 2136.59	J
52.9	Section rewritten	HF 2136.60	J
52.21	Section rewritten	HF 2136.56	J
52.21	Section rewritten	HF 2136.61	J
52.38	Section rewritten	HF 2136.59	J
52.38	Section rewritten	HF 2136.60	J
55.2	New section	HF 2492.3	J
62	New definition added	HF 2429.1	J
62.11	Section amended	HF 2136.11	J
64	New definition added	HF 2429.1	J
65	New definition added	HF 2429.1	J
66	New definition added	HF 2429.1	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
68B.26	Section amended	HF 2431.1	J
68B.32D	Subsection 3 amended	HF 2431.2	J
68B.38	Subsection 1 amended	HF 2431.3	J
69	New definition added	HF 2429.1	J
70A.16	Subsection 1 amended	HF 2463.21	J
70A.25	Subsection 1, paragraph a amended	HF 2463.22	J
70A.25	Subsection 1, paragraph c amended	HF 2463.23	J
70A.25	Subsection 2, unnumbered paragraph 1 amended	HF 2463.24	J
70A.31	Section amended	HF 2463.25	J
73.16	Subsection 2, new unnumbered paragraph	HF 2545.35	J
75.14	New section	HF 2205.26	J
80.9	Subsection 2, paragraph c amended	HF 2492.4	J
80.9*	Subsection 2, new paragraph i	HF 2492.5	J
80.9*	Subsection 2, new paragraph i	SF 2452.96	J
80.9*	Subsection 2, new paragraph i repealed	SF 2452.98	7/1/02
80.17	Subsection 7 amended	SF 2092.9	J
80.35	Section amended	SF 2092.10	J
80.39	Section amended	SF 2245.1	J
80E.1	Subsection 1 amended	HF 2153.1	J
80E.1	Subsection 2, paragraph a amended	HF 2153.2	J
80E.2	Subsection 1 amended	HF 2153.3	J
80E.2	Subsection 2 amended	HF 2153.4	J
80E.3	Section repealed	HF 2153.8	J
84A.10	New section	SF 2428.20	J
85.3	Subsection 2 amended, new subsections 3 & 4 added	SF 2373.1**	J
85.3	New subsection 3, unnumbered paragraph 1 amended	SF 2452.46	J
85.24	Section rewritten	HF 2136.56	J
85.36	Subsection 6 amended	SF 2373.2	J
85.36	Subsection 7 amended	SF 2373.3	J
86.11	Section amended	SF 2373.4	J
86.17*	Subsection 1 amended	HF 2136.12	J
86.36	Section repealed	SF 2373.6	J
86.39	Section amended	SF 2373.5	J
87.4	Unnumbered paragraph 2 amended	SF 2409.1	J
87.4	Unnumbered paragraph 4 amended	SF 2409.2	J
88.6	New subsection 9	HF 2492.6**	J
88.6	New subsection 9 amended	SF 2452.47	J
89.2	Subsection 4 rewritten	SF 2307.1	J
89A.1*	New subsection 16A	SF 2307.2	J
91.4*	New subsection 10	HF 2492.7	J
91A.14	New section	SF 2307.3	J
91C.8*	Subsection 4 amended	SF 2092.11	J
96	New definition added	HF 2429.1	J
96*	New definition added	HF 2429.1	J
96.14	Section rewritten	HF 2136.56	J
97A.5	Subsection 1 amended	SF 2411.1	J
97A.5	Subsection 2 amended	SF 2411.2	J
97A.6	Subsection 2 amended	SF 2411.3	J

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| <b>C</b> - Conditional effective date   | <b>R</b> - Retroactive applicability   | <b>*</b> - 1999 Code Supplement                |
| <b>E</b> - Effective upon enactment     | <b>S</b> - See 99 Acts, chapter 125    | <b>**</b> - Section amended by subsequent bill |
| <b>J</b> - Effective July 1, 2000       | <b>V</b> - Variable effective date     | <b>VETO</b> - Entire bill section vetoed       |
| <b>IV</b> - Part of bill section vetoed |  |  |

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
97A.6	Subsection 8, paragraph b, unnumbered paragraph 1 amended	SF 2411.4	R 7/1/96
97A.6	Subsection 14, paragraph a amended	SF 2411.5	J
97A.6	New subsection 16	SF 2411.6	J
97A.8	Subsection 1, paragraph b amended	SF 2411.7	J
97A.8	Subsection 1, paragraph c, unnumbered paragraph 2 stricken	SF 2411.8	J
97B.1A	New subsection 2A	SF 2411.10	J
97B.1A	Subsection 8, paragraph a, subparagraph (1) amended	SF 2411.11	J
97B.1A	Subsection 8, paragraph a, new subparagraph (12)	SF 2411.12	J
97B.1A	Subsection 8, paragraph b, subparagraph (3) amended	SF 2411.13	J
97B.1A	New subsection 14A	SF 2411.14	J
97B.1A	New subsection 22A	SF 2411.15	J
97B.1A	Subsection 24, paragraph a amended	SF 2411.16	J
97B.1A	Subsection 24, paragraph b, subparagraph (4) amended	SF 2411.17	R 1/1/00
97B.1A	Subsection 24, paragraph b, new subparagraph (5)	SF 2411.18	J
97B.1A	Subsection 24, new paragraph c	SF 2411.19	J
97B.1A	Subsection 26, paragraph a amended	SF 2411.20	J
97B.5	Section amended	SF 2411.21	J
97B.9	Unnumbered paragraph 1 amended	SF 2411.22	J
97B.9	Subsection 4 amended	SF 2411.23	J
97B.11	Unnumbered paragraph 2 stricken	SF 2411.24	J
97B.13	Section repealed	SF 2411.73	J
97B.14A	New section	SF 2411.25	J
97B.17	Subsection 2 amended	SF 2411.26	J
97B.25	Section amended	SF 2411.27	J
97B.42A	New subsection 3A	SF 2411.28	J
97B.42A	Subsection 4 amended	SF 2411.29	J
97B.44	Section amended	SF 2411.30	J
97B.48	Subsection 1 amended	SF 2411.31	J
97B.48	Subsection 3 amended	SF 2411.32	J
97B.48A	Subsection 1, unnumbered paragraph 1 amended	SF 2411.33	J
97B.48A	Subsection 3 amended	SF 2411.34	J
97B.48A	Subsection 4 amended	SF 2411.35	J
97B.49B	Subsection 1, paragraph a amended	SF 2411.36	J
97B.49B	Subsection 1, new paragraph aa	SF 2411.37	J
97B.49B	Subsection 1, paragraph c amended	SF 2411.38	J
97B.49B	Subsection 1, paragraph d, new subparagraph (7)	SF 2411.39	J
97B.49D	Subsection 1, paragraph b amended	SF 2411.40	J
97B.49F	Subsect. 1, para. b, subpara. (2), subpar. subdiv. (a) amended	SF 2411.41	J
97B.49F	Subsection 1, paragraph c amended	SF 2411.42	J
97B.49F	Subsection 2, paragraph a amended	SF 2411.43	J
97B.49F	Subsection 2, paragraph c, new subparagraph (3A)	SF 2411.44	E
97B.49F	Subsection 2, paragraph d amended	SF 2411.45	J
97B.49G	New subsection 12	SF 2411.46	J
97B.49H	Subsection 5, paragraph c amended	SF 2411.47	J
97B.50	Subsection 1, unnumbered paragraph 1 amended	SF 2411.48	V
97B.50	Subsection 2 amended	SF 2411.49	J
97B.50	Subsection 2, new paragraph c	SF 2411.50	J
97B.50A	New section	SF 2411.51	A
97B.51	Subsection 1, paragraphs a, b, c, & e rewritten	SF 2411.52	J
97B.51	Subsection 1, paragraph d, subparagraph (1) rewritten	SF 2411.52	J
97B.51	Subsection 1, paragraph d, subparagraph (2) rewritten	SF 2411.52	A 7/1/01
97B.51	Subsections 2 & 3 rewritten	SF 2411.52	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
97B.52	Subsection 1 amended	SF 2411.53	V
97B.52	New subsection 1A	SF 2411.54	J
97B.52	Subsection 2 amended	SF 2411.55	J
97B.52	Subsection 3, paragraph a amended	SF 2411.56	J
97B.52	Subsection 4, unnumbered paragraph 1 amended	SF 2411.57	J
97B.52	Subsection 5 amended	SF 2411.58	J
97B.52A	Subsection 1, paragraph b amended	SF 2411.59	J
97B.52A	Subsection 1, new paragraph c	SF 2411.60	J
97B.52A	Subsection 2 amended	SF 2411.61	J
97B.52A	New subsection 4	SF 2411.62	J
97B.53*	Section amended	SF 2411.63	J
97B.53A	Section amended	SF 2411.64	J
97B.53B	Subsection 1, paragraph c, unnumbered paragraph 1 amended	SF 2411.65	J
97B.55	Section repealed	SF 2036.1	J
97B.60	Section amended	SF 2411.66	J
97B.70	Section amended	SF 2411.67	J
97B.73	Subsection 1 amended	SF 2411.68	J
97B.73B	New section	SF 2411.69	J
97B.80A	New section	SF 2411.70	J
97B.80B	New section	SF 2411.71	J
97B.82	New section	SF 2411.72	V
99	New definition added	HF 2429.1	J
99B.1	New subsection 24	SF 2143.1	J
99B.7	Subsection 1, paragraph m, subparagraph (l) amended	SF 2143.2	J
99B.7	New subsection 3A	SF 2143.3	J
99B.11	Subsection 2, new paragraph c	HF 2545.36	J
99D.14	New subsection 7	HF 2552.17	J
99E.9*	Subsection 4 amended	SF 2443.1	J
99F.4	New subsection 22	HF 2545.37	J
99F.4A	New subsection 8	HF 2552.19	J
99F.10	Subsection 4 amended	HF 2552.18	J
100.1	New subsection 6	HF 2552.20	J
100A.1	New paragraph j	SF 2409.3	J
100B.1	New section	HF 2492.8**	J
100B.1	New section, subsection 1 amended	SF 2452.23	J
100B.2	New section	HF 2492.9	J
100B.3	New section	HF 2492.10	J
100B.4	New section	HF 2492.11	J
100B.5	New section	HF 2492.12	J
100B.6	New section	HF 2492.13	J
100B.7	New section	HF 2492.14	J
100B.8	New section	HF 2492.15	J
100B.9	New section	HF 2492.16	J
100B.10	New section	HF 2492.17	J
100B.11	New section	SF 2452.97	J
100B.11	New section repealed	SF 2452.98	7/1/02
101.22	Subsection 4 amended	SF 2430.23	J
101.24	Subsection 1, unnumbered paragraph 1 amended	SF 2430.24	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
103A.3	Subsection 8 amended	SF 2427.1	VETO
103A.3	New subsection 15A	SF 2427.2	VETO
103A.9	Subsection 4 amended	SF 2427.3	VETO
103A.23	Section amended	HF 2552.21	IV
103A.26	New section	SF 2427.4	VETO
123.3	New subsection 12A	SF 2241.1	J
123.31	New subsection 6A	SF 2241.2	J
123.32	New subsection 3A	SF 2241.3	J
123.39	Subsection 4 amended	SF 2092.12	J
123.46	New subsection 3A	HF 2511.1	J
124.204	Subsection 4, new paragraphs ad & ae	SF 2302.2	J
124.204	Subsection 6, new paragraphs f & g	SF 2302.3	J
124.204	Subsection 9, paragraphs c, d, & e stricken	SF 2302.4	J
124.206	Subsection 2, paragraph a, unnumbered paragraph l amended	SF 2302.5	J
124.206	Subsection 3, new paragraph aa	SF 2302.6	J
124.206	Subsection 7, paragraph b stricken	SF 2302.7	J
124.208	Subsection 3, new paragraph l	SF 2302.8	J
124.208	Subsection 6, paragraphs b, c, & i amended	SF 2302.9	J
124.208	New subsection 8	SF 2302.10	J
124.210	Subsection 2, paragraph b amended	SF 2302.11	J
124.210	Subsection 3, new paragraph aw	SF 2302.12	J
124.210	Subsection 5, new paragraphs k & l	SF 2302.13	J
124.210	Subsection 6, new paragraph b	SF 2302.14	J
124.212	Subsection 5, unnumbered paragraph l amended	SF 2302.15	J
124.212	Subsection 5, new paragraph c	SF 2302.16	J
124.401*	Subsection 5, unnumbered paragraph l amended	SF 2241.4	J
124.401*	Subsection 5, unnumbered paragraph 5 amended	HF 2419.1	J
124.401D*	Section amended	HF 2419.2	J
124.401E*	Section amended	HF 2419.3	J
124.401F*	Subsection 2, paragraph b amended	HF 2136.13	J
124.414	New section	HF 2419.4	J
124B.2	Subsection 1, paragraphs a, c, g, & i amended	SF 2302.17	J
124B.2	Subsection 1, new paragraphs m, n, o, p, q, r, s, t, u, & v	SF 2302.18	J
124C	New definition added	HF 2429.1	J
125.14	Section amended	SF 2302.19	J
125.15	Section amended	SF 2302.20	J
135.11*	Subsections 8, 16, & 20 amended	SF 2314.37	J
135.11*	Subsection 18 amended	HF 2136.14	J
135.11*	Subsection 18 amended	HF 2549.18	J
135.19	Section repealed	SF 2302.47	J
135.22A*	Subsection 1, paragraph a amended	HF 2136.15	J
135.25	Section amended	HF 2531.1	J
135.26	New section	HF 2549.19	VETO
135.30A	New section	SF 2302.21	J
135.43	Subsection 3, paragraph a amended	HF 2365.1	J
135.43	Subsection 3, paragraph c stricken	HF 2377.1	E
135.43	New subsection 3A	HF 2377.2	E
135.43	Subsection 6, paragraph b amended	HF 2377.3	E
135.105C	Section amended	SF 2302.22	J
135.107	Subsection 3, unnumbered paragraph l amended	SF 2302.23	J
135.107	Subsection 3, paragraph d, subparagraph (1) amended	HF 2136.16	J
135.107	Subsection 3, paragraph d, subparagraph (1) amended	HF 2549.20	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
135.107	Subsection 3, paragraph d stricken	SF 2302.24	J
135.107	Subsection 4 amended	HF 2136.17	J
135.107	Subsection 4 amended	HF 2549.21	J
135.107	Subsection 4 stricken	SF 2302.25	J
135.108	New section	HF 2362.1	J
135.109	New section	HF 2362.2	J
135.110	New section	HF 2362.3**	J
135.110	New section, subsection 1, paragraph a, subparagraph (1) amended	SF 2452.48	J
135.111	New section	HF 2362.4	J
135.112	New section	HF 2362.5	J
135B.9	Section rewritten	SF 2360.51	J
135C.16	Subsection 1 amended	SF 2144.1	J
135C.38*	Subsection 3 amended	SF 2144.2	J
135G.14	Subsection 2 amended	SF 2314.38	J
137C.19	Section repealed	SF 2314.52	J
139	Chapter repealed	SF 2314.51	J
139*	Chapter repealed	SF 2314.51	J
139A.1	New section	SF 2314.1	J
139A.2	New section	SF 2314.2	J
139A.3	New section	SF 2314.3	J
139A.4	New section	SF 2314.4	J
139A.5	New section	SF 2314.5	J
139A.6	New section	SF 2314.6	J
139A.7	New section	SF 2314.7	J
139A.8	New section	SF 2314.8	J
139A.9	New section	SF 2314.9	J
139A.10	New section	SF 2314.10	J
139A.11	New section	SF 2314.11	J
139A.12	New section	SF 2314.12	J
139A.13	New section	SF 2314.13	J
139A.14	New section	SF 2314.14	J
139A.15	New section	SF 2314.15	J
139A.16	New section	SF 2314.16	J
139A.17	New section	SF 2314.17	J
139A.18	New section	SF 2314.18	J
139A.19	New section	SF 2314.19	J
139A.20	New section	SF 2314.20	J
139A.21	New section	SF 2314.21	J
139A.22	New section	SF 2314.22	J
139A.23	New section	SF 2314.23	J
139A.24	New section	SF 2314.24	J
139A.25	New section	SF 2314.25	J
139A.30	New section	SF 2314.26	J
139A.31	New section	SF 2314.27	J
139A.32	New section	SF 2314.28	J
139A.33	New section	SF 2314.29	J
139A.34	New section	SF 2314.30	J
139A.35	New section	SF 2314.31	J

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**S** - See 99 Acts, chapter 125  
**V** - Variable effective date

**00-00-00** - Specified effective date  
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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
139A.36	New section	SF 2314.32	J
139A.37	New section	SF 2314.33	J
139A.38	New section	SF 2314.34	J
139A.39	New section	SF 2314.35	J
139A.40	New section	SF 2314.36	J
139B.1*	Subsection 1, paragraph a amended	HF 2136.18	J
139B	Chapter repealed	SF 2314.51	J
139B*	Chapter repealed	SF 2314.51	J
139C	Chapter repealed	SF 2314.51	J
139C*	Chapter repealed	SF 2314.51	J
140	Chapter repealed	SF 2314.51	J
140*	Chapter repealed	SF 2314.51	J
141A.6*	Subsection 6, paragraph e amended	SF 2302.26	J
141A.6*	New subsections 7 & 8	SF 2314.39	J
141A.8*	Subsection 1 rewritten	SF 2302.27	J
141A.8*	Subsection 7 amended	SF 2092.13	J
141A.8*	Subsection 7 stricken	SF 2302.28	J
141A.8*	Subsection 9 amended	SF 2302.29	J
141A.9*	Section amended	SF 2314.40	J
142	Chapter repealed	HF 2565.11	6/30/10
142A.1	New section	HF 2565.1	E
142A.2	New section	HF 2565.2	E
142A.3	New section	HF 2565.3	E
142A.4	New section	HF 2565.4	E
142A.5	New section	HF 2565.5	E
142A.6	New section	HF 2565.6	E
142A.7	New section	HF 2565.7	E
142A.8	New section	HF 2565.8	E
142A.9	New section	HF 2565.9	E
142A.10	New section	HF 2565.10	E
142A.11	New section	HF 2565.11	E
142C.15	Subsection 4, paragraph a amended	HF 2385.1	J
142C.18	New section	HF 2385.2	J
144	New definition added	HF 2429.1	J
144*	New definition added	HF 2429.1	J
146A.1	New section	HF 2229.1	VETO
146A.2	New section	HF 2229.2	VETO
146A.3	New section	HF 2229.3	VETO
146A.4	New section	HF 2229.4	VETO
146A.5	New section	HF 2229.5	VETO
146A.6	New section	HF 2229.6	VETO
147	New definition added	HF 2429.1	J
147*	New definition added	HF 2429.1	J
147.1	Subsections 3 & 6 amended	SF 182.1	J
147.2	New unnumbered paragraph	HF 2105.1	J
147.2	Section amended	SF 182.2	J
147.2	Section amended	SF 2113.1	J
147.5	New unnumbered paragraph	HF 2105.2	J
147.5	Section amended	SF 2302.30	J
147.7	New unnumbered paragraph	HF 2105.3	J
147.13	Subsection 8 amended	HF 686.1	J
147.40	Section amended	SF 2302.31	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
147.74*	Subsection 18 amended	SF 182.3	J
147.80	Subsection 24 amended	SF 182.4	J
147.80	New subsection 27A	HF 686.2	J
147A.8*	Subsection 2 amended	HF 2333.1	J
148.5	Section amended	SF 2302.32	J
148A.6	Subsection 3, paragraph c stricken	SF 2302.33	J
148B.3A	New section	SF 2302.34	J
148B.5	Subsection 1, paragraph a, subparagraph (1) amended	SF 2302.35	J
148E.1	Section rewritten	SF 182.5	J
148E.2	Section rewritten	SF 182.6	J
148E.3	Section rewritten	SF 182.7**	J
148E.3	Rewritten section, subsection 1 amended	SF 2452.49	J
148E.4	Section rewritten	SF 182.8	J
148E.5	Section rewritten	SF 182.9	J
148E.6	Section rewritten	SF 182.10	J
148E.7	Section rewritten	SF 182.11	J
148E.8	Section rewritten	SF 182.12	J
148E.9	Section rewritten	SF 182.13	J
148E.10	Section repealed	SF 182.14	J
150A.9	Section amended	SF 2302.36	J
152.6	Section amended	HF 2105.4	J
152.7	Unnumbered paragraph 2 stricken	SF 2302.37	J
152.7	New unnumbered paragraph 3	HF 2105.5**	J
152.7	New unnumbered paragraph 3 amended	SF 2452.50	J
152.8	Section rewritten	HF 2105.6	J
152.10	Subsection 2, paragraph d amended	HF 2105.7	J
152C.1	Subsection 2 amended	SF 2113.2	J
152C.1	Subsection 3 amended	SF 2113.3	J
152C.4	Section rewritten	SF 2113.4	J
152C.5	Section rewritten	SF 2113.5	J
152C.8	New section	SF 2113.6	J
152E.1	New section	HF 2105.8**	J
152E.1	New section, article II, sections i, k, l, & n amended	SF 2452.51	J
152E.1	New section, article III, sections a & e amended	SF 2452.52	J
152E.1	New section, article IV, sections c & d amended	SF 2452.53	J
152E.1	New section, article VI, section c amended	SF 2452.54	J
152E.1	New section, article VII, sections a & d amended	SF 2452.55	J
152E.2	New section	HF 2105.9	J
153.14	Subsection 1 amended	HF 686.3	J
153.14	New subsection 5	HF 686.4	J
153.38	New section	HF 686.5	J
153.39	New section	HF 686.6	J
154A.11	Unnumbered paragraph 2 amended	SF 2302.38	J
154A.12	Subsections 2, 5, & 6 stricken	SF 2302.39	J
154C.3	Subsection 1, paragraph c, subparagraph (1) amended	SF 2302.40	J
156.4	Subsections 4 & 5 amended	SF 2302.41	J
156.8A	New section	SF 2302.42	J
159.5*	New subsection 16	HF 2277.1	J

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A - Applicability provisions  
 C - Conditional effective date  
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 J - Effective July 1, 2000  
 IV - Part of bill section vetoed  
 M - Modified by subsequent bill  
 R - Retroactive applicability  
 S - Sec 99 Acts, chapter 125  
 V - Variable effective date  
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 VETO - Entire bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File#</u>	<u>Effective</u>
159.18	New section	SF 2430.25	J
159.21	New section	SF 2430.26	J
159A.2	Subsection 8 amended	SF 2256.1	J
159A.7	New subsection 7	SF 2428.22	J
161.2	New section	SF 466.2	J
161.3	New section	SF 466.3	J
161.4	New section	SF 466.4	J
161.5	New section	SF 466.5	J
161.6	New section	SF 466.6	J
161.8	New section	SF 466.7	J
161.9	New section	SF 466.8	J
161.10	New section	SF 466.9	J
161.11	New section	SF 466.10	J
161A	New definition added	HF 2429.1	J
161A*	New definition added	HF 2429.1	J
161B.1	Subsection 2, paragraph f amended	HF 2136.19	J
161C.2	Subsection 1 amended	SF 2371.8	J
161D.1*	New subsection 3A	SF 2348.1	J
161D.1*	Subsection 4 amended	SF 2092.14	J
161D.1*	New subsection 5	SF 2348.2	J
161D.3*	Unnumbered paragraph 1 amended	SF 2092.15	J
161D.5*	Subsection 1, new paragraph c	SF 2348.3	J
161.1	New section	SF 466.1	J
163.40	New subsection 3	HF 2085.1	J
163.43	Section amended	HF 2085.2	J
163.46	Section amended	HF 2085.3	J
163A.1	Subsection 9, paragraph b, unnumbered paragraphs 1 & 3 amended	HF 2136.20	J
166.42*	Unnumbered paragraph 1 amended	HF 2136.21	J
166D.2	Subsections 2, 11, 17, 19, 38, & 42 amended	SF 2312.2	E
166D.2	Subsections 4, 5, & 34 stricken	SF 2312.3	E
166D.2	New subsections 7A, 8A, 19A, 26A, & 44A	SF 2312.1	E
166D.2	Subsection 32, paragraph c stricken	SF 2312.4	E
166D.3	Unnumbered paragraph 1 amended	SF 2312.5	E
166D.3	Subsection 1 stricken	SF 2312.6	E
166D.4	Section repealed	SF 2312.22	E
166D.5	Section repealed	SF 2312.22	E
166D.7	Subsection 1, paragraph a amended	SF 2312.7	E
166D.7	Subsection 2 stricken	SF 2312.8	E
166D.7	Subsection 3, paragraphs a & b amended	SF 2312.9	E
166D.7	Subsection 4, paragraph a amended	SF 2312.10**	E
166D.7	Subsection 4, paragraph a amended	SF 2452.24	E
166D.8	Section amended	SF 2312.11	E
166D.9	Subsections 1 & 2 rewritten	SF 2312.12	E
166D.9	Subsection 4, paragraphs c & d amended	SF 2312.13	E
166D.9	Subsection 5 stricken	SF 2312.14	E
166D.10	Subsection 1, paragraph b, new subparagraph (4)	SF 2312.15	E
166D.10	Subsections 3, 4, 5, & 6 rewritten	SF 2312.16	E
166D.10A	New section	SF 2312.17	E
166D.10B	New section	SF 2312.18	E
166D.11	Section amended	SF 2312.19	E
166D.12	Section rewritten	SF 2312.20	E
166D.16	Unnumbered paragraph 1 amended	SF 2312.21	E

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
169.5	New subsection 10	SF 419.1	7/1/01
172	Chapter repealed	HF 2394.2	J
172A.6	Unnumbered paragraph 1 amended	HF 2394.1	J
175.2	Subsection 12 amended	HF 2099.1	E
177A	New definition added	HF 2429.1	J
182.14*	Subsection 1 amended	SF 2092.16	J
184.3	New unnumbered paragraph	HF 2561.1	J
184A.1A*	Subsection 4 amended	HF 2136.22	J
184A.6*	Subsection 2 amended	SF 2092.17	J
192A	Chapter repealed	HF 2328.1	J
200.3	New subsection 15A	HF 2494.1	J
200.20	Section amended	HF 2494.2	J
203.12A	Subsections 2, 7, & 9 amended	HF 2513.163	7/1/01
203C.12A	Subsections 2, 7, & 9 amended	HF 2513.164	7/1/01
203C.16	Section rewritten	HF 475.5	Repealed
206.12	Subsection 2, paragraph c, subparagraph (2) amended	SF 2314.41	J
214A.1	New subsections 2A, 2B, & 4A	SF 2430.27	J
214A.2*	Subsection 4 amended	SF 2430.28	J
214A.16	Section amended	SF 2430.29	J
214A.18	New section	SF 2430.30	J
216.8A	Section rewritten	HF 475.5	Repealed
216B.3*	Subsection 17 amended	SF 2249.3	J
216C.5	Section rewritten	HF 475.5	Repealed
216C.10	Section rewritten	HF 475.5	Repealed
216C.11	Section rewritten	HF 475.5	Repealed
217.30	Subsection 4, paragraph b amended	SF 2369.1	J
217.30	Subsection 4, paragraph c stricken	SF 2368.1	J
217.39	New section	HF 2542.1	E
217.44	New section	SF 2360.52	J
218.1	Unnumbered paragraph 1 amended	SF 2360.1	J
218.1	Subsections 1 & 2 amended	SF 2360.45	J
218.2	Unnumbered paragraph 2 amended	SF 2360.2	J
218.3	Section rewritten	SF 2360.3	J
218.4	Unnumbered paragraph 2 amended	SF 2360.4	J
218.5	Section amended	SF 2360.5	J
218.9	Unnumbered paragraph 1 amended	SF 2360.6	J
218.10	Section amended	SF 2360.7	J
218.14	Section amended	SF 2360.8	J
218.17	Section amended	SF 2360.9	J
218.19	Section amended	SF 2360.10	J
218.20	Section amended	SF 2360.11	J
218.23	Section amended	SF 2360.12	J
218.25	Section amended	SF 2360.13	J
218.30	Section amended	SF 2360.14	J
218.45	Section amended	SF 2360.15	J
218.46	Subsection 1 amended	SF 2360.16	J
218.47	Section amended	SF 2360.17	J
218.48	Section amended	SF 2360.18	J

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**E** - Effective upon enactment      **S** - Sec 99 Acts, chapter 125      \*\* - Section amended by subsequent bill  
**J** - Effective July 1, 2000      **V** - Variable effective date      **VETO** - Entire bill section vetoed  
**IV** - Part of bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File#</u>	<u>Effective</u>
218.49	Section amended	SF 2360.19	J
218.55	Section amended	SF 2360.20	J
218.57	Section amended	SF 2360.21	J
218.65	Section amended	SF 2360.22	J
218.67	Section amended	SF 2360.23	J
218.69	Section amended	SF 2360.24	J
218.72	Section amended	SF 2360.25	J
218.78	Section rewritten	SF 2360.51	J
218.83	Section amended	SF 2360.26	J
218.85	Section amended	SF 2360.27	J
218.88	Section amended	SF 2360.28	J
218.92	Section amended	SF 2360.29	J
218.92	Section rewritten	SF 2360.51	J
218.93	Section amended	SF 2360.30	J
218.98	Section amended	SF 2360.31	J
218.99	Section amended	SF 2360.32	J
222.1	Section amended	SF 2360.46	J
222.2	Subsection 1 amended	SF 2360.47	J
222.2	Subsection 3 stricken	SF 2360.48	J
222.2	New subsection 6A	SF 2360.49	J
222.2	Subsection 7 amended	SF 2360.50	J
222.3	Section rewritten	SF 2360.51	J
222.4	Section rewritten	SF 2360.51	J
222.5	Section rewritten	SF 2360.51	J
222.6	Section rewritten	SF 2360.51	J
222.6	Section rewritten	SF 2360.51	J
222.7	Section rewritten	SF 2360.51	J
222.7	Section rewritten	SF 2360.51	J
222.8	Section rewritten	SF 2360.51	J
222.9	Section rewritten	SF 2360.51	J
222.11	Section rewritten	SF 2360.51	J
222.12	Section rewritten	SF 2360.51	J
222.13	Section rewritten	SF 2360.51	J
222.13A*	Section rewritten	SF 2360.51	J
222.15	Section rewritten	SF 2360.51	J
222.31	Section rewritten	SF 2360.51	J
222.36	Section rewritten	SF 2360.51	J
222.37	Section rewritten	SF 2360.51	J
222.38	Section rewritten	SF 2360.51	J
222.39	Section rewritten	SF 2360.51	J
222.41	Section rewritten	SF 2360.51	J
222.42	Section rewritten	SF 2360.51	J
222.43	Section rewritten	SF 2360.51	J
222.44	Section rewritten	SF 2360.51	J
222.45	Section rewritten	SF 2360.51	J
222.51	Section rewritten	SF 2360.51	J
222.59	Section rewritten	SF 2360.51	J
222.60	Section rewritten	SF 2360.51	J
222.61	Section rewritten	SF 2360.51	J
222.62	Section rewritten	SF 2360.51	J
222.65	Section rewritten	SF 2360.51	J
222.66	Section rewritten	SF 2360.51	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
222.67	Section rewritten	SF 2360.51	J
222.68	Section rewritten	SF 2360.51	J
222.69	Section rewritten	SF 2360.51	J
222.70	Section rewritten	SF 2360.51	J
222.72	Section rewritten	SF 2360.51	J
222.73	Section rewritten	SF 2360.51	J
222.77	Section rewritten	SF 2360.51	J
222.78	Section rewritten	SF 2360.51	J
222.83	Section rewritten	SF 2360.51	J
222.84	Section rewritten	SF 2360.51	J
222.85	Section rewritten	SF 2360.51	J
222.86	Section rewritten	SF 2360.51	J
222.87	Section rewritten	SF 2360.51	J
222.90	Section rewritten	SF 2360.51	J
225B.8	New section	SF 2435.40	E
225B	Chapter repealed	SF 2435.40	7/1/01
225C.4*	Subsection 1, paragraph h & subsection 2, paragraph b stricken	SF 2360.33	J
225C.4*	Section rewritten	SF 2360.51	J
225C.6*	Section rewritten	SF 2360.51	J
225C.13	Section amended	SF 2360.34	J
225C.20	Section amended	SF 2360.53	E
226.47	Section amended	SF 2360.35	J
227.2*	Section rewritten	SF 2360.51	J
227.2*	Section rewritten	SF 2360.51	J
227.6	Section rewritten	SF 2360.51	J
227.19	Section amended	SF 2360.36	J
229.1	Subsection 1 amended	SF 2360.37	J
229.15	Subsection 3 amended	SF 2360.38	J
229.41	Section amended	SF 2360.39	J
229.43	Section amended	SF 2360.40	J
229A.5A*	Subsection 1 amended	HF 2136.23	J
229A.7*	Subsection 5 amended	HF 2136.24	J
230	New definition added	HF 2429.1	J
230*	New definition added	HF 2429.1	J
230.5	Section amended	SF 2360.41	J
230.31	Section amended	SF 2360.42	J
230.33	Unnumbered paragraph 1 amended	SF 2360.43	J
230.34	Subsection 1 amended	SF 2360.44	J
231.58	Section amended	SF 2193.13	E
231C.2	Subsection 1 amended	SF 2193.14	E
231C.6	New section	SF 2429.13	R 7/1/99
232.2*	Subsection 4, unnumbered paragraph 1 amended	SF 2344.4**	J
232.2*	Subsection 4, unnumbered paragraph 1 amended	SF 2452.56	J
232.2*	Subsection 4, new paragraphs i & j	SF 2344.5	J
232.6	New section	SF 421.1	J
232.8	Subsection 1, paragraph c amended	HF 723.1**	J
232.8	Subsection 1, paragraph c amended	SF 2452.57	J
232.8	Subsection 3, new unnumbered paragraph	HF 723.2**	J

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**E** - Effective upon enactment                      **S** - Sec 99 Acts, chapter 125                      \*\* - Section amended by subsequent bill  
**J** - Effective July 1, 2000                            **V** - Variable effective date                      **VETO** - Entire bill section vetoed  
**IV** - Part of bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
232.8	Subsection 3, new unnumbered paragraph 2 amended	SF 2452.58	J
232.8	Subsection 3 amended	SF 2221.1	J
232.53	Subsections 2 & 3 amended	SF 2221.2	J
232.69*	Subsection 1, paragraph a amended	SF 2314.42	J
232.70	New subsection 8	HF 2377.4	E
232.78*	Subsection 3 amended	SF 2344.6	J
232.78*	Subsection 6 amended	SF 2344.7	J
232.95	Subsection 1 amended	SF 2344.8	J
232.96	Subsection 10 amended	SF 2344.9	J
232.102	Subsection 10, paragraph a, unnumbered paragraph 1 amended	SF 2344.10	J
232.104	Subsection 1, paragraph a, subparagraph (2) amended	SF 2344.11	J
232.104	Subsection 1, paragraph c amended	SF 2344.12	J
232.141*	Subsection 2 amended	HF 2470.2	J
232.141*	Subsection 3, paragraph c amended	HF 2470.3	J
232.141*	Subsection 3, new paragraph d	HF 2470.4	J
232.147	New subsection 5A	SF 2369.2	J
232.190	Subsection 1 amended	HF 2153.5	J
232.190	Subsection 3 amended	HF 2545.38	VEETO
232.190	Section amended	SF 2429.14	E
235A.13*	New subsection 8A	HF 2377.5	E
235A.15*	Subsection 1 amended	HF 2377.6	E
235A.15*	Subsection 2, paragraph b, subparagraph (4) amended	SF 2369.3	J
235A.15*	Subsection 2, paragraph b, subparagraph (5) amended	HF 2377.7	E
235A.15*	Subsection 2, paragraph e, new subparagraph (16)	SF 228.1	J
235A.15*	Subsection 2, paragraph f amended	HF 2377.8	E
235A.15*	New subsections 7, 8, & 9	HF 2377.9	E
235A.17	New subsection 3	HF 2377.10	E
235A.18*	Subsection 1, paragraph b amended	SF 2092.18	J
235A.18*	Subsection 2 amended	HF 2377.11	E
235A.19	Subsection 2, paragraph b, new subparagraph (8)	SF 2344.2	J
235A.25	New section	HF 2377.12	E
235B.6*	Subsection 2, paragraph e, new subparagraph (8)	SF 228.2	J
235B.6*	Subsection 2, paragraph e, new subparagraph (8)	SF 2344.3	J
235C.2*	Subsection 13 amended	HF 2153.6	J
235C.3*	Subsection 2, paragraph b amended	HF 2136.25	J
235C.3*	Subsection 2, paragraph b amended	HF 2549.22	J
236.3	Subsections 1 & 2 amended	HF 2522.1	J
236.10	Section amended	HF 2522.2	J
236.10	Section amended	SF 2308.1	J
236.19*	Section amended	SF 2308.2	J
237.15	Subsection 1 rewritten	SF 2344.13	J
237A.1*	New subsection 12A	SF 2344.14	J
237A.13	New section	SF 2344.15	J
237A.23*	Subsection 1 amended	HF 2136.26	J
239B.2*	Subsection 3 amended	SF 2368.2	J
239B.8*	Subsection 1, new paragraph d	SF 2368.3	J
239B.9*	Subsection 1, paragraph b, subparagraph (3) amended	SF 2368.4	J
239B.11*	Subsection 2 amended	SF 2368.5	J
239B.12	Subsection 1 amended	SF 2314.43	J
239B.14	Section amended	SF 2368.6	J
239B.17	Subsection 2, new paragraph e	SF 2368.7	J
239B.18	Section amended	SF 2368.8	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
239B.24*	Subsection 1, unnumbered paragraph l amended	SF 2344.16	J
249A.3*	Subsection 1, paragraph k amended	SF 2435.41	J
249A.3*	Subsection 1, new paragraph kk after paragraph k	HF 2555.6	J
249A.3*	Subsection 8, paragraph c amended	HF 2321.1	J
249A.3*	Subsection 8, new paragraphs d & e	HF 2321.2	J
249A.3*	Subsection 11, new paragraphs c & d	HF 2321.3	J
249A.4	Subsection 8, unnumbered paragraph l amended	SF 174.1	E
249A.11	Section rewritten	SF 2360.51	J
249A.18A	New section	SF 2193.12	E
249A.20	New section	HF 2555.7	J
249F.1	Subsection 2, paragraph b, subparagraph (5) amended	HF 2321.4	J
249F.1	Subsection 2, paragraph b, subparagraph (9) stricken	HF 2321.5	J
249F.6A	New section	HF 2321.6	J
249H.1	New section	SF 2193.1	E
249H.2	New section	SF 2193.2**	E
249H.2	New section, subsection 1, paragraphs a & b amended	SF 2452.59	J
249H.3	New section	SF 2193.3**	E
249H.3	New section, subsection 1 amended	SF 2452.60	J
249H.4	New section	SF 2193.4	E
249H.5	New section	SF 2193.5	E
249H.6	New section	SF 2193.6**	R 10/1/99
249H.6	New section, subsection 12 amended	SF 2452.61	J
249H.6	New section repealed	SF 2193.11	6/30/05
249H.7	New section	SF 2193.7	E
249H.8	New section	SF 2193.8**	E
249H.8	New section, subsection 1 amended	SF 2452.62	J
249H.9	New section	SF 2193.9	E
249H.10	New section	SF 2193.10	E
249H.11	New section	SF 2193.11	E
252.16	Section rewritten	SF 2360.51	J
252.24	Unnumbered paragraph 2 amended	SF 2314.44	J
252B.22	Section amended	HF 2135.1	E
252D.17	Subsection 6 amended	HF 2135.2	E
252E.1	Subsection 10 amended	SF 2254.1	J
252E.2	New subsection 4	SF 2254.2	J
252I.4*	Subsection 3 amended	SF 2254.3	R 1/1/00
252I.4*	Subsection 4 amended	SF 2254.3	J
255.26	Unnumbered paragraph 1 amended	HF 2136.27	J
255A.13	Section amended	HF 2136.28	J
256.7	New subsection 22	HF 2146.1	J
256.7*	New subsection 22	HF 2433.1	J
256.7*	New subsection 22	HF 2474.1	J
256.9*	New subsection 49	HF 2280.1	J
256.9*	New subsection 49	HF 2433.2	J
256.31	New subsection 4	HF 2433.3	J
256.41	Subsection 9 amended	HF 2153.7	J
256.42	Subsection 4 stricken	HF 2549.23	J
256B.15	Subsection 7, paragraph a amended	HF 2549.24	J

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E - Effective upon enactment	S - See 99 Acts, chapter 125	** - Section amended by subsequent bill
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IV - Part of bill section vetoed		

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen</u>	<u>File#</u>	<u>Effective</u>
256C.2	Unnumbered paragraph 2 amended	HF	2549.25	R 7/1/99
256D.8*	Subsections 1 & 3 amended	SF	2238.1	J
256H.2*	Subsection 2 amended	SF	2452.25	J
257.1*	New subsection 4	SF	2252.2	J
257.8*	Subsection 1 amended	SF	2082.1	A 7/1/01
257.11	Section amended	HF	2496.1	E
257.12	Section repealed	HF	2496.5	E
257.13*	Section rewritten	SF	2111.1	E
257.14*	Subsection 1 amended	SF	2111.2	E
257.46*	Subsection 2 amended	HF	2136.29	J
257.46*	Subsection 2 amended	HF	2145.1	E
257B	New definition added	HF	2429.1	J
260C.19B	Section amended	SF	2249.4	J
260G.2*	New subsection 12A	SF	2439.2	E
260G.3*	Subsection 2 amended	SF	2439.3	E
260G.4A	New section	SF	2439.4	E
260G.4B	New section	SF	2439.5	E
260G.4C	New section	SF	2439.6	E
260G.6*	Section amended	SF	2092.19	J
260G.7	New section	SF	2439.7	E
261.1	Subsection 2 amended	SF	2248.2	J
261.2	Subsections 1, 2, 3, 5, 7, 8, 9, & 10 stricken	SF	2248.3	J
261.9	Subsection 1, unnumbered paragraph 1 amended	SF	2248.4	J
261.9	Subsection 1, paragraphs a, b, & c amended	SF	2248.5	J
261.9	Subsection 1, paragraph d stricken	SF	2248.6	J
261.9	Subsection 1, paragraph c, unnumbered paragraph 1 amended	SF	2248.7	J
261.9	Subsection 1, paragraph e, subparagraph (8) amended	SF	2248.8	J
261.9	Subsection 1, paragraph f amended	SF	2248.9	J
261.9	Subsection 1, paragraph g, unnumbered paragraph 1 amended	SF	2248.10	J
261.9	Subsection 1, paragraph h amended	SF	2248.11	J
261.12*	Subsection 1, paragraph b amended	HF	2549.26	J
261.19	Section amended	HF	2136.30	J
261.19	Subsections 1, 2, 3, & 4 amended	HF	2549.27	J
261.19	Subsection 2 amended	SF	2248.12	J
261.19B	Section amended	SF	2248.13**	J
261.19B	Section amended	SF	2452.63	J
261.22	New section	SF	2439.8	E
261.25*	Subsection 1 amended	HF	2549.28	J
261.25*	Subsection 5 amended	SF	2248.14	J
261.85	Unnumbered paragraph 1 amended	HF	2549.29	J
261.86*	Subsection 2 amended	SF	2248.15	J
261.92	Subsection 1, paragraph b, subparagraph (8) amended	SF	2248.16	J
261A.27	New unnumbered paragraph	HF	2581.1	J
261A.34	Subsection 3 amended	HF	2581.2	J
261A.35	Section amended	HF	2581.3	J
261A.36	Section amended	HF	2581.4	J
261A.37	Section amended	HF	2581.5	J
261A.38	Section amended	HF	2581.6	J
261B.3A	Section amended	SF	2248.17	J
261B.4	Subsection 9 amended	SF	2248.18	J
261B.9	Subsection 6 amended	SF	2248.19	J
262.25B	Section amended	SF	2249.5	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
263.17	Subsection 2, paragraph a, subparagraph (1) amended	HF 2136.31	J
266.39C	Subsection 3, unnumbered paragraph 1 amended	HF 2549.30	J
266.40	Section repealed	HF 2492.30	J
266.41	Section repealed	HF 2492.30	J
266.42	Section repealed	HF 2492.30	J
266.43	Section repealed	HF 2492.30	J
266.44	Section repealed	HF 2492.30	J
266.45	Section repealed	HF 2492.30	J
266.46	Section repealed	HF 2492.30	J
272.1	New subsection 2A	HF 2146.2	J
272.1	Subsections 4 & 5 amended	HF 2146.3	J
272.6	Section amended	HF 2146.4	J
272.7	Unnumbered paragraph 1 amended	HF 2279.1	J
272.12	Section rewritten	HF 2146.5**	J
272.12	Section amended	HF 2549.31	J
272.13	New unnumbered paragraph	SF 292.1	J
272C.3	Subsection 2, paragraph a amended	HF 2105.10	J
272C.4	Subsection 6 amended	HF 2105.11	J
272C.5	Subsection 2, paragraph c amended	HF 2105.12	J
272C.6	Subsection 4, unnumbered paragraph 1 amended	HF 2105.13	J
279.7A	Section amended	SF 2331.1	J
279.51*	Subsection 1, unnumbered paragraph 1 amended	HF 2496.2	E
279.51*	Subsection 1, paragraphs c & e stricken	HF 2496.3	E
279.51*	Subsection 2, paragraph b, subparagraph (1) amended	HF 2136.32	J
279.51*	Subsection 3 stricken	HF 2496.4	E
279.52	Unnumbered paragraph 1 amended	HF 2435.1**	J
279.52	Unnumbered paragraph 1 amended	SF 2452.64	J
279.53	Section repealed	HF 2435.3	J
279.54	Section repealed	HF 2435.3	J
280.25	Section amended	SF 2369.4	J
280.27	New section	HF 2473.1	J
282.30	Subsection 1, paragraph b, unnumbered paragraph 2 amended	SF 2294.1	E
283A.2*	Subsect. 2, para. b, unnumbered para. 1 & para. c amended	HF 2549.32	J
292.1	New section	SF 2447.26	J
292.2	New section	SF 2447.27	J
292.4	New section	SF 2447.28	J
294A.25*	Subsection 1 amended	SF 2452.18	J
294A.25*	Subsections 6, 10, & 14 amended	HF 2549.33	J
294A.25*	Subsection 7 stricken	HF 2549.34	J
294A.25*	Subsection 11 amended	HF 2039.27	E
295.4	Section amended	SF 2238.2	J
298.3	New subsection 12	SF 2089.1	A J
298.14	Unnumbered paragraphs 1 & 2 amended	HF 2435.2	J
299.4	Section amended	SF 2314.45	J
304.3	New subsection 9	SF 2395.14	E
304.7	New subsection 1A	SF 2395.15	E
304.13A	New section	SF 2395.16	E
306	New definition added	HF 2429.1	J

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A - Applicability provisions	M - Modified by subsequent bill	00-00-00 - Specified effective date
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E - Effective upon enactment	S - Sec 99 Acts, chapter 125	** - Section amended by subsequent bill
J - Effective July 1, 2000	V - Variable effective date	VETO - Entire bill section vetoed
IV - Part of bill section vetoed		

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Scn File#</u>	<u>Effective</u>
306*	New definition added	HF 2429.1	J
306.11	Section amended	SF 2194.1**	J
306.11	Section amended	SF 2452.65	J
306.12	Section amended	SF 2194.2	J
307.21*	Subsection 4, paragraph b, subparagraph (4) amended	SF 2249.6	J
309	New definition added	HF 2429.1	J
309*	New definition added	HF 2429.1	J
311	New definition added	HF 2429.1	J
313.4*	Subsection 1, unnumbered paragraph 2 amended	SF 2164.1	J
317	New definition added	HF 2429.1	J
317.1	Subsection 1 amended	SF 2092.20	J
321.1*	Subsection 6 amended	SF 2313.1	J
321.1*	Subsection 24B, paragraph c amended	HF 2248.1	E
321.1*	New subsection 36A, subsections renumbered	SF 2330.1	J
321.1*	New subsection 83A	SF 2147.1	J
321.11*	Section amended	SF 2313.2	E
321.20*	New unnumbered paragraph	SF 2147.41	7/1/01
321.20*	Subsection 1 amended	SF 2147.39**	7/1/01
321.20*	Subsection 1 amended	SF 2329.1	J
321.20*	Subsection 2 amended	SF 2330.2	J
321.20*	New subsection 6	SF 2147.40	7/1/01
321.20A	Subsection 1 amended	SF 2147.2	J
321.24*	Unnumbered paragraphs 1, 3, & 6 amended	SF 2147.42	7/1/01
321.24*	New unnumbered paragraph after unnumbered paragraph 5	SF 2315.1	1/1/01
321.24*	Unnumbered paragraph 9 amended	HF 2480.1	7/1/01
321.25*	Unnumbered paragraph 1 amended	SF 2147.3	J
321.30*	Subsection 13, unnumbered paragraph 2 amended	SF 2147.4	J
321.30*	New subsection 14	SF 2147.5	J
321.34*	Subsection 14 amended	HF 620.1	J
321.34*	Subsection 15 amended	SF 2092.21	J
321.34*	Subsection 19 amended	HF 2113.2	VETO
321.34*	Subsection 19 amended	SF 2455.1	J
321.40	Unnumbered paragraphs 1 & 2 amended	HF 2480.2	7/1/01
321.42*	Subsection 2, paragraphs a, b, & d amended	SF 2147.43	7/1/01
321.45*	Subsection 4 amended	SF 2253.1	J
321.46*	Subsection 1 amended	SF 2147.6	J
321.46*	Subsections 1 & 2 amended	SF 2315.2	1/1/01
321.47*	Section rewritten	HF 475.5	Repealed
321.47*	Unnumbered paragraph 2 amended	HF 2513.165	7/1/01
321.47*	New unnumbered paragraph	SF 2245.2	J
321.49*	Subsection 3 amended	SF 2092.22	J
321.50*	Subsection 1 amended	HF 2513.166	7/1/01
321.50*	Subsection 1 amended	SF 2147.44	7/1/01
321.50*	Subsection 4, unnumbered paragraph 2 amended	SF 2147.7	J
321.52	Subsection 2 amended	SF 2147.8	J
321.52	Subsection 4, paragraph a amended	SF 2147.9	J
321.58	Section amended	SF 2147.10	J
321.89	Subsection 4, unnumbered paragraph 1 amended	SF 2147.11	J
321.91	Subsection 2 amended	SF 2245.3	J
321.99	Section amended	SF 2245.4	J
321.101*	Section amended	SF 2147.12	J
321.101A	New section	SF 2147.13	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
321.104*	Unnumbered paragraph 1 amended	SF 2092.23	J
321.104*	Unnumbered paragraph 1 amended	SF 2245.5	J
321.105	Unnumbered paragraph 5 amended	HF 2538.4	J
321.106	Section amended	HF 2480.3	7/1/01
321.115	New subsection 5	SF 2245.6	J
321.116	Section amended	SF 2330.3	J
321.123*	Subsection 2 stricken	SF 2147.14	J
321.157	Section amended	SF 2147.45	7/1/01
321.159	New unnumbered paragraph	SF 2147.46	7/1/01
321.178*	Subsection 1, unnumbered paragraph 3 amended	SF 2313.3	J
321.188*	Subsection 1, paragraph c amended	SF 2313.4	J
321.196	Unnumbered paragraph 1 amended	SF 2313.5	J
321.208*	Subsection 1, new paragraph f	SF 2313.6	J
321.210D	Subsection 2 amended	SF 2313.7	J
321.215	Subsection 1, unnumbered paragraph 1 amended	SF 2313.8	J
321.215	Subsection 2, unnumbered paragraph 1 amended	SF 2313.9	J
321.215	Subsection 4 amended	SF 2313.10	J
321.216C	New section	SF 2366.1	J
321.219	Section amended	SF 2245.7	J
321.220	New unnumbered paragraph	SF 2245.8	J
321.234A*	New unnumbered paragraph	SF 2245.9	J
321.247	New unnumbered paragraph	SF 2245.10	J
321.294	Section amended	SF 2245.11	J
321.302	New unnumbered paragraph	SF 2245.12	J
321.324	Unnumbered paragraph 1 amended	SF 2156.1	J
321.327	New unnumbered paragraph	SF 2245.13	J
321.344B	New section	SF 2329.2	J
321.366	Unnumbered paragraph 3 amended	SF 2245.14	J
321.381	Section amended	SF 2245.15	J
321.381A	New section	SF 2330.4	J
321.421	New unnumbered paragraph	SF 2245.16	J
321.423	Subsection 3, new paragraph c	SF 2156.2	J
321.423	Subsection 3, new unnumbered paragraph	SF 2156.3	J
321.446	Subsections 1, 2, & 3 are amended	SF 2313.11	J
321.449*	Subsection 1, new unnumbered paragraph	SF 2329.3	J
321.451	Section rewritten	SF 2313.12	J
321.454	Section amended	SF 2147.15	J
321.457	Subsection 2, paragraph f amended	SF 2147.16	E
321.463*	Subsection 4, paragraph b rewritten	HF 2368.1	J
321.463*	Subsection 10 amended	SF 2147.17	J
321.484	Unnumbered paragraph 2 amended	HF 2512.1	J
321.556	Subsection 1 amended	SF 2313.13	J
321.560	Section amended	HF 2511.2	J
321A	New definition added	HF 2429.1	J
321A*	New definition added	HF 2429.1	J
321A.18	Section amended	HF 2248.2	E
321A.25	Section amended	HF 2248.3	E
321A.27	Section amended	HF 2248.4	E

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**C** - Conditional effective date      **R** - Retroactive applicability      \* - 1999 Code Supplement  
**E** - Effective upon enactment      **S** - See 99 Acts, chapter 125      \*\* - Section amended by subsequent bill  
**J** - Effective July 1, 2000      **V** - Variable effective date      **VETO** - Entire bill section vetoed  
**IV** - Part of bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
321A.29	Section amended	HF 2248.5	E
321F.4	Subsection 2 amended	SF 2147.18	J
321G.6*	Unnumbered paragraph 6 amended	SF 2061.1	J
321G.18	Section amended	SF 2313.14	J
321H.4	Subsection 2, unnumbered paragraph 1 amended	SF 2147.19	J
321I.1	Subsection 1 amended	HF 2317.1	J
321I.1	New subsection 6A	HF 2317.2	J
321I.2	Subsection 2 amended	HF 2317.3	J
321I.3	Subsection 2 amended	HF 2317.4	J
321I.3	New subsection 3	HF 2317.5	J
321I.9	Section repealed	HF 2317.14	J
321I.10	Section amended	HF 2317.6	J
321I.11	New subsection 5A	HF 2317.7	J
321I.12	Subsection 1, unnumbered paragraph 1 amended	HF 2317.8	J
321I.12	Subsection 1, paragraph a, unnumbered paragraph 1 amended	HF 2317.9	J
321I.12	Subsection 1, paragraphs b & c amended	HF 2317.10	J
321I.14	Subsections 1, 2, & 4 amended	HF 2317.11	J
321I.15	Section amended	HF 2317.12	J
321I.16	Section amended	HF 2317.13	J
321J.2*	Subsection 2, paragraph a, subparagraph (2) amended	HF 2510.1	J
321J.2*	Subsection 10 amended	HF 2170.1	J
321J.2B	New section	HF 2511.4	J
321J.4*	Subsection 9 amended	HF 2511.3	J
321J.4*	Subsection 9 amended	SF 2313.15	J
321J.13*	Subsection 1 amended	SF 2313.16	J
321J.17	New subsection 3	HF 2510.2	J
321J.20	Subsections 1 & 4 amended	SF 2313.17	J
321J.22	Subsections 2, 4, & 5 amended	HF 2511.5	J
321L.2	Subsection 1, paragraph a, subparagraph (1) amended	HF 620.2	J
321L.2	Subsection 3, paragraph b, subparagraph (1) amended	HF 620.3	J
321L.2A	Section amended	HF 620.4	J
321L.4	Subsections 1 & 2 amended	HF 620.5	J
322.2	Subsection 20 amended	SF 2329.4	J
322.3*	New subsection 14	HF 2106.1**	J
322.3	New subsect. 14, para. b, unnumbered para. 1 amended	SF 2452.66	J
322.7	Subsection 4 amended	SF 2147.20	J
322.21*	Section amended	HF 2513.167	7/1/01
322.27	Section amended	SF 2092.24	J
322.29	Unnumbered paragraphs 1 & 4 amended	SF 2147.21	J
322.29	New unnumbered paragraph	SF 2147.22	J
322.30	Section amended	SF 2092.25	J
322A.11	New subsection 5	SF 2452.26	J
322B.4	Section amended	SF 2147.23	J
322C.2	Subsection 12 amended	SF 2147.24	J
322C.4	Subsection 2 amended	SF 2147.25	J
322C.8	Section repealed	SF 2092.49	J
322C.9	Subsection 1 amended	SF 2147.26	J
322C.9	Subsection 2 stricken	SF 2092.26	J
322C.11	Section amended	SF 2092.27	J
322G.12	Section amended	SF 2315.3	1/1/01
325A.2	Subsection 2 amended	SF 2147.30	J
325A.3	Subsection 2, paragraph g stricken	SF 2147.31	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
325A.3	New subsection 5	SF 2147.27	J
325A.3	New subsection 6	SF 2147.32	J
325A.13	Subsection 1 amended	SF 2147.33	J
325A.13	Subsection 2, paragraphs a & f amended	SF 2147.34	J
325A.13	Subsection 2, new paragraph ff after paragraph f	SF 2147.35	J
325A.14	Section repealed	SF 2147.38	J
325A.15	Section repealed	SF 2147.38	J
325A.16	Section rewritten	SF 2147.36	J
325A.17	Section repealed	SF 2147.38	J
325A.18	Section repealed	SF 2147.38	J
325A.19	Section repealed	SF 2147.38	J
325A.20	Section repealed	SF 2147.38	J
325A.21	Section amended	SF 2147.37	J
327G.25	New section	SF 2329.5	J
327J.1	New subsection 5	HF 2477.1	J
327J.3	Subsections 2, 3, & 4 rewritten	HF 2477.2	J
328.35	Subsection 1, new paragraph e	HF 2477.3	J
330.2	New section	SF 2453.35	E
331.302*	Subsection 2 amended	SF 2245.17	J
331.302*	Subsection 4A, paragraph a, subparagraph (2) amended	SF 2245.18	J
331.304*	New subsection 11	SF 428.1	J
331.321	Subsection 1, paragraph a stricken	HF 2169.1	J
331.321	Subsection 1, paragraph p amended	SF 2303.1	J
331.385	New section	HF 2492.18	J
331.421	Subsection f amended	HF 2502.1	VETO
331.421	New subsection 10	HF 2492.19	J
331.421	New subsection 10	HF 2502.2	VETO
331.424A	New subsection 6	HF 2327.1**	M
331.424A	New subsection 6, paragraph c amended	SF 2452.5	R 4/13/00
331.424C	New section	HF 2492.20	J
331.427	Subsection 2, new paragraph n	HF 2327.2	M
331.427	Subsection 2, new paragraph n	HF 2502.3	VETO
331.438*	Subsection 1, paragraph a amended	HF 2327.3	M
331.440A*	Section rewritten	SF 2360.51	J
331.440A*	Subsection 1, paragraph b amended	SF 2360.54	E
331.440A*	Subsection 3 amended	SF 2360.55	E
331.440A*	Subsection 7, paragraph a, subparagraph (1) amended	SF 2360.56	E
331.441	Subsection 2, paragraph c, subparagraph (1) amended	HF 475.1	J
331.502	New subsection 30A	HF 2492.21	J
331.506	Subsection 1, new paragraphs b, c, d, & e added	SF 2047.1**	J
331.506	Subsection 1, new paragraphs b, c, & d amended	SF 2452.67	J
331.552	New subsection 33	SF 2047.2	J
331.554	Subsection 4 amended	SF 2047.3**	J
331.554	Subsection 4 amended	SF 2452.68	J
331.554	Subsection 6 amended	SF 2047.4	J
331.602*	Subsection 1, paragraph d amended	SF 2253.2	J
331.602*	Subsection 28 amended	HF 2513.168	7/1/01
331.605*	Subsection 6 amended	SF 2302.43	1/1/01

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J - Effective July 1, 2000  
IV - Part of bill section vetoed

M - Modified by subsequent bill  
R - Retroactive applicability  
S - See 99 Acts, chapter 125  
V - Variable effective date

00-00-00 - Specified effective date  
\* - 1999 Code Supplement  
\*\* - Section amended by subsequent bill  
VETO - Entire bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
331.609	Subsection 3, paragraph a, subparagraph (1) amended	HF 2513.169	7/1/01
331.652	New subsection 8	SF 2245.19	J
331.754	Subsection 1 amended	SF 2303.2	J
331.902	Subsection 2 amended	SF 2253.3	J
341A.2	Section amended	SF 2303.3	J
341A.3	Section amended	SF 2303.4	J
341A.18	Unnumbered paragraph 8 amended	SF 2215.1	E
347B	New definition added	HF 2429.1	J
353	New definition added	HF 2429.1	J
354	New definition added	HF 2429.1	J
357	New definition added	HF 2429.1	J
357*	New definition added	HF 2429.1	J
357A.11	Subsection 9 amended	HF 2027.1	J
357A.15	Unnumbered paragraph 1 amended	HF 2027.2	J
357C	New definition added	HF 2429.1	J
357D	New definition added	HF 2429.1	J
357E	New definition added	HF 2429.1	J
357E.1	Subsection 2 amended	SF 2438.1	J
357E.1	New subsection 5	SF 2438.2	J
357E.2	Section amended	SF 2438.3	J
357E.3	Subsection 1, unnumbered paragraph 1 amended	SF 2438.4	J
357E.8	Section amended	SF 2438.5	J
357F	New definition added	HF 2429.1	J
357G	New definition added	HF 2429.1	J
357H.1	Section amended	HF 2541.1	J
357H.8	Subsection 4 amended	HF 2541.2	J
358	New definition added	HF 2429.1	J
358C	New definition added	HF 2429.1	J
358C.1	Subsection 2, paragraph d amended	SF 2342.1	J
359	New definition added	HF 2429.1	J
359.17	Section amended	HF 2492.22	J
359.17	New unnumbered paragraph	SF 2418.1	E
359.17	New unnumbered paragraph repealed	SF 2418.3	J
359.20	New unnumbered paragraph	HF 2492.23	J
359.23	Section amended	HF 2492.24	J
359.43	New subsection 5	HF 2492.25	J
359.49	New section	HF 2492.26	J
359.50	New section	HF 2492.27	J
359.51	New section	HF 2492.28	J
359.52	New section	HF 2492.29	J
359A	New definition added	HF 2429.1	J
359A.18	Subsection 5 amended	HF 2136.33	J
364.3*	Subsection 2 amended	SF 2245.20	J
364.3*	New subsection 9	SF 428.2	J
364.22	New subsection 14	SF 2245.21	J
364.25	New section	HF 2315.1	J
368.3	New unnumbered paragraph	SF 2091.1	J
380	New definition added	HF 2429.1	J
380.10	Subsection 2 amended	SF 2245.22	J
384	New definition added	HF 2429.1	J
384*	New definition added	HF 2429.1	J
384.50	Section amended	HF 2136.62	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
384.80	Section rewritten	HF 475.5	Repealed
384.84*	Section rewritten	HF 475.5	Repealed
384.84*	Subsection 3, paragraph c amended	SF 2253.4	J
384.95	Subsection 1 amended	SF 2447.29	J
386	New definition added	HF 2429.1	J
392.6*	Unnumbered paragraph 2 amended	SF 2048.1	J
400.8	Subsection 1 amended	SF 2411.84	J
400.8A	New section	SF 2411.85	J
403.19	Subsection 2 amended	SF 2089.2	A J
403.23*	Subsection 1, unnumbered paragraph 1 amended	SF 2459.1	J
403.23*	New subsection 3	SF 2459.2	J
403A.22*	Subsection 5 amended	SF 2092.28	J
404.4	Unnumbered paragraph 2 amended	HF 2548.2	VETO
404A.1	New section	HF 2560.3	A J
404A.2	New section	HF 2560.4	A J
404A.3	New section	HF 2560.5	A J
404A.4	New section	HF 2560.6	A J
404A.5	New section	HF 2560.7	A J
411.1	Subsection 6 amended	SF 2411.86	J
411.1	Subsection 10 amended	SF 2411.87	7/1/01
411.1	Subsection 12 amended	SF 2411.88	R 1/1/92
411.1	Subsection 19 amended	SF 2411.89	J
411.1A	Section amended	SF 2411.90	J
411.3	Subsection 2 amended	SF 2411.91	R 1/1/92
411.4	Section amended	SF 2411.92	R 1/1/92
411.5	Subsection 6, new paragraph c	SF 2411.93	J
411.5	Subsection 8 amended	SF 2411.94	7/1/01
411.6	Subsection 2 amended	SF 2411.95	J
411.6	Subsection 5, paragraph b amended	SF 2411.96	J
411.6	Subsection 6, paragraph c amended	SF 2411.97	J
411.6	Subsection 7, unnumbered paragraph 1 amended	SF 2411.98	J
411.6	Subsection 7, paragraph a, unnumbered paragraph 1 amended	SF 2411.99	J
411.6	Subsection 7, new paragraph c	SF 2411.100	J
411.6	Subsection 8 amended	SF 2411.101	J
411.6	Subsection 9 amended	SF 2411.102	J
411.6	Subsection 11 amended	SF 2411.103	J
411.6	New subsection 14	SF 2411.104	J
411.6	New subsection 15	SF 2411.105	R 1/1/92
411.6	New subsection 16	SF 2411.106	J
411.6	New subsection 17	SF 2411.107	J
411.11	Section amended	SF 2411.108	R 1/1/92
411.22	Section amended	SF 2411.109**	J
411.22	Subsection 1, new unnumbered paragraph 1 amended	SF 2452.69	J
420	New definition added	HF 2429.1	J
420*	New definition added	HF 2429.1	J
421.10	Section amended	SF 2420.1	E
421.17*	Subsection 16 amended	HF 2548.3	VETO
421.17*	New subsection 22B	HF 2562.1	R 3/15/95

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A - Applicability provisions	M - Modified by subsequent bill	00-00-00 - Specified effective date
C - Conditional effective date	R - Retroactive applicability	* - 1999 Code Supplement
E - Effective upon enactment	S - See 99 Acts, chapter 125	** - Section amended by subsequent bill
J - Effective July 1, 2000	V - Variable effective date	VETO - Entire bill section vetoed
IV - Part of bill section vetoed		

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
421.38	Subsection 1, paragraph a amended	SF 2452.27	J
421.38	Subsection 1, paragraph b, unnumbered paragraph 1 amended	SF 2452.28	J
421.46	New section	HF 2548.4	VETO
421.60	Subsection 2, new paragraph m	HF 2205.28	E
421.60	Subsection 2, new paragraph m	HF 2548.5	VETO
422	New definition added	HF 2429.1	J
422*	New definition added	HF 2429.1	J
422.3*	Subsection 4 amended	SF 2424.3	R 1/1/99
422.7	Subsection 31 amended	HF 2560.8	A 1/1/01
422.7	Subsection 32, paragraph a rewritten	HF 2550.5	E
422.7	New subsection 35	HF 2542.2	R 1/1/00
422.10*	Section amended	HF 2560.9	R 1/1/00
422.10*	Unnumbered paragraph 1 amended	SF 2424.4	R 1/1/99
422.11D	New section	HF 2560.10	J
422.11E	New section	HF 2560.11	R 1/1/00
422.12B	Subsection 1 amended	SF 2424.5	R 1/1/99
422.13*	Subsection 1, paragraph c amended	SF 2424.6	R 1/1/00
422.16A	Section amended	SF 2428.23	J
422.16A	Section amended	SF 2439.9	Repealed
422.21*	Unnumbered paragraph 2 amended	SF 2424.7	R 1/1/99
422.33*	Subsection 5 amended	HF 2560.12	R 1/1/00
422.33*	Subsection 5, unnumbered paragraph 1 amended	SF 2424.8	R 1/1/99
422.33*	New subsection 8A	HF 2560.13	R 1/1/00
422.33*	New subsection 9	HF 2560.14	J
422.43*	New subsection 15	HF 2562.2	R 3/15/95
422.43*	New subsection 15 repealed	HF 2562.2	12/31/02
422.45*	Subsections 38A & 38B amended	HF 2136.34	J
422.45*	New subsection 54B	HF 2563.1	R 7/1/98
422.45*	Subsection 56 amended	HF 2205.29	E
422.45*	Subsection 56 amended	HF 2548.6	VETO
422.45*	New subsection 57	HF 2351.1	E
422.45*	New subsection 57	HF 2562.3	R 3/15/95
422.45*	New subsection 57	HF 2569.1	J
422.47*	Subsection 2 stricken	HF 2548.7	VETO
422.52*	Subsection 6, paragraph a amended	HF 2205.30	E
422.52*	Subsection 6, paragraph a amended	HF 2548.8	VETO
422.53*	Subsection 3 amended	HF 2548.9	VETO
422.110*	Unnumbered paragraph 1 amended	HF 2548.10	VETO
422.121*	Section amended	HF 2136.35	J
422A.1	New unnumbered paragraph	HF 2548.11	VETO
422B.1*	Subsection 6, paragraph b amended	HF 2136.36	J
422B.8*	Unnumbered paragraph 1 amended	HF 2548.12	VETO
422E.2*	Subsection 4, paragraph b, unnumbered paragraph 1 amended	HF 2136.37	J
422E.3*	Subsection 2 amended	HF 2548.13	VETO
423.1*	New subsection 12A	HF 2562.4	R 3/15/95
423.1*	New subsection 12A repealed	HF 2562.4	12/31/02
423.4*	Subsection 9 amended	HF 2548.14	VETO
423.4*	Subsections 18 & 19 amended	HF 2136.38	J
424	New definition added	HF 2429.1	J
424*	New definition added	HF 2429.1	J
424.10*	Subsections 1 & 3 amended	HF 2548.15	VETO
424.10*	Subsection 2 amended	HF 2548.16	VETO

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
424.12	Section amended	HF 2548.17	VETO
424.13	Subsection 2 amended	HF 2548.18	VETO
424.15	Unnumbered paragraph 1 amended	HF 2548.19	VETO
425	New definition added	HF 2429.1	J
425*	New definition added	HF 2429.1	J
425.17*	Section rewritten	HF 475.5	Repealed
425.33	Section rewritten	HF 475.5	Repealed
425.34	Section rewritten	HF 475.5	Repealed
425.35	Section rewritten	HF 475.5	Repealed
425.36	Section rewritten	HF 475.5	Repealed
426A	New definition added	HF 2429.1	J
426A*	New definition added	HF 2429.1	J
426B.5	Subsection 3, paragraph c, subparagraph (4) amended	SF 2452.2	E
426B.5	Subsection 3, paragraph c, subparagraph (6) amended	HF 2327.4	M
427.1*	Subsection 2 amended	SF 2444.1	J
427.1*	Subsection 14, unnumbered paragraph 1 amended	HF 2548.20	VETO
427.1*	Subsection 14, unnumbered paragraph 2 amended	HF 2136.39	J
427.1*	Subsection 16 amended	HF 2548.21	VETO
427.1*	Subsection 20 amended	HF 2548.22	VETO
427.1*	Subsection 22, unnumbered paragraph 2 amended	HF 2548.23	VETO
427.1*	Subsection 30 amended	HF 2548.24	VETO
427.1*	New subsection 31	HF 2560.15	J
427.1*	New subsection 32	HF 2560.17	J
427.16	Subsection 2 amended	HF 2548.25	VETO
427A.12*	Subsections 3 & 4 amended	SF 2092.29	J
427A.12*	Subsections 5, 6, & 7 stricken	SF 2092.30	J
427B.4	Unnumbered paragraph 1 amended	HF 2136.40	J
427C.3	Section amended	HF 2548.26	VETO
427C.7	Section amended	HF 2548.27	VETO
428	New definition added	HF 2429.1	J
428*	New definition added	HF 2429.1	J
428A.8	New unnumbered paragraph	HF 2548.28	VETO
433	New definition added	HF 2429.1	J
433*	New definition added	HF 2429.1	J
434	New definition added	HF 2429.1	J
435	New definition added	HF 2429.1	J
435*	New definition added	HF 2429.1	J
435.1	Section rewritten	HF 475.5	Repealed
435.24*	Subsection 3 amended	SF 2253.5	J
435.33	Section rewritten	HF 475.5	Repealed
436	New definition added	HF 2429.1	J
437	New definition added	HF 2429.1	J
437A	New definition added	HF 2429.1	J
437A*	New definition added	HF 2429.1	J
437A.3*	Subsection 1, unnumbered paragraph 1 amended	SF 2420.2	E
437A.5	Subsection 7, unnumbered paragraph 2 amended	SF 2420.3	R 1/1/99
437A.5	Subsection 7, new unnumbered paragraph	SF 2420.4	R 1/1/99
437A.6	Subsection 2 amended	SF 2420.5	R 1/1/99

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 J - Effective July 1, 2000  
 IV - Part of bill section vetoed

M - Modified by subsequent bill  
 R - Retroactive applicability  
 S - See 99 Acts, chapter 125  
 V - Variable effective date

00-00-00 - Specified effective date  
 \* - 1999 Code Supplement  
 \*\* - Section amended by subsequent bill  
 VETO - Entire bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
437A.6	New subsection 3	SF 2420.6	R 1/1/99
437A.8	Subsection 4, new unnumbered paragraphs	SF 2420.7	R 1/1/99
437A.11	Unnumbered paragraph 6 amended	SF 2420.8	E
437A.14*	Subsection 1, paragraph b, new unnumbered paragraph	SF 2420.9	R 1/1/99
437A.15*	Subsection 3 amended	SF 2420.10	R 1/1/99
437A.15*	Subsection 4, unnumbered paragraph 1 amended	SF 2420.11	E
437A.19*	Subsection 2, paragraph f, unnumbered paragraph 3 amended	SF 2420.12	E
437A.21	New subsection 6	SF 2420.13	E
438	New definition added	HF 2429.1	J
440	New definition added	HF 2429.1	J
440*	New definition added	HF 2429.1	J
441	New definition added	HF 2429.1	J
441*	New definition added	HF 2429.1	J
441.26	Section rewritten	HF 2136.56	J
443	New definition added	HF 2429.1	J
443*	New definition added	HF 2429.1	J
443.2	Unnumbered paragraph 2 amended	SF 2420.14	E
444	New definition added	HF 2429.1	J
445.57	New unnumbered paragraph	SF 2420.15	E
448	New definition added	HF 2429.1	J
448.1	Section amended	SF 2253.6	J
448.2	Section amended	HF 2136.41	J
448.15	Section rewritten	HF 2136.56	J
449	New definition added	HF 2429.1	J
450.4	Subsection 5 amended	HF 2548.29	VETO
450.4	New subsections 7 & 8	HF 2548.30	VETO
450.10	Subsection 4 amended	HF 2548.31	VETO
450.24	Section amended	SF 2212.2	J
450.24	Section amended	SF 2303.5	J
452A.2*	New subsections 4A & 18A	HF 2548.32	VETO
452A.2*	Subsection 17, paragraph u amended	HF 2548.33	VETO
452A.3*	Subsection 5, paragraph a, new unnumbered paragraph	HF 2548.34	VETO
452A.17*	Subsection 1, paragraph a, new subparagraph (10)	HF 2548.35	VETO
453A.1	Subsection 26 amended	HF 2548.36	VETO
453A.2	New subsections 2A & 5	SF 2366.2	J
453A.2	Subsection 3 amended	HF 2548.37	VETO
453A.3	Section amended	SF 2366.3	J
453A.3	Subsection 1 amended	SF 2452.70	E
453A.4	New section	SF 2366.4	J
453A.13	Subsection 2, new paragraph c	SF 2366.5	J
453A.22	Subsection 2 amended	SF 2366.6	J
453A.22	Subsection 2, unnumbered paragraph 1 amended	SF 2452.71	E
453A.22	New subsections 4 & 5	SF 2366.7	J
453A.36	New subsection 8	SF 2079.1	E
453A.39	Section repealed	HF 2565.12	E
453A.42	New subsection 6A	HF 2548.38	VETO
453A.42	Subsection 14 amended	HF 2548.39	VETO
453A.43	Subsection 1, unnumbered paragraph 1 amended	HF 2548.40	VETO
453A.43	Subsection 2, unnumbered paragraph 1 amended	HF 2548.41	VETO
453A.43	New subsection 2A	HF 2548.42	VETO
453A.45*	Subsection 5, paragraph a amended	HF 2548.43	VETO
453C.1*	Subsection 9, paragraph a amended	HF 2136.42	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen</u>	<u>File #</u>	<u>Effective</u>
455A.7	Subsection 1, paragraph b amended	HF	2090.1	J
455A.19	Subsection 1, paragraph c amended	HF	2485.1	J
455B.165	Subsection 7, paragraph d, subparagraph (2) amended	SF	2092.31	J
455B.171	New subsections 10A, 14A, 19A, 31A, 31B, & 39A	SF	2371.9**	J
455B.171	New subsection 31B amended	SF	2452.72	J
455B.173*	Subsection 8 amended	HF	2136.43	J
455B.193	New section	SF	2371.10**	J
455B.193	New section, unnumbered paragraph 2 amended	SF	2452.73	J
455B.194	New section	SF	2371.11	J
455B.195	New section	SF	2371.12	J
455B.203A*	Subsection 1, new paragraph d	HF	2393.1	J
455B.203A*	Subsection 3, paragraph b amended	HF	2393.2	J
455B.203A*	Subsection 5, paragraph b, subparagraph (1) amended	HF	2393.3	J
455B.203A*	Subsection 6, paragraph a amended	HF	2393.4	J
455B.474*	Subsect. 1, para. d, subpara. (2), subpara. subdivision (d) amended	HF	2136.44	J
455B.474*	Subsect. 1, para. f, subpara. (4), subpara. subdivision (c) amended	HF	2136.45	J
455B.601	Subsection 1, paragraph a stricken	SF	466.11	J
455B.601	Subsection 1, paragraph d amended	SF	466.12	J
455B.601	Subsection 2 amended	SF	466.13	J
455B.602	New section	SF	466.14	J
455E.11	Subsect. 2, para. a, subpara. (2), subpara. subdiv. (a), subpara. subdiv. part (i) amended	SF	2314.46	J
455E.11	Subsect. 2, para. a, subpara. (2), subpara. subdivision (f) amended	SF	2326.1	J
455E.11	Subsection 2, paragraph b, subparagraph (1) amended	SF	2314.47	J
455E.11	Subsection 2, paragraph c, unnumbered paragraph 1 amended	SF	2314.48	J
455E.11	Subsection 2, paragraph d, subparagraph (1) amended	SF	2314.49	J
455G.3*	Subsection 3, paragraph e stricken	SF	2433.13	E
455G.6*	Subsection 17 stricken	SF	2433.14	E
455G.9*	Subsection 1, new paragraph k	SF	2433.15	E
455G.22	Section repealed	SF	2433.21	E
455I	New definition added	HF	2429.1	J
455I*	New definition added	HF	2429.1	J
456A.20*	Subsection 2 amended	SF	2092.32	J
456A.21*	Subsection 1 amended	HF	2090.2	J
458A.22	Section rewritten	HF	2136.56	J
461A.3A	Subsection 2, unnumbered paragraph 1 amended	SF	2453.24	VETO
461A.6	Section amended	HF	2513.170	7/1/01
461B.5	Section rewritten	HF	2136.56	J
462A.2	Section rewritten	HF	2331.1	J
462A.5	Subsection 1, unnumbered paragraph 2 amended	SF	2061.2	J
462A.14	Section rewritten	HF	2331.2**	J
462A.14	Rewritten section, subsection 12, paragraph d amended	SF	2452.74	J
462A.14A	New section	HF	2331.3	J
462A.14B	New section	HF	2331.4	J
462A.14C	New section	HF	2331.5	J
462A.14D	New section	HF	2331.6	J
462A.14E	New section	HF	2331.7	J
462A.14F	New section	HF	2331.8	J
462A.23	Subsection 2, paragraph b rewritten	HF	2331.9	J

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J - Effective July 1, 2000      V - Variable effective date      VETO - Entire bill section vetoed  
IV - Part of bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File#</u>	<u>Effective</u>
463A	Chapter repealed	SF 2036.1	J
466.1	New section	SF 2371.1	J
466.2	New section	SF 2371.2	J
466.2A	New section	SF 2371.3	J
466.3	New section	SF 2371.4	J
466.4	New section	SF 2371.5**	J
466.4	New section, subsections 2 & 5 amended	SF 2452.75	J
466.5	New section	SF 2371.6	J
466.6	New section	SF 2371.7	J
468	New definition added	HF 2429.1	J
468*	New definition added	HF 2429.1	J
468.371	Section rewritten	HF 2136.56	J
468.511	Section rewritten	HF 2136.63	J
468.553	Section rewritten	HF 2136.56	J
478.2	Unnumbered paragraphs 2 & 5 amended	HF 2528.22	E
478.6	Unnumbered paragraph 2 amended	HF 2528.23	E
479.5	Unnumbered paragraphs 3 & 6 amended	HF 2528.24	E
479.7	New unnumbered paragraph	HF 2528.25	E
479.46	Subsection 3, unnumbered paragraph 2 amended	HF 2528.26	E
479.48*	Subsection 5 amended	SF 2213.1	J
479.49	New section	SF 2213.2	J
479A.14*	Subsection 12 stricken	HF 2247.1	J
479A.25	Subsection 3, unnumbered paragraph 2 amended	HF 2528.27	E
479A.27*	Subsection 5 amended	SF 2213.3	J
479A.28	New section	SF 2213.4	J
479B.30	Subsection 3, unnumbered paragraph 2 amended	HF 2528.28	E
479B.32*	Subsection 5 amended	SF 2213.5	J
479B.33	New section	SF 2213.6	J
481A.76	Section amended	HF 2486.1	J
481A.123	Subsection 1 amended	HF 2486.2	J
481A.125	Section rewritten	SF 2300.1**	J
481A.125	Rewritten section, subsection 1, paragraphs a, b, & c amended	SF 2452.76	J
481A.125	Rewritten section, subsection 5 amended	SF 2452.77	J
481C.3*	Section amended	SF 2092.33	J
482.15	Section amended	SF 2245.23	J
483A.1A	Subsection 4, unnumbered paragraph 1 amended	HF 2486.3	J
483A.1A	Subsection 4, paragraph a rewritten	HF 2486.4	J
483A.1A	Subsection 4, new paragraph d	HF 2008.1	J
483A.1A	Subsection 4, new paragraph d	HF 2486.5**	J
483A.1A	Subsection 4, new paragraph d, relettered e	HF 2008.2	J
483A.2	New section	HF 2486.6**	J
483A.2	New section amended	SF 2452.78	VETO
483A.10	Section amended	SF 2061.3	J
483A.24*	Subsection 6 amended	HF 2008.3	J
483A.42	Section amended	SF 2245.24	J
484B.1	New subsection 5A	HF 2277.2	J
484B.1	Subsection 8 amended	HF 2277.3	J
484B.12	Section amended	HF 2277.4	J
486.7	Section rewritten	HF 475.5	Repealed
487.109	Subsection 1, paragraph 1 amended	HF 2239.3	J
487.1103	Section amended	HF 2239.4	1/1/01
487.1301	New section	HF 2239.5	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
487.1302	New section	HF 2239.6	J
487.1303	New section	HF 2239.7	J
490.1301	Subsection 4 amended	HF 2197.2	J
490.1330	New subsection 6	HF 2197.1	J
490A.702	Subsection 8 stricken	HF 2425.1	J
495.3	Section amended	SF 2388.3	J
496C.21	Unnumbered paragraph 1 amended	SF 2388.4	J
496C.21	Unnumbered paragraph 3 rewritten	SF 2388.5	J
497.26	Section amended	SF 2388.6	J
498.28	Section amended	SF 2388.7	J
499.13	Section rewritten	HF 475.5	Repealed
499.43A	Subsection 2, unnumbered paragraph 1 amended	SF 2388.8	J
499.53	Section amended	SF 2388.9	J
499.73	Subsection 4 amended	SF 2388.10	J
499.76	Subsection 1 amended	SF 2388.11	J
499A.11	Section rewritten	HF 475.5	Repealed
499B.3	New unnumbered paragraph	SF 2426.1	E
499B.10	Section amended	SF 2426.2	E
499B.11*	Subsection 1 amended	SF 2426.3	E
499B.20	New section	SF 2426.4	E
501.106	Subsection 4 amended	SF 2388.12	J
501.701*	Subsection 5, paragraph g amended	SF 2388.13	J
501.713*	Subsection 1, unnumbered paragraph 1 amended	SF 2388.14	J
501.713*	Subsections 2, 3, 4, & 5 amended	SF 2388.15	J
501.811	Subsection 1 amended	SF 2388.16	J
502.202*	Subsection 19, new paragraph e	HF 2317.34	J
502.304*	Subsection 1, unnumbered paragraph 1 amended	HF 2317.16	J
502.604*	Subsection 1 amended	HF 2317.17	J
502.605	Subsection 1 amended	HF 2317.18	J
502.609	Subsection 1, unnumbered paragraph 1 amended	HF 2317.19	J
505.8*	Subsection 5 stricken	SF 2409.4	J
505.8*	New subsection 7	SF 2409.5	J
505.23	New section	SF 2409.6	J
508.4	Section amended	SF 2409.7	J
508B.3	Unnumbered paragraph 1 amended	SF 2409.8	E
508B.4	Section amended	SF 2409.9	J
508B.7	Section amended	SF 2409.10	E
508B.9	Unnumbered paragraph 1 amended	SF 2409.11	J
508B.14*	Unnumbered paragraph 2 amended	SF 2409.12	J
508C.3	Subsection 3, new paragraphs j, k, & l	SF 2409.13	J
508C.9	Subsection 5, paragraph a amended	SF 2409.14	J
508E.1	New section	HF 2317.35	J
508E.2	New section	HF 2317.36	J
508E.3	New section	HF 2317.37	J
508E.4	New section	HF 2317.38	J
509A.15	New subsection 4	SF 441.1	J
511.8	Subsection 5, paragraph b, unnumbered paragraph 1 amended	SF 2409.15	J
511.8	Subsection 5, paragraph b, unnumbered paragraph 4 amended	SF 2409.16	J

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|---|--|--|
| <b>A</b> - Applicability provisions     | <b>M</b> - Modified by subsequent bill | <b>00-00-00</b> - Specified effective date     |
| <b>C</b> - Conditional effective date   | <b>R</b> - Retroactive applicability   | <b>*</b> - 1999 Code Supplement                |
| <b>E</b> - Effective upon enactment     | <b>S</b> - Sec 99 Acts, chapter 125    | <b>**</b> - Section amended by subsequent bill |
| <b>J</b> - Effective July 1, 2000       | <b>V</b> - Variable effective date     | <b>VETO</b> - Entire bill section vetoed       |
| <b>IV</b> - Part of bill section vetoed |  |  |

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
511.8	Subsection 17, paragraph b stricken	SF 2409.17	1/1/01
511.8	New subsection 22	SF 2409.18	J
512A.10	New section	SF 2409.19	J
513B.2	Subsections 2, 13, & 15 amended	SF 2409.20	J
513C.10	Subsection 6 amended	SF 2409.21	J
514.3	Section amended	SF 2409.22	J
514.4	Unnumbered paragraph 7 stricken	SF 2409.23	J
514.7*	Unnumbered paragraph 1 amended	HF 2136.46	J
514B.3A	New section	SF 2409.24	J
514B.24	Unnumbered paragraph 1 amended	SF 2409.25	J
514B.25A	New section	SF 2409.26	J
514C.18	New section	SF 2203.1	VETO
514C.19	New section	HF 754.1	J
514C.19	New section	SF 2126.1	J
514E.1	Subsection 12 amended	HF 2136.47	J
514I.8	Subsection 1 amended	HF 2555.8	J
514I.8	Subsection 2, paragraph c amended	HF 2555.9	J
514I.10	Section amended	HF 2555.10	J
515.2	Section amended	SF 2409.27	J
515.45	Section repealed	SF 2409.59	1/1/01
515.46	Section amended	SF 2409.28	1/1/01
515.47	Section repealed	SF 2409.59	1/1/01
515.71	Unnumbered paragraph 1 amended	SF 2409.29	1/1/01
515.138	Section rewritten	HF 2136.56	J
515B.2	Subsection 5 amended	SF 2409.30	J
515C.3	Section amended	SF 2409.31	1/1/01
515F.3	Subsection 6 amended	SF 2409.32	J
515G.7	Section amended	SF 2409.33	J
515G.14	Unnumbered paragraph 1 amended	SF 2409.34	J
518.7	Section amended	SF 2409.35	J
518.8	Section amended	SF 2409.36	J
518.13A	New section	SF 2409.37	J
518.17*	Section amended	SF 2409.38	J
518.23	Section amended	SF 2409.39	J
518A.6	Section amended	SF 2409.40	J
518A.6A	New section	SF 2409.41	J
518A.7	Section amended	SF 2409.42	J
518A.9	Section rewritten	SF 2409.43	J
518A.9A	New section	SF 2409.44	J
518A.11	Section repealed	SF 2409.59	J
518A.12	Subsection 1, paragraphs a & c amended	SF 2409.45	J
518A.14	Section repealed	SF 2409.59	J
518A.15	Section repealed	SF 2409.59	J
518A.18	Section amended	SF 2409.46	J
518A.29	Section rewritten	SF 2409.47	J
518A.30	Section repealed	SF 2409.59	J
518A.31	Section repealed	SF 2409.59	J
518A.32	Section repealed	SF 2409.59	J
518A.35	Section amended	SF 2409.48	J
518A.44*	Section amended	SF 2409.49	J
518A.52	Section amended	SF 2409.50	J
518A.53	Section amended	SF 2409.51	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen</u>	<u>File #</u>	<u>Effective</u>
518A.54	Section amended	SF	2409.52	J
518A.55	Section amended	SF	2409.53	J
518C.1	New section	HF	2218.1	J
518C.2	New section	HF	2218.2	J
518C.3	New section	HF	2218.3	J
518C.4	New section	HF	2218.4	J
518C.5	New section	HF	2218.5	J
518C.6	New section	HF	2218.6	J
518C.7	New section	HF	2218.7	J
518C.8	New section	HF	2218.8	J
518C.9	New section	HF	2218.9	J
518C.10	New section	HF	2218.10	J
518C.11	New section	HF	2218.11	J
518C.12	New section	HF	2218.12	J
518C.13	New section	HF	2218.13	J
518C.14	New section	HF	2218.14	J
518C.15	New section	HF	2218.15	J
518C.16	New section	HF	2218.16	J
518C.17	New section	HF	2218.17	J
518C.18	New section	HF	2218.18	J
518C.19	New section	HF	2218.19	J
519.10	Section amended	SF	2409.54	J
519.11*	Section amended	SF	2409.55	J
521E.1	Subsection 4, paragraph e amended	SF	2409.56	J
521F.1	New section	HF	2316.1	J
521F.2	New section	HF	2316.2	J
521F.3	New section	HF	2316.3**	J
521F.3	New section, subsect. 2, para. a, unnumbered para. 1 amended	SF	2452.79	J
521F.4	New section	HF	2316.4**	J
521F.4	New section, subsection 3 amended	SF	2452.80	J
521F.5	New section	HF	2316.5	J
521F.6	New section	HF	2316.6	J
521F.7	New section	HF	2316.7	J
521F.8	New section	HF	2316.8**	J
521F.8	New section, subsect. 2, para. b, subpara. (1) amended	SF	2452.81	J
521F.9	New section	HF	2316.9	J
521F.10	New section	HF	2316.10	J
521F.11	New section	HF	2316.11	J
521F.12	New section	HF	2316.12	J
521F.13	New section	HF	2316.13	J
521G.1	New section	SF	2200.1	J
521G.2	New section	SF	2200.2	J
521G.3	New section	SF	2200.3	J
521G.4	New section	SF	2200.4	J
521G.5	New section	SF	2200.5	J
521G.6	New section	SF	2200.6	J
521G.7	New section	SF	2200.7	J
521G.8	New section	SF	2200.8	J

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 J - Effective July 1, 2000  
 IV - Part of bill section vetoed

M - Modified by subsequent bill  
 R - Retroactive applicability  
 S - Sec 99 Acts, chapter 125  
 V - Variable effective date

00-00-00 - Specified effective date  
 \* - 1999 Code Supplement  
 \*\* - Section amended by subsequent bill  
 VETO - Entire bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen</u>	<u>File#</u>	<u>Effective</u>
521G.9	New section	SF	2200.9	J
521G.10	New section	SF	2200.10	J
522.3	Unnumbered paragraph 3 stricken	SF	2409.57	J
522A.3*	Subsection 5, paragraph d amended	HF	2136.48	J
523B.1*	New subsection 10A	HF	2317.20	J
523B.2*	Subsection 2, paragraph b, subparagraph (2) amended	HF	2317.21	J
523B.2*	Subsection 2, new paragraph c	HF	2317.22	J
523B.2*	Subsection 4 amended	HF	2317.23	J
523B.2*	Subsection 9, paragraph c, new subparagraph (8)	HF	2317.24	J
523B.8	Subsection 1 amended	HF	2317.25	J
523B.8	Subsection 2, paragraph b amended	HF	2317.26	J
523C.1	New subsection 6A	HF	2317.28	J
523C.7	Subsection 4 amended	HF	2317.29	J
523C.19	Section amended, new subsections 2 & 3 added	HF	2317.30**	J
523C.19	New subsections 2 & 3 amended	SF	2452.82	J
523C.23	New section	HF	2317.31	J
523D.13	Section amended	HF	2317.32	J
523H.2A	New section	SF	324.2	J
524.1406*	Subsection 3 amended	HF	2197.3	J
524.1802	Section rewritten	SF	2158.1	R 1/1/00
527.2	Subsections 10, 14, & 15 amended	SF	2452.99	E
527.4	Subsection 1 rewritten	SF	2452.100	E
527.4	Subsection 2 stricken	SF	2452.101	E
527.4	Subsection 3 amended	SF	2452.102	E
527.4	Subsection 4 amended	SF	2452.103	E
527.5	Subsection 5 amended	SF	2452.104	E
527.5	Subsection 11, paragraph a amended	SF	2452.105	E
527.5	Subsection 12 amended	SF	2452.106	E
537.5103	Subsections 2 & 3 amended	HF	2513.171	7/1/01
537A.10	New section	SF	324.1	J
539.1	Section amended	HF	2513.172	7/1/01
539.2	Section amended	HF	2513.173	7/1/01
539.3	Section amended	HF	2513.174	7/1/01
546.2	Subsection 2 amended	SF	2450.17	J
552.14	Subsection 2, paragraph a stricken	SF	2372.1	J
552.15	Section repealed	SF	2372.4	J
552.16	Subsection 2 amended	SF	2372.2	J
554.1102	Subsection 5 amended	HF	475.2	J
554.1105	Subsection 2 amended	HF	2513.137	7/1/01
554.1201	Subsections 9 & 32 amended	HF	2513.138	7/1/01
554.1201	Subsection 37, paragraph a amended	HF	2513.139	7/1/01
554.2103	Subsection 3 amended	HF	2513.140	7/1/01
554.2210	Subsection 2 amended	HF	2513.141	7/1/01
554.2210	New subsection 3, subsections renumbered	HF	2513.142	7/1/01
554.2326	Section amended	HF	2513.143	7/1/01
554.2502	Section amended	HF	2513.144	7/1/01
554.2716	Subsection 3 amended	HF	2513.145	7/1/01
554.4210	Subsection 3, paragraph a amended	HF	2513.146	7/1/01
554.5118	New section	HF	2513.147	7/1/01
554.7503	Subsection 1, paragraph a amended	HF	2513.148	7/1/01
554.8103	Subsection 6 amended	HF	2513.149	7/1/01
554.8106	Subsections 4 & 6 amended	HF	2513.150	7/1/01

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
554.8110	Subsection 5, paragraphs a, b, c, & d amended	HF 2513.151	7/1/01
554.8301	Subsection 1, paragraph c amended	HF 2513.152	7/1/01
554.8302	Subsection 1 amended	HF 2513.153	7/1/01
554.8510	Section amended	HF 2513.154	7/1/01
554.9101	New section	HF 2513.1	7/1/01
554.9102	New section	HF 2513.2	7/1/01
554.9103	New section	HF 2513.3	7/1/01
554.9104	New section	HF 2513.4	7/1/01
554.9104	Old section rewritten	HF 475.5	Repealed
554.9105	New section	HF 2513.5	7/1/01
554.9106	New section	HF 2513.6	7/1/01
554.9107	New section	HF 2513.7	7/1/01
554.9108	New section	HF 2513.8	7/1/01
554.9109	New section	HF 2513.9	7/1/01
554.9110	New section	HF 2513.10	7/1/01
554.9201	New section	HF 2513.11	7/1/01
554.9202	New section	HF 2513.12	7/1/01
554.9203	New section	HF 2513.13	7/1/01
554.9204	New section	HF 2513.14	7/1/01
554.9205	New section	HF 2513.15	7/1/01
554.9206	New section	HF 2513.16	7/1/01
554.9207	New section	HF 2513.17	7/1/01
554.9208	New section	HF 2513.18	7/1/01
554.9209	New section	HF 2513.19	7/1/01
554.9210	New section	HF 2513.20	7/1/01
554.9301	New section	HF 2513.21	7/1/01
554.9302	New section	HF 2513.22	7/1/01
554.9303	New section	HF 2513.23	7/1/01
554.9304	New section	HF 2513.24	7/1/01
554.9305	New section	HF 2513.25	7/1/01
554.9306	New section	HF 2513.26	7/1/01
554.9307	New section	HF 2513.27	7/1/01
554.9308	New section	HF 2513.28	7/1/01
554.9309	New section	HF 2513.29	7/1/01
554.9310	New section	HF 2513.30	7/1/01
554.9311	New section	HF 2513.31	7/1/01
554.9312	New section	HF 2513.32	7/1/01
554.9313	New section	HF 2513.33	7/1/01
554.9314	New section	HF 2513.34	7/1/01
554.9315	New section	HF 2513.35	7/1/01
554.9316	New section	HF 2513.36	7/1/01
554.9317	New section	HF 2513.37	7/1/01
554.9318	New section	HF 2513.38	7/1/01
554.9319	New section	HF 2513.39	7/1/01
554.9320	New section	HF 2513.40	7/1/01
554.9321	New section	HF 2513.41	7/1/01
554.9322	New section	HF 2513.42	7/1/01
554.9323	New section	HF 2513.43	7/1/01

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E - Effective upon enactment	S - See 99 Acts, chapter 125	** - Section amended by subsequent bill
J - Effective July 1, 2000	V - Variable effective date	VETO - Entire bill section vetoed
IV - Part of bill section vetoed		

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Scn File#</u>	<u>Effective</u>
554.9324	New section	HF 2513.44	7/1/01
554.9325	New section	HF 2513.45	7/1/01
554.9326	New section	HF 2513.46	7/1/01
554.9327	New section	HF 2513.47	7/1/01
554.9328	New section	HF 2513.48	7/1/01
554.9329	New section	HF 2513.49	7/1/01
554.9330	New section	HF 2513.50	7/1/01
554.9331	New section	HF 2513.51	7/1/01
554.9332	New section	HF 2513.52	7/1/01
554.9333	New section	HF 2513.53	7/1/01
554.9334	New section	HF 2513.54	7/1/01
554.9335	New section	HF 2513.55	7/1/01
554.9336	New section	HF 2513.56	7/1/01
554.9337	New section	HF 2513.57	7/1/01
554.9338	New section	HF 2513.58	7/1/01
554.9339	New section	HF 2513.59	7/1/01
554.9340	New section	HF 2513.60	7/1/01
554.9341	New section	HF 2513.61	7/1/01
554.9342	New section	HF 2513.62	7/1/01
554.9401	New section	HF 2513.63	7/1/01
554.9402	New section	HF 2513.64	7/1/01
554.9403	New section	HF 2513.65	7/1/01
554.9404	New section	HF 2513.66	7/1/01
554.9405	New section	HF 2513.67	7/1/01
554.9406	New section	HF 2513.68	7/1/01
554.9407	New section	HF 2513.69	7/1/01
554.9408	New section	HF 2513.70	7/1/01
554.9409	New section	HF 2513.71	7/1/01
554.9501	New section	HF 2513.72	7/1/01
554.9502	New section	HF 2513.73	7/1/01
554.9503	New section	HF 2513.74	7/1/01
554.9504	New section	HF 2513.75	7/1/01
554.9505	New section	HF 2513.76	7/1/01
554.9506	New section	HF 2513.77	7/1/01
554.9507	New section	HF 2513.78	7/1/01
554.9508	New section	HF 2513.79	7/1/01
554.9509	New section	HF 2513.80	7/1/01
554.9510	New section	HF 2513.81	7/1/01
554.9511	New section	HF 2513.82	7/1/01
554.9512	New section	HF 2513.83	7/1/01
554.9513	New section	HF 2513.84	7/1/01
554.9514	New section	HF 2513.85	7/1/01
554.9515	New section	HF 2513.86	7/1/01
554.9516	New section	HF 2513.87	7/1/01
554.9517	New section	HF 2513.88	7/1/01
554.9518	New section	HF 2513.89	7/1/01
554.9519	New section	HF 2513.90	7/1/01
554.9520	New section	HF 2513.91	7/1/01
554.9521	New section	HF 2513.92	7/1/01
554.9522	New section	HF 2513.93	7/1/01
554.9523	New section	HF 2513.94	7/1/01
554.9524	New section	HF 2513.95	7/1/01

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
554.9525	New section	HF 2513.96	7/1/01
554.9526	New section	HF 2513.97	7/1/01
554.9527	New section	HF 2513.98	7/1/01
554.9601	New section	HF 2513.99	7/1/01
554.9602	New section	HF 2513.100	7/1/01
554.9603	New section	HF 2513.101	7/1/01
554.9604	New section	HF 2513.102	7/1/01
554.9605	New section	HF 2513.103	7/1/01
554.9606	New section	HF 2513.104	7/1/01
554.9607	New section	HF 2513.105	7/1/01
554.9608	New section	HF 2513.106	7/1/01
554.9609	New section	HF 2513.107	7/1/01
554.9610	New section	HF 2513.108	7/1/01
554.9611	New section	HF 2513.109	7/1/01
554.9612	New section	HF 2513.110	7/1/01
554.9613	New section	HF 2513.111	7/1/01
554.9614	New section	HF 2513.112	7/1/01
554.9615	New section	HF 2513.113	7/1/01
554.9616	New section	HF 2513.114	7/1/01
554.9617	New section	HF 2513.115	7/1/01
554.9618	New section	HF 2513.116	7/1/01
554.9619	New section	HF 2513.117	7/1/01
554.9620	New section	HF 2513.118	7/1/01
554.9621	New section	HF 2513.119	7/1/01
554.9622	New section	HF 2513.120	7/1/01
554.9623	New section	HF 2513.121	7/1/01
554.9624	New section	HF 2513.122	7/1/01
554.9625	New section	HF 2513.123	7/1/01
554.9626	New section	HF 2513.124	7/1/01
554.9627	New section	HF 2513.125	7/1/01
554.9628	New section	HF 2513.126	7/1/01
554.9628	New section	HF 2513.127	7/1/01
554.9701	New section	HF 2513.128	7/1/01
554.9702	New section	HF 2513.129	7/1/01
554.9703	New section	HF 2513.130	7/1/01
554.9704	New section	HF 2513.131	7/1/01
554.9705	New section	HF 2513.132	7/1/01
554.9706	New section	HF 2513.133	7/1/01
554.9707	New section	HF 2513.134	7/1/01
554.9708	New section	HF 2513.135	7/1/01
554.9709	New section	HF 2513.136	7/1/01
554.9710	New section	HF 2513.186	7/1/01
554.11105	Section repealed	HF 2513.155	7/1/01
554.11108	Section amended	HF 2136.49	J
554.12105	Subsections 2 & 3 amended	HF 2513.156	7/1/01
554.13103	Subsection 3 amended	HF 2513.157	7/1/01
554.13303	Subsections 1, 2, 3, 4, & 5 amended	HF 2513.158	7/1/01
554.13307	Subsections 1, 2, 3, & 4 rewritten	HF 2513.159	7/1/01
554.13309	Subsection 1, paragraph b amended		

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 VETO - Entire bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File#</u>	<u>Effective</u>
554	Old Article IX repealed	HF 2513.185	7/1/01
554B.1	Section amended	HF 2513.175	7/1/01
554C*	Chapter repealed	HF 2205.31	J
554D.101	New section	HF 2205.1	J
554D.102	New section	HF 2205.2	J
554D.103	New section	HF 2205.3	J
554D.104	New section	HF 2205.4**	J
554D.104	New section, subsection 4 amended	SF 2452.29	J
554D.104	New section, subsection 4 stricken	HF 2205.32	7/1/01
554D.105	New section	HF 2205.5	J
554D.106	New section	HF 2205.6	J
554D.107	New section	HF 2205.7	J
554D.108	New section	HF 2205.8	J
554D.108A	New section	HF 2205.9	J
554D.109	New section	HF 2205.10	J
554D.110	New section	HF 2205.11	J
554D.111	New section	HF 2205.12	J
554D.112	New section	HF 2205.13	J
554D.113	New section	HF 2205.14	J
554D.114	New section	HF 2205.15	J
554D.115	New section	HF 2205.16	J
554D.116	New section	HF 2205.17	J
554D.117	New section	HF 2205.18	J
554D.118	New section	HF 2205.19	J
554D.119	New section	HF 2205.20	J
554D.120	New section	HF 2205.21	J
554D.121	New section	HF 2205.22	J
554D.122	New section	HF 2205.23	J
555A.1	Subsections 3 & 4 amended	SF 2372.3	J
556.11	New subsection 8	HF 2557.1	J
556F	New definition added	HF 2429.1	J
556F.7	Section amended	HF 2531.2	J
556F.8	Section amended	HF 2531.3	J
557C	New definition added	HF 2429.1	J
558	New definition added	HF 2429.1	J
558*	New definition added	HF 2429.1	J
558.25	Section rewritten	HF 2136.63	J
558.26	Section rewritten	HF 2136.56	J
558.39	Section rewritten	HF 2136.56'	J
558.39	Section rewritten	HF 2136.63	J
558.57	Section rewritten	HF 2136.56	J
558.58	Section rewritten	HF 2136.56	J
558.66	Section rewritten	HF 2136.56	J
560.2	Section rewritten	HF 475.5	Repealed
561	New definition added	HF 2429.1	J
562A.1	Section rewritten	HF 475.5	Repealed
562A.2	Section rewritten	HF 475.5	Repealed
562A.5	Section rewritten	HF 475.5	Repealed
562A.6	Section rewritten	HF 475.5	Repealed
562A.8*	Section rewritten	HF 475.5	Repealed
562A.8*	Section rewritten	HF 475.5	Repealed
562A.9	Section rewritten	HF 475.5	Repealed

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
562A.10	Section rewritten	HF 475.5	Repealed
562A.11	Section rewritten	HF 475.5	Repealed
562A.12	Section rewritten	HF 475.5	Repealed
562A.12	Section rewritten	HF 475.5	Repealed
562A.13	Section rewritten	HF 475.5	Repealed
562A.13	Section rewritten	HF 475.5	Repealed
562A.14	Section rewritten	HF 475.5	Repealed
562A.15	Section rewritten	HF 475.5	Repealed
562A.15	Section rewritten	HF 475.5	Repealed
562A.16	Section rewritten	HF 475.5	Repealed
562A.18	Section rewritten	HF 475.5	Repealed
562A.18	Section rewritten	HF 475.5	Repealed
562A.19	Section rewritten	HF 475.5	Repealed
562A.19	Section rewritten	HF 475.5	Repealed
562A.20	Section rewritten	HF 475.5	Repealed
562A.21	Section rewritten	HF 475.5	Repealed
562A.21	Section rewritten	HF 475.5	Repealed
562A.22	Section rewritten	HF 475.5	Repealed
562A.22	Section rewritten	HF 475.5	Repealed
562A.23	Section rewritten	HF 475.5	Repealed
562A.23	Section rewritten	HF 475.5	Repealed
562A.24	Section rewritten	HF 475.5	Repealed
562A.24	Section rewritten	HF 475.5	Repealed
562A.25	Section rewritten	HF 475.5	Repealed
562A.26	Section rewritten	HF 475.5	Repealed
562A.26	Section rewritten	HF 475.5	Repealed
562A.27	Section rewritten	HF 475.5	Repealed
562A.27	Section rewritten	HF 475.5	Repealed
562A.27A	Section rewritten	HF 475.5	Repealed
562A.27A	Section rewritten	HF 475.5	Repealed
562A.28	Section rewritten	HF 475.5	Repealed
562A.29	Section rewritten	HF 475.5	Repealed
562A.30	Section rewritten	HF 475.5	Repealed
562A.30	Section rewritten	HF 475.5	Repealed
562A.31	Section rewritten	HF 475.5	Repealed
562A.32	Section rewritten	HF 475.5	Repealed
562A.33	Section rewritten	HF 475.5	Repealed
562A.34	Section rewritten	HF 475.5	Repealed
562A.34	Section rewritten	HF 475.5	Repealed
562A.35	Section rewritten	HF 475.5	Repealed
562A.36	Section rewritten	HF 475.5	Repealed
562A.36	Section rewritten	HF 475.5	Repealed
562B.1	Section rewritten	HF 475.5	Repealed
562B.2	Section rewritten	HF 475.5	Repealed
562B.6	Section rewritten	HF 475.5	Repealed
562B.7	Section rewritten	HF 475.5	Repealed
562B.9*	Section rewritten	HF 475.5	Repealed
562B.9*	Section rewritten	HF 475.5	Repealed

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IV - Part of bill section vetoed		

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
562B.10	Section rewritten	HF 475.5	Repealed
562B.11	Section rewritten	HF 475.5	Repealed
562B.12	Section rewritten	HF 475.5	Repealed
562B.13	Section rewritten	HF 475.5	Repealed
562B.13	Section rewritten	HF 475.5	Repealed
562B.14	Section rewritten	HF 475.5	Repealed
562B.14	Section rewritten	HF 475.5	Repealed
562B.15	Section rewritten	HF 475.5	Repealed
562B.16	Section rewritten	HF 475.5	Repealed
562B.17	Section rewritten	HF 475.5	Repealed
562B.18*	Section rewritten	HF 475.5	Repealed
562B.19	Section rewritten	HF 475.5	Repealed
562B.19	Section rewritten	HF 475.5	Repealed
562B.20	Section rewritten	HF 475.5	Repealed
562B.22	Section rewritten	HF 475.5	Repealed
562B.23	Section rewritten	HF 475.5	Repealed
562B.24	Section rewritten	HF 475.5	Repealed
562B.24	Section rewritten	HF 475.5	Repealed
562B.25	Section rewritten	HF 475.5	Repealed
562B.25	Section rewritten	HF 475.5	Repealed
562B.25A	Section rewritten	HF 475.5	Repealed
562B.25A	Section rewritten	HF 475.5	Repealed
562B.26	Section rewritten	HF 475.5	Repealed
562B.27*	Section rewritten	HF 475.5	Repealed
562B.27*	Section rewritten	HF 475.5	Repealed
562B.28	Section rewritten	HF 475.5	Repealed
562B.28	Section rewritten	HF 475.5	Repealed
562B.30	Section rewritten	HF 475.5	Repealed
562B.30	Section rewritten	HF 475.5	Repealed
562B.31	Section rewritten	HF 475.5	Repealed
562B.32	Section rewritten	HF 475.5	Repealed
563B.32	Section rewritten	HF 475.5	Repealed
570.1	Section rewritten	HF 475.5	Repealed
570.1	Section amended	HF 2513.176	7/1/01
570.3	Section rewritten	HF 475.5	Repealed
570.3	Section rewritten	HF 475.5	Repealed
570.4	Section rewritten	HF 475.5	Repealed
570.5	Section rewritten	HF 475.5	Repealed
570.6	Section rewritten	HF 475.5	Repealed
570.7	Section rewritten	HF 475.5	Repealed
570.9	Section rewritten	HF 475.5	Repealed
570.9	Section rewritten	HF 475.5	Repealed
570A.4	Subsection 4 amended	HF 2513.177	7/1/01
570A.6	Section amended	HF 2513.178	7/1/01
571.2	Section rewritten	HF 475.5	Repealed
571.5	Section amended	HF 2513.179	7/1/01
572.23*	Subsection 2 amended	SF 2092.34	J
573.3	New unnumbered paragraph	SF 2409.58	J
579A.3	Unnumbered paragraph 1 amended	HF 2513.180	7/1/01
579B.3*	Subsect. 1, para. a, subpara. (1), subpara. subdivision (c) amended	HF 2513.181	7/1/01
579B.3*	Subsect. 1, para. a, subpara. (2), subpara. subdivision (c) amended	HF 2513.182	7/1/01
579B.3*	Subsection 2, paragraph a, subparagraph (3) amended	HF 2513.183	7/1/01

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
579B.4*	Subsection 3 amended	SF 2092.35	J
579B.5*	Section amended	HF 2513.184	7/1/01
595	New definition added	HF 2429.1	J
595*	New definition added	HF 2429.1	J
595.13	Section amended	SF 2302.44	J
595.16A	New section	SF 2302.45	1/1/01
598.7A	Section rewritten	HF 683.2	M
598.8	Subsection 2, paragraph a, subparagraph (4) stricken	HF 2168.1	J
598.8	Subsection 2, paragraph b, subparagraph (3) stricken	HF 2168.2	J
598.12	Subsections 2 & 3 amended	SF 2344.1	J
598B.204*	Subsection 4 amended	SF 2092.36	J
598B.208*	Subsection 3 amended	HF 2136.50	J
598B.308*	Subsection 4, paragraph a amended	SF 2092.37	J
598B.312*	Subsection 1 amended	HF 2136.51	J
600.1	Section amended	SF 421.2	J
600.3	Section amended	SF 421.3	J
600.4	Subsection 3, paragraph c amended	SF 421.4	J
600.5	Unnumbered paragraph 1 amended	SF 421.5	J
600.5	Subsection 7 amended	SF 421.6	J
600.7	Subsection 1, unnumbered paragraph 1 amended	SF 421.7	J
600.7	Subsection 2, paragraphs a & b amended	SF 421.8	J
600.7	Subsections 3 & 4 amended	SF 421.9	J
600.8	Subsection 2, paragraph a amended	SF 421.10	J
600.8	Subsections 4, 7, 8, 9, & 12 amended	SF 421.11	J
600.9	Subsection 2, unnumbered paragraph 1 amended	SF 421.12	J
600.10	Section amended	SF 421.13	J
600.11	Subsections 1 & 3 amended	SF 421.14	J
600.12	Subsections 2 & 3 amended	SF 421.15	J
600.12A	Subsections 1 & 2 amended	SF 421.16	J
600.13	Subsections 1, 2, 3, 5, & 6 amended	SF 421.17**	J
600.13	Subsection 1, paragraph c amended	SF 2452.83	J
600.15	Subsection 1, paragraphs a & b amended	SF 421.18	J
600.16A	Subsection 2, paragraphs b & c amended	SF 421.19	J
600.16A	Subsection 3, paragraph b, unnumbered paragraph 3 amended	SF 421.20	J
600.16A	Subsection 4 amended	SF 421.21	J
600.18	Unnumbered paragraph 1 amended	SF 421.22	J
602.1401	Subsection 1 amended	SF 2303.6	J
602.1401	Subsection 4 amended	SF 2303.7	J
602.1401	Subsection 5 amended	SF 2303.8	J
602.1401	New subsection 6	SF 2303.9	J
602.6401	Subsection 2, unnumbered paragraph 1 amended	SF 2303.10	J
602.6401	Subsection 4 amended	SF 2303.11	J
602.6405	New subsection 1A	SF 2366.8	J
602.6504	Section rewritten	HF 2136.64	J
602.6603	Subsection 3 amended	SF 2303.12	J
602.8102	Subsections 42 & 43 amended	SF 421.23	J
602.8105	Subsection 2, paragraph c amended	HF 475.3	J
602.8108	Subsection 3, paragraph c amended	SF 2429.15	J

**EFFECTIVE DATE** - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

A - Applicability provisions  
C - Conditional effective date  
E - Effective upon enactment  
J - Effective July 1, 2000  
IV - Part of bill section vetoed

M - Modified by subsequent bill  
R - Retroactive applicability  
S - See 99 Acts, chapter 125  
V - Variable effective date

00-00-00 - Specified effective date  
\* - 1999 Code Supplement  
\*\* - Section amended by subsequent bill  
**VETO** - Entire bill section vetoed

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
602.9104	Subsection 1 amended	SF 2411.112	J
602.9104	Subsection 4, paragraph a, subparagraph (2) amended	SF 2411.113	J
602.9104	Subsection 4, paragraph b amended	SF 2411.114	J
602.9107	Subsection 1 amended	SF 2411.115	J
602.9204*	Section amended	SF 2411.116	J
607A.10	Section amended	SF 2303.13	J
607A.12	Section amended	SF 2303.14	J
607A.14	Section amended	SF 2303.15	J
607A.16	Section amended	SF 2303.16	J
610A.3	Subsection 1, paragraphs a & b amended	SF 2276.1	1/1/01
613.20	New section	HF 2473.2	J
613.20	New section	HF 2525.1	J
614	New definition added	HF 2429.1	J
614*	New definition added	HF 2429.1	J
614.14*	Subsection 2 amended	HF 2136.65	J
614.19	Section amended	HF 2254.1	J
614.22	Section amended	HF 2254.2	J
617.3	Section rewritten	HF 2136.56	J
618.11	Section rewritten	HF 2429.2	J
622.51A	New section	SF 2241.5	J
624.20	Section amended	SF 2212.3	J
627.6*	Section rewritten	HF 475.5	Repealed
631.1*	Subsection 2 amended	SF 2220.1	VETO
633.4	Section repealed	HF 475.4	J
633.20*	Section amended	SF 2303.17	J
633.20A*	Section amended	SF 2092.38	J
633.32	Subsections 1 & 2 amended	HF 2518.1	J
633.108	Section amended	HF 2518.2	J
633.219	Subsections 5 & 6 amended	HF 2173.1	J
633.230	Subsection 1 amended	HF 2136.66	J
633.246A	New section	HF 2321.7	J
633.271	Section amended	HF 2518.3	J
633.279	Section rewritten	HF 2136.56	J
633.295	Section rewritten	HF 2136.56	J
633.304	Unnumbered paragraph 2 amended	HF 2518.4	J
633.304	Unnumbered paragraph 3 amended	HF 2136.67	J
633.305	Unnumbered paragraph 2 amended	HF 2518.5	J
633.305	Unnumbered paragraph 3 amended	HF 2136.68	J
633.554	Section amended	HF 2240.1	J
633.561	Subsection 1 amended	HF 2240.2	J
633.562	Section amended	HF 2240.3	J
633.568	Section amended	HF 2240.4	J
633.575	Subsection 1 amended	HF 2240.5	J
633.576	Section amended	HF 2240.6	J
633.635	Subsection 1, paragraph c amended	SF 2007.1	J
633.635	Subsection 2, paragraph b amended	SF 2007.2	J
633.635	New subsection 2A	SF 2007.3	J
633.704*	New subsection 4A	HF 2321.8	J
633.705	Section amended	HF 2518.6	J
633.801	Subsection 6 amended	HF 2317.33	J
633.1102S	Subsection 15 amended	HF 2518.7	J
633.2106S	Subsections 1 & 2 amended	HF 2518.8	J

<u>Section</u>	<u>Action Taken</u>	<u>Use/Sen File #</u>	<u>Effective</u>
633.2201S	Section amended	HF 2518.9	J
633.2203S	Section amended	HF 2518.10	J
633.2203A	New section	HF 2518.11	J
633.2206S	Subsection 1 amended	HF 2518.12	J
633.2207S	Section amended	HF 2518.13	J
633.3101S	Subsection 1 amended	HF 2518.14	J
633.3104S	Subsection 2 amended	HF 2518.15	J
633.3107S	Subsection 1 amended	HF 2518.16	J
633.3108S	Section amended	HF 2518.17	J
633.3109S	Section amended	HF 2518.18	J
633.3111S	Subsection 2 amended	HF 2518.19	J
633.4101S	Section amended	HF 2518.20	J
633.4104S	Subsection 1 amended	HF 2518.21	J
633.4105S	Section amended	HF 2518.22	J
633.4107S	Subsection 1 amended	HF 2518.23	J
633.4111S	Subsection 2, paragraph b amended	HF 2518.24	J
633.4309S	Section repealed	HF 2518.26	J
633.4504S	Section amended	HF 2518.25	J
637.202*	Subsection 2, paragraph b amended	HF 2136.52	J
637.423*	Subsection 4 amended	SF 2092.39	J
637.424*	Subsection 5 amended	SF 2092.40	J
646.2	Section rewritten	HF 475.5	Repealed
646.10	Section rewritten	HF 475.5	Repealed
646.11	Section rewritten	HF 475.5	Repealed
646.11	Section rewritten	HF 475.5	Repealed
648.1	New subsection 7	SF 2220.2	VETO
648.3	Section rewritten	HF 475.5	Repealed
648.19	Section amended	SF 2214.1	J
648.22B	New section	SF 2214.2	J
654A.6	Subsection 1 amended	HF 2521.1	J
654B.3	Subsection 1 amended	HF 2521.2	J
656.2	Section rewritten	HF 2136.56	J
658	New definition added	HF 2429.1	J
663.8	Section amended	HF 2136.53	J
679.5	Section rewritten	HF 475.5	Repealed
691.6*	New subsection 4	SF 2429.16	R 7/1/99
691.6*	New subsections 4, 5, & 6	SF 2302.46	J
692.15*	Subsection 3 amended	SF 2092.41	J
692A.3*	Section amended	SF 2031.1	J
692A.5*	Subsection 1, paragraphs c & d amended	SF 2031.2	J
692A.7	Subsection 1 amended	SF 2031.3	E
692A.13*	Subsection 3, paragraph c, subparagraphs (1) & (2) amended	HF 2136.54	J
692B.1	New section	SF 2145.1	J
692B.2	New section	SF 2145.2**	J
692B.2	New section, article XI (a) (1) (B) amended	SF 2452.84	J
692B.3	New section	SF 2145.3	J
702.1A	New section	SF 2241.6	J
702.14	Section amended	SF 2241.7	J

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- |                                  |                                 |   |
|----------------------------------|---------------------------------|---|
| A - Applicability provisions     | M - Modified by subsequent bill | 00-00-00 - Specified effective date     |
| C - Conditional effective date   | R - Retroactive applicability   | * - 1999 Code Supplement                |
| E - Effective upon enactment     | S - See 99 Acts, chapter 125    | ** - Section amended by subsequent bill |
| J - Effective July 1, 2000       | V - Variable effective date     | VETO - Entire bill section vetoed       |
| IV - Part of bill section vetoed |                                 |   |

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File#</u>	<u>Effective</u>
702.20A	New section	SF 2241.8	J
708.7	Subsection 1, paragraph a, subparagraph (1) amended	SF 2308.3	J
709.8	Unnumbered paragraph 2 amended	SF 2265.1	J
714.1	New subsections 7A & 7B	SF 2241.9	J
714.6A	New section	SF 2241.10	J
714.7B	New section	HF 2391.1	J
714.16	Subsection 2, new paragraph n	HF 2148.1**	J
714.16	Subsect. 2, new para. n, subpara. (3), subpara. subdiv. (a) amended	SF 2452.85	J
714C	Chapter repealed	SF 2241.16	J
716.6B	New section	SF 2241.11	J
716A	Chapter repealed	SF 2241.17	J
716A*	Chapter repealed	SF 2241.17	J
717B	New definition added	HF 2429.1	J
717B.3A	New section	HF 723.3	J
719.4*	Subsections 1 & 2 amended	HF 2253.1	J
719.4*	New subsection 5	HF 2253.2	J
722.4	Section amended	SF 2241.12	J
722.6	Section repealed	SF 2241.18	J
722.8	Section amended	SF 2241.13	J
722.9	Section repealed	SF 2241.18	J
724.1	Subsection 8 amended	HF 2486.7	J
730.4*	Subsection 3 amended	HF 2172.1	J
802.2	Section amended	HF 2420.1	J
802.3	Subsection 2 amended	HF 2420.2	J
803.1	Subsection 1, new paragraph cc after paragraph c	HF 2253.3	J
804.21	Subsection 6 amended	SF 2212.4	J
804.22	Unnumbered paragraph 2 amended	SF 2212.5	J
805.6	Subsection 1, paragraph c, new subparagraph (0) before subparagraph (1)	SF 2146.1	J
805.6	Subsection 1, paragraph c, subparagraph (3) amended	SF 2146.2	J
805.6	Subsection 1, paragraph d amended	SF 2146.3	J
805.6	New subsection 2A	SF 2366.9	J
805.8*	Subsection 2, paragraph a amended	HF 620.6	J
805.8*	Subsection 2, paragraph e amended	SF 2245.25	J
805.8*	Subsection 2, paragraph h amended	SF 2245.26	J
805.8*	Subsection 2, paragraph i amended	SF 2245.27	J
805.8*	Subsection 2, paragraph m amended	SF 2245.28	J
805.8*	Subsection 2, paragraph o amended	SF 2245.29	J
805.8*	Subsection 2, paragraph v amended	SF 2245.30	J
805.8	Subsection 2, paragraph w amended	SF 2245.31	J
805.8*	Subsection 2, paragraph ac amended	SF 2329.6	J
805.8*	Subsection 2, paragraph ad amended	SF 2245.32	J
805.8*	Subsection 2, paragraph ag amended	SF 2147.28	J
805.8*	Subsection 2, new paragraph ai	SF 2245.33	J
805.8*	Subsection 4, paragraph b amended	SF 2245.34	J
805.8*	Subsection 5, paragraph e amended	SF 2245.35	J
805.8*	Subsect. 11, new para. aa after para. a, paragraphs relettered	SF 2366.10	J
805.8*	Subsection 11, paragraph b amended	SF 2366.11	J
805.10	Section amended	SF 2092.42	J
805.10	Subsection 1 amended	SF 2146.4	J
805.10	New subsection 1A	SF 2146.5	J
805.11	Section amended	SF 2092.43	J
808B.5*	Section rewritten	HF 475.5	Repealed

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
808B.12*	Section rewritten	HF 475.5	Repealed
808B.13*	Section rewritten	HF 475.5	Repealed
811.1*	Subsections 1 & 2 amended	HF 2331.10	J
811.2*	Subsection 2 amended	SF 2146.6	J
811.6	Subsection 1 amended	SF 2212.6	J
815.7*	Section amended	HF 2470.5	J
815.9*	Subsection 1 amended	HF 2470.6	J
815.10*	Subsection 1 amended	HF 2470.7	J
815.11*	Section amended	HF 2470.8	J
901.2*	Unnumbered paragraph 2 stricken	SF 2324.2	J
901.5	New subsection 8A	SF 2324.3	J
901.5	Subsection 9, paragraph a amended	SF 2276.2	1/1/01
901.5A*	Subsection 3 amended	SF 2276.3	1/1/01
901.10*	Subsection 2 amended	HF 2419.5	J
901A.1	Subsection 1, paragraph b stricken	SF 2015.1	E
901A.1	Subsection 2 amended	SF 2015.2	E
901A.3	Section repealed	SF 2015.3	E
901A.4	Section repealed	SF 2015.3	E
901B.1	Subsection 3 amended	SF 2241.14	J
903A.2	Section amended	SF 2276.4	1/1/01
903A.3	Subsections 1 & 3 amended	SF 2276.5	1/1/01
903A.4	Section amended	SF 2276.6	1/1/01
903A.5*	Unnumbered paragraph 1 amended	SF 2276.7	1/1/01
903A.5*	Unnumbered paragraph 2 amended	SF 2246.1	J
903A.7	Section amended	SF 2276.8	1/1/01
904.312B	Section amended	SF 2249.7	J
904.315	Section amended	HF 2552.22	J
904.508A	Section amended	HF 2552.23	VETO
904.513	Subsection 1 amended	SF 2243.1	J
904.809*	Subsection 5, paragraph d amended	SF 2092.44	J
904A.1	Section amended	HF 2519.1	E
904A.4C	New section	HF 2519.2	E
904A.6	Section amended	HF 2519.3	E
905.3	Subsection 1, paragraph c amended	SF 2303.18	J
905.14	Subsection 1 amended	HF 2552.24	J
906.4	Unnumbered paragraph 2 amended	SF 2324.4	J
907.3*	Subsection 1, new paragraph 1	HF 2331.11	J
907.3*	Subsection 2, unnumbered paragraph 1 amended	SF 2241.15	J
907.3*	Subsection 2, new paragraph f	HF 2331.12	J
907.3*	Subsection 3, new paragraph f	HF 2331.13	J
910.2	Unnumbered paragraph 1 amended	HF 2470.9	J
910.9	Section amended	SF 2212.7	J
915.86*	New subsections 2A & 2B	SF 2142.1	J
915.86*	Subsections 7, 8, & 9 amended	SF 2142.2	J

**1997 CODE AMENDED**

15E.112	Subsection 1 amended	SF 2428.17	J
159A.7	Subsection 1, unnumbered paragraph 1 amended	SF 2428.21	J

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2000 ACTS - Listed by Bill Number

<u>Bill/Section</u>	<u>Action Taken</u>	<u>Hse/Sen</u>	<u>File #</u>	<u>Effective</u>
SF 182.7	Section amended	SF	2452.49	J
SF 421.17	Section amended	SF	2452.83	J
SF 2047.1	Section amended	SF	2452.67	J
SF 2047.3	Section amended	SF	2452.68	J
SF 2145.2	Section amended	SF	2452.84	J
SF 2147.39	Section amended	SF	2329.1	J
SF 2193.2	Section amended	SF	2452.59	J
SF 2193.3	Section amended	SF	2452.60	J
SF 2193.6	Section amended	SF	2452.61	J
SF 2193.8	Section amended	SF	2452.62	J
SF 2193.20	Subsection 3, unnumbered paragraph 1 amended	SF	2435.39	J
SF 2193.23	Section amended	SF	2453.88	R 10/1/99
SF 2194.1	Section amended	SF	2452.65	J
SF 2248.13	Section amended	SF	2452.63	J
SF 2248.20	Section amended	SF	2453.89	J
SF 2254.4	Section amended	SF	2452.90	R 1/1/00
SF 2300.1	Section amended	SF	2452.76	J
SF 2300.1	Section amended	SF	2452.77	J
SF 2312.10	Section amended	SF	2452.24	E
SF 2344.4	Section amended	SF	2452.56	J
SF 2344.16	Section rewritten	SF	2452.91	J
SF 2371.5	Section amended	SF	2452.75	J
SF 2371.9	Section amended	SF	2452.72	J
SF 2371.10	Section amended	SF	2452.73	J
SF 2373.1	Section amended	SF	2452.46	J
SF 2395.3	Section amended	SF	2433.7	J
SF 2395.3	Section amended	SF	2433.23	VETO
SF 2395.5	Section amended	SF	2433.24	VETO
SF 2395.8	Section amended	SF	2433.25	VETO
SF 2395.9	Section amended	SF	2433.26	VETO
SF 2395	New section	SF	2433.8	4/25/00
SF 2411.109	Section amended	SF	2452.69	J
SF 2435.7	Unnumbered paragraph 2 amended	SF	2452.109	J
SF 2439.1	Section repealed	SF	2428.35	J
SF 2439.9	Section repealed	SF	2428.35	J
SF 2447.14	Section amended	SF	2452.44	J
SF 2447.17	Section amended	SF	2452.42	J
SF 2447.23	Section amended	SF	2452.43	J
SF 2453.5	Subsection 2 amended	SF	2452.30	VETO
SF 2453.5	Subsection 3, new unnumbered paragraph	SF	2452.31	J
HF 475.5	Section repealed	SF	2452.38	J
HIF 683.4	Section amended	SF	2452.86	J
HF 723.1	Section amended	SF	2452.57	J
HIF 723.2	Section amended	SF	2452.58	J
HF 2039.24	Section amended	HIF	2549.13	J
HF 2105.5	Section amended	SF	2452.50	J
HF 2105.8	Section amended	SF	2452.51	J
HF 2105.8	Section amended	SF	2452.52	J
HF 2105.8	Section amended	SF	2452.53	J
HF 2105.8	Section amended	SF	2452.54	J

<u>Bill/Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
HF 2105.8	Section amended	SF 2452.55	J
HF 2106.1	Section amended	SF 2452.66	J
HF 2146.5	Section amended	HF 2549.31	J
HF 2148.1	Section amended	SF 2452.85	J
HF 2205.4	Section amended	SF 2452.29	J
HF 2316.3	Section amended	SF 2452.79	J
HF 2316.4	Section amended	SF 2452.80	J
HF 2316.8	Section amended	SF 2452.81	J
HF 2317.30	Section amended	SF 2452.82	J
HF 2327.1	Section amended	SF 2452.5	R 4/13/00
HF 2327.5	Subsection 2 amended	SF 2452.6	R 4/13/00
HF 2327.5	Subsection 3 stricken	SF 2452.7	R 4/13/00
HF 2327.5	Subsection 4 amended	SF 2452.8	R 4/13/00
IIF 2327.6	Section amended	SF 2452.9	R 4/13/00
HF 2331.2	Section amended	SF 2452.74	J
HF 2362.3	Section amended	SF 2452.48	J
HF 2433.4	Subsections 1 & 2 amended	SF 2452.87	J
HF 2435.1	Section amended	SF 2452.64	J
HF 2442.3	Section amended	SF 2452.41	J
HF 2486.5	Section amended	HF 2008.2	J
HF 2486.6	Section amended	SF 2452.78	VETO
IIF 2492.6	Section amended	SF 2452.47	J
HF 2492.8	Section amended	SF 2452.23	J
HF 2528.3	Section amended	SF 2327.1	J
HF 2533.28	Subsections 2 & 29 amended	SF 2452.32	J
IIF 2533.38	Section amended	SF 2452.33	J
HF 2533.39	Subsection 1 amended	SF 2452.34	J
HF 2533.47	New subsections 34, 35, & 36	SF 2452.35	J
HF 2533.48	Subsections 2 & 4 amended	SF 2452.36	J
HF 2533.49	Subsection 4 amended	SF 2452.37	J
HF 2552.4	Subsection 1, paragraph a amended	SF 2452.110	J
IIF 2552.4	Subsection 1, paragraph c, new unnumbered paragraph	SF 2452.111	J
HF 2552.4	Subsection 1, paragraph h, new unnumbered paragraph	SF 2452.112	J
HF 2552.7	Subsection 1, paragraph a, new unnumbered paragraph	SF 2452.113	J
HF 2552.7	Subsection 1, paragraph b, new unnumbered paragraph	SF 2452.114	J
HF 2552.7	Subsection 1, paragraph e, new unnumbered paragraph	SF 2452.115	J
HF 2552.7	Subsection 1, paragraph f, new unnumbered paragraph	SF 2452.116	J
HF 2552.7	"Subsection 1, paragraph g, new unnumbered paragraph"	SF 2452.117	J
HF 2555.3	Subsection 2, new paragraph d	SF 2452.4	J
HF 2579.2	Section amended	SF 2452.13	E
HF 2579.3	Section amended	SF 2452.14	E

**1999 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
13.29	Subsection 8 amended	SF 2092.46	R 4/7/99
55.5	Section amended	SF 2092.47	R 4/23/99
112.9	Lead-in phrase rewritten	HF 2136.55	J
121.11	Section stricken	SF 2453.6	E

EFFECTIVE DATE - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

A - Applicability provisions	M - Modify by subsequent bill	00-00-00 - Specified effective date
C - Conditional effective date	R - Retroactive applicability	* - 1999 Code Supplement
E - Effective upon enactment	S - Sec 99 Acts, chapter 125	** - Section amended by subsequent bill
J - Effective July 1, 2000	V - Variable effective date	VETO - Entire bill section vetoed
IV - Part of bill section vetoed		

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
121.12	Section stricken	SF 2453.6	E
125.2	Section amended	HF 2518.7	J
125.13	Section amended	HF 2518.8	J
125.15	Section amended	HF 2518.9	J
125.17	Section amended	HF 2518.10	J
125.20	Section amended	HF 2518.12	J
125.21	Section amended	HF 2518.13	J
125.25	Section amended	HF 2518.14	J
125.28	Section amended	HF 2518.15	J
125.31	Section amended	HF 2518.16	J
125.32	Section amended	HF 2518.17	J
125.33	Section amended	HF 2518.18	J
125.35	Section amended	HF 2518.19	J
125.36	Section amended	HF 2518.20	J
125.39	Section amended	HF 2518.21	J
125.40	Section amended	HF 2518.22	J
125.42	Section amended	HF 2518.23	J
125.46	Section amended	HF 2518.24	J
125.69	Section repealed	HF 2518.26	J
125.76	Section amended	HF 2518.25	J
125	New section 110	HF 2518.11	J
131.3	Section amended	SF 2092.48	R 5/17/99
147.1	Section amended	HF 2549.32	J
177.7	Section amended	HF 2329.1	E
196.1	Section amended	SF 2433.19	E
197.1	Subsect. 2, para. c, unnumbered paras. 1 & 2 amended	HF 2039.9	E
197.9	Subsect. 1, unnumb. paras. 1 & 2, & subsect. 5, unnumb. paras. 1 & 2 amended	HF 2039.10	E
197.18	Section amended	HF 2039.11	E
198.1	Subsection 2 amended	HF 2039.54	E
199.6	Subsect. 2 and subsect. 5, unnumbered para. 1 amended	HF 2039.1	E
199.8	Subsection 1, paragraph a amended	HF 2039.2	E
199.10	Subsection 5, unnumbered paragraphs 1 & 2 amended	HF 2039.3	E
199.14	Subsection 1, unnumbered paragraph 1 amended	HF 2039.4	E
199.23	Unnumbered paragraph 2 amended	HF 2039.5	E
199.24	Subsection 3 amended	HF 2039.6	E
200.6	Unnumbered paragraph 1 amended	HF 2039.55	E
201.5	Subsection 2, unnumbered paragraph 2 amended	HF 2039.28	E
201.5	Subsection 3, unnumbered paragraph 2 amended	HF 2039.29	E
201.5	Subsection 3, paragraph c stricken	HF 2039.30	E
202.4	Subsection 1, paragraph f amended	HF 2039.43	E
202.5	Subsection 1, unnumbered paragraph 1 amended	HF 2039.44	E
202.5	Subsection 4, unnumbered paragraph 1 amended	HF 2039.45	E
202.20	Subsection 2, unnumbered paragraph 1 amended	HF 2039.46	E
202.20	Subsection 3, paragraph a amended	HF 2039.47	E
202.20	Subsection 4 amended	HF 2039.48	E
202.20	Subsection 5 amended	HF 2039.49	E
202.20	Subsection 6 amended	HF 2039.50	E
202.20	New subsection 12	HF 2039.51	E
202.25	Section amended	HF 2552.25	J
203.3	Unnumbered paragraph 2 amended	HF 2039.31	E
203.5	Subsection 4, paragraph a amended	HF 2039.32	E

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
203.5	Subsection 8 amended	HF 2039.33	E
203.11	Unnumbered paragraph 2 amended	HF 2039.34	E
203.14	Unnumbered paragraph 3 amended	HF 2039.35	E
203.14	Subsection 2, unnumbered paragraph 1 amended	HF 2039.36	E
203.15	Unnumbered paragraph 2 amended	HF 2039.37	E
203.15	Subsection 9, unnumbered paragraph 1 amended	HF 2039.38	E
203.15	Subsection 20, paragraph b amended	HF 2039.39	E
203.19	New subsection 7	HF 2039.40	E
203.27	Unnumbered paragraph 2 amended	HF 2039.41	E
203.30	Unnumbered paragraph 2 amended	HF 2039.42	E
204.4	Subsection 1 amended	SF 2453.7	E
204.4	Subsection 15 stricken	SF 2453.8	E
204.6	Unnumbered paragraph 2 amended	SF 2453.13	J
204.15	Subsection 4, paragraph a stricken	SF 2430.19	J
204.17	New unnumbered paragraph	SF 2453.36	E
204.39	Section amended	SF 2453.9	E
205.1	Subsection 1 amended	HF 2039.12	E
205.7	Subsection 3, paragraph b amended	HF 2039.13	E
205.7	Subsection 7 amended	HF 2039.14	E
205.7	Subsections 13 & 15 amended	HF 2549.10	E
205.10	Subsection 1, unnumbered paragraph 1 amended	HF 2039.15	E
205.10	Subsection 1, paragraph b amended	HF 2039.16	E
205.13	Subsection 1, new paragraph f	HF 2039.18	E
205.13	Subsection 2, new paragraph q	HF 2039.19	E
205.13	Subsection 3, new paragraph g	HF 2039.20	E
205.13	Subsection 4, new paragraph d	HF 2039.21	E
205.13	Subsections 5 & 6 amended	HF 2039.22	E
206.3	Subsect. 2, subsect. 3, subsect. 4, para. a, & subsect. 5, para. a amended	HF 2039.8	E
206.3	Subsection 6, paragraph d amended	SF 2430.20	E
207.3	Unnumbered paragraph 1 amended	HF 2039.23	E
207.5	Subsection 3, paragraphs d, e, g, i, and l amended	SF 2433.20	E
207.18	Section amended	SF 2433.18	E
208.1	Unnumbered paragraphs 2 & 3 and subsection 4 amended	SF 2435.38	J
208.23	Subsection 2 amended	HF 2039.26	E

**1998 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
1101.15	Subsection 2 amended	HF 2552.25	J
1197.13	Section amended	HF 2519.4	E
1219.6	Subsection 1, unnumbered paragraphs 3 & 4 amended	SF 2453.9	E
1219.8	Section amended	SF 2453.11	E
1223.8	Section amended	SF 2453.12	E
1224.7	Subsection 2, paragraph j amended	SF 2433.17	E
1224.7	Subsection 2, paragraph r amended	SF 2433.18	E

**1997 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
207.6	Section amended	SF 2428.17	J
207.7	Section amended	SF 2428.21	J

EFFECTIVE DATE - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

A - Applicability provisions  
 C - Conditional effective date  
 E - Effective upon enactment  
 J - Effective July 1, 2000  
 IV - Part of bill section vetoed

M - Modify by subsequent bill  
 R - Retroactive applicability  
 S - See 99 Acts, chapter 125  
 V - Variable effective date

00-00-00 - Specified effective date  
 \* - 1999 Code Supplement  
 \*\* - Section amended by subsequent bill  
 VETO - Entire bill section vetoed

**1996 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1071.1	Section repealed	SF 2435.37	E

**1994 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1198.30	Section amended	HF 2438.1	J

**1991 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
169.9	Section repealed	SF 2435.37	E

**1990 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1260.20	Section amended	HF 2438.1	J

**1989 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
135.135	Section repealed	SF 2252.1	J
311.21	Section amended	HF 2438.1	J

**1987 ACTS AMENDED**

<u>Chap/Sec.</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
233.204	Subsection 5 amended	HF 2438.1	J

**IOWA ADMINISTRATIVE CODE AMENDED**

<u>Agency</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
701	Rule 71.1, amendments to subrules 4 & 5 nullified	SJR 2005.1	E

**EXECUTIVE ORDERS AMENDED**

<u>Order</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
7	Order declared null and void	SF 2274.1	VETO
11	Order declared null and void	SF 2274.2	VETO

## 2000 SENATE COMMITTEES

### STANDING COMMITTEES

**AGRICULTURE**

Gaskill, Chair  
 Miller, Vice Chair  
 Fraise, Ranking Member  
 Angelo  
 Bartz  
 Behn  
 Black  
 Hedge  
 Judge  
 Kibbie  
 Sexton  
 Shearer  
 Soukup  
 Veenstra  
 Zieman

**APPROPRIATIONS**

McLaren, Chair  
 Kramer, Vice Chair  
 Flynn, Ranking Member  
 Behn  
 Black  
 Bolkom  
 Connolly  
 Deluhery  
 Dvorsky  
 Freeman  
 Hammond  
 Hedge  
 Horn  
 Jensen  
 Johnson  
 King  
 Lamberti  
 Maddox  
 McCoy  
 Redwine  
 Rehberg  
 Rife  
 Schuerer  
 Soukup  
 Tinsman

**BUSINESS & LABOR****RELATIONS**

McKibben, Chair  
 Freeman, Vice Chair  
 Dearden, Ranking Member  
 Behn  
 Fraise  
 Hansen  
 Hedge  
 Horn  
 King  
 Rife  
 Schuerer

**COMMERCE**

Jensen, Chair  
 Maddox, Vice Chair  
 Deluhery, Ranking Member  
 Bolkom

Flynn  
 Gronstal  
 Hansen  
 Johnson  
 King  
 Lamberti  
 Lundby  
 McCoy  
 Redfern  
 Redwine  
 Schuerer

**EDUCATION**

Redfern, Chair  
 Rehberg, Vice Chair  
 Connolly, Ranking Member  
 Angelo  
 Boettger  
 Dvorsky  
 Fink  
 Gaskill  
 Harper  
 Redwine  
 Sexton  
 Shearer  
 Szymoniak  
 Tinsman  
 Veenstra

**ETHICS**

Hedge, Chair  
 Drake, Vice Chair  
 Szymoniak, Ranking Member  
 Connolly  
 Hammond  
 McKean

**HUMAN RESOURCES**

Boettger, Chair  
 Redwine, Vice Chair  
 Szymoniak, Ranking Member  
 Bartz  
 Behn  
 Dvorsky  
 Hammond  
 Harper  
 Miller  
 Schuerer  
 Shearer  
 Tinsman  
 Veenstra

**JUDICIARY**

McKean, Chair  
 Lamberti, Vice Chair  
 Hansen, Ranking Member  
 Angelo  
 Boettger  
 Dvorsky  
 Fraise  
 Hammond  
 Horn  
 Maddox

McCoy  
 McKibben  
 Miller  
 Redfern  
 Tinsman

**LOCAL GOVERNMENT**

Angelo, Chair  
 Bartz, Vice Chair  
 Bolkom, Ranking Member  
 Fraise  
 Gaskill  
 Hammond  
 Judge  
 McCoy  
 McKean  
 McKibben  
 Miller  
 Rife  
 Zieman

**NATURAL RESOURCES & ENVIRONMENT**

Bartz, Chair  
 King, Vice Chair  
 Fink, Ranking Member  
 Black  
 Bolkom  
 Dearden  
 Deluhery  
 Drake  
 Freeman  
 Gaskill  
 Johnson  
 Kibbie  
 Miller  
 Rehberg  
 Rife

**RULES & ADMINISTRATION**

Iverson, Chair  
 Kramer, Vice Chair  
 Gronstal, Ranking Member  
 Dvorsky  
 Fink  
 Harper  
 Jensen  
 Lundby  
 Redfern  
 Rehberg  
 Rittmer

**SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM**

Lundby, Chair  
 Behn, Vice Chair  
 Shearer, Ranking Member  
 Boettger  
 Flynn  
 Hansen  
 Judge

Rittmer  
 Sexton  
 Soukup  
 Tinsman  
 Veenstra  
 Zieman

**STATE GOVERNMENT**

Rittmer, Chair  
 Lamberti, Vice Chair  
 Kibbie, Ranking Member  
 Connolly  
 Dearden  
 Deluhery  
 Drake  
 Fink  
 King  
 Lundby  
 Maddox  
 McLaren  
 Schuerer  
 Sexton  
 Szymoniak

**TRANSPORTATION**

Drake, Chair  
 Sexton, Vice Chair  
 McCoy, Ranking Member  
 Fink  
 Fraise  
 Freeman  
 Jensen  
 Judge  
 Kibbie  
 McKean  
 McKibben  
 Rittmer  
 Zieman

**WAYS & MEANS**

Johnson, Chair  
 McKibben, Vice Chair  
 Harper, Ranking Member  
 Bartz  
 Bolkom  
 Connolly  
 Deluhery  
 Drake  
 Flynn  
 Hedge  
 Lamberti  
 Maddox  
 McLaren  
 Redwine  
 Soukup

*SENATE APPROPRIATIONS SUBCOMMITTEES**ADMINISTRATION & REGULATION*

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 Bartz, Vice Chair  
 McCoy, Ranking Member  
 Flynn  
 Sexton

*AGRICULTURE & NATURAL RESOURCES*

Behn, Chair  
 Hedge, Vice Chair  
 Black, Ranking Member  
 Fink  
 Gaskill

*ECONOMIC DEVELOPMENT*

Schuerer, Chair

Boettger, Vice Chair  
 Soukup, Ranking Member  
 Judge  
 Lamberti

*EDUCATION*

Rehberg, Chair  
 Redfern, Vice Chair  
 Horn, Ranking Member  
 Kibbie  
 McLaren

*HEALTH & HUMAN RIGHTS*

Rife, Chair  
 Ziemann, Vice Chair  
 Bolkcom, Ranking Member  
 Dearden  
 McKibben

*HUMAN SERVICES*

Tinsman, Chair  
 Veenstra, Vice Chair  
 Hammond, Ranking Member  
 Miller  
 Szymoniak

*JUSTICE SYSTEM*

Maddox, Chair  
 Angelo, Vice Chair  
 Dvorsky, Ranking Member  
 Fraise  
 McKean

*OVERSIGHT & COMMUNICATIONS*

King, Chair  
 Lundby, Vice Chair  
 Deluhery, Ranking Member

Harper  
 Rittner

*TRANSPORTATION, INFRASTRUCTURE & CAPITALS*

Freeman, Chair  
 Jensen, Vice Chair  
 Connolly, Ranking Member  
 Johnson  
 Shearer

## 2000 HOUSE COMMITTEES

### STANDING COMMITTEES

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Brauns, Vice Chair  
Connors, Ranking Member  
Barry  
Blodgett  
Jacobs  
Jochum  
Myers  
Rants  
Schrader  
Siegrist  
Sukup  
Warnstadt  
Weigel

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Horbach, Vice Chair  
Drees, Ranking Member  
Alons  
Baudler  
Bogges  
Drake  
Fallon  
Frevort  
Greiner  
Huseman  
Johnson  
Kuhn  
May  
Mertz  
Mundie  
Parmenter  
Rayhons  
Scherrman  
Teig  
Welter

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Bell  
Bogges  
Brunkhorst  
Cataldo  
Dix  
Falck  
Garman  
Gipp  
Greiner  
Hansen  
Heaton  
Horbach  
Huser  
Jacobs  
Mascher  
Mertz  
Nelson-Forbes  
Parmenter

Taylor, T.  
Warnstadt  
Wise

#### COMMERCE & REGULATION

Metcalf, Chair  
Hoffman, Vice Chair  
Chiado, Ranking Member  
Bradley  
Cataldo  
Dix  
Doderer  
Drees  
Hansen  
Holmes  
Holveck  
Jacobs  
Jenkins  
Johnson  
Osterhaus  
Raecker  
Shey  
Taylor, D.  
Van Fossen  
Weigel  
Wise

#### ECONOMIC DEVELOPMENT

Teig, Chair  
Jenkins, Vice Chair  
Dotzler, Ranking Member  
Bogges  
Cohoon  
Cormack  
Dolecheck  
Heaton  
Hoffman  
Horbach  
Jochum  
Martin  
May  
Metcalf  
Nelson-Forbes  
O'Brien  
Stevens  
Thomas  
Van Fossen  
Weigel  
Witt

#### EDUCATION

Grundberg, Chair  
Thomson, Vice Chair  
Wise, Ranking Member  
Boal  
Boddicker  
Brunkhorst  
Bukta  
Carroll  
Cohoon  
Dolecheck

Eddie  
Falck  
Foege  
Hansen  
Kreiman  
Lord  
Mascher  
Nelson-Forbes  
Shey  
Stevens  
Sunderbruch  
Thomas  
Warnstadt

#### ENVIRONMENTAL PROTECTION

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Bradley, Vice Chair  
Witt, Ranking Member  
Alons  
Bogges  
Brunkhorst  
Cormack  
Drake  
Fallon  
Foege  
Gipp  
Greimann  
Greiner  
Holveck  
Huseman  
Kettering  
Klemme  
Mascher  
Richardson  
Shultz  
Stevens

#### ETHICS

Cormack, Chair  
Lord, Vice Chair  
Warnstadt, Ranking Member  
Martin  
Parmenter  
Weigel

#### HUMAN RESOURCES

Boddicker, Chair  
Lord, Vice Chair  
Foege, Ranking Member  
Barry  
Blodgett  
Boal  
Brunkhorst  
Bukta  
Carroll  
Davis  
Ford  
Greimann  
Grundberg  
Hahn  
Kreiman  
Martin

Mertz  
Murphy  
Reynolds  
Thomson  
Witt

#### JUDICIARY

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Baudler, Vice Chair  
Kreiman, Ranking Member  
Bell  
Boddicker  
Davis  
Doderer  
Ford  
Holveck  
Jager  
Kettering  
Millage  
Myers  
Parmenter  
Raecker  
Shey  
Shultz  
Sukup  
Sunderbruch  
Taylor, D.  
Thomson

#### LABOR & INDUSTRIAL RELATIONS

Tyrrell, Chair  
Barry, Vice Chair  
Taylor, T., Ranking Member  
Boddicker  
Connors  
Dolecheck  
Dotzler  
Falck  
Ford  
Grundberg  
Hoffman  
Horbach  
Larson  
Metcalf  
Millage  
Murphy  
Parmenter  
Raecker  
Scherrman  
Sukup  
Whitcad

#### LOCAL GOVERNMENT

Houser, Chair  
Arnold, Vice Chair  
Fallon, Ranking Member  
Alons  
Brauns  
Carroll  
Connors  
Dix  
Eddie

Greimann  
Hahn  
Huser  
Klemme  
Kuhn  
Mundie  
Reynolds  
Richardson  
Van Engelenhoven  
Weidman  
Welter  
Whitead

NATURAL RESOURCES

Huseman, Chair  
Sunderbruch, Vice Chair  
O'Brien, Ranking Member  
Alons  
Baudler  
Bell  
Brauns  
Dotzler  
Drake  
Frevort  
Garman  
Kettering  
Klemme  
May

Mundie  
Myers  
Rayhons  
Richardson  
Scherrman  
Tyrrell  
Weidman

STATE GOVERNMENT

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Holmes, Vice Chair  
Larkin, Ranking Member  
Arnold  
Bradley  
Brauns  
Cataldo  
Chioldo  
Connors  
Davis  
Gipp  
Houser  
Jacobs  
Jager  
Jochum  
Metcalf  
O'Brien  
Reynolds

Taylor, T.  
Van Engelenhoven  
Whitead

TRANSPORTATION

Welter, Chair  
Jager, Vice Chair  
May, Ranking Member  
Arnold  
Blodgett  
Brauns  
Bukta  
Chioldo  
Cohoon  
Drees  
Eddie  
Garman  
Heaton  
Huser  
Johnson  
Larkin  
Rayhons  
Thomas  
Van Engelenhoven  
Warnstadt  
Weidman

WAYS & MEANS

Van Fossen, Chair  
Drake, Vice Chair  
Shoultz, Ranking Member  
Blodgett  
Boal  
Doderer  
Frevort  
Hoffman  
Holmes  
Houser  
Jager  
Jenkins  
Jochum  
Kuhn  
Larkin  
Larson  
Lord  
Myers  
Osterhaus  
Raecker  
Richardson  
Sukup  
Taylor, D.  
Teig  
Weigel

*HOUSE APPROPRIATIONS SUBCOMMITTEES*

ADMINISTRATION & REGULATION

Brunkhorst, Chair  
Van Engelenhoven, Vice Chair  
Cataldo, Ranking Member  
Chioldo  
Holmes  
Klemme  
O'Brien  
Taylor, T.  
Tyrrell

AGRICULTURE & NATURAL RESOURCES

Greiner, Chair  
Dolecheck, Vice Chair  
Mertz, Ranking Member  
Baudler  
Eddie  
Hahn  
May  
Parmenter  
Thomas

ECONOMIC DEVELOPMENT

Bogges, Chair  
Raecker, Vice Chair  
Holveck, Ranking Member

Dotzler  
Hoffman  
Reynolds  
Stevens  
Sunderbruch  
Teig

EDUCATION

Hansen, Chair  
Boal, Vice Chair  
Mascher, Ranking Member  
Barry  
Carroll  
Frevort  
Jacobs  
Scherrman  
Witt

HEALTH & HUMAN RIGHTS

Nelson-Forbes, Chair  
Alons, Vice Chair  
Ford, Ranking Member  
Lord  
Shey  
Shoultz  
Taylor, D.  
Thomson  
Weigel

HUMAN SERVICES

Heaton, Chair  
Johnson, Vice Chair  
Osterhaus, Ranking Member  
Arnold  
Blodgett  
Foegel  
Greimann  
Houser  
Jochum

JUSTICE SYSTEMS

Garman, Chair  
Davis, Vice Chair  
Bell, Ranking Member  
Cormack  
Jager  
Larkin  
Mundie  
Richardson  
Welter

OVERSIGHT & COMMUNICATIONS

Dix, Chair  
Kettering, Vice Chair  
Falck, Ranking Member  
Bradley  
Drees

Huser  
Jenkins  
Martin  
Whitead

TRANSPORTATION, INFRASTRUCTURE & CAPITALS

Gipp, Chair  
Rayhons, Vice Chair  
Cohoon, Ranking Member  
Bukta  
Horbach  
Huseman  
Kuhn  
Warnstadt  
Weidman

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