

**SUMMARY OF LEGISLATION ENACTED IN THE YEAR 1994 BY THE SECOND  
REGULAR SESSION OF THE SEVENTY-FIFTH GENERAL ASSEMBLY  
AND SIGNED BY THE GOVERNOR**

Prepared by the Legislative Service Bureau

**PURPOSE**

This summary of legislation enacted by the 1994 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 the pages immediately following 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 1994 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, 1994, unless otherwise specified in an individual summary.

**FISCAL YEAR**

For purposes of this summary of legislation, "fiscal year 1994-1995," and "FY 1995," for example, both describe the fiscal year beginning July 1, 1994, and ending June 30, 1995.

**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.

**INFORMATION AND APPENDICES**

The appendices contain the following information:

- A table of Senate and House Files indicating the chapter numbers assigned the 1994 Acts of the Seventy-fifth General Assembly.
- Listings of the sections of the Code of Iowa, 1994 Senate and House Files, and Session Laws that were amended or repealed during the 1994 Session. In addition, listings of amendments to regular and standing appropriations, administrative rules, and proposed constitutional amendments are provided.

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## TABLE OF CONTENTS

### Location of Summaries by File Number:

Senate Files .....	v
House Files .....	vii

### Subject Areas:

Agriculture .....	1
Alcohol Regulation & Substance Abuse .....	7
Appropriations .....	11
Bonding & Debt Finance .....	35
Business, Banking & Insurance .....	39
Children & Youth .....	51
Corrections, Criminal Law & Procedure .....	55
Courts, Civil Law & Procedure, & Probate .....	61
Economic Development .....	69
Education .....	75
Elections, Ethics & Campaign Finance .....	85
Energy & Public Utilities .....	95
Environmental Protection .....	99
Gaming .....	103
Health & Safety .....	107
Human Services .....	113
Labor & Employment .....	125
Local Government .....	129
Natural Resources & Outdoor Recreation .....	139
State Government .....	143
Taxation .....	157
Transportation .....	163

### Appendices

Chapter Numbers of 1994 Acts .....	169
Sections Amended, Added, or Repealed .....	173
Iowa Acts Amended .....	215
1994 Senate Committees .....	219
1994 House of Representatives Committees .....	221

## LOCATION OF SUMMARIES BY FILE NUMBER

### Senate Files

Number	Major Subject	Number	Major Subject
SF 94	Environmental Protection	SF 2217	Appropriations
SF 216	Local Government	SF 2218	Appropriations
SF 218	Local Government	SF 2219	Elections, Ethics & Campaign Finance
SF 294	Local Government	SF 2221	Environmental Protection
SF 413	Courts, Civil Law & Procedure, & Probate	SF 2223	Elections, Ethics & Campaign Finance
SF 2009	Children & Youth	SF 2224	Economic Development
SF 2013	State Government	SF 2226	Local Government
SF 2016	Agriculture	SF 2229	Appropriations
SF 2034	Human Services	SF 2230	Courts, Civil Law & Procedure, & Probate
SF 2038	Transportation	SF 2231	Education
SF 2041	Education	SF 2232	Business, Banking & Insurance
SF 2044	Labor & Employment	SF 2234	Education
SF 2049	Natural Resources & Outdoor Recreation	SF 2236	Education
SF 2051	Children & Youth	SF 2237	Education
SF 2053	Health & Safety	SF 2242	Elections, Ethics & Campaign Finance
SF 2057	Taxation	SF 2244	Labor & Employment
SF 2060	Local Government	SF 2245	Labor & Employment
SF 2066	Courts, Civil Law & Procedure, & Probate	SF 2250	Human Services
SF 2069	Health & Safety	SF 2261	Labor & Employment
SF 2071	Natural Resources & Outdoor Recreation	SF 2263	Agriculture
SF 2074	Taxation	SF 2264	Human Services
SF 2080	Transportation	SF 2265	Corrections, Criminal Law & Procedure
SF 2086	State Government	SF 2268	Transportation
SF 2087	Education	SF 2272	Corrections, Criminal Law & Procedure
SF 2089	State Government	SF 2273	Business, Banking & Insurance
SF 2091	Appropriations	SF 2276	Business, Banking & Insurance
SF 2092	Education	SF 2277	Education
SF 2107	Courts, Civil Law & Procedure, & Probate	SF 2279	Business, Banking & Insurance
SF 2109	State Government	SF 2282	Business, Banking & Insurance
SF 2126	Courts, Civil Law & Procedure, & Probate	SF 2287	Health & Safety
SF 2133	Taxation	SF 2288	Human Services
SF 2153	Business, Banking & Insurance	SF 2297	Human Services
SF 2157	Energy & Public Utilities	SF 2300	Environmental Protection
SF 2169	Education	SF 2307	Courts, Civil Law & Procedure, & Probate
SF 2172	Education	SF 2311	Human Services
SF 2186	Local Government	SF 2313	Appropriations
SF 2190	Local Government	SF 2314	Appropriations
SF 2196	Human Services	SF 2318	Appropriations
SF 2199	Education	SF 2319	Children & Youth
SF 2201	Education	SF 2322	Taxation
SF 2203	Human Services	SF 2326	Bonding & Debt Finance
SF 2205	Environmental Protection	SF 2329	Appropriations
SF 2206	Natural Resources & Outdoor Recreation	SF 2330	Appropriations
SF 2215	Taxation		
SF 2216	Environmental Protection		

## LOCATION OF SUMMARIES BY FILE NUMBER

### House Files

Number	Major Subject	Number	Major Subject
HF 43	Local Government	IIF 2155	Education
HF 109	Elections, Ethics & Campaign Finance	HF 2156	Transportation
IIF 121	Corrections, Criminal Law & Procedure	HF 2169	Agriculture
HF 181	Transportation	HF 2172	Corrections, Criminal Law & Procedure
HF 259	Local Government	HF 2179	Gaming
HF 307	Courts, Civil Law & Procedure, & Probate	HF 2180	Economic Development
IIF 403	Business, Banking & Insurance	HF 2190	Environmental Protection
HF 425	Local Government	HF 2192	Gaming
HF 455	Elections, Ethics & Campaign Finance	HF 2194	Agriculture
HF 545	Transportation	HF 2197	Courts, Civil Law & Procedure, & Probate
IIF 582	Human Services	HF 2199	Local Government
HF 605	Transportation	HF 2204	Taxation
HF 606	Local Government	HF 2217	Human Services
HF 618	Courts, Civil Law & Procedure, & Probate	HF 2218	Local Government
HF 637	Agriculture	HF 2230	Gaming
HF 642	Local Government	HF 2232	Business, Banking & Insurance
IIF 2003	Human Services	HF 2241	Corrections, Criminal Law & Procedure
HF 2013	Business, Banking & Insurance	HF 2261	Human Services
HF 2018	Education	HF 2267	Corrections, Criminal Law & Procedure
HF 2033	Education	HF 2270	Corrections, Criminal Law & Procedure
HF 2037	Human Services	HF 2280	Business, Banking & Insurance
HF 2049	Education	HF 2284	Courts, Civil Law & Procedure, & Probate
HF 2055	Environmental Protection	HF 2286	Courts, Civil Law & Procedure, & Probate
HF 2070	State Government	HF 2302	Human Services
HF 2086	Transportation	HF 2308	Education
HF 2094	Local Government	HF 2309	State Government
HF 2099	Transportation	HF 2311	Agriculture
IIF 2102	Taxation	HF 2313	Agriculture
HF 2110	Business, Banking & Insurance	HF 2314	Business, Banking & Insurance
HF 2115	Alcohol Regulation & Substance Abuse	HF 2318	Agriculture
HF 2116	Local Government	HF 2321	Business, Banking & Insurance
HF 2118	Environmental Protection	HF 2323	Appropriations
HF 2120	State Government	HF 2325	Courts, Civil Law & Procedure, & Probate
HF 2124	State Government	HF 2326	Local Government
HF 2126	Natural Resources & Outdoor Recreation	HF 2337	Economic Development
IIF 2133	Corrections, Criminal Law & Procedure	HF 2342	Business, Banking & Insurance
HF 2134	Courts, Civil Law & Procedure, & Probate	IIF 2343	Local Government
HF 2145	Human Services	HF 2350	Appropriations
HF 2146	Alcohol Regulation & Substance Abuse	HF 2352	Corrections, Criminal Law & Procedure
HF 2149	Corrections, Criminal Law & Procedure	HF 2353	Health & Safety
HF 2153	Corrections, Criminal Law & Procedure	HF 2354	Health & Safety

## HOUSE FILES - Continued

<b>Number</b>	<b>Major Subject</b>	<b>Number</b>	<b>Major Subject</b>
HF 2358	Transportation	HF 2403	Economic Development
HF 2362	Energy & Public Utilities	HF 2407	Human Services
HF 2365	Environmental Protection	HF 2410	Human Services
HF 2366	Elections, Ethics & Campaign Finance	HF 2411	Appropriations
HF 2370	Business, Banking & Insurance	HF 2413	Taxation
HF 2372	Human Services	HF 2415	Appropriations
HF 2375	Gaming	HF 2418	State Government
HF 2376	Appropriations	HF 2419	Taxation
HF 2377	Courts, Civil Law & Procedure, & Probate	HF 2421	Taxation
HF 2383	Education	HF 2422	Health & Safety
HF 2384	Business, Banking & Insurance	HF 2426	Taxation
HF 2385	Business, Banking & Insurance	HF 2428	Agriculture
HF 2387	State Government	HF 2429	Appropriations
HF 2391	Agriculture	HF 2430	Local Government
HF 2392	Health & Safety	HF 2433	Appropriations
HF 2401	Local Government	HF 2435	Bonding & Debt Finance

## HOUSE JOINT RESOLUTION

<b>Number</b>	<b>Major Subject</b>
HJR 2007	Alcohol Regulation & Substance Abuse

**AGRICULTURE**

- SENATE FILE 2016** - Grain Dealer Licenses
- SENATE FILE 2263** - Storage of Bulk Grain
- HOUSE FILE 637** - Care of Animals
- HOUSE FILE 2194** - Equipment for Display and Sale of Dairy Products
- HOUSE FILE 2311** - Drainage District Assessments --- Interest Rate
- HOUSE FILE 2313** - Administration of Drainage Districts
- HOUSE FILE 2318** - Assistance to Beginning Farmers
- HOUSE FILE 2391** - Corporate or Partnership Farming — Reporting Requirements
- HOUSE FILE 2428** - Agricultural Commodity Organizations

**RELATED LEGISLATION**

- SENATE FILE 94** - Regulation of Fertilizers, Soil Conditioners, and Pesticides  
*SEE ENVIRONMENTAL PROTECTION.* This Act provides that state law regulating fertilizers, soil conditioners and pesticides preempts legislative or administrative measures adopted by a local governmental entity such as a county or city.
- SENATE FILE 2066** - Farm Mediation and Legal Assistance to Farmers  
*SEE COURTS & JUDICIAL PROCEEDINGS.* This Act eliminates sunset provisions affecting farm assistance programs, including provisions authorizing the Attorney General to contract with organizations to provide mediation services and legal assistance to farmers.
- SENATE FILE 2080** - Agricultural and Other Motor Vehicles — Miscellaneous Provisions  
*SEE TRANSPORTATION.* This Act amends several provisions relating to implements of husbandry and other motor vehicles and to the permitting requirements for oversized vehicles. It requires that towed equipment be equipped with and display an amber flashing light if the amber flashing light displayed on the farm vehicle is obstructed by the towed equipment. The Act strikes references to the state designated highway system and exempts oversized vehicles from the permit requirements of Chapter 321E for vehicles exempted from the size, weight and load requirements of Chapter 321.
- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to agriculture, including changes directed as a result of legislation enacted in 1993 pertaining to certain agriculture-related trust funds.
- SENATE FILE 2153** - Distribution of Earnings by Cooperative Associations  
*SEE BUSINESS, BANKING & INSURANCE.* This Act provides for the distribution of earnings by a cooperative association operating on a pooling basis.
- SENATE FILE 2307** - Trusts, Conservatorships, and Other Probate Matters  
*SEE COURT & JUDICIAL PROCEEDINGS.* This Act defines revocable trusts and excludes revocable trusts from the restrictions on ownership of agricultural land.
- SENATE FILE 2314** - Appropriations — Agriculture and Natural Resources  
*SEE APPROPRIATIONS.* This Act relates to budgetary and administrative matters involving agriculture and natural resources, and provides statutory changes to the Iowa

Codc. The Act provides for the inspection of commercial weighing and measuring devices; delays until July 1, 1996, a requirement that the owner of an agricultural drainage well must develop a plan for the alternative uses of wells; codifies provisions establishing the Organic Nutrient Management Program and establishes a fund to support the program; increases the bonding authority of the Iowa State Fair Board; updates references to the most recent revision of the "Grade 'A' Pasteurized Milk Ordinance"; and establishes the Livestock Producers Assistance Program administered by Iowa State University.

**HOUSE FILE 2337** - Agricultural Development and Rural Revitalization

**SEE ECONOMIC DEVELOPMENT.** This Act provides for the production and consumption of products derived from agricultural commodities by establishing programs administered by the Department of Economic Development and the Department of Agriculture and Land Stewardship, and reallocates moneys from the use tax to support these programs. Programs are designed to assist in expanding the livestock industry by using coproducts derived from ethanol production. The Act also encourages the use of other products derived from agricultural products, including soydiesel fuel.

**HOUSE FILE 2411** - Appropriations — Education

**SEE APPROPRIATIONS.** This Act appropriates moneys to the Department of Education, the College Student Aid Commission, the State Board of Regents and its institutions, and the Department of Cultural Affairs. The Act also establishes and appropriates funding for a beginning farmer center as part of the Iowa Cooperative Extension Service in Agriculture and Home Economics at Iowa State University.

## AGRICULTURE

### **SENATE FILE 2016 - Grain Dealer Licenses**

**BY COMMITTEE ON AGRICULTURE.** This Act amends Iowa Code Chapter 203, which in part imposes conditions upon persons receiving grain dealers licenses. Presently, a grain dealer is required to maintain current assets equal to at least 100 percent of current liabilities or provide the Department of Agriculture and Land Stewardship with a deficiency bond or an irrevocable letter of credit. The amount of the deficiency bond or irrevocable letter of credit is based on each \$1,000 or fraction of \$1,000 of current assets that the grain dealer is lacking to meet the minimum requirement. The Act provides that after the amount of the bond equals \$1 million, the grain dealer may elect to base the remainder of the amount of the bond on the number of bushels of unpaid grain being purchased by the grain dealer, as provided for by rules that must be adopted by the Department of Agriculture and Land Stewardship. The remaining amount must equal \$2,000 for each \$1,000 of the highest amount of bushels of unpaid grain purchased by the grain dealer during each month. The Act also requires the grain dealer to submit reports to the department containing information regarding grain purchases.

This Act takes effect April 19, 1994.

### **SENATE FILE 2263 - Storage of Bulk Grain**

**BY COMMITTEE ON AGRICULTURE.** This Act amends Section 206C.16, which prohibits a person, other than a person licensed under the chapter as a warehouse operator, to store bulk grain. The section includes several exceptions, including exceptions for persons licensed as federal warehouse operators and persons storing their own grain. This Act creates another exception for the storage of bulk grain by more than one person, if the grain was jointly produced by all persons storing the grain, including grain owned by a landlord who receives a share of agricultural products as rent. The bulk grain must be stored on the property owned or leased by one of the persons jointly producing the grain. Only the persons jointly producing the grain may own the stored bulk grain.

### **HOUSE FILE 637 - Care of Animals**

**BY COMMITTEE ON AGRICULTURE.** This Act amends provisions in Iowa Code Chapter 717 relating to the care of animals. The Act rewrites the chapter to apply only to livestock and creates a new Chapter 717B, which applies to nonlivestock. Several sections have been transferred from Chapter 717 to 717B, including provisions relating to exhibitions and fights, the abandonment of cats and dogs, and interfering with a police service dog.

The Act prohibits the abuse and neglect of animals, provides exceptions, and imposes criminal penalties upon violators. Abuse occurs when a person other than the owner acts to injure or destroy an animal. Neglect occurs when the owner injures, destroys or otherwise fails to care properly for an animal. In the case of livestock neglect, the Act establishes a general standard based on customary animal husbandry practices. In the case of nonlivestock, the Act simply lists a number of prohibited activities. A county or city defined as a "local authority" is exempt from a civil action arising from the rescue or maintenance of livestock or nonlivestock. In the case of rescuing livestock, different procedural requirements apply according to whether criminal charges have been brought against the owner of the livestock, and whether the condition of the livestock requires immediate action. In general, the local authority must provide notice of the rescue and obtain a written opinion from a licensed veterinarian justifying the rescue. In the case of nonlivestock, the local authority must post a notice of the rescue. The Act provides for the maintenance of rescued animals by a qualified person. The disposition of livestock and nonlivestock must be determined by a court. The court may order an animal destroyed. In the case of livestock, the disposition may be determined by a magistrate. The hearing to determine the disposition of an animal is a civil hearing. The Act provides for the payment of costs by the owner of the animal incurred in maintaining the animal. The Act provides for the humane destruction of a wild animal, if the wild animal is permanently distressed by injury or disease.

Portions of this Act, relating to rules to be adopted by the Department of Agriculture and Land Stewardship, take effect April 25, 1994.

### **HOUSE FILE 2194 - Equipment for Display and Sale of Dairy Products**

**BY COMMITTEE ON AGRICULTURE.** This Act amends Iowa Code Section 192A.11, which prohibits a processor or distributor of dairy products from furnishing, selling, giving, lending, or renting any equipment to a

retailer of dairy products. The section also includes several exceptions to the prohibition. This Act adds another exception, by providing that a processor or distributor may lend equipment to a retailer, for up to two consecutive weeks during each month, for the display and sale of the processor's or distributor's products. The equipment must be mounted on wheels, it must be designed for consumer access on all sides, and it must have a capacity of less than 15 cubic feet.

**HOUSE FILE 2311 - Drainage District Assessments — Interest Rate**

BY MERTZ. This Act amends Chapter 468, providing for the establishment and regulation of drainage and levee districts. When a district has been established, or a subsequent repair or improvement is required, the governing board of the district may assess land within the district. The board may issue a number of instruments connected to the assessment, including improvement certificates, drainage bonds and warrants. This Act provides that the rate of interest applicable to the assessment and the instruments shall be determined by the board, notwithstanding Chapter 74A. Chapter 74A generally establishes interest rates applicable to a number of instruments, including bonds, warrants, pledges, improvement certificates, and anticipation certificates issued by a governmental body or agency, and to interest rates applicable to assessments levied by a governmental body against benefited properties for the retirement of public debt.

**HOUSE FILE 2313 - Administration of Drainage Districts**

BY MERTZ. This Act amends Chapter 468 by amending a number of provisions relating to the administration of drainage and levee districts. Generally, districts are administered by the board of supervisors in the county where the district is located or by a board of trustees elected by members of the district.

Currently, the board must appoint an engineer for the district. This Act eliminates a requirement that the board must approve assistants to the engineer. According to the Act, the board is authorized to make improvements and repairs. The chapter provides that in cases of minor improvements or repairs, the board is not required to advertise for bids or provide notice, and may use secondary road equipment or weed fund equipment and labor from the county and then reimburse the secondary road fund or the weed fund based on the work done. The Act increases the maximum amount of improvement or repair costs from \$5,000 to \$10,000 before the improvement or repair is not considered minor.

A bid by a contractor must be accompanied with a bid security guaranteeing that the bidder will enter into a contract. The Act provides that a bidder may submit a bid bond in lieu of a cash deposit, certified check or certified share draft.

The governing board may currently assess land within the district in order to support improvements. This Act increases the minimum levy amount that may be assessed on land within the district to pay for repairs and improvements from \$2 to \$5.

Currently, the chapter provides that during the construction of an improvement involving multiple counties, the counties must each pay monthly 80 percent of the estimate of the construction costs pursuant to a statement filed by the engineer in charge of the work. The Act increases the amount each county must pay to 90 percent of the amount due.

**HOUSE FILE 2318 - Assistance to Beginning Farmers**

BY COMMITTEE ON AGRICULTURE. This Act amends Chapter 175, which in part provides for a program to assist beginning farmers administered by the Agricultural Development Authority, by providing financing for the acquisition of agricultural land and agricultural improvements or depreciable agricultural property. The chapter provides that a beginning farmer must be an individual or partnership. This Act expands the class of beginning farmers to include family farm corporations and family farm limited liability companies. Residency restrictions applying to individuals and partnerships also apply to family farm corporations and family farm limited liability companies. A beginning farmer must have a low or moderate net worth. The Act provides net worth requirements for family farm corporations and family farm limited liability companies. Chapter 9H places limitations upon family farm corporations and family farm limited liability companies eligible to hold agricultural land in this state.

This Act takes effect April 26, 1994.

**HOUSE FILE 2391 - Corporate or Partnership Farming — Reporting Requirements**

BY COMMITTEE ON AGRICULTURE. This Act amends Iowa Code Chapter 9H, which restricts corporations, limited partnerships, trusts, and limited liability companies from holding, owning or leasing agricultural land. The chapter exempts certain entities composed of family members. Under the Act, new Iowa Code Section 9H.5A provides that nonexempt entities must file a report each year with the Secretary of State detailing information regarding the entity and its restricted agricultural land holdings. The Act further provides that an entity is excused from filing a report during any year in which the entity owns, leases and holds less than 20 acres of agricultural land in this state, and the gross revenue produced from all farming on the land equals less than \$10,000.

**HOUSE FILE 2428 - Agricultural Commodity Organizations**

BY COMMITTEE ON WAYS AND MEANS. This Act amends a number of Iowa Code chapters relating to organizations established by the Code and authorized to collect and spend moneys assessed on the sale of agricultural commodities on behalf of agricultural producers. These organizations include the Iowa Dairy Industry Commission, the Iowa Beef Cattle Producers Association, the Iowa Pork Producers Council, the Iowa Turkey Marketing Council, the Iowa Soybean Promotion Board, the Iowa Corn Promotion Board, and the Iowa Egg Council.

Prior to the effective date of this Act, July 1, 1994, moneys collected in assessments had to be deposited with the Treasurer of State into special funds. Moneys in the funds were subject to warrants by the Department of Revenue and Finance, and were drawn upon the written requisition of the organization. This Act provides that the Department of Revenue and Finance must transfer moneys to each commodity organization for deposit into an account established by the organization in a qualified financial institution. The department must transfer the moneys as provided in a resolution adopted by each organization. However, the department is only required to transfer moneys once during each day for each commodity organization and only during hours when the offices of the state are open. The Act requires organizations to submit annual reports to the Secretary of Agriculture and the Auditor of State.

The Act amends provisions in Chapter 185 of the Iowa Code, which provides for the establishment and administration of the Iowa Soybean Promotion Board. The Act defines when soybeans are considered sold for purposes of the federal Price Support Loan Program. The Act provides for the board review or evaluation of programs conducted under Chapter 185. The assessment rate is changed from 1 percent per bushel to 0.25 of 1 percent of the net market price of soybeans. Prior to the effective date of this Act, a change in the rate of an assessment could not occur in the same marketing year in which the change was made. This Act provides that the board must determine the effective date of a rate change. If the assessment rate approved by producers in the most recent referendum is less than the maximum rate provided in the Act, the board may request the Secretary of Agriculture to call a special referendum for producers to vote on whether to authorize an increase in the assessment rate or whether to authorize an extension of the promotional order and an increase of the assessment rate. The Act amends provisions relating to the appointment of ex officio members to serve on the board, the review of programs supported by the board, and the assessment rate.

The Act amends provisions in Chapter 185C, which establishes and regulates the Iowa Corn Promotion Board. The Act provides that the board may determine the extent to which a pledge or other encumbrance of corn used as security for a loan extended under a general price support loan can be considered a sale or purchase. The Act also provides that a rate of assessment may be changed by the board within the same marketing year.

**ALCOHOL REGULATION AND SUBSTANCE ABUSE**

- HOUSE FILE 2115** - Regulation of Alcoholic Beverages Licensees and Permittees  
**HOUSE FILE 2146** - Alcoholic Beverages — Access and Possession by Underage Persons  
**H.J.R. 2007** - Annual Meeting of Adjutants General Association

**RELATED LEGISLATION**

- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to substance abuse, including a corrective change concerning the penalties for controlled substance violations involving 50 kilograms or less of marijuana, which under the Act is a class "D" felony.
- SENATE FILE 2218** - Appropriations — Regulatory Bodies  
*SEE APPROPRIATIONS.* This Act makes appropriations to regulatory bodies of state government, including the Division of Alcoholic Beverages of the Department of Commerce.
- SENATE FILE 2319** - Juvenile Justice  
*SEE CHILDREN & YOUTH.* This Act establishes or enhances penalties for delinquent acts committed by juveniles and for public offenses relating to juvenile justice committed by adults, including penalties for possession of a controlled substance with intent to distribute on certain real property or to a person under 18 years of age.
- HOUSE FILE 2172** - Controlled Substances — Pharmacy Licenses  
*SEE CRIMINAL JUSTICE & CORRECTIONS.* This Act makes changes in the definitions and schedules contained in the Uniform Controlled Substances Act and makes changes in late payment license fees for nonresident pharmacies.

## ALCOHOL REGULATION AND SUBSTANCE ABUSE

### **HOUSE FILE 2115 - Regulation of Alcoholic Beverages Licensees and Permittees**

BY COMMITTEE ON STATE GOVERNMENT. This Act defines a broker relating to the promotion of alcoholic liquors, provides for an annual license and bond, and provides penalties for violations. The Act defines a broker as a person who represents or promotes the alcoholic liquor of a distiller within the state and authorizes the Administrator of the Alcoholic Beverages Division of the Department of Commerce to suspend, revoke or impose a civil penalty not to exceed \$1,000 for liquor law violations by a broker.

This Act eliminates the alcoholic liquor wholesaler license and establishes a permit for alcoholic liquor brokers. An annual fee of \$25 is also set for a broker's permit. It eliminates the penal bond for alcoholic liquor wholesalers' licenses and makes other changes relating to the bond for manufacturers.

This Act prohibits a broker from giving gifts of liquor in conjunction with the broker's business except for testing and sampling purposes and prohibits giving gifts to commission members, officials or employees of the Alcoholic Beverages Division. It specifies directly that the privilege of class "B" and class "C" beer permits includes retail sales made to consumers only.

This Act also prohibits a class "C" beer permittee or its employees from making sales of beer to other retail license or permit holders knowing or having reason to know that the beer will be resold in another licensed establishment.

### **HOUSE FILE 2146 - Alcoholic Beverages — Access and Possession by Underage Persons**

BY DAGGETT. This Act requires the knowledge, consent and presence of a parent or guardian of a person under the age of 21 for the person to consume lawfully an alcoholic beverage in a private home. The Act also authorizes a liquor control licensee, permittee or employee of a licensee or permittee to seize a motor vehicle license or nonoperator identification card of a person wishing to purchase an alcoholic beverage if the license or card is or appears to be altered or falsified or belongs to another person. Within 24 hours, the seized card or license must be delivered to the appropriate law enforcement agency with a written report of the circumstances regarding the retention of the license or card. The law enforcement agency may investigate whether or not a law has been violated or return the card or license to the person to whom it was issued. The law enforcement agency may also forward the license or card to the State Department of Transportation and the department has the option of investigating a potential violation or returning the license or card to the person to which it was issued.

When a license or identification card is taken by a licensee, permittee or employee of a licensee or permittee, a receipt shall be given to the person from whom the card or license was seized.

A liquor control licensee, permittee or employee of the licensee or permittee is not subject to criminal prosecution for, or to civil liability for damages alleged to have resulted from, the retention and delivery of a license or identification card used for the purpose of purchasing an alcoholic beverage.

### **HOUSE JOINT RESOLUTION 2007 - Annual Meeting of Adjutants General Association**

BY COMMITTEE ON STATE GOVERNMENT. This Act authorizes the Adjutants General Association of the United States to use and consume alcoholic beverages at a social event to be held at the State Capitol between May 22, 1994, and May 25, 1994. Current law and rules would prohibit the use and consumption of alcoholic beverages within the State Capitol.

This Joint Resolution takes effect March 22, 1994.

## APPROPRIATIONS

- SENATE FILE 2091 - Appropriations — Energy Conservation — Petroleum Overcharge Funds
- SENATE FILE 2217 - Appropriations — Transportation and Safety
- SENATE FILE 2218 - Appropriations — Regulatory Bodies
- SENATE FILE 2229 - Appropriations — State Departments and Agencies
- SENATE FILE 2313 - Appropriations — Human Services
- SENATE FILE 2314 - Appropriations — Agriculture and Natural Resources
- SENATE FILE 2318 - State Budget Processes
- SENATE FILE 2329 - Appropriation for Iowa Communications Network
- SENATE FILE 2330 - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters
- HOUSE FILE 2323 - Federal Block Grant Appropriations
- HOUSE FILE 2350 - Appropriations — Justice System
- HOUSE FILE 2376 - Appropriations — Health and Human Rights
- HOUSE FILE 2411 - Appropriations — Education
- HOUSE FILE 2415 - Appropriations — Economic Development
- HOUSE FILE 2429 - Compensation for Public Employees
- HOUSE FILE 2433 - Appropriations — Claims Against the State

## RELATED LEGISLATION

- SENATE FILE 2034 - Human Services — Family Investment Program — Emergency Social Services  
*SEE HUMAN SERVICES.* This Act relates to Department of Human Services provisions in the Iowa Code involving the Family Investment Program (formerly known as Aid to Families with Dependent Children) and federal flood relief supplemental social services block grant funds.
- SENATE FILE 2086 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, including changes directed as a result of legislation enacted in 1993 pertaining to certain trust funds.
- SENATE FILE 2319 - Juvenile Justice  
*SEE CHILDREN & YOUTH.* This Act makes appropriations related to juvenile justice.
- SENATE FILE 2326 - Capital Project Financing  
*SEE BONDING & DEBT FINANCING.* This Act provides for state lease-purchasing for capitol complex improvements and Board of Regents bonding for capitol improvements, fire safety and deferred maintenance.
- HOUSE FILE 2422 - Health Care Providers — Rural Health and Primary Care  
*SEE HEALTH & SAFETY.* This Act directs the Center for Rural Health and Primary Care, of the Iowa Department of Public Health, to establish a primary care provider recruitment and retention endeavor, to be known as PRIMECARRE, and provides an appropriation to the department for the implementation of PRIMECARRE.

- HOUSE FILE 2430** - County Property Taxes and Mental Health Financing  
*SEE LOCAL GOVERNMENT.* This Act relates to the limitation on county expenditures for mental health, mental retardation and developmental disabilities (MH/MR/DD) services and the provision of those services, provides for increasing state participation in the funding of those services through provisions that will require appropriations, beginning with FY 1996, and extends the limitation on the amount that a county may collect from designated property tax levies.

## APPROPRIATIONS

### **SENATE FILE 2091 - Appropriations — Energy Conservation — Petroleum Overcharge Funds**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates money for the fiscal year beginning July 1, 1994, and ending June 30, 1995, from the Energy Conservation Trust, which receives deposits of settlements from oil overcharge refunds; to the Department of Human Rights for energy conservation programs for low-income persons; to the Department of Natural Resources for the State Energy Conservation Program; to the Energy Extension Service Program; and for administration of petroleum overcharge programs. The Act also requires the Department of Human Rights to propose a funding mechanism to generate an additional \$500,000 to \$1 million for energy weatherization for low-income persons.

### **SENATE FILE 2217 - Appropriations — Transportation and Safety**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys to the Iowa Law Enforcement Academy, the Department of Public Defense, the Department of Public Safety, and the State Department of Transportation for the fiscal year beginning July 1, 1994, and ending June 30, 1995.

In addition to general administrative appropriations to the various agencies, moneys are appropriated from the Road Use Tax Fund to the six counties conducting the Driver's License Pilot Program and the Driver's License Pilot Project is extended until June 30, 1995.

The Act requests the Director of the Iowa Law Enforcement Academy to study the feasibility of allowing persons to enroll in the academy basic training course prior to employment by a law enforcement agency and allows the academy to charge an attendance fee for courses, schools and seminars offered by the academy, other than basic training courses.

The Legislative Council is requested to authorize an interim study committee to study the issue of transferring the motor vehicle enforcement officers from the State Department of Transportation to the Department of Public Safety and to study the issue of whether motor vehicle enforcement officers should have all the powers and duties of other peace officers.

The Act provides that the State Department of Transportation must include veterans organizations in preferences granted to a state agency, city, county, school district, or other public authority, for the sale of real property prior to July 1, 1995, and requires the Department of Personnel to inform an agency in which a person is seeking employment of the person's military service.

### **THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. A provision requiring the Department of Public Safety to allow a peace officer to stay at lodging facilities of the officer's choice during training.
2. A provision which prohibits the Iowa Law Enforcement Academy, the Department of Public Defense, the Department of Public Safety, and the State Department of Transportation from entering into a lease-purchase contract during the fiscal year beginning July 1, 1995, unless the contract was itemized in a departmental estimate and included in the Governor's budget.

### **SENATE FILE 2218 - Appropriations — Regulatory Bodies**

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations to regulatory bodies of state government, including the Auditor of State; the Campaign Finance Disclosure Commission; the Department of Employment Services; the Department of Inspections and Appeals; the Office of the State Public Defender; the Public Employment Relations Board; the Department of Commerce, including the divisions of Professional Licensing and Regulation, Administrative Services, Alcoholic Beverages, Banking, Credit Union, Insurance, and Utilities; and the Racing and Gaming Commission.

The total appropriations in the Act are increased for the fiscal year beginning July 1, 1994, and ending June 30, 1995, by \$2,939,300 over the adjusted FY 1994 appropriation. Major changes include a new appropriation of \$464,000 to the Division of Industrial Services to be used to create model workforce development centers. The Workforce Development Coordinator is required to formulate a five-year written implementation plan for the Workforce Development Initiative. An additional \$223,694 is appropriated to the Division of Industrial Services to be used to increase the number of workers' compensation cases closed through mediation. An additional \$380,000 is appropriated to the Foster Care Review Board to fund fully local foster care review in the 6th and 8th Judicial Districts and to expand local reviews to the 1st Judicial District. The appropriation to the Racing and Gaming Commission is reduced by \$130,936 and three full-time equivalent positions (FTEs) as a result of the decline in the number of riverboats being regulated. (However, S.F. 2330 appropriates an additional \$165,517 to the commission and adds an additional four FTEs.) An additional \$1,250,335 is appropriated to the Indigent Defense Program for increased costs of legal defense provided to indigent persons by court-appointed attorneys.

The Act makes several statutory changes. Section 11.5B of the Iowa Code is amended by striking the Department of Economic Development and replacing it with the Iowa Veterans Home in the list of departments and agencies that are to reimburse the Auditor of State for examination costs.

Section 13B.4 is amended to provide that the State Public Defender may contract with private attorneys to provide legal services to partially indigent persons as well as indigent persons. The section is amended to provide that a contract with a private attorney may be entered into whether or not there is a local public defender available to provide the services. Section 13B.4 is also amended to provide for the review of claims made for indigent defense costs by noncontract and contract attorneys. Section 13B.9 is amended to provide that if a local public defender is unable to take a case, the court must first appoint a contract attorney. Such appointments are to be made on a rotational basis. If a contract attorney is not available, the court is required to appoint a private noncontracting attorney who has agreed to take the case. Sections 815.7 and 815.10 are amended to conform with the changes in Chapter 13B to provide for the compensation of noncontract attorneys. Section 815.11 is amended to provide that costs incurred in providing legal services to an indigent child under Section 232.141, subsection 2, which are not paid by the county, must be paid from funds appropriated to the Department of Inspections and Appeals for providing legal services to indigent persons. Senate File 2330 increases the number of FTEs from 10 to 11 for the Audits Division of the Department of Inspections and Appeals.

Sections 534.102, 534.401 and 546.10 are amended to provide that the Superintendent of Savings and Loan Associations is to be the Administrator of the Division of Professional Licensing and Regulation.

#### THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Language providing that the Department of Employment Services, the Department of Personnel and the Department of Management ensure that all nonsupervisory FTEs authorized and funded for the fiscal year beginning on July 1, 1994, not be held vacant.
2. Language directing the Department of Employment Services to provide services throughout the fiscal year beginning on July 1, 1994, in all communities in which workforce centers were operating on July 1, 1993.
3. Language prohibiting the Division of Industrial Services from reducing the number of scheduled hearings of contested cases or eliminating the venue of such hearings, as established as of January 1, 1994, and language directing the division to establish a substantially similar hearing schedule during the period of January 20, 1995, through June 30, 1995.
4. Language directing the Division of Alcoholic Beverages to eliminate the position of Administrative Assistant 4 currently on loan to the Department of Management, and prohibiting the Department of Commerce from entering into any other employee loan agreements with any other department or division unless fully reimbursed by the other department or division for the costs associated with the position.

5. Language directing the Department of Commerce, Department of Employment Services and Department of Inspections and Appeals to each designate a single division within their respective departments to submit a budget proposal in accordance with the zero-based budgeting method, and to track the appropriations made to the designated divisions in accordance with the program performance-based budgeting method for the fiscal year beginning July 1, 1995.

**SENATE FILE 2229 - Appropriations — State Departments and Agencies**

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations to several state departments, agencies and offices for the fiscal year beginning July 1, 1994, and ending June 30, 1995. The state departments include the Department of Management, the Department of General Services, the Department of Personnel, and the Department of Revenue and Finance. State offices include the Offices of the Governor, Lieutenant Governor, Secretary of State, Treasurer of State, State-Federal Relations, and the Office of Drug Enforcement and Abuse.

The Act also appropriates funds for membership in the Commission on Uniform State Laws, the Council of State Governments, the National Conference of State Legislatures, and the National Governors' Conference. Funding is also made to the Capitol Planning Commission for the operation of Terrace Hill and for the support and maintenance of the Governor's quarters at Terrace Hill.

The Iowa Special Olympics is provided with funding and an appropriation is made to pay state workers' compensation claims. The appropriation to the Iowa Special Olympics was repealed in S.F. 2330.

The Treasurer of State is also directed to provide annual reports regarding the various Linked Investments for Tomorrow programs. The Treasurer of State may also sell unclaimed abandoned property or destroy property if the cost of sale will exceed its sale price. Receipts from the sale are deposited quarterly instead of monthly in the State General Fund. Sufficient funds are kept in a separate trust fund to pay promptly claims related to abandoned property.

The Code Editor is directed to transfer Chapter 644 of the Iowa Code relating to lost property to Chapter 556F in the 1995 Code. This transfer will place the chapter in the property division of the Code near other property laws.

The Act authorizes the Director of the Department of General Services to dispose of personal property by means other than sale if the property has little value and the State Vehicle Dispatcher may dispose of damaged vehicles by written bids. The director sets the vehicle mileage reimbursement rate at or below federal Internal Revenue Service rules and may set higher rates for vehicles required by persons with disabilities.

The Act authorizes the Offices of the Governor and Lieutenant Governor, Secretary of State, and Treasurer of State, and the Department of Management to use unencumbered and unobligated moneys remaining on June 30, 1995, to upgrade, replace or improve computer equipment used in their offices.

The executive departments, agencies and offices are directed to use the services of the state communications network as much as possible to reduce travel and related expenses for meetings, conferences and communications. A report on the computer expenditures by each office or department is to be made to the Legislative Fiscal Committee by December 1, 1995.

The Act also authorizes a payroll deduction for professional or trade membership fees by state officers or employees.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. A paragraph that specified that the Department of Management state the number of staff authorized for a state agency in terms of full-time equivalent positions.
2. A provision that required state departments to list lease-purchase proposals in their budget requests to the Governor. If the lease-purchase proposal is not listed, the contract cannot be entered into during

the budget fiscal year.

**SENATE FILE 2313 - Appropriations -- Human Services**

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations to the Department of Human Services (DHS) and to the Prevention of Disabilities Policy Council for FY 1995, and includes provisions relating to human services and health care.

*FAMILY INVESTMENT PROGRAM* (Formerly Aid to Families with Dependent Children). This appropriation is reduced from the amount appropriated in the previous fiscal year. A portion of the reduction is due to the federal waiver implemented to reform the program and some of the reduced amount has been shifted to the appropriation for the JOBS Program, which serves the same population. The Act authorizes DHS to revise provisions of the Family Investment, Food Stamp and Medical Assistance programs involving the welfare reform initiative that threaten the integrity or continuation of the initiative or that are not cost-effective. The Act also requires DHS to consolidate the overlapping planning and agreement provisions of the Family Investment Program and the Family Development and Self-sufficiency (FaDSS) grant programs.

*EMERGENCY ASSISTANCE*. This appropriation maintains the current level of assistance to recipients compared with the adjusted FY 1994 appropriation. However, the amount appropriated is increased to reflect a transfer of all federal emergency assistance program funding to the department's Child and Family Services Division, which allows for qualification for additional federal funding.

*MEDICAL ASSISTANCE (MEDICAID)*. The funding level for Medical Assistance (MA) is increased relative to the previous fiscal year. The Act authorizes 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 disability (MH/MR/DD)-related services jointly funded by the state and county, pending final settlement of the expenditures; specifies that 50 percent of the cost is to be billed to a county of legal settlement for MH/MR/DD-related services such as case management; provides that if a medical assistance recipient is receiving care under a home and community-based waiver and would otherwise be approved for care in an intermediate care facility for the mentally retarded (ICFMR), the county of legal settlement is to pay the portion of the recipient's cost of care that is not paid from federal funds on a monthly basis; requires referral from a case management program prior to the placement of a person in an ICFMR; requires the department to conduct a study of the needs of Iowans with mental retardation or other developmental disabilities who require an intermediate level of licensed care and make recommendations to best address the needs identified; specifies that payment for ICFMR services is considered payment in full when the payment is made in accordance with the MA payment rates established for ICFMRs by the department; requires the department to expand coverage of services to children under MA to include nutritional counseling services for children not eligible for women, infant and children (WIC) nutritional counseling services due to age limitations or lack of services; requires the department to establish a prepaid mental health services plan for MA patients following receipt of a federal waiver and requires the state to pay all costs of services provided under the plan (S.F. 2330 includes a provision applying requirements to the department's selection of a vendor to administer the plan - See Appropriations); provides for expenditure of not more than \$60,000 for the AIDS/HIV Health Insurance Premium Payment Program previously established; requires the department to seek a federal waiver to implement a pilot project to allow up to 16 nursing homes to be operated under an outcome-based alternative plan for regulatory compliance; authorizes the department to employ not more than two additional full-time equivalent positions (FTEs) and to expend not more than \$45,000 to develop an MA home and community-based waiver for persons with brain injury who currently reside in and who have been residents of a medical institution for a minimum of 30 consecutive days (see summaries of S.F. 2297 and S.F. 2311 under Human Services for other provisions relating to this waiver); prohibits coverage of drugs under MA that are prescribed for fertility purposes; and requires the department to review the listing of organ transplants covered by MA and make recommendations for funding to the General Assembly.

*MEDICAL CONTRACTS*. This appropriation is an increase from the previous year's appropriation. The Act authorizes the department to continue to contract for drug utilization review under MA; requires the department, in consultation with the Drug Utilization Review Commission, to determine the feasibility of assigning unique identification numbers to pharmacists; authorizes the expenditure of not more than \$60,000 for a contract to expand

the point-of-services reimbursement system for physician and hospital services; and instructs the department to conduct a study of the reimbursement methodology for home intravenous pharmacy products and services and to propose a revised methodology to the Governor and the Legislative Fiscal Bureau on or before January 1, 1995, to provide adequate compensation for the products and services.

*STATE SUPPLEMENTARY ASSISTANCE.* The Act provides for an increase in the appropriation for state supplementary assistance compared with the appropriation for the previous fiscal year and requires the department to increase the personal needs allowance for residents of residential care facilities at the same rate and at the same time that federal social security income and benefits are increased.

*CHILD DAY CARE ASSISTANCE.* The Act provides for a decreased appropriation compared with the appropriation for the previous fiscal year; however, the state is expected to receive an increase in federal funding for child care programming in this fiscal year. The appropriation is to be distributed to DHS regions and then allocated to the counties within the region, and any excess funds may be transferred between counties in a region or between regions. Eligibility for state child day care assistance remains at 100 percent of the federal poverty guidelines, but may be increased to 75 percent of the Iowa median family income on or after October 1, 1994. The amount appropriated for transitional child care is increased compared with the previous fiscal year, and the Act authorizes use of the moneys in the Child Day Care Credit Fund to subsidize state child care assistance. Additional funding of \$500,000 is provided in S.F. 2330 (See Appropriations) for state child care assistance and the federal waiver provisions for child care described in this summary.

*JOBS PROGRAM.* The Act provides for an increased appropriation compared to the adjusted appropriation for the previous fiscal year in the Job Opportunities and Basic Skills Program and maintains the level of funding for the FaDSS program. The Act also requires DHS to implement a work and training program in accordance with the federal waiver granted in the previous fiscal year.

*CHILD SUPPORT RECOVERY.* The Act provides for an increase in the appropriation compared with the appropriation for the previous fiscal year to implement and continue various initiatives including a child support public awareness campaign, the pilot project using court-appointed referees for certain child support enforcement matters, and a community services pilot project for absent parents who are ordered by the court to perform community services for failure to pay child support.

*JUVENILE INSTITUTIONS.* The Act continues funding for juvenile institutions at Eldora and Toledo at an increased level compared with the adjusted appropriation for the previous fiscal year, limits population levels to the population guidelines established in 1990, and allows for the transfer of funding between the institutions to fulfill the needs of the institutions.

*CHILD AND FAMILY SERVICES.* This appropriation provides funding for foster care services and services to families to prevent foster care placements. The amount of the appropriation is increased over the amount appropriated in the previous fiscal year, primarily due to the inclusion of funding for the nonfederal share of psychiatric medical institution for children (PMIC) services in this appropriation rather than in medical assistance. In the previous fiscal year, the department was directed to revise the structure for group foster care, so that to the extent possible medical assistance funding could be used to a greater extent than other funding streams for payment of these services. The revision is known as the Medical Assistance Children's Initiative, and the initiative is continued. The department had recommended that service management of PMICs be part of the initiative instead of regular medical assistance processes and the Director of Human Services is to create an advisory committee concerning this question. The director is to make a decision by November 1, 1994, and if the decision is to include PMICs in the initiative, the cap on the number of group foster care placements established by the Act is to be increased from 1,350 to 1,733.

The child and family services appropriation also includes the following provisions: intradepartmental transfer authority; a partial freeze on certifications of enhanced residential treatment beds; continuance of a statewide system for recruiting and supporting foster families; continuance of the demonstration program for decategorizing child welfare service funding; funding for continuing foster care of certain children with a disability who are 18 years of

age or older; continued tracking of out-of-home placements; provision of state funding for county juvenile detention facilities; continued effort to expand the number of children in foster care who are eligible for federal Supplemental Security Income (SSI); a limitation on the amount of state payment for emergency shelter care of children; continued support of the computerized adoption information system; continued efforts for training to prevent or eliminate the need for out-of-home placement of children; continued contracting for family foster care placements of children who present severe emotional or behavioral management problems; creation of a committee to review whether unnecessary or redundant reporting or referral provisions are required by the Medical Assistance Children's Services Initiative; and creation of a joint DHS and juvenile court assessment of service needs and demographic characteristics of the children and families served through DHS, juvenile justice and mental health systems.

Provisions relating to development of a formula for allocating certain group foster care beds, certification of additional enhanced residential treatment beds, psychiatric medical institutions for children, and the department's Medical Assistance Children's Services Initiative take effect April 14, 1994.

*COMMUNITY-BASED PROGRAMS.* The Act provides for a continuation of the current level of funding for community-based programs. The Act specifies that \$152,451 is to be used for programs to prevent second or subsequent pregnancies during the adolescent years and to provide support services for pregnant or parenting adolescents, and also provides \$300,000 for grants to groups meeting certain criteria to focus on the prevention of initial pregnancies during the adolescent years. Moneys are also appropriated for child abuse prevention grants and for family planning services. Senate File 2330 (See Appropriations) amends this appropriation to allocate funding for child neutral visitation grants.

*COURT-ORDERED SERVICES PROVIDED TO JUVENILES.* The Act provides a decreased appropriation compared with the adjusted appropriation for the previous fiscal year due to the transfer of the funds to the child and family services appropriation to expand services for delinquent children. The Act provides for the continuation of the planning groups established by each judicial district for review of expenditures under the appropriation and requires annual reports from the planning groups to be submitted to the Joint Human Services Appropriations Subcommittee and the Legislative Fiscal Bureau, requires that the funds appropriated may be expended only after all reasonable efforts have been made to utilize other funding sources and community-based services, and requires DHS to compile a monthly report regarding expenditures in each district. The Act prohibits a court from ordering any service that is a charge upon the state if there are insufficient funds to pay for the services and prohibits a court from ordering a county to pay for any services that are a charge upon the state. The Act also permits the transfer of up to \$200,000 to the child and family services appropriation to be used for school-based supervision of delinquent children. A provision relating to a determination of allocations by the State Court Administrator takes effect April 14, 1994.

*MENTAL HEALTH INSTITUTES.* The Act provides an appropriation for mental health institutes that is an increase in comparison with the adjusted appropriation for the previous fiscal year, due to an increase in inflation; provides for reallocation of funds among the institutes (S.F. 2330 included a provision, item vetoed by the Governor, which would have restricted reallocations, resulting in a reduction of services or personnel); requires DHS to provide persons being discharged from an institute with assistance in obtaining federal disability benefits under federal Supplemental Security Income (SSI); and requires DHS to develop a proposal for implementing a forensic mental health unit with submission of the proposal due to the Governor and the members of the Joint Appropriations Subcommittee on Human Services on or before January 15, 1995.

*STATE HOSPITAL-SCHOOLS.* The Act provides an appropriation that is a decreased appropriation in comparison with the previous fiscal year, which reflects the shifting of services to community-based facilities but also provides for programs to reduce employee injuries and workers' compensation claims. The Act also provides for the reallocation of funds between the two hospital-schools as necessary to fulfill the needs of each.

*MENTAL HEALTH-MENTAL RETARDATION-DEVELOPMENTAL DISABILITIES (MH/MR/DD) SPECIAL SERVICES, FAMILY SUPPORT SUBSIDY PROGRAM, SPECIAL NEEDS GRANTS, AND STATE CASES.* The appropriation in the Act for MH/MR/DD special services is a decrease in comparison with the appropriation for the previous fiscal year, the appropriation for the Family Support Subsidy Program is a slight increase in comparison

with the previous fiscal year, the appropriation for special needs grants maintains the current level of funding, and the appropriation for state cases is an increased appropriation in comparison with the previous fiscal year. Senate File 2330 (See Appropriations) includes a related appropriation of \$20,000 to DHS for placements of geriatric patients who have a mental illness.

*MENTAL ILLNESS-MENTAL RETARDATION-DEVELOPMENTAL DISABILITIES-BRAIN INJURY (MI/MR/DD/BI) COMMUNITY SERVICES.* This appropriation continues provisions that provide state funding to counties for MI/MR/DD/BI services. The appropriation includes a formula for distribution of funds based on county participation in regional planning councils and other requirements; continues the state funding of local purchase services that replaced the federal Social Services Block Grant funds which have been shifted to foster care services; includes an allocation of approximately \$320,000 for counties to increase reimbursement rates for certain community-based services; and requires DHS to cooperate with the Division of Vocational Rehabilitation Services of the Department of Education in assuring that counties are aware of opportunities to match federal funding. A provision relating to submission of MI/MR/DD/BI plans to the department takes effect April 14, 1994. Senate File 2330 (See Appropriations) adjusted the allocations of funding within this appropriation. Senate File 2311 (See Human Services) codifies a number of the requirements contained in this appropriation involving regional planning councils and other requirements for state funding. House File 2430 (See Local Government) includes provisions for greater state participation in the cost of funding these services in future fiscal years.

*FIELD OPERATIONS, GENERAL ADMINISTRATION, COUNCIL ON HUMAN INVESTMENT, VOLUNTEER SERVICES, AND X-PERT.* The appropriations for both field operations and general administration are increased appropriations in comparison with the previous fiscal year. The increases are due, in part, to payment for additional FTEs to comply with federal medical assistance requirements, salary annualization costs, changes in cost allocation match rates, postage increases, implementation costs for the Medical Assistance Managed Mental Health Care Program, and for the Prevention of Disabilities Policy Council. The appropriation for the Council on Human Investment is an increase in the appropriation compared with the previous fiscal year due to costs of materials and facilitation of public input into the development of goals and benchmarks, and the appropriation for volunteers maintains the program at the previous fiscal year level. The appropriation for the X-PERT computer-based eligibility determination system is an increase in the appropriation over the previous fiscal year and is due to planned development costs and for Family Investment Program control group requirements that were not originally planned for the fiscal year.

*REIMBURSEMENTS FOR MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE AND SOCIAL SERVICES PROVIDERS.* With the following exceptions, no increases are made to the reimbursement rates paid to MA providers: obstetric services; Early Periodic Screening, Diagnosis, and Treatment (EPSDT) providers; skilled nursing facilities; and inpatient services. The Act also requires implementation of a new outpatient reimbursement system utilizing ambulatory patient groups. Rural health clinics may receive an increase in reimbursement in accordance with any increases under the federal requirements and certain home health agencies, hospice services and acute care mental hospitals are to be reimbursed for their current federal audited costs. The rate of reimbursement of nursing facilities is established at the 70th percentile based upon the June 1994 unaudited compilation, with the provision that the reimbursement may be increased to the 70th percentile based upon the December 31, 1994, unaudited compilation of costs if sufficient funds are available both in the intermediate care facility and overall medical assistance budgets and the adjustment would be effective on January 1, 1995. The Act also authorizes the department to revise the fee schedule used for physician reimbursement; requires the department to reimburse federally qualified health centers at 100 percent of reasonable costs, in accordance with federal requirements; requires the department to review and utilize small area analysis or a similar analysis to identify differences in hospital inpatient utilization and identify incentives to reward efficient, effective and quality care; and requires the Drug Utilization Review Commission to conduct a study to review and submit a report of recommendations to the Legislative Fiscal Bureau and to the chairpersons and ranking members of the Joint Appropriations Subcommittee on Human Services by November 30, 1994, regarding alternative payment systems for compensation of pharmacists for the provision of pharmaceutical care services. The Act establishes the maximum cost reimbursement rate for residential care facilities at \$20.02 per day and the rate for facilities not filing cost reports at \$14.31 per day (S.F. 2330 includes a provision authorizing further adjustments to these rates to meet

federal requirements - See Appropriations) and increases the monthly reimbursement rate for family foster care to 67.75 percent of the USDA poverty level, which is an increase over the 65 percent level of the previous fiscal year.

*ASSISTANCE TO GAMBLERS.* The Act provides an appropriation of \$21,000 for the Gamblers Assistance Program, which is a decreased amount in comparison with the previous fiscal year. The decrease is due to the reinstatement of the Gamblers Assistance Fund in the Act. The fund will receive 0.3 of 1 percent of the gross lottery and riverboat gaming revenue annually.

*FAMILY INVESTMENT PROGRAM -- TRANSITIONAL CHILD CARE ASSISTANCE WAIVERS.* The Act requires DHS to submit three different waivers to the United States Department of Health and Human Services, including a waiver to allow transitional child care assistance (TCCA) benefits to Family Investment Program (FIP) recipients who have earned income and who voluntarily terminate benefits under FIP; a waiver of federal requirements to provide TCCA benefits to FIP recipients who have earned income and who are terminated from FIP due to receipt of child support; and a waiver of federal requirements to provide that if state funding is not sufficient to pay the state share of costs of all recipients who would be eligible for TCCA benefits, DHS may deny eligibility for the benefits or establish a waiting list for access to the benefits. Senate File 2330 (See Appropriations) authorizes funding that may be used for services described in this section of the Act.

*STATE INSTITUTIONS -- CLOSINGS AND REDUCTIONS.* The Act requires DHS, prior to the closing or reduction in size of a state institution administered by DHS, to initiate and coordinate efforts with the Iowa Department of Economic Development to develop new jobs in the area of the state institution and requires DHS to take other actions to utilize the facilities of an institution, including, but not limited to, assisting not-for-profit users with remodeling and lease costs for a period not to exceed five years.

*INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED (ICFMR) -- CERTIFICATE OF NEED.* A moratorium on issuance of a certificate of need for ICFMRs is in effect through June 30, 1995. The Act permits the Iowa Department of Public Health and the Health Facilities Council to process and consider certificate of need applications for ICFMRs if criteria for location in an underserved area of the state and other requirements specified in the Act are met.

*MISCELLANEOUS AND STATUTORY PROVISIONS.* The Act also provides for the encumbering of funds remaining unexpended for the Council on Human Investment at the end of FY 1994, and, effective April 14, 1994, provides for the continuation of the Child Welfare Task Force to perform juvenile justice planning activities. The Act codifies language to provide that a person who is an inpatient or resident of a state hospital-school, a mental health institute, or the Iowa Braille and Sight Saving School does not acquire legal settlement in the county in which the institution is located; codifies reinstatement of the Gamblers Assistance Fund; requires the Treasurer of State to credit federal medical assistance funds to DHS to pay contractual fees associated with special educational services in order to maximize federal funding; and authorizes emergency rulemaking for various portions of the Act if specifically noted in the Act. Effective June 30, 1994, the Act expunges the automatic repeal of Division II of Chapter 237, relating to foster care review. The automatic repeal was to take effect July 1, 1994.

**SENATE FILE 2314 - Appropriations -- Agriculture and Natural Resources**

**BY COMMITTEE ON APPROPRIATIONS.** This Act relates to budgetary and administrative matters involving agriculture and natural resources by providing for appropriations and revenue, and providing statutory changes.

The Act makes general appropriations to support the administration of the Department of Agriculture and Land Stewardship and the Department of Natural Resources (DNR); supports the Interstate Compact on Agricultural Grain Marketing; reduces the statutory appropriation of \$30 million to \$7 million dedicated to support the Resources Enhancement and Protection Program; appropriates moneys to the Department of Agriculture and Land Stewardship effective May 11, 1994, for purposes of providing interest-free loans to persons receiving federal moneys to assist in soil conservation; appropriates moneys to support the Farmers' Market Coupon Program; appropriates moneys to support the Livestock Producers Assistance Program and the Organic Nutrient Management Program, both of which are codified in the Act; and transfers moneys to the Environmental Protection Division of the DNR to support the regulation of underground storage tanks and air quality. In addition to any other

appropriation in this Act, S.F. 2330 (See Appropriations) appropriates moneys to the Soil Conservation Division of the Department of Agriculture and Land Stewardship for support of soil conservation technicians and for the Farmers' Market Coupon Program.

The Act includes a number of miscellaneous provisions. The Act requires the Department of Agriculture and Land Stewardship to study its licensing structure for the inspection of commercial weighing and measuring devices; provides for the business practices of the state nursery; requires the Department of Agriculture and Land Stewardship to use moneys appropriated to the Wind Erosion Control Fund; requires state agencies to track receipts to the General Fund that were previously deposited into trust funds; requests that the Legislative Council establish a study committee to examine animal agriculture in this state; requires that the Department of Agriculture and Land Stewardship and the DNR report financial and employment information to the Legislative Fiscal Bureau; requires the DNR to provide a preference to persons eligible for the Green Thumb Program when employing persons to fill temporary positions in conservation and outdoor recreation; and requires the DNR to adopt rules to establish criteria for the classification and prioritization of sites where pesticide and fertilizer contamination has been discovered.

The Act makes a number of statutory changes. Effective May 11, 1994, the Act delays the implementation of the federal Resource Conservation and Recovery Act permit program, and a number of state law provisions relating to the permit program, until June 30, 1999; and delays the reversion of moneys appropriated in 1992 for the construction of a dam. The Act also delays a requirement that the owner of an agricultural drainage well must develop a plan for the alternative uses of wells until July 1, 1996.

The Act codifies provisions relating to the Organic Nutrient Management Program established in 1993 and establishes a fund to support the program. The purpose of the program is to provide financial incentives to establish livestock manure management systems to facilitate the proper utilization of livestock manure as a nutrient source and to protect the water resources of the state from livestock manure runoff.

The Act restricts certain persons from providing veterinary medical services, owning a veterinary clinic, or practicing in this state; increases the bonding authority of the Iowa State Fair Board from \$6 to \$25 million; updates references to the most recent revision of the "Grade 'A' Pasteurized Milk Ordinance"; provides procedures for the collection of delinquent fees required to be paid for licensing commercial weighing and measuring devices; codifies provisions establishing the Livestock Producers Assistance Program operated by Iowa State University for purposes of increasing the efficiency, productivity and profitability of livestock operations; exempts certain farm vehicles and implements of husbandry from permit requirements otherwise necessary to travel on state roads; and provides that income earned on moneys deposited into the Resources and Enhancement Protection Fund remains in the fund.

The Act establishes the Water Quality Protection Fund, requires the DNR to establish fees for deposit into the fund, and establishes that the fee schedule must produce increasing rates of revenue during the next several years. Senate File 2330 (See Appropriations) makes an appropriation to the DNR for deposit in the Water Quality Protection Fund. Moneys in the fund are required to be used for purposes of the administration, regulation and enforcement of the federal Safe Drinking Water Act and to support the Program to Assist Supply Systems. The program is designed to provide technical advice and perform vulnerability and viability studies of public water supply systems. The Act provides that the DNR may employ persons to carry out the regulation of the federal Safe Drinking Water Act and the Program to Assist Supply Systems to the extent that the employment positions are supported by the fund. The provisions relating to the program and the fund take effect May 11, 1994.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. Provisions that restrict the ability of the Department of Agriculture and Land Stewardship and the DNR from executing lease-purchase agreements.

**SENATE FILE 2318 - State Budget Processes**

**BY COMMITTEE ON APPROPRIATIONS.** This Act relates to state budget processes and includes requirements for certain types of appropriations reversions, revises provisions relating to the Revenue Estimating Conference and

the State General Fund Expenditure Limitation, applies a limitation on interdepartmental transfers, and affects state practices for payment of obligations in accordance with generally accepted accounting principles (GAAP).

Reversions are addressed in two aspects. The first involves the General Fund Expenditure Limitation by prohibiting the Governor from submitting and the General Assembly from passing a budget which in order for that budget to balance assumes reversion of a specific amount of the total of the appropriations included in the budget. The second addresses operational appropriations from the General Fund of the State, defined as appropriations that provide for salary, support, administrative expenses, or other personnel-related costs. Any appropriation that receives a transfer from another appropriation is not considered to be an operational appropriation. For FY 1995 and FY 1996, if the balance of an operational appropriation remains unexpended or unobligated at the close of the fiscal year, the agency may encumber up to 50 percent of that amount. The encumbered amount may be used by the agency during the succeeding fiscal year for employee training and technology enhancement. The remaining amount not encumbered and any encumbered funds that are not expended in the succeeding fiscal year are to be deposited into the Cash Reserve Fund. An agency must report to a legislative appropriations subcommittee and other legislative entities and the Department of Management detailing how the encumbered moneys are used.

Under prior law, if an appropriation was insufficient, the Director of the Department of Management, with the approval of the Governor, was authorized to make an interdepartmental transfer from another appropriation to make up for the amount of the insufficiency. This authority is restricted by the Act unless the appropriation receiving the transfer is an entitlement appropriation for funding of foster care, State Supplementary Assistance, Medical Assistance (Medicaid), Family Investment Program (formerly Aid to Families with Dependent Children Program), and indigent defense, which was added in a later enactment contained in S.F. 2330 (See Appropriations). Any other type of interdepartmental transfer is prohibited when the General Assembly is in regular session and an interdepartmental transfer cannot exceed 50 percent of the amount of the appropriation receiving the transfer.

The General Fund Expenditure Limitation is amended in several aspects. One of the steps in calculating the expenditure limitation for a fiscal year involves adjusting the December Revenue Estimating Conference estimate for the succeeding fiscal year by subtracting tax refunds payable from that estimated revenue. The Act specifies that the tax refund amount used for that adjustment is to be established by the conference.

Other amendments to the Expenditure Limitation provisions involve GAAP. In FY 1993, FY 1994 and FY 1995, the state is to have funds available, either through appropriation or setting funds aside in a special account, to eliminate the state's deficit under GAAP. The Act specifies that the Iowa Economic Emergency Fund and the Cash Reserve Fund are considered to be special accounts for GAAP purposes.

Prior law created a GAAP Deficit Reduction Account for use in paying items to eliminate Iowa's GAAP deficit and required the Governor's budget to include a schedule of the items. The Act incorporates in the required schedule payment in a current fiscal year those items budgeted in a subsequent fiscal year which under GAAP should be budgeted in the current fiscal year. The Act includes a priority list of items that are to be paid. The schedule is required to indicate the fiscal year in which the item is to be paid and must incorporate the priority list. A Rebuild Iowa Infrastructure Account is created and the statute provides that the General Assembly may direct all or part of the moneys deposited in the GAAP Deficit Account, which includes 20 percent of the use tax collected from motor vehicle sales, to be transferred to the Infrastructure Account.

Amendments are made to various statutory provisions that authorize budgeting payment of an item in a subsequent fiscal year which under GAAP should be charged to a current fiscal year. Each of the amendments would rescind that authority but would not take effect until the State Comprehensive Annual Financial Report indicates that the item has been charged to a current fiscal year in accordance with GAAP. The amended provisions include state school aid payments, state aid to community colleges, state payments for nonpublic school transportation, and a loan from the Permanent School Fund to the Historical Division of the Department of Cultural Affairs.

Current law requires the Director of Revenue and Finance to keep the central budget and proprietary control accounts of the state. The Act requires that once the GAAP deficit is eliminated, including payment of items in the

correct fiscal year, GAAP requirements are also to be applied to recognition of revenues, payment of expenditures, and treatment of transfers between appropriations.

**SENATE FILE 2329 - Appropriation for Iowa Communications Network**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates \$5.6 million to the Iowa Communications Network Fund for FY 1995. The Act provides that upon appropriation of the funds to the Iowa Communications Network Fund, the Iowa Telecommunications and Technology Commission (established in S.F. 2089 - See State Government) is to immediately transfer the amount to a separate fund in the State Treasurer's Office to be used solely for making a payment on the principal amount of the certificates of participation issued for the Iowa Communications Network. This appropriation is in addition to other amounts appropriated to the network fund, including the \$5 million standing appropriation contained in Section 18.137.

**SENATE FILE 2330 - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and makes standing and regular appropriations for various state purposes in FY 1994 and FY 1995, appropriations for capital projects, and affects various state regulatory matters and statutory provisions.

Division I - Standing Appropriations

This Division creates a Special Olympics Fund under the control of the Department of Management, establishes a standing annual appropriation to the fund of \$20,000, beginning with FY 1995; repeals the \$5,000 appropriation to the Olympics Fund for FY 1995 in S.F. 2229, the Administration Appropriations Act; repeals the income tax refund checkoff for the benefit of the United States Olympic Committee; and repeals contingent effective language relating to the Iowa State Fair income tax refund checkoff and future income tax refund checkoffs, which repeal is retroactive to January 1, 1993, thus reaffirming the operation of the State Fair checkoff beginning with calendar year 1993.

The Division contains effective and applicability date provisions relating to the repeals.

Division II - Capital Projects - Lottery Revenues

This Division makes appropriations for capital projects for FY 1995 to the Department of Natural Resources for capital projects traditionally funded from the marine fuel tax receipts and to the State Department of Transportation for the purchase or renovation of specified lots in Ames.

The Division also transfers lottery revenues in excess of \$39,400,000 to various agencies for prioritized uses, including county fairs; the World Food Prize; the armory in Fairfield; the "Meredith Willson Footbridge"; promotion of United States-Japan Midwest Conference; restoration of a bridge linking Bentonsport and Vernon; stadium improvements; community health education; soil conservation; natural lake preservation; health, life safety and maintenance needs; completion of the Iowa State Fair Service Center; rail line acquisition to preserve jobs; a feasibility study for a midwest regional space center; grants for cosmetology arts and sciences students; an agriculture museum; a Lewis and Clark Rural Water System study; costs of the Child Protection Task Force; and repairs and improvements to Terrace Hill. These appropriations take effect May 13, 1994.

Division III - Transfers

This Division provides that lottery proceeds received in FY 1995 are to be deposited into the General Fund of the State rather than the CLEAN Fund as provided in current law.

Lottery funds remaining from various allotments and appropriations made in previous years to the Jobs Now Capitals, Jobs Now, Education and Agricultural Research and Development, and Surplus accounts of the Iowa Plan Fund are transferred to the General Fund of the State. This provision takes effect May 13, 1994.

Specified amounts of moneys unencumbered as of July 1, 1993, from the following sources are transferred to the General Fund of the State: the Rural Community 2000 Revolving Fund, bottle deposit surcharge moneys, and the Community College Job Training Fund. These provisions take effect May 13, 1994.

#### Division IV - Appropriation Reductions

This Division makes reductions in the appropriations for FY 1994 to the State Department of Transportation for assistance for railroad facilities, the Department of Human Services for Medical Assistance (Medicaid), the Department of Education for the Educational Excellence Program, the Commission of Veterans Affairs for salaries, support and maintenance, and the State Board of Regents for tuition replacement. The Division takes effect May 13, 1994.

#### THE GOVERNOR ITEM VETOED THE FOLLOWING:

A provision that would have required that State General Fund revenues of at least \$3.899 billion be credited to the General Fund during FY 1994 before certain unanticipated tax refunds may be made.

#### Division V - Supplemental Appropriations

This Division supplements appropriations for FY 1994 to the Department of Economic Development for the Community Economic Betterment Account (CEBA) of which \$60,000 is to be used to implement the Business Development Initiative for entrepreneurs with disabilities; Department of Human Services for the Family Investment Program (previously AFDC), medical contracts, state hospital-schools, the Gamblers Assistance Program, and MI/MR/DD state cases; Department of Education for execution of the Local Arts Comprehensive Educational Strategies Program (LACES); Department of Agriculture and Land Stewardship for levee reconstruction; Department of Justice for the Prosecuting Attorney Training Program; and allows the Iowa Veterans Home to retain reversions for the following fiscal year if certain revenue estimates are exceeded.

#### Division VI - Miscellaneous Provisions

This Division provides miscellaneous appropriations for FY 1995 and statutory changes. The following appropriations are included: Judicial Department for an additional juvenile judge for Polk County; Department of Cultural Affairs for a feasibility study for reactivating historic railway lines between the State Capitol and the City of West Des Moines; Department of Elder Affairs for the Retired Senior Volunteer Program; and Department of Agriculture and Land Stewardship for the Farmers' Market Coupon Program.

This Division authorizes the Department of Human Services (DHS) to change various residential care facility and in-home, health-related care reimbursement rates under certain circumstances. A provision authorizing the department to adopt emergency rules relating to reform provisions for state and county mental health and disabilities funding may constitute a state mandate as defined in Chapter 25B.

Division VI also provides direction to the DHS concerning selection of a contractor for a prepaid mental health services plan under Medical Assistance. This provision takes effect May 13, 1994. An appropriation in S.F. 2313, the FY 1995 Human Services Appropriations Act, is amended to allocate certain funding for child neutral visitation grants. In addition, various regulatory departments are required to test certain budgeting alternatives.

Statutory provisions amended in this Division include:

Section 8.39, relating to limits on interdepartmental transfers to another appropriation that is not an entitlement appropriation, was amended in S.F. 2318 and is further amended to make an appropriation to the State Public Defender for indigent defense an entitlement appropriation.

Section 34A.2, relating to enhanced 911 emergency telephone systems, is amended to provide for appropriation of funds deposited in an E911 service fund.

A new section is added to Chapter 99F, relating to riverboat gambling, to provide for cooperation between the Department of Inspections and Appeals and the Division of Criminal Investigation of the Department of Public Safety in adopting rules relating to gaming operations at racetracks and riverboats.

Section 279.51, relating to programs for at-risk children, is amended to allocate annually funding for various model school-based youth services education programs.

Section 307.26, relating to the Department of Transportation's Administrator for Rail and Water, is amended to require development and adoption of classifications of crossings on public highways.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision that would have prohibited the Department of Human Services from reallocating funds to state mental health institutes under certain circumstances.
2. An amendment to Section 904.201, relating to the Iowa Medical and Classification Center at Oakdale, which would have required that the center serve as the transportation center for transportation of all inmates in the corrections system.

Division VII - Education Finances

This Division appropriates \$50,000 to the Department of Education, to conduct a study of the special education costs to the state of proposed rules concerning special education prior to the effectiveness of the rules; \$20,000 for a school liaison; \$139,745 for Phase II of the Education Excellence Program; \$2,000,000 for at-risk children programs, primarily the School-Based Youth Services Education Program; \$50,000 for a four-year pilot project to provide outreach and incentives for a voluntary parenting program in a county with less than 35,000 population; and \$50,000 for establishing a character education pilot program to evaluate methods of incorporating positive character qualities in educational programs. These appropriations are contingent upon the realization of projections that the state will pay less in school aid during FY 1995 because of the increase in taxable property valuations over initial estimates.

Division VIII - Corrective Changes

This Division provides corrective statutory changes. Various provisions are amended to conform conflicting changes enacted concerning the Gamblers Assistance Fund to the action taken by the General Assembly in the Human Services Appropriations Act, S. F. 2313. The following provisions are amended or stricken: Section 8.60, relating to fund transfers; S. F. 2086 (See State Government), known as the Code Editor's bill, relating to the Gamblers Assistance Fund and revenues from the state lottery and riverboats for that fund; a provision of H. F. 2179 (See State Government), relating to gaming changes, which also provides a portion of riverboat revenues to gamblers assistance; H. F. 2411 (See Appropriations), the Education Appropriations Act, by eliminating a duplicative appropriation for funding the Iowa Community Scholarship Program; and H. F. 2403 (See Economic Development), by repealing the language that directs the use of certain appropriated moneys for a development initiative for disabled entrepreneurs, because the funds are provided in this Act.

Section 262.25A, relating to use of alternative fuels in state vehicles, was part of H. F. 2337 (See Economic Development), the Rural Revitalization Act. This amendment strikes a community college reference inadvertently included in a State Board of Regents provision.

Section 282.4, relating to school expulsion or dismissal, was amended by H. F. 2383 (See Education), relating to school safety. This amendment strikes a requirement for a school board to ratify a suspension decision under certain circumstances.

Section 615.3, relating to limitation on judgments, was amended in H. F. 307 (See Courts, Civil Law & Procedure, & Probate). The amendment replaces a word inadvertently stricken when the statute was amended.

House File 2230 (See Gaming), the relating to a raffle of real property by a qualified organization, is amended to conform a repeal date with other requirements in the Act.

Senate File 2313, the Human Services Appropriations Act, is amended to revise allocations within the appropriation for community-based mental illness, mental retardation, developmental disabilities, and brain injury services.

House File 582 (See Human Services), relating to screening and assessment of elders, is amended to correct an internal reference and make an applicability exception for Medical Assistance recipients.

#### Division IX - Motor Vehicles

This Division provides an amendment to Section 321.24, which allows a requirement that subsequent certificates of title must retain other states' damage designations. The Division also amends Section 321.457, to extend maximum lengths for certain vehicles to conform with changes made in S. F. 2080 (See Transportation), which repealed the designated highway system; Section 321.463, to provide that a vehicle designed to tow wrecked or disabled vehicles is exempt from weight limitations while the vehicle is towing a wrecked or disabled vehicle; and Section 322.4, to increase the amount of a motor vehicle dealer's license surety bond from \$35,000 to \$50,000.

#### Division X - FY 1994 Appropriations

This Division appropriates for FY 1994 health, life safety and maintenance needs for Department of Corrections facilities, for Department of Human Services facilities, and for the State Board of Regents for the School for the Deaf and the Braille and Sight Saving School; for technical assistance costs associated with implementation of county-state mental health and disabilities service funding reform in H.F. 2430 (See Local Government); for state child care assistance and pilot projects provided by the Department of Human Services for placement of certain geriatric patients; for soil conservation technicians of the Department of Agriculture and Land Stewardship; for employment of additional full-time equivalent positions for the regulation of pari-mutuel gambling by the Department of Public Safety; and for the Racing and Gaming Commission for salaries for an increase of 4.70 in authorized full-time equivalent positions. The moneys unspent from these appropriations may be used in FY 1995. The Division also authorizes the Department of Public Safety to employ gaming officers for riverboats upon approval of the Department of Management.

#### THE GOVERNOR ITEM VETOED THE FOLLOWING:

The appropriations to the Department of Corrections related to the transportation of inmates throughout the state. This item veto was made in conjunction with the item veto made to Section 904.201 in Division VI of this Act.

#### **HOUSE FILE 2323 - Federal Block Grant Appropriations**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates funding received from various federal block grants to the appropriate state agencies for the federal fiscal year beginning October 1, 1994, and ending September 30, 1995. The Act establishes a mechanism to regulate the process if more or less federal funding is received than predicted, and contingencies for consolidated, categorical or expanded federal block grants; provides for allocation of individual grants from the federal government for various state agencies for the fiscal year beginning July 1, 1994, and ending June 30, 1995; and amends Iowa Acts, Chapter 1234, which appropriated funds from the federal Block Grant Appropriation Act for the 1993 federal fiscal year by appropriating to the Department of Economic Development federal block grant moneys received between October 1, 1992, and September 30, 1993, from the federal Emergency Supplemental Appropriations for Relief from the Major Widespread Flooding in the Midwest Act of 1993.

The portion of the Act regarding the procedure for consolidated, categorical or expanded federal block grants and the portion appropriating federal block grant moneys received for flood relief during the 1993 federal fiscal year take effect May 11, 1994. The portion of the Act appropriating federal block grant moneys for flood relief is made retroactively applicable to October 1, 1992.

**HOUSE FILE 2350 - Appropriations — Justice System**

**BY COMMITTEE ON APPROPRIATIONS.** This Act appropriates moneys for the fiscal year beginning July 1, 1994, and ending June 30, 1995, to the Department of Justice, Board of Parole, Department of Corrections, including correctional facilities and the judicial district departments of correctional services, and the Judicial Department, and contains related statutory provisions. Under the Act, the total appropriations to the justice system reflect an increase in appropriations from the General Fund of approximately \$8.58 million from the adjusted FY 1994 appropriation.

**DEPARTMENT OF JUSTICE.** Within the Department of Justice, the total appropriations in H.F. 2350 are identical to the adjusted FY 1994 appropriation. These appropriations include amounts for the Office of the Attorney General, the Prosecuting Attorneys Training Program, amounts for victim assistance grants to care providers providing services to crime victims of domestic abuse or rape and sexual assault, the Governor's Alliance on Substance Abuse (GASA) Prosecuting Attorneys Program, and the Office of Consumer Advocate. However, in S.F. 2330 (See Appropriations) a \$40,000 supplemental appropriation for FY 1994 is provided for the Prosecuting Attorneys Training Program. House File 2350 provides that the Prosecuting Attorneys Training Coordinator shall consult with the Judicial Department to provide for the education and training of prosecuting attorneys, in implementing the recommendations of the Equality in the Courts Task Force, and restricts the Judicial Department to using not more than \$150,000 for educating Judicial Department employees and prosecuting attorneys. The Act provides for the Prosecuting Attorneys Training Program to use a portion of the funds appropriated for educating and training prosecuting attorneys in alternative dispute resolution techniques. The Act requires the Department of Justice to report sources of funding other than those directly appropriated to the department, such as reimbursements from other state agencies, special funds, or internal accounts, to the Director of the Department of Management, in submitting budget estimates, and to the Co-chairpersons and Ranking Members of the Joint Appropriations Subcommittee on the Justice System and the Legislative Fiscal Bureau.

**BOARD OF PAROLE.** The Act increases funding for the Board of Parole by \$3,662 over the adjusted FY 1994 appropriation to provide salary annualization. House File 2350 also requires the Board of Parole to submit a report to the Co-chairpersons and Ranking Members of the Joint Appropriations Subcommittee on the Justice System and the Legislative Fiscal Bureau, detailing steps taken to implement the recommendations contained in the final report prepared by the consultant and presented to the Corrections System Review Task Force, and specifies that the report shall include reports submitted to the Legislative Fiscal Bureau pursuant to Section 906.5, subsection 2, pertaining to the early release of certain property offenders.

**DEPARTMENT OF CORRECTIONS.** The Act increases the total General Fund appropriations to the Department of Corrections by approximately \$3.63 million above the adjusted FY 1994 appropriation, and provides for the use of an additional \$298,500 pertaining to moneys recovered by a court-appointed receiver. A portion of the increase in General Fund appropriations is to replace federal funding that is no longer available. The Act increases the appropriations at each of the correctional institutions, for a total increase of approximately \$2.075 million above the FY 1994 adjusted level.

With respect to other aspects of the Department of Corrections, H.F. 2350 provides funding for reimbursement to counties for temporary confinement of work release and parole violators, federal prisoner and out-of-state placements reimbursements, and the annual payment for Phase I of the construction of expansion in prison capacity authorized during the 1989 Regular Session of the General Assembly at the same levels as were provided in the adjusted FY 1994 appropriation. The Act slightly increases funding for the Central Office of the Department of Corrections, as well as for the Correctional Training Center at Mount Pleasant, and slightly decreases funding for the annual payment for Phase II of the construction of expansion in prison capacity provided in the 1990 Regular Session, as opposed to adjusted FY 1994 levels. With respect to the judicial district departments of correctional services, H.F. 2350 provides a total increase in funding from the General Fund of approximately \$1.5 million, distributed in differing amounts among the eight judicial district departments, and maintains funding to the Department of Corrections for assistance statewide to the judicial district departments of correctional services at the adjusted FY 1994 level. The additional \$298,500 pertaining to moneys recovered by a court-appointed receiver is also provided for use in the First and Second Judicial District Departments of Correctional Services. The Department of Corrections also receives appropriations in another Act, S.F. 2330, which includes \$100,000 from

excess lottery funds and an appropriation of \$150,000 for FY 1994, to be used for health, life safety and maintenance at correctional institutions. An additional \$100,000 appropriation in S.F. 2330 for FY 1994 to establish the Iowa Medical and Classification Center at Oakdale as the transportation center for the department was item vetoed by the Governor.

House File 2350 contains numerous special provisions impacting the Department of Corrections, including steps to implement a significant increase in correctional beds. The Act directs the Department of Corrections to construct a 750-bed, medium security correctional facility for men at Clarinda, and contains financing provisions pertaining to the construction of the facility. Under the Act, the Treasurer of State has 30 days from May 12, 1994, the date of enactment of the Act, to determine if financing of the prison is less expensive utilizing either of the state-obtained financing methods specified in the Act or by having a private entity build the prison and entering into a lease or lease-purchase agreement with that entity. The Department of Corrections is directed to proceed based upon the determination by the Treasurer of State. With respect to the state-obtained financing, the Act provides for the Iowa Finance Authority to issue prison infrastructure revenue bonds, funded through appropriations from the Prison Infrastructure Fund established in the Act. The Act provides for the deposit of \$4 million in the fund each fiscal year commencing with the fiscal year beginning July 1, 1995, from revenues collected in criminal cases, including scheduled and nonscheduled violations. However, the Act provides that if the Treasurer of State determines that the bonds cannot be issued, the correctional facility may be financed through financial arrangements established pursuant to Section 18.12, a state lease-purchase arrangement through the Department of General Services. The Act provides that if either of the state-obtained financing methods is utilized, the Treasurer of State and the Auditor of State shall review the development costs of Clarinda Heartland, Inc., and determine which development costs are necessary and appropriate. If approved, the Act provides that the development costs shall be paid through the financing. However, the Act specifically excludes lobbying costs from those that may be paid through state-obtained financing.

The Act directs the Department of Corrections to issue a request for proposals for the construction of additional medium security correctional beds for men, to be located at the Newton Correctional Facility, and provides that proposals shall not be accepted without specific authorization by the General Assembly.

House File 2350 contains several other items pertaining to the Department of Corrections. The Act provides that \$40,000 of the moneys appropriated to the Sixth Judicial District Department of Correctional Services shall be used for the relocation of the Cedar Rapids Community Corrections Center. Intent language directing each judicial district department of correctional services to operate community-based correctional facilities at a residential population of at least 110 percent of design capacity is included in H.F. 2350. The Act also requires the Department of Corrections to cooperate with several other departments concerning the development of community-based placements for elderly, mentally ill, mentally retarded, or infirm inmates; to identify those inmates who are ineligible for parole in the near future but who would otherwise qualify for such community-based placements; and to issue a request for proposals from private institutions that would be able to accept transfers of such inmates. The Act requires the Department of Corrections to include relevant information concerning the availability of funding sources to assist in the payment of services for such inmates. House File 2350 further encourages state agencies to purchase products from prison industries. The Act also contains a provision, effective May 12, 1994, which prohibits moneys appropriated to the Department of Corrections in FY 1994 from reverting at the end of that fiscal year, and provides that any moneys which would otherwise revert shall be used to employ up to 50 additional correctional officers and to purchase critically needed safety equipment to be used in the correctional institutions.

*MISCELLANEOUS.* House File 2350 provides that moneys recovered by the court-appointed receiver in the Iowa Trust matter in FY 1994 shall not revert at the end of FY 1994, but that \$150,000 of the moneys shall be used to construct eight additional community-based corrections residential beds at West Union in the First Judicial District Department of Correctional Services, and \$148,500 shall be used to pay the initial costs connected with the relocation of the Marshalltown community-based correctional facility and to construct additional beds to increase the total residential beds in the facility from 24 to 40. This section of the Act, which takes effect May 12, 1994, provides that any additional recovered funds shall be distributed to the Judicial Department for general operating expenses.

In addition to the moneys provided to the Judicial Department from those funds recovered by the court-appointed receiver, H.F. 2350 increases appropriations from the General Fund of the State to the Judicial Department by approximately \$4.95 million from the adjusted FY 1994 level. Some of this increase in General Fund appropriations is due to actions taken in other legislation enacted during the 1994 Regular Session pertaining to the state's contribution to the Judicial Retirement Fund. Senate File 413 (See Courts, Civil Law & Procedure, & Probate) removes provisions which dedicated certain court revenues to the Judicial Retirement Fund, and H.F. 2418 (See State Government) increases the state's contribution rate to the Judicial Retirement System from 3 percent to 23.7 percent until the system is fully funded, at which time the state will contribute an actuarially determined rate. Accordingly, the increased state appropriation to the Judicial Retirement Fund is included in H.F. 2350. In addition to the moneys appropriated to the Judicial Department in H.F. 2350, an appropriation of \$140,000 and 2.75 additional full-time equivalent positions (FTEs) are provided for an associate juvenile judge in a county with a population of over 250,000 in S.F. 2330 (See Appropriations), and an appropriation of \$190,000 and an additional 6 FTEs are provided for additional juvenile court officers in S.F. 2319 (See Children & Youth).

House File 2350 also provides for the Judicial Department to use not more than \$150,000 for educational purposes in implementing the recommendations of the Equality in the Courts Task Force, for training Judicial Department employees and prosecuting attorneys. Under the Act, \$35,000 is dedicated to reestablishing the Court Appointed Special Advocate (CASA) Program in Woodbury County.

House File 2350 directs the Judicial Department to use up to \$1,115,000 for increasing the existing capacity of the Iowa Court Information System (ICIS) by extending the system into additional counties, and not more than \$20,000 of this amount is to be used for the development of a computer software program to allow state agencies to gain access to data in ICIS. The Act specifies that these funds shall not be used to expand the applications of ICIS for purposes other than those currently used, and requires the Judicial Department to focus the use of the funds upon the collection of delinquent court fines, fees and similar amounts. The Act also requires the Judicial Department to investigate and report concerning the most efficient way to complete the expansion of the department's entire communication and information management system. The Act also maintains funding at the adjusted FY 1994 level for maintaining the current information system.

The Act provides for the Judicial Department to use a portion of the funds appropriated for educating and training prosecuting attorneys in alternative dispute resolution techniques. The Act also increases funding for the Juvenile Victim Restitution Program by \$33,663 above the adjusted FY 1994 appropriation.

House File 2350 requires the Supreme Court to submit a report to the Public Defender, the Department of Management and the Legislative Fiscal Bureau related to amounts collected and recovered for indigent defense costs.

The Act requests that the Legislative Council establish an interim study committee to review current criminal penalties and sentencing practices. In a section that takes effect May 12, 1994, the Act extends the deadline for the submission of a plan by the Intermediate Criminal Sanctions Task Force, from June 30, 1994, to January 15, 1995.

The Act also provides an automatic excuse from jury service for a person who is the mother of a breast-fed child and is responsible for the daily care of the child.

#### **HOUSE FILE 2376 - Appropriations — Health and Human Rights**

**BY COMMITTEE ON APPROPRIATIONS.** This Act provides for appropriations to the Department for the Blind, the State Civil Rights Commission, the Department of Elder Affairs, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs and provides for the elimination of the Department of Human Rights, effective July 1, 1997. Each of the entities funded in this Act is required to seek alternatives to travel through the use of video and teleconferencing technology with the exception of the Department for the Blind.

**CIVIL RIGHTS COMMISSION.** Included in the appropriation to the Iowa Civil Rights Commission is authorization for the commission to exceed its authorized staffing level to hire additional professional staff to investigate

employment and housing complaints, if the anticipated amount of federal funding from the federal Equal Employment Opportunity Commission and the federal Department of Housing and Urban Development exceeds \$387,900 for FY 1995.

*DEPARTMENT OF PUBLIC HEALTH.* Within the appropriation to the Iowa Department of Public Health is appropriated \$100,000 for the regulatory oversight of accountable health plans. The Act provides that budgets for professional licensure boards funded through the department are not to exceed 85 percent of the fees collected by each licensure board.

The Act requires the Health Data Commission to establish a fee schedule for the costs of providing data to organizations that request the data. The commission is to provide a report to the General Assembly before December 1, 1994, that provides guidance on public policy issues regarding health care.

Funds are provided for chlamydia testing, surveillance and reporting of agricultural-related disease and injury, and lead abatement and radon program activities.

The Substance Abuse and Health Promotion Division of the Department of Public Health and the Commission on Substance Abuse are to coordinate delivery of substance abuse services to uninsured and court-ordered substance abuse patients in all counties of the state. The division is to apply for a grant from the federal "Section 402" motorcycle helmet transfer funds for an amount up to \$500,000 to be used for court-ordered social and medical detoxification related to the coordination of delivery of services. The Act also requires the division to apply for a grant from the federal "Section 402" funds for use in adolescent substance abuse prevention.

*DEPARTMENT OF HUMAN RIGHTS.* The divisions of the department are to retain their individual administrators but are encouraged to share staff and grant-writing capabilities to the greatest extent possible.

*COMMISSION OF VETERANS AFFAIRS.* The Act authorizes the commission to accept donations for the Camp Dodge office, but the Act also requires the commission to prepare an annual report on monetary gifts received for submission to the Governor and the General Assembly.

If medical assistance reimbursements exceed the amount budgeted for that purpose in the fiscal year beginning July 1, 1994, the Act authorizes the Iowa Veterans Home to expend the excess amounts to exceed the number of full-time equivalent positions authorized in this Act for meeting certification requirements or to provide additional beds.

The amount of aid from the Commission of Veterans Affairs for any one child who is the child of a person who died in overseas wars and conflicts is increased from \$400 to \$600. The enumerated wars and conflicts recognized in the Iowa Code are expanded to include the Persian Gulf conflict.

*LEGISLATIVE STUDY REQUESTS.* The Legislative Council is requested to establish two interim studies that were also requested in the previous year's appropriations Act. One interim study would review programs and services available in Iowa relating to substance abuse care and treatment, and relating to funding and payment mechanisms, with submission of a report containing recommendations for addressing identified problem areas to the General Assembly on or before January 15, 1995.

The second interim study request is for a study of the organizational structure of the Department of Human Rights with proposals for changes to be presented to the General Assembly by January 1, 1995.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. A requirement that the Department of Human Rights utilize performance-based budgeting in preparing and monitoring the department's budget.
2. A provision restricting executive branch agencies in their ability to enter into lease-purchase agreements.

**HOUSE FILE 2411 - Appropriations — Education**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys to the Department of Education, the College Student Aid Commission, the State Board of Regents and its institutions, and the Department of Cultural Affairs.

*DEPARTMENT OF EDUCATION.* Moneys are appropriated for purposes of the Department of Education's general administration, vocational education administration, Division of Vocational Rehabilitation Services, independent living, the Board of Educational Examiners, school food service, textbooks of nonpublic school pupils, the Vocational Agriculture Youth Organization and for other youth activities, the State Library, the regional library system, Center for Assessment, the Iowa Minority Academic Grants for Economic Success Program, the Public Broadcasting Division, the Corrections Education Program, assessment, the Family Resource Center Demonstration Program, and community colleges.

Under the Act, the department's general administration receives an increase of 3.93 percent above the adjusted amount appropriated for this purpose for FY 1994, and 4.22 percent more full-time equivalent positions (FTEs). The Division of Vocational Rehabilitation Services is permitted to hire up to four more full-time employees if federal funding is available to pay the costs. Funds for independent living are increased 4.88 percent; for textbooks of nonpublic school pupils, 11.8 percent; for the state library, 3.46 percent; and for the regional library system, 2.25 percent. The Public Broadcasting Division's funding is increased by 4.98 percent and it receives 6.59 percent more FTEs for FY 1995.

For FY 1995, additional funds transferred from Phase I to Phase III are to be paid to the Department of Education in the amount of \$50,000 for support of the Iowa Mathematics and Science Coalition, and in the amount of \$150,000 for support of the School and Community Planning Program. Should funds be insufficient to cover the appropriation for the School and Community Planning Program, the Act provides for the transfer of Phase III funds that would otherwise revert to the General Fund, and, if funds are still insufficient, provides for a reduction in the appropriation.

For FY 1994, the Board of Educational Examiners' funding increase of \$50,000 was conditioned upon board revenues increasing by at least that amount during FY 1994 through an increase in the fees charged by the board. House File 2411 amends that conditional language to provide that effective May 10, 1994, moneys appropriated to the board in FY 1994 shall be reduced in an amount equal to the difference between the total amount of revenues resulting from the fee increase and \$50,000. The board's appropriation for FY 1995 is increased by 8.8 percent.

The amount appropriated to the community colleges reflects an increase of 4.15 percent. The Act continues funding for the New Iowa Schools Development Corporation at FY 1994 levels.

The Act provides that effective May 10, 1994, a portion of the funds allocated to Merged Area XI for FY 1994 for purposes of the Iowa Minority Academic Grants for Economic Success Program are to be distributed by Merged Area XI to a private institution of higher education cooperating in the program with Merged Area XI in an amount equal to the number of students enrolled and participating in the program at the private institution compared to the number of students enrolled and participating in the program at the two institutions. The provision relating to distribution is repeated for FY 1995.

*COLLEGE STUDENT AID COMMISSION.* The Act appropriates moneys to the commission for general administration purposes, for forgivable loans to Iowa students attending the University of Osteopathic Medicine and Health Sciences, for an initiative to direct primary care physicians to shortage areas in the state, for student aid programs, and for the Stafford Loan Program.

A provision within Section 7, subsection 1, requires that \$5,000 of the commission's general administration funds be used not to pay, supplement or supplant the salaries of the employees of the commission, but for the Iowa Community Scholarship Program. Senate File 2330 strikes Section 7, subsection 4, of this Act, which also would have appropriated \$5,000 for the Iowa Community Scholarship Program and contained identical intent. The commission is also directed to conduct a study, with Palmer College of Chiropractic, of Iowa's need for chiropractic

physicians, the financial needs of Iowa resident chiropractic students, and the feasibility of establishing a forgivable loan program. Commission findings are to be submitted to the General Assembly by January 3, 1995.

Funds for the Primary Care Initiative are increased by 61.22 percent over the adjusted appropriation for FY 1994. A provision of the Act requires that all moneys appropriated for state scholarships be awarded to eligible students and eliminates a commission-imposed cap on scholarship funding. The Act amends the Code to increase the tuition grant standing appropriation by 2.85 percent and the vocational-technical tuition grant by 2.81 percent.

*STATE BOARD OF REGENTS.* The Act appropriates moneys to the State Board of Regents for board operations, tuition replacement, the Southwest Iowa Graduate Center, the Tristate Graduate Center, the Quad-Cities Graduate Center, and for the State University of Iowa (SUI), Iowa State University of Science and Technology, the University of Northern Iowa, the State 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 School for the Deaf.

Under the Act, the board is directed to conduct a comparison of need-based and academic-based federal and state student financial aid programs to determine the trends and demands for state and federal financial aid programs; a study of the supply and the current and projected demand for state and federal student financial aid programs at the Regents institutions of higher learning; and a study to determine whether there is a need to increase funding of student financial aid programs to accommodate increasing numbers of nontraditional students in Regents institutions of higher learning. The board is to submit a report of its findings, recommendations and anticipated plans to the General Assembly by January 1, 1995.

Moneys for tuition replacement are increased by 9.47 percent over the adjusted amount appropriated for FY 1994, and the board is directed to cooperate with the Department of Management and the Legislative Fiscal Bureau to determine and agree upon a tuition replacement amount for FY 1996.

With the following exceptions, programs at Regents institutions are funded at FY 1994 levels and sustain minor changes in FTEs. Funding for the Primary Health Care Initiative at the University of Iowa receives an increase of 90.91 percent. The SUI Substance Abuse Consortium's full-time equivalent positions are reduced by 8 percent. Iowa State University's Agricultural Experiment Station receives an increase of 9.16 percent, and the allocation for the university's Cooperative Extension Service in Agriculture and Home Economics is increased by 3.49 percent from the adjusted amount allocated in FY 1994. Tuition and transportation funding for students residing at the Iowa Braille and Sight Saving School and the School for the Deaf is increased by 63.73 percent.

Iowa State University is instructed to expend \$25,000 of its general university funds to contract for services with the Iowa Department of Public Health for the granting of funds to a child farm safety program. Iowa State University is also instructed to expend \$100,000 from the allocation to the Agricultural Experiment Station to support the Beginning Farmer Center created in the Act.

*DEPARTMENT OF CULTURAL AFFAIRS.* The Act funds the Iowa Arts Council, the Historical Division, historic sites, and community cultural grants at the same levels as FY 1994. However, the department's administration realizes an increase of 24.1 percent. The Act requires the department to develop an implementation plan for the Statewide Arts and Cultural Enhancement Program, the Iowa Arts and Cultural Endowment Account, and the Regional Conferences and Statewide Caucus on Arts and Cultural Enhancement. The plan is to be submitted to the standing Committees on Education and the Joint Appropriations Subcommittee on Education by January 1, 1995.

Effective May 10, 1994, the Act provides that funds appropriated to the Higher Education Strategic Planning Council for FY 1994, that are unencumbered or unobligated on June 30, 1994, do not revert but are available for expenditure for purposes of the council during FY 1995. Effective July 1, 1995, however, the Act provides for the repeal of the chapter that creates the Higher Education Strategic Planning Council.

*STATUTORY PROVISIONS.* The Act directs the State Board of Education to adopt rules requiring the board of directors of a school district to waive school fees for indigent families.

The State Librarian is authorized to dispose of, through sale, conveyance or exchange, any worn out or obsolete library materials unnecessary or inappropriate to the mission of the State Library of Iowa.

The State Board of Regents is instructed to authorize the institutions of higher learning under its control to charge an interest rate, not to exceed the prime rate plus 6 percent, on delinquent bills other than late tuition and room and board payments when delayed by lending institutions.

To assist individuals beginning farming operations or facilitating the transition of farming operations from established farmers to beginning farmers, the Act establishes a beginning farmer center as part of the Iowa Cooperative Extension Service in Agriculture and Home Economics at Iowa State University. The center is directed to submit an annual report to the General Assembly.

The Act requires each school district to operate or provide for the operation of a school breakfast program at all public schools in the district by July 1, 2000, unless a school applies for, and the State Board of Education approves, a waiver. However, a waiver shall not be granted to a school if 35 percent or more of the students in attendance at the school during the month of March 1999 are eligible for free or reduced price meals under the federal National School Lunch Act. Technical corrections are made to Chapter 283A of the Code to add school breakfast programs to the current requirements relating to school lunch programs. The school breakfast programs are to be available to all students in the district who attend public school and who wish to participate. The section that provides for the school breakfast program waiver is repealed effective July 1, 2000.

**HOUSE FILE 2415 — Appropriations — Economic Development**

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates and transfers funds from the General Fund and other funds to the Department of Economic Development, the Wallace Technology Transfer Foundation, the Iowa Seed Capital Corporation, and the Iowa Finance Authority, and makes statutory changes related to economic development.

The Act changes the name of the Iowa Product Development Corporation to the Iowa Seed Capital Corporation and authorizes the corporation to be formed as a nonprofit corporation. The Act provides that the corporation is not a state agency and its employees are not to be considered state employees except in certain circumstances. The Act also transfers administration of the Seed Capital Fund to the Wallace Technology Transfer Foundation.

**THE GOVERNOR ITEM VETOED THE FOLLOWING:**

1. A provision repealing Chapter 38, which creates the Iowa Peace Institute. The provision was to take effect July 1, 1995.
2. A provision requiring the Governor to submit information regarding lease-purchase contracts.

**HOUSE FILE 2429 - Compensation for Public Employees**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and appropriates moneys to fund salary adjustments for state-appointed, nonelected officers, justices, judges, magistrates, employees subject to collective bargaining agreements, and noncontract employees.

For the fiscal year beginning July 1, 1994, the salary rates and ranges of state officers are increased by approximately 3 percent. Justices' and judges' salaries are increased by approximately 2 percent effective with the pay period beginning July 1, 1994, and an additional 2 percent effective with the pay period beginning December 30, 1994. Other state employees, except the officers and employees of the State Board of Regents, will also receive a 2 percent increase with the pay period beginning July 1, 1994, and an additional 2 percent beginning with the pay period beginning December 30, 1994. These state employees may also receive merit step increases if they are eligible.

The State Board of Regents officers and employees not under collective bargaining receive similar pay increases to the Regents contract employees.

The Act funds the salary adjustments for the fiscal year beginning July 1, 1994, and ending June 30, 1995.

**HOUSE FILE 2433 - Appropriations — Claims Against the State**

BY COMMITTEE ON APPROPRIATIONS. This Act provides for the payment of two claims against the state and for disapproval of all other claims submitted and considered by the Joint Appropriations Subcommittee on Claims as of April 14, 1994. Of the two claims approved, one was filed by John H. Ekern for the payment of lost vacation time and the other was filed by Marge Petty for reimbursement of travel expenses.

**BONDING AND DEBT FINANCE**

**SENATE FILE 2326** - Capitol Project Financing

**HOUSE FILE 2435** - Local Government Flood Damage Loan Program

**RELATED LEGISLATION**

**SENATE FILE 2199** - College Education Financing

**SEE EDUCATION.** This Act requires the State Board of Regents to issue capital appreciation bonds, designed primarily to be marketed to Iowa parents to encourage them to save for their children's future university costs, in an amount not to exceed 50 percent of the amount of bonds authorized pursuant to Section 262A.4 by the 1994 Session of the 75th General Assembly.

**SENATE FILE 2318** - State Budget Processes

**SEE APPROPRIATIONS.** This Act relates to state budget processes and includes requirements for certain types of appropriation reversions, revises provisions relating to the Revenue Estimating Conference and the State General Fund Expenditure Limitation, applies a limitation on interdepartmental transfers, and affects state practices for payment of obligations in accordance with generally accepted accounting principles (GAAP), including the timing of budgeting certain state obligations.

## BONDING AND DEBT FINANCE

### **SENATE FILE 2326 - Capitol Project Financing**

BY COMMITTEE ON APPROPRIATIONS. The Act authorizes the Department of General Services to enter into lease-purchase contracts for up to 10 years for real or personal property, under a Capitol Complex Renovation Program, to be used for improvements, excluding additions, to existing buildings, facilities, and structures at the state capitol complex under Section 18.12, subsection 10, in an amount not to exceed \$24,700,000. The projects involve renovations of the state capitol exterior, the state capitol interior, and the old historical building.

The Act also authorizes the State Board of Regents to issue bonds for the period beginning July 1, 1994, and ending June 30, 1996, in an amount equal to 124.494 percent of the amount authorized under the state capitol complex lease-purchase program, i.e., \$30,750,000 for the three institutions of higher learning under its jurisdiction, for purposes of remodeling, facility planning and construction, and fire safety and deferred maintenance projects. The Act also provides for bonding up to a certain amount to facilitate savings by Iowans for future higher education costs.

### THE GOVERNOR ITEM VETOED THE FOLLOWING:

A provision establishing a special capitol complex renovation fund, into which \$4,200,000 would be deposited from the use tax revenues that would have gone into the GAAP account under existing law.

### **HOUSE FILE 2435 - Local Government Flood Damage Loan Program**

BY COMMITTEE ON WAYS AND MEANS. This Act requires the Iowa Finance Authority to establish a program to make loans available to public bodies, including cities, counties, school corporations, Chapter 281E entities, municipal utility boards, and judicial district departments of correctional services, for the purpose of repairing damage done to their property by reason of the 1993 flood and water damage or for constructing new flood control barriers or facilities located within a city. The authority is authorized to issue its bonds and notes and use the proceeds for making the loans.

The Act takes effect May 4, 1994, and is repealed August 1, 1996.

**BUSINESS, BANKING AND INSURANCE**

- SENATE FILE 2153** - Distribution of Earnings by Cooperative Associations
- SENATE FILE 2232** - Registration and Use of Marks
- SENATE FILE 2273** - Investment Authority of State Banks
- SENATE FILE 2276** - Multistate Life and Health Insurance Resolution Facility
- SENATE FILE 2279** - Uniform Commercial Code --- Negotiable Instruments --- Bank Deposits and Collections
- SENATE FILE 2282** - Insurance Regulation
- HOUSE FILE 403** - Unclaimed Dry Cleaning
- HOUSE FILE 2013** - Extraordinary Dividends of Certain Insurers
- HOUSE FILE 2110** - Suspension of Certain Banking Laws
- HOUSE FILE 2232** - Innkeepers and Guests
- HOUSE FILE 2280** - Limited Liability Partnerships
- HOUSE FILE 2314** - Insurance Fraud
- HOUSE FILE 2321** - Leases --- Uniform Commercial Code
- HOUSE FILE 2342** - Reinstatement Period for Certain Administratively Dissolved Corporations
- HOUSE FILE 2370** - Regulation of Multiple Employer Welfare Arrangements
- HOUSE FILE 2384** - Fraudulent Transfers
- HOUSE FILE 2385** - Division of Insurance --- Securities Regulation --- Regulated Industries

**RELATED LEGISLATION**

- SENATE FILE 2069** - Community Health Management Information System  
*SEE HEALTH & SAFETY.* This Act creates new Chapter 144C, which provides for the development and implementation of a community health management information system.
- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to business, banking and insurance, including changes directed as a result of legislation enacted in 1993 pertaining to certain trust funds.
- SENATE FILE 2218** - Appropriations --- Regulatory Bodies  
*SEE APPROPRIATIONS.* This Act makes appropriations to regulatory bodies of state government, including the Public Employment Relations Board and the Department of Commerce, and its divisions of Professional Licensing and Regulation, Administrative Services, Alcoholic Beverages, Banking, Credit Union, Insurance, and Utilities.
- SENATE FILE 2245** - Workers' Compensation --- Miscellaneous Provisions  
*SEE LABOR & EMPLOYMENT.* This Act provides that certain injured employees can receive an amount equivalent to the wages the employee lost for having to leave work to receive treatment subsequent to sustaining a compensable injury and that this payment is required to be covered by any workers' compensation insurance policy.

- SENATE FILE 2272** - Prize Promotions  
*SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE.* This Act creates a new Chapter 714B relating to the regulation of unsolicited promotions offering prizes to consumers. The Act amends Section 714.8 (fraudulent practices) of the Iowa Code to provide that obtaining or attempting to obtain the transfer of possession, control or ownership of the property of another by deception through communications conducted primarily by telephone is a fraudulent practice.
- HOUSE FILE 307** - Limitations on Judgments  
*SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE.* This Act amends provisions in Chapter 615 of the Iowa Code relating to limitations on judgments in an action for the foreclosure of a real estate mortgage or deed of trust, or a promissory obligation secured by a mortgage or deed of trust.
- HOUSE FILE 2118** - Underground Storage Tank Lender Liability  
*SEE ENVIRONMENTAL PROTECTION.* This Act limits the underground storage tank lender liability exemptions by stating that the definition of those persons who are not considered "owners" for purposes of corrective action liability must be consistent with the federal Resource Conservation and Recovery Act, as amended to January 1, 1994.
- HOUSE FILE 2120** - State Employees Disability Insurance Program  
*SEE STATE GOVERNMENT.* This Act pertains to the computation of benefits under the State Employees Disability Insurance Program.
- HOUSE FILE 2197** - Investment of Funds Paid to District Court Clerks  
*SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE.* This Act authorizes a clerk of the district court to invest moneys received by the clerk, to be paid to another person, in certain money market funds.
- HOUSE FILE 2350** - Appropriations — Justice System  
*SEE APPROPRIATIONS.* This Act makes appropriations to several departments involved in the justice system, including the Department of Justice, the Board of Parole, the Department of Corrections, and the Judicial Department, and contains statutory and intent language pertaining to related matters, including financing provisions related to the construction of a 750-bed, medium security correctional facility for men at Clarinda.
- HOUSE FILE 2391** - Corporate or Partnership Farming — Reporting Requirements  
*SEE AGRICULTURE.* This Act exempts certain business entities from filing a report with the Secretary of State detailing information regarding the entity's agricultural land holdings.
- HOUSE FILE 2401** - Recording of Instruments in County Recorder's Office  
*SEE LOCAL GOVERNMENT.* This Act strikes the county recorder's duties relating to recording and indexing of certain documents.
- HOUSE FILE 2407** - Collection of Child Support  
*SEE HUMAN SERVICES.* This Act provides a procedure for initiation of levies against the bank accounts of child support obligors and other account holders of interest against whom a support obligation is being enforced by the child support recovery unit, if support is delinquent in an amount equal to the support payment for one month.
- HOUSE FILE 2410** - Child Support, Paternity, and Related Matters  
*SEE HUMAN SERVICES.* This Act makes various changes in the law relating to child support collection, including making alterations in provisions relating to automatic withholding of income, the centralized employee registry, and assignment of income related to workers' compensation.

**HOUSE FILE 2418** - Public Retirement Systems

*SEE STATE GOVERNMENT.* This Act contains numerous changes pertaining to Iowa's public retirement systems, as well as provisions pertaining to the deferred compensation program available to certain public employees and certain Section 403(b) tax-sheltered annuities available to public employees, by making changes relating to the entities and persons from whom the investments may be purchased.

## BUSINESS, BANKING AND INSURANCE

### **SENATE FILE 2153 - Distribution of Earnings by Cooperative Associations**

BY BANKS. This Act amends Iowa Code Section 499.30, which regulates how a cooperative association organized under Chapter 499 may distribute earnings in excess of its operating expense. Currently, after an association provides a reasonable reserve for depreciation, obsolescence, bad debts, or contingent losses or expenses, at least 10 percent of the remaining earnings must be added to the surplus or \$1,000, whichever is greater. This Act provides that to the extent that the cooperative association is operating on a pooling basis, the cooperative association must determine the portion of the remaining earnings derived from the pool that will be added to the surplus. According to the Act, a cooperative association is operating on a pooling basis if the association markets, sells or handles an agricultural product; the product is a pool composed by commingling units of the same kind of product, which are contributed to the cooperative association by its members; and the earnings of the association are computed without deducting a charge for products delivered by members of the association who are contributing units to be commingled in the product pool. The Act provides that the board of directors may provide an advance payment to the members of the association contributing units of the product to be commingled in the product pool during the contribution period.

### **SENATE FILE 2232 - Registration and Use of Marks**

BY COMMITTEE ON JUDICIARY. This Act amends Chapter 548 providing for the registration and protection of certain marks, including trademarks and service marks, to be consistent with revisions made by the United States Trademark Association to the Model State Trademark Act.

The Act amends the definitions in the chapter, eliminating references to "certification marks" and "collective marks," and providing a more extensive definition of several terms, including "service marks," "trademarks" and "use."

The Act amends provisions relating to the registration of marks, including applying for registration. The Act provides for the registration of marks by partnerships. The Act also identifies information required to be submitted by an applicant, including information regarding the filing of applications with the United States Patent and Trademark Office.

The Act provides a new section relating to the filing of applications with the Secretary of State. It amends provisions relating to the issuance of a certificate of registration, including information required to appear on the certificate, and the use of the certificate as evidence in legal proceedings. The Act amends provisions relating to the renewal of registrations by reducing the term of registration from 10 years to 5 years.

The Act provides for the assignment of rights to a mark, notice and for procedures for the issuance of a new certificate by the Secretary of State. The Act also provides for the change of an applicant's name and the effect of other instruments that relate to a mark.

The Act provides for cancellation of registration, including instances where the appearance of a mark causes confusion or mistake. The Act provides for fraudulent registration and infringement.

The Act provides that the registrant of a mark may have a claim to recover damages in cases of intentional deception. It also provides that a registrant may enjoin the persons who manufacture, use, display, or sell products or services in violation of the chapter. The Act provides procedures for bringing actions to enforce rights granted in the chapter. Pending legal actions are not affected by the Act.

The Act allows the Secretary of State to establish fees to administer the chapter and removes references to fees established in the chapter.

The Act repeals Iowa Code sections relating to defenses and the application of the chapter.

**SENATE FILE 2273 - Investment Authority of State Banks**

BY COMMITTEE ON COMMERCE. This Act authorizes a state bank to invest in shares or units of investment companies or investment trusts registered under the federal Investment Company Act of 1940 (regulating mutual funds), if such companies or trusts contain investments that are subject to limitations applicable to state banks, or if the portfolio of such companies or trusts is limited to United States obligations or repurchase agreements fully collateralized by United States obligations.

**SENATE FILE 2276 - Multistate Life and Health Insurance Resolution Facility**

BY COMMITTEE ON COMMERCE. This Act creates a new Chapter 508D and authorizes the formation of a legal entity by one or more state life and health insurance guaranty associations for administering and disposing of the business of impaired or insolvent insurance companies. The chapter establishes the multistate life and health insurance resolution facility, which is a legal entity domiciled in Iowa. The members of the facility's board of directors are to be representatives or employees of the member guaranty associations, and selected by the associations subject to the approval of an oversight organization. The oversight organization is defined as the Iowa Insurance Commissioner and one or more additional state insurance commissioners.

The facility is to have the powers and duties the member guaranty associations assign to it, as provided in the enabling legislation of each state. The facility is not authorized to solicit, advertise, market, sell, underwrite, issue, insure, administer, or reinsure new insurance business or the business of insurance companies that are not impaired or insolvent.

Member guaranty associations are to be assessed for funds necessary to carry out the operations of the facility. The facility is subject to examination and regulation by the oversight organization.

**SENATE FILE 2279 - Uniform Commercial Code — Negotiable Instruments — Bank Deposits and Collections**

BY COMMITTEE ON COMMERCE. This Act amends Chapter 554, the Uniform Commercial Code, by rewriting Article 3 relating to commercial paper; amends Article 4 relating to bank deposits and collections in conformance with recommendations by the American Law Institute and the National Conference of Commissioners on Uniform State Laws; and provides conforming amendments to various sections of the Iowa Code.

Part 1 of the new Article 3 establishes general provisions, including definitions, requirements for the issuance and payment of negotiable instruments, and liability of parties involved in a breach of an obligation arising from a transaction involving an instrument. Part 2 provides for the negotiation, transfer and endorsement of negotiable instruments, including rights acquired by transfer and reacquisitions. The Act includes requirements regarding endorsements, including special and blank endorsements and restrictive endorsements. Part 3 provides for the enforcement of instruments by providing for the rights of holders of the instruments; requirements relating to the transfer of instruments for value and consideration; the payment of overdue instruments; defenses and claims in recoupment; duties owed by fiduciaries; evidence of lost, destroyed or stolen instruments; the discharge of obligations; and obligations occurring upon an instrument's loss. Part 4 provides for the liability of parties, including requirements for signatures; the consequences of a fraudulent endorsement or alterations; the acceptance of checks and other drafts; the obligations of issuers, acceptors, drawers, and endorsers; warranties; and the conversion of instruments. Part 5 provides for the dishonor of instruments, including requirements relating to presentment and notice. Part 6 provides for discharge and payment, including the effect of discharge, and methods to accomplish discharge and the tender of payment.

The Act also amends various sections in Article 4, including sections providing for definitions, payment requirements, presentment, a statute of limitations, warranties, settlement, liability, the return of items, and bank charges. The Act directs the Code Editor to make changes necessary to conform this Act with the Model Act. The Act repeals sections included within old Article 3 and a provision in Article 4 relating to the process of posting a notice by a payor bank in determining to pay an item.

The Act takes effect July 1, 1995.

**SENATE FILE 2282 - Insurance Regulation**

BY COMMITTEE ON COMMERCE. This Act relates to insurance regulation and health care access, and enacts provisions affecting the release of certain confidential information; the standard valuation of certain insurance policies and contracts, annuities and endowments; the disclosure of certain transactions of insurers domiciled in this state; and the access of citizens of this state to health care.

The Act authorizes the Commissioner of Insurance to supervise health insurance purchasing cooperatives operating in the state, and assess the costs of an audit or examination to the health insurance purchasing cooperative.

The Act creates new Section 505.17, which provides that the commissioner may disclose certain confidential information, administrative or judicial orders which are closed, or other action of the division which is not an open record, to other state regulatory officials if those regulatory officials are subject to, or agree to comply with, standards of confidentiality comparable to those imposed on the commissioner.

The Act directs the commissioner, in conjunction with the Community Health Management Information System, to establish by rule health accounting standards to be enforced statewide. The Act also directs the commissioner to adopt rules establishing a requirement that an employer doing business in this state offer each employee access to health insurance. The Insurance Division of the Department of Commerce is to report annually to the General Assembly on the progress of providing universal coverage to all Iowans.

The Act amends provisions in Chapter 513B of the Code relating to small group coverage, including the expansion of the definition of a small employer from a person who employs not less than two and not more than 25 full-time employees, to a person who employs not less than two and not more than 50 full-time employees; prohibiting a variance in premium rates for a basic or standard benefit plan offered under Chapter 513B of the Code related to health status or claim experience; and authorizing the commissioner to reduce or eliminate the allowed rating bands provided under Section 513B.4, or otherwise limit or eliminate the use of experience rating.

The Act amends Section 521C.11 to permit the commissioner to bring an action against a reinsurance intermediary on behalf of an insurer or reinsurer for compensatory damages or other appropriate relief, if the reinsurance intermediary does not comply with the provisions of Chapter 521C and the noncompliance has resulted in a loss or damage to the insurer or reinsurer.

The Act creates new Chapter 521D, relating to the disclosure of material transactions. The Act provides that an insurer domiciled in this state must file a report with the commissioner disclosing material acquisitions and dispositions of assets, or material nonrenewals, cancellations or revisions of ceded reinsurance agreements unless such transactions have been submitted to the commissioner pursuant to any other reporting requirement.

New Section 505.21, relating to health care access, takes effect January 1, 1995.

**HOUSE FILE 403 - Unclaimed Dry Cleaning**

BY HURLEY. This Act provides that property left with a dry cleaning establishment which remains unclaimed for a period of four months after the establishment has attempted to contact the owner of the property by ordinary mail may be presumed abandoned and disposed of by the establishment by delivering the property to a local nonprofit charitable organization.

**HOUSE FILE 2013 - Extraordinary Dividends of Certain Insurers**

BY HALVORSON OF CLAYTON. This Act amends the definition of an "extraordinary dividend or distribution" paid by a domestic insurer, if the insurer is not a life insurer, subject to Chapter 521A. The definition is amended by changing "net investment income" to "net income" as a measure against which a dividend or distribution is to be compared.

This Act takes effect February 15, 1994.

**HOUSE FILE 2110 - Suspension of Certain Banking Laws**

BY COMMITTEE ON COMMERCE. This Act extends until July 1, 1995, the suspension of state banking laws in Chapter 524 that otherwise restrict a state or national bank in this state, or a bank holding company operating a bank in this state, from acquiring certain savings and loan associations regulated by the Federal Resolution Trust Corporation.

**HOUSE FILE 2232 - Innkeepers and Guests**

BY COMMITTEE ON COMMERCE. This Act defines certain rights and responsibilities of an owner and operator of a hotel and defines certain instances when a person operating a hotel may deny the use of a room, accommodations, facilities, or other privileges. Instances include when an individual is unwilling or unable to pay, is visibly publicly intoxicated or under the influence of alcohol or some other illegal drug, or when the operator reasonably believes an individual intends to use such facilities for an illegal purpose, is creating an unreasonable danger to others, or whose use of the room would exceed established occupancy limits.

The Act provides that the owner or operator may require a financial guarantee prior to use of a room, accommodations, facilities, or other privileges. In the case of a minor, the owner or operator may require a parent or guardian to provide a financial guarantee for the cost of such facilities and a reasonable damage deposit.

In addition to any other penalties that may apply, the Act provides that the court may order a person to pay restitution for any damages caused by the person. The Act authorizes the owner or operator to eject certain individuals from the premises and requires the owner or operator to post a copy of Sections 137C.25 through 137C.25C, created in this Act, and any rules established by the owner or operator.

The Act also requires the hotel to maintain guest registry records for a minimum of three years, including the name, residence, and dates of arrival and departure of all guests. Alternative forms of maintaining such records are provided, including recording, copying or reproducing the register by any photographic, photostatic, microfilm, microcard, miniature photographic, electronic imaging, electronic data processing, or other process which accurately and legibly reproduces an unaltered image or reproduction of the original.

The term "hotel" includes a motel, inn and motor inn. A bed and breakfast "inn" is also a hotel and is subject to the provisions of this Act. However, a bed and breakfast "home," in which two or fewer guest families are lodged at the same time and that does not hold itself out to the public as a hotel or motel, is not covered.

**HOUSE FILE 2280 - Limited Liability Partnerships**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act adds registered limited liability partnerships to the definition of "partnership" in Chapter 486. The Act limits the personal liability of a partner for the unsatisfied debts and obligations of the partnership that arise from the negligence, wrongful acts or misconduct of another partner or other persons not under that partner's direct supervision and control. A partner in a registered limited liability partnership is personally liable for the general obligations of the partnership unless a debt, obligation or liability is due to the negligence, wrongful act or misconduct of another partner or partnership employee, agent or representative. To become a limited liability partnership, the partnership is required to register annually with the Secretary of State, pay a fee of \$100, and include as a part of its name "a registered limited liability partnership" or add to the end of its name the abbreviation "L.L.P." The Act also contains language expressing the intent of the General Assembly that Iowa-registered limited liability partnerships be recognized outside of the state and that the internal affairs of Iowa-registered limited liability partnerships be governed by Iowa law.

**HOUSE FILE 2314 - Insurance Fraud**

BY COMMITTEE ON COMMERCE. This Act creates a new Chapter 507E, the Insurance Fraud Act, which establishes an Insurance Fraud Bureau in the Insurance Division of the Department of Commerce.

The Act provides that a person submitting a fraudulent claim for payment or other benefit pursuant to an insurance policy, or who assists or conspires to submit such claim, commits a felony and is subject to a term of imprisonment not to exceed five years, or a fine not to exceed \$5,000, or both, on each count. The Insurance Fraud Bureau is authorized to obtain by request information related to insurance fraud in the possession of a person located outside

the state, or to inspect such information where the information is located. The Act provides that information gathered as a result of an investigation under this chapter is to be kept confidential and is not subject to subpoena until opened for public inspection by the bureau, upon consent of the bureau, or upon court order.

An insurance company is directed to provide written notification to the bureau within 60 days of receipt of a claim that the company believes is fraudulent and has been submitted in violation of Section 507E.3 of the Iowa Code. The Act provides that a person acting without malice, fraudulent intent or bad faith is not liable as a result of filing a report or furnishing, orally or in writing, other information concerning alleged fraudulent insurance acts. The Act grants peace officer status to insurance fraud bureau investigators, which permits them to execute arrest warrants and search warrants, serve subpoenas, and make warrantless arrests.

The Insurance Fraud Bureau is only to be created, and the Act is only effective, if the state receives a federal grant and the General Assembly appropriates matching funds from the State General Fund for the purposes of the Act.

**HOUSE FILE 2321 - Leases — Uniform Commercial Code**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act is based upon the recommendations of the Permanent Editorial Board for the Uniform Commercial Code, the National Conference for Commissioners on Uniform State Laws, and the American Law Institute.

A provision of the Act, which was not included as part of the recommendations, provides that an agreement involving the leasing of a motor vehicle or trailer does not create a sale or security interest solely because the agreement provides for an increase or decrease adjustment in the rental price of the motor vehicle or trailer based upon the amount realized upon sale or other disposition of the motor vehicle following the termination of the lease.

The Act creates a new Article within the Uniform Commercial Code relating to leases, other than leases intended as security, but including consumer leases and finance leases. The Act renumbers the Model Act from Article 2A to Article 13.

Part 1 of the Article includes general provisions including definitions. It provides that leases are subject to other statutes, provides territorial application of the Article to goods covered by a certificate of title, limits the power of parties to consumer leases to choose applicable law and judicial forums, provides for leases that are considered unconscionable, and provides for acceleration of leases.

Part 2 of the Article provides for the formation and construction of lease contracts; by restricting the introduction on parol or extrinsic evidence, provides for the manner of its formation; requires an offer and acceptance; provides that course of performance may be used in its construction; provides for modification, rescission and waiver; and provides for warranties, the identification of goods subject to lease, and insurance and determination of the beneficiary of insurance proceeds.

Part 3 of the Article provides for the effect of a lease, including enforceability of a lease contract, title to and possession of goods under lease, the subsequent lease of goods by a lessor, the priority of liens and the rights of creditors, and the rights of lessees when goods become fixtures or accessions.

Part 4 of the Article provides for the performance of a lease, including adequate assurance of performance, anticipatory repudiation, substituted performance, excused performance, and the irrevocability of finance leases upon a promise under the lease.

Part 5 provides for default, including default procedures, the modification or impairment of rights and remedies, liquidated damages, cancellation and termination, the rejection or acceptance of goods, nondelivery, damages including incidental and consequential damages, specific performance, remedies, the right of the lessor to possession, stoppage of delivery and disposal, a lessor's action for rent, and the standing to sue third parties.

**HOUSE FILE 2342 - Reinstatement Period for Certain Administratively Dissolved Corporations**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act provides an exception to the two-year limitation period for a corporation that has been administratively dissolved to file for reinstatement. The Act authorizes a corporation dissolved after December 31, 1984, to file for reinstatement prior to January 1, 1996.

The Act takes effect April 8, 1994.

**HOUSE FILE 2370 - Regulation of Multiple Employer Welfare Arrangements**

BY COMMITTEE ON COMMERCE. This Act provides that a multiple employer welfare arrangement in existence for at least 15 years that is administered by an authorized insurer or third-party administrator is not subject to regulation by the Commissioner of Insurance. To qualify for this exemption, the employer organization establishing the arrangement must be a trade, industry or professional association that has been in existence for at least 20 years.

This Act is repealed effective July 1, 1995.

**HOUSE FILE 2384 - Fraudulent Transfers**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act amends a number of provisions relating to commercial transactions, by repealing provisions relating to bulk sales set forth in Article 6 of the Uniform Commercial Code in Chapter 554 of the Iowa Code, and enacting provisions of the Uniform Fraudulent Transfer Act.

Generally, Article 6 of the Uniform Commercial Code regulates transfers of goods, which are not accomplished in the ordinary course of the transferor's business, and that represent a major part in value of the materials, supplies, merchandise, or other inventory of the transferor's enterprise. This includes an enterprise whose principal business is the sale of merchandise from stock, including those who manufacture what they sell. This Act repeals the Article and strikes references to the Article in the Iowa Code.

The Act codifies the Uniform Fraudulent Conveyance Act, promulgated by the Conference of Commissioners on Uniform State Laws. The Uniform Fraudulent Transfer Act is a modernization of the Uniform Fraudulent Conveyance Act that was also promulgated by the Conference of Commissioners, but which Iowa has not adopted.

The Act provides a creditor with the capacity to procure assets of a debtor transferred to another person in order to keep the assets from being used to satisfy the indebtedness. The Act creates a right of action for a creditor against a debtor and any other person who has received property from the debtor in a fraudulent transfer. A fraudulent transfer occurs when a debtor intends to hinder, delay or defraud a creditor, or transfer property under certain conditions to another person without receiving reasonably equivalent value in return. A transfer made or obligation incurred by a debtor may be fraudulent whether the creditor's claim arose before or after the transfer was made or the obligation was incurred. Both present and future creditors may recover property when the transfer appears fraudulent. A present creditor can recover property when it is transferred by a debtor to another person without receiving reasonably equivalent value if the debtor is insolvent or becomes insolvent as a result of the transfer. A transfer to an "insider" without receiving reasonably equivalent value when the debtor is insolvent is also fraudulent to present creditors. The term "insider" is defined to mean a person with a special relationship to the debtor. To be liable, an insider must have reasonable cause to believe that the debtor is insolvent. The fundamental relief for a creditor when there is a fraudulent transfer is recovery of the property from the person to whom it has been transferred. The Act allows avoidance of the transfer or obligation to the extent necessary to satisfy the creditor's claim. Attachment, injunctive relief or the appointment of a receiver is provided for when necessary to obtain the property. If the creditor has reduced the claim to a judgment, the court may levy execution against the recovered assets.

This Act takes effect January 1, 1995, and applies to all causes of action arising on or after that date.

**HOUSE FILE 2385 - Division of Insurance — Securities Regulation — Regulated Industries**  
BY COMMITTEE ON COMMERCE. This Act amends a number of provisions relating to securities.

The Act amends Chapter 321I, relating to motor vehicle service contracts, which are agreements covering repairs, replacement services or indemnification for motor vehicles. Section 321I.5 of the Iowa Code requires that certain information be contained in such contracts. The Act requires contractors to include additional information in contracts relating to persons liable under the contract, and to explain reasons for denying or settling claims. The Commissioner of Insurance may issue an order directed at a person to cease and desist from engaging in the act or practice resulting in the violation of the chapter. A violation of the chapter or rules adopted by the commissioner is considered a consumer fraud as provided in Section 714.16 of the Iowa Code. The Act allows the commissioner to refer violations of the chapter to the Attorney General or a county attorney for criminal prosecution. A person who willfully and knowingly violates Chapter 321I is, upon conviction, guilty of a class "D" felony.

The Act makes a number of amendments to Chapter 502, the Iowa Uniform Securities Act. The Act amends Section 502.208 by amending provisions relating to registration fees required to be filed with general registration statements. The Act provides for filing sales reports and fees for persons defined as certificate companies, open-end management investment companies, or unit investment trusts according to the federal Investment Company Act of 1940. A person may file a registration statement for an indefinite amount or a fixed amount. The Act provides for paying initial fees and additional fees based on the type of registration statement filed. The administrator shall retain the filing fee even if the registration is withdrawn, denied, suspended, revoked, or abandoned. The Act amends provisions relating to face-amount certificate companies, open-end management investment companies, and unit investment trusts. The Act amends provisions for filing such fees. The Act adds causes for the administrator to deny, suspend or revoke a registration, or penalize a registrant, including willfully violating banking or securities laws in a foreign jurisdiction, or becoming subject to a disciplinary action by a securities regulator in a foreign jurisdiction. The Act provides for revoking, withdrawing, postponing, suspending, or denying the effectiveness of a registration statement pending a final determination of a case or controversy. The Act provides that the public records law (Chapter 22 of the Iowa Code) does not apply to investigations conducted under the Iowa Uniform Securities Act (Chapter 502 of the Iowa Code). Otherwise, Section 502.603 requires that information obtained in the course of an investigation be kept confidential, without referring specifically to Chapter 22.

The Act amends Chapter 523C of the Iowa Code, relating to residential service contracts in which a service company is under contract to maintain and repair residential dwellings. The Act provides that the Commissioner of Insurance is the agent for service of process upon a service company. The Act provides for the examination of books and records of a service company. Service companies must provide a written explanation to the residential customer, describing the reasons for denying a claim or for the offer of a compromise settlement.

**CHILDREN AND YOUTH**

- SENATE FILE 2009** - Child Abuse Investigations
- SENATE FILE 2051** - Access to Child Abuse Information
- SENATE FILE 2319** - Juvenile Justice

**RELATED LEGISLATION**

- SENATE FILE 2034** - Human Services — Family Investment Program — Emergency Social Services  
*SEE HUMAN SERVICES.* This Act relates to Department of Human Services provisions in the Iowa Code involving the Family Investment Program (formerly known as Aid to Families with Dependent Children) and federal flood relief supplemental social services block grant funds.
- SENATE FILE 2264** - Supplemental Needs Trusts for Persons with Disabilities  
*SEE HUMAN SERVICES.* This Act provides for the establishment of supplemental needs trusts for persons with disabilities, which are funded by someone other than the beneficiary or the beneficiary's spouse or a person obligated to pay a sum to or for the beneficiary under a settlement or judgment.
- SENATE FILE 2288** - Family Investment and JOBS Programs and Related Matters  
*SEE HUMAN SERVICES.* This Act amends statutory provisions for the federal-state Family Investment Program (previously known as the Aid to Families with Dependent Children Program) and Job Opportunities and Basic Skills (JOBS) Program in accordance with federally approved requirements. In addition, the Act modifies provisions involving the state Council on Human Investment and the Family Development and Self-Sufficiency Program.
- SENATE FILE 2311** - Mental Health and Developmental Disabilities  
*SEE HUMAN SERVICES.* This Act relates to services and statutory provisions involving mental health and persons with mental illness, mental retardation or other developmental disability, or brain injury. Many of the Act's provisions were initially recommended by the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Service Delivery System Restructuring Task Force, which met over the 1992 and 1993 Legislative Interims.
- SENATE FILE 2313** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and contains many provisions affecting children, including entitlement programs, juvenile justice and foster care funding, child care funding, and funding of other programs.
- HOUSE FILE 121** - Sexual Abuse, Obscene Material, and Related Matters  
*SEE CRIMINAL JUSTICE & CORRECTIONS.* This Act contains a variety of provisions pertaining to the commission of sexual crimes against youth, including the creation of additional offenses that constitute sexual abuse in the third degree and which constitute failure of commercial film and photographic print processors to report depictions of minors engaged in prohibited sexual acts, and the extension of the statute of limitations pertaining to first, second or third degree sexual abuse committed on or with a person who is under the age of 18.
- HOUSE FILE 2261** - Child Abuse and Dependent Adult Abuse  
*SEE HUMAN SERVICES.* This Act relates to child and dependent adult abuse provisions, including the presence of an illegal drug in a child's body, mandatory child

abuse reporters, investigation procedures, expungement of unfounded child abuse information, correction of child abuse information, and child and dependent adult abuse registry and criminal record checks of persons working in various types of service facilities.

- HOUSE FILE 2302** - Persons with Disabilities — Personal Assistance and Family Support Services  
**SEE HUMAN SERVICES.** This Act creates the Personal Assistance Services Program for persons with disabilities and the Comprehensive Family Support Program for families of persons with disabilities who are less than 22 years of age.
- HOUSE FILE 2372** - Medical Assistance — Trusts and Other Matters  
**SEE HUMAN SERVICES.** This Act provides for change related to Medical Assistance (Medicaid), including redefining psychiatric medical institutions for children to include both secure and nonsecure institutions.
- HOUSE FILE 2377** - Termination of Parental Rights — Adoption Procedures  
**SEE COURTS & JUDICIAL PROCEEDINGS.** This Act addresses the areas of termination of parental rights and adoption by establishing a declaration of paternity registry and by making other changes in the termination of parental rights and adoption-related chapters of the Code.
- HOUSE FILE 2410** - Child Support, Paternity, and Related Matters  
**SEE HUMAN SERVICES.** This Act makes various changes in the law relating to child support collection. The Act also amends provisions that currently distinguish the treatment of birth certificates that relate to out-of-wedlock births to be consistent with the treatment of other certificates of birth, and amends the sections of the Code relating to the overcoming of paternity to eliminate the three-year statute of limitations for bringing such an action and makes the new provision retroactively applicable to such actions.
- HOUSE FILE 2411** - Appropriations — Education  
**SEE APPROPRIATIONS.** This Act appropriates moneys to the Department of Education for purposes of vocational education administration, the Division of Vocational Rehabilitation Services, and for matching funds for programs to enable severely physically or mentally disabled persons to function more independently; directs the State Board of Education to adopt rules requiring schools to waive, for indigent families, school fees; and provides for a school breakfast program at each public school by July 1, 2000, unless a waiver is granted. However, a waiver shall not be granted to a school if 35 percent or more of the students attending the school during the month of March 1999 are eligible for free or reduced price meals under the federal National School Lunch Act.
- HOUSE FILE 2430** - County Property Taxes and Mental Health Financing  
**SEE LOCAL GOVERNMENT.** This Act relates to the limitation on county expenditures for mental health, mental retardation and developmental disabilities (MH/MR/DD) services and the provision of those services, provides for increasing state participation in the funding of those services, and extends the limitation on the amount that a county may collect from designated property tax levies. The initial state financial participation is to pay the nonfederal share of certain Medical Assistance (Medicaid) services for minors with mental retardation.

## CHILDREN AND YOUTH

### **SENATE FILE 2009 - Child Abuse Investigations**

BY TINSMAN, RIFE, RITTMER, AND KRAMER. This Act relates to child abuse investigations by requiring follow-up contact when the Department of Human Services refers a child to a physician for a physical examination. The department is required to contact the physician concerning the examination within 24 hours of making the referral. If the physician reasonably believes the child has been abused, the physician must contact the department within 24 hours of performing the evaluation.

### **SENATE FILE 2051 - Access to Child Abuse Information**

BY SZYMONIAK AND VILSACK. This Act provides access to founded child abuse information to the administrator of a child day care resource and referral agency. In order to qualify for access to the information, the agency must have a resource and referral service agreement authorized by the Department of Human Services. Access is limited to information concerning child day care service providers to which the agency makes referrals and service providers who have requested to be included as a referral.

### **SENATE FILE 2319 - Juvenile Justice**

BY COMMITTEE ON APPROPRIATIONS. This Act establishes or enhances penalties for delinquent acts committed by juveniles and for public offenses relating to juvenile justice committed by adults, authorizes the search of student lockers in a school without advance notice under certain circumstances, delays the repeal of the interception of communications law, provides for the commitment of persons found to be sexually violent predators, and makes appropriations related to juvenile justice.

The Act includes provisions requiring parents either to be present when a person who is under the age of 21 consumes alcoholic beverages in a private home or provide signed written consent in lieu of being present; enhancing the drug free zone laws; allowing a juvenile 13 years of age or older to be restrained by handcuffs or other restraints under certain circumstances; suspending a juvenile's motor vehicle operator's license for alcohol or drug offenses; permanently waiving to adult court any juvenile previously waived and convicted of a felony in adult court; authorizing the fingerprinting and photographing of juveniles 14 years of age and older who are taken into custody for a delinquent act that would be an aggravated misdemeanor or felony if committed by an adult; revoking a juvenile's right to own or possess firearms under certain circumstances; and prohibiting the possession of tobacco products or cigarettes.

The Act includes provisions regarding the standard of care that persons holding liquor licenses are to follow to determine whether a person is under legal age and provides a scheduled fine for those who provide alcoholic beverages to persons under legal age; creating a penalty for multiple acts of child endangerment; establishing a procedure for committing to the secure custody of the Department of Human Services persons found to be sexually violent predators; enhancing penalties for weapons offenses in weapons free zones and for certain other weapons offenses; and establishing the offense of reckless use of a firearm.

The Act also includes provisions creating a community grant fund for community-based juvenile justice programs; directing the Department of Education to develop a statewide violence prevention program; authorizing school districts to use Phase III funds for conflict resolution and anger management programs for staff and students; and directing the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights to study rates of recidivism and rehabilitation for juveniles adjudicated delinquent and waived to adult court.

The Act makes appropriations for the Community Grant Fund; juvenile detention homes, for community-based youthful offender programs; school-based programs addressing truancy and school behavioral problems; the Violence Prevention Program; two highly structured juvenile programs, one of which must be at an existing facility; six additional juvenile court officers, and adds one additional juvenile court officer for each judicial district for handling truancy cases, contingent on a specific appropriation being made for that purpose.

The provision of the Act extending the intercept of communications law takes effect June 30, 1994, and the provisions relating to sexually violent predators take effect July 1, 1995.

## CORRECTIONS, CRIMINAL LAW & PROCEDURE

- SENATE FILE 2265** - Harassment — Stalking — No-Contact Orders
- SENATE FILE 2272** - Prize Promotions
- HOUSE FILE 121** - Sexual Abuse, Obscene Material, and Related Matters
- HOUSE FILE 2133** - Computerized Criminal Intelligence Data
- HOUSE FILE 2149** - HIV-Related Testing of Certain Offenders
- HOUSE FILE 2153** - Eluding a Law Enforcement Vehicle
- HOUSE FILE 2172** - Controlled Substances — Pharmacy Licenses
- HOUSE FILE 2241** - Placement of Certain Persons at Iowa Medical and Classification Center
- HOUSE FILE 2267** - Arrest — Receipt for Defendant's Property
- HOUSE FILE 2270** - Revocations of Parole and Work Release
- HOUSE FILE 2352** - Corrections — Restitution — Miscellaneous Provisions

### RELATED LEGISLATION

- SENATE FILE 2086** - Substantive Code Corrections  
**SEE STATE GOVERNMENT.** This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to corrections, criminal law & procedure, including corrective changes to provide that certain controlled substance violations, which include 50 kilograms or less of marijuana, are class "D" felonies, as well as corrective changes which provide that the offense of burglary occurs when one or more persons occupy a structure.
- SENATE FILE 2319** - Juvenile Justice  
**SEE CHILDREN & YOUTH.** This Act establishes or enhances penalties for delinquent acts committed by juveniles and for public offenses relating to juvenile justice committed by adults, authorizes the search of student lockers in a school without advance notice under certain circumstances, delays the repeal of the interception of communications law, provides for the commitment of persons found to be sexually violent predators, and makes appropriations related to juvenile justice.
- HOUSE FILE 2261** - Child Abuse and Dependent Adult Abuse  
**SEE HUMAN SERVICES.** This Act relates to child and dependent adult abuse provisions, including the presence of an illegal drug in a child's body, mandatory child abuse reporters, investigation procedures, expungement of unfounded child abuse registry and criminal record checks of persons working in various types of service information, correction of child abuse information, and child and dependent adult abuse facilities.
- HOUSE FILE 2325** - Presentence Investigations  
**SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE.** This Act provides that presentence investigations are not to be ordered for class "A" felonies and that a presentence investigation is to be ordered in the case of a serious misdemeanor only after a finding that exceptional circumstances exist that warrant an investigation.
- HOUSE FILE 2350** - Appropriations --- Justice System  
**SEE APPROPRIATIONS.** This Act makes appropriations to several departments involved in the justice system, including the Department of Justice, the Board of Parole,

the Department of Corrections, and the Judicial Department, and contains statutory and intent language pertaining to related matters, including financing provisions related to the construction of a 750-bed, medium security correctional facility for men at Clarinda; a directive to the Department of Corrections to issue a request for proposals concerning the construction of additional medium security beds for men to be located at Newton; a directive to the Department of Corrections to issue a request for proposals from private institutions concerning the placement of certain elderly, mentally ill, mentally retarded, or infirm inmates; the use of moneys recovered by a court-appointed receiver to add additional community-based residential beds; increased funding at both correctional institutions and within each judicial district department of correctional services; intent language concerning the population at community-based residential facilities; provisions requiring the Department of Corrections to use any moneys that would otherwise revert at the end of FY 1994, to fund additional correctional officers and purchase critically needed safety equipment; a request to create a legislative interim study committee concerning criminal penalties and sentencing; the extension of the Intermediate Criminal Sanctions Task Force; and similar matters.

## CORRECTIONS, CRIMINAL LAW & PROCEEDURE

### SENATE FILE 2265 - Harassment — Stalking — No-Contact Orders

BY COMMITTEE ON JUDICIARY. This Act pertains to the offenses of harassment and stalking, as well as to the extension of no-contact orders issued in criminal domestic abuse assault proceedings.

The provisions in the Act with respect to domestic abuse pertain to the effectiveness of no-contact orders upon the granting of a deferred judgment or entry of a conviction or plea of guilty for a violation of the criminal domestic abuse assault provisions. The Act provides that the court shall modify the no-contact order entered by the magistrate at the initial appearance at the time that the court enters the criminal judgment or grants a deferred judgment, regardless of whether the defendant is placed on probation. Under the Act, the modified no-contact order extends for one year from the date of the judgment or deferred judgment, subject to one-year extensions upon application by the state within 90 days prior to the expiration of the modified no-contact order. If the court finds that the defendant poses a threat to the safety of the victim, persons residing with the victim, or members of the victim's immediate family, the court shall grant the application for extension of the modified no-contact order. Under the Act, the summary contempt proceedings and the seven-day mandatory minimum term of confinement provisions of the Domestic Abuse Act apply to the modified no-contact orders.

With respect to the criminal harassment provisions, the Act adds an additional offense of harassment, which occurs when a person, purposefully and without legitimate purpose, has personal contact with another person with the intent to threaten, intimidate or alarm. The Act defines "personal contact" as an encounter in which two or more people are in a visual or physical proximity to each other, which does not require, but may include, physical contact or oral communication. Depending upon the circumstances surrounding the offense, harassment may constitute a simple, serious or aggravated misdemeanor.

The Act also strikes and rewrites the elements of the criminal offense of stalking. Under the Act, a person commits stalking when the following occurs:

1. The person purposefully engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury to, or the death of, that specific person or a member of the specific person's immediate family.
2. The person has knowledge or should have knowledge that the specific person will be placed in reasonable fear of bodily injury to, or the death of, that specific person or a member of the specific person's immediate family by the course of conduct.
3. The person's course of conduct induces fear in the specific person of bodily injury to, or the death of, the specific person or a member of the specific person's immediate family.

The Act defines a "course of conduct" as repeatedly maintaining a visual or physical proximity to a person without legitimate purpose or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person. Under the Act, third or subsequent offenses are class "C" felonies. Second offenses, offenses which are in violation of a court order, offenses involving possession of a dangerous weapon, and offenses directed at persons under the age of 18 are class "D" felonies. The Act provides that all other stalking offenses are aggravated misdemeanors. The previous stalking law provided for penalties ranging from class "D" felonies to simple misdemeanors. The Act includes other public offenses committed as part of the course of conduct of stalking as prior offenses, under certain circumstances. The Act further requires that individuals charged with or arrested for alleged stalking shall be taken before a magistrate prior to release.

### SENATE FILE 2272 - Prize Promotions

BY COMMITTEE ON COMMERCE. This Act creates a new Chapter 714B relating to the regulation of unsolicited promotions offering prizes to consumers. The Act amends Section 714.8 of the Iowa Code by defining a fraudulent practice to include obtaining, or attempting to obtain, the transfer of possession, control or ownership of the property of another by deception through communications conducted primarily by telephone.

The Act requires written notice to be sent to an individual containing certain information prior to requesting or accepting any money in connection with the prize notification. The Act establishes certain prohibitions related to how the information must be given to the individual notified. Information required to be disclosed includes the chances of winning a particular prize, the number of notifications delivered, the value of the items to be given away as prizes, and the name of the sponsor and solicitor to the offer. The Act requires the solicitor to provide an alternate prize if the prize indicated in the notice is not available. The Act also requires that a sponsor provide a record of the names and addresses of all winners of \$100 or more, upon the request of the Attorney General. The Act provides that a person suffering a pecuniary loss as a result of a violation of the chapter may bring an action to recover the greater of \$500 or twice the amount of the loss, whichever is greater, and costs and reasonable attorney fees.

**HOUSE FILE 121 - Sexual Abuse, Obscene Material, and Related Matters**

BY GRUBBS. This Act contains a variety of provisions pertaining to the commission of sexual crimes against youth. The Act changes the provisions pertaining to sexual abuse in the third degree, by prohibiting sex acts committed with a person who is 14 or 15 years of age, with whom the person is not cohabiting as husband and wife, when the person committing the offense is five or more years older than the other participant. Prior law prohibited an age difference of six or more years.

The Act expands the offenses that constitute failure of commercial film and photographic print processors to report depictions of minors engaged in prohibited sexual acts, by adding to the definition of "prohibited sexual act" the nudity of a minor for the purpose of arousing or satisfying the sexual desires of a person who may view a depiction of the nude minor.

The Act also extends the statute of limitations pertaining to first, second or third degree sexual abuse committed on or with a person who is under the age of 18. The Act provides a statute of limitations for these offenses of within five years after the person upon whom the offense is committed attains 18 years of age. Prior law provided that an indictment or information for first, second or third degree sexual abuse of a person under the age of 12 years must be found not later than six months after the person attained 18 years of age, and that the commission of such offenses against persons age 12 or more must be found within three years of commission of the offense.

**HOUSE FILE 2133 - Computerized Criminal Intelligence Data**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act removes the prohibition on the dissemination of criminal intelligence data by computer between criminal justice agencies. The Act also requires the Department of Public Safety to adopt rules regarding the sharing of criminal intelligence data by computer.

**HOUSE FILE 2149 - HIV-Related Testing of Certain Offenders**

BY McNEAL. This Act provides for an exemption from the confidentiality of records provisions under Chapter 141 (Acquired Immune Deficiency Syndrome provisions) of the Code, for employees of state correctional institutions subject to the jurisdiction of the Department of Corrections, employees of secure facilities for juveniles subject to the Department of Human Services, and employees of city and county jails, if the employees have direct supervision over inmates of those facilities or institutions, in the exercise of duties which relate to collection and classification of information useful for the detection of crime and the identification and apprehension of criminals.

The Act also prohibits the transmission of human immunodeficiency virus (HIV)-related information over the police radio broadcasting system or any other radio-based communications system, establishes that violation of the communication limitations is a class "D" felony, and requires the Commissioner of the Department of Public Safety to adopt rules to implement these provisions. The Act also authorizes a county medical examiner or a deputy medical examiner, or the State Medical Examiner or deputy medical examiner to notify the immediate family and any identified partners of the deceased when the examiner determines that a deceased person was infected with HIV.

The Act amends the chapter that relates to HIV-related testing of convicted sexual assault offenders in order to comply with federal requirements. The Act requires convicted offenders to be tested if the convicted offender meets certain criteria instead of leaving the performance of testing to the discretion of the judge, makes provisions of the

chapter applicable to juvenile offenders who are adjudicated delinquent for an act of sexual assault, and makes other conforming changes in the chapter.

**HOUSE FILE 2153 - Eluding a Law Enforcement Vehicle**

BY HOUSER. This Act establishes a new crime of eluding law enforcement while participating in a felony and changes the penalty applicable when a death is unintentionally caused as a result of eluding or attempting to elude a law enforcement vehicle.

A person commits the crime of eluding a law enforcement officer if the driver willfully fails to bring a motor vehicle to a stop or otherwise eludes a marked official law enforcement vehicle driven by a uniformed peace officer after being signaled by flashing red lights or a siren by the peace officer. The term "participating in a public offense" is defined under Section 702.13 of the Code to include part or the entire period commencing with the first act done and terminating when the person has been arrested or has withdrawn and eluded pursuers. A person committing the new offense of eluding or attempting to elude a pursuing law enforcement vehicle while participating in a felony is guilty of an aggravated misdemeanor and may be punished with a \$500 to \$5,000 fine, or imprisonment of up to two years, or both fine and imprisonment.

The Act also changes the penalty for unintentionally causing the death of another when eluding, or attempting to elude, a pursuing law enforcement vehicle from a class "D" felony to a class "C" felony.

**HOUSE FILE 2172 - Controlled Substances — Pharmacy Licenses**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act makes changes in the definitions and schedules contained in the Uniform Controlled Substances Act and makes changes in late payment license fees for nonresident pharmacies. The definition of narcotic drug is amended to expand the description of the types, salts, compounds, derivatives, and preparations of opium and opiates that are included in the definition. Opium poppy is listed separately from poppy straw and its concentrates. The introductory paragraphs in four of the sections that contain the controlled substances schedules are amended to make the terminology used in all sections uniform. Some new substances are added to schedule I, and methcathinone, aminorex, cathinone, and DOET are placed under schedule I. Levo-alphaacetylmethadol is excluded from schedule I and included in schedule II. The designations of certain scheduled substances are changed to correct typographical errors.

Requirements relating to the payment of a fee by nonresident pharmacy licensees are changed to provide for board determination of the fee payment.

**HOUSE FILE 2241 - Placement of Certain Persons at Iowa Medical and Classification Center**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act adds language to the Code section that permits placement of persons, for whom criminal proceedings are suspended on the basis of a lack of capacity to appreciate the charges against them because of a mental disorder, in the Iowa Medical and Classification Center at Oakdale. Under prior law, Section 812.4 permitted placement of these persons only with the Department of Human Services, although Section 904.201, subsection 3, authorizes the admission of the persons at the Iowa Medical and Classification Center.

Persons placed at the Iowa Medical and Classification Center under the Act are committed to the custody of the Department of Corrections. The placement is to be reviewed after six months to determine whether there is a substantial probability that the person will regain capacity within a reasonable time or whether civil commitment proceedings should be instituted. If the person is found to have regained capacity the person will be transported for trial.

**HOUSE FILE 2267 - Arrest — Receipt for Defendant's Property**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act eliminates the requirement that a duplicate receipt for property taken from a person arrested for a public offense be filed with the clerk of the district court. The Act requires that a duplicate receipt be kept with the defendant's file.

**HOUSE FILE 2270 - Revocations of Parole and Work Release**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act makes changes in provisions relating to revocations of parole or work release. The Act provides that either the Board of Parole or an administrative parole judge may, at any parole revocation hearing, make adjustments in a person's parole to reflect the amount, or portions of the amount, of time spent on parole that shall apply against the parolee's sentence. Previously such adjustments could only be made at the time of revocation of parole. The provisions relating to application of time against a work releasee's sentence continue to provide that the adjustments in work releasees' sentences can only be made if the work release is revoked. The Act also provides for automatic revocation of a person's parole if the person is convicted of an offense that constitutes an aggravated misdemeanor under Iowa law while on parole and sentenced to incarceration in a state institution. The provision is nearly identical to Section 908.10, which provides for automatic revocation of a person's parole if the parolee is convicted of an offense that constitutes a felony under Iowa law while on parole and provides that the person's parole is deemed revoked as of the date of the commission of the new offense.

**HOUSE FILE 2352 - Corrections — Restitution — Miscellaneous Provisions**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act makes changes in payment of restitution by criminal offenders and makes changes relating to various procedures of the Department of Corrections. The restitution changes include a change in what is included in the definition of "restitution," makes changes in the priority by which any payments made by an offender are applied to the various obligations imposed upon or assumed by the offender, and makes related technical changes to provide for uniform application of the new restitution definition and payment priority. The amount of money that is to be available to victims of crimes for reasonable funeral and burial expenses is raised from \$2,500 to \$5,000.

The Act also establishes an inmate tort claim fund within the Department of Corrections for purposes of paying inmates for small personal property losses of less than \$100. Moneys in the fund come from transfers from the general appropriations to the institutions to meet fund obligations. Money left in the fund at the end of a fiscal year does not revert to the State Treasury.

The section that provides that the Director of the Department of Corrections, or the director's designee, is to see every inmate of each institution as far as is practicable and to give the inmates a suitable opportunity to converse with the director or the designee apart from the officers and attendants is stricken. Language relating to what information regarding offenders may be released to the public is amended to provide for release of information regarding former inmates. Improper release of inmate information gives rise to a right to civil damages.

## COURTS, CIVIL LAW & PROCEDURE, & PROBATE

- SENATE FILE 413 - Collection and Disposition of Court Fees, Fines, and Surcharges
- SENATE FILE 2066 - Farm Mediation and Legal Assistance to Farmers
- SENATE FILE 2107 - Jurisdiction of District Associate Judges
- SENATE FILE 2126 - Refunds by District Court Clerks
- SENATE FILE 2230 - Judicial Department — Facilities — District Associate Judges
- SENATE FILE 2307 - Trusts, Conservatorships, and Other Probate Matters
- HOUSE FILE 307 - Limitations on Judgments
- HOUSE FILE 618 - Liens for Unpaid Unemployment Compensation Contributions
- HOUSE FILE 2134 - Hospitalization Hearings — Patient Advocates
- HOUSE FILE 2197 - Investment of Funds Paid to District Court Clerks
- HOUSE FILE 2284 - Clerks of Court — Probate Scheduling Orders
- HOUSE FILE 2286 - Jurisdictional Amount for Small Claims
- HOUSE FILE 2325 - Presentence Investigations
- HOUSE FILE 2377 - Termination of Parental Rights — Adoption Procedures

### RELATED LEGISLATION

- SENATE FILE 2086 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to courts, civil law and procedure, and probate, including changes pertaining to certain controlled substance violations and burglary provisions.
- SENATE FILE 2232 - Registration and Use of Marks  
*SEE BUSINESS, BANKING & INSURANCE.* This Act amends Chapter 548, providing for the registration and protection of certain marks, including trademarks and service marks, to be consistent with revisions made by the United States Trademark Association to the Model State Trademark Act.
- SENATE FILE 2250 - Human Services — Enforcement — Liens — Reports  
*SEE HUMAN SERVICES.* This Act provides for the establishment of a lien on real or personal property of a person liable to pay a debt to the Department of Human Services based upon benefits that were inappropriately obtained. Administration of the procedure is the responsibility of the Department of Inspections and Appeals. The Act also provides for recording of the lien and for recording of satisfaction of the debt owed.
- SENATE FILE 2264 - Supplemental Needs Trusts for Persons with Disabilities  
*SEE HUMAN SERVICES.* This Act provides for the establishment of supplemental needs trusts for persons with disabilities, which are funded by someone other than the beneficiary or the beneficiary's spouse or a person obligated to pay a sum to or for the beneficiary under a settlement or judgment.
- SENATE FILE 2265 - Harassment — Stalking — No-Contact Orders  
*SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE.* This Act alters several

provisions pertaining to the criminal offenses of domestic abuse assault, harassment and stalking.

- SENATE FILE 2268** - Funeral Processions  
*SEE TRANSPORTATION.* This Act provides that a funeral home in charge of a funeral procession is only liable for any negligent, reckless or intentional act by the funeral home or any of its agents and employees for any injuries or damages arising out of the procession.
- SENATE FILE 2279** - Uniform Commercial Code — Negotiable Instruments — Bank Deposits and Collections  
*SEE BUSINESS, BANKING & INSURANCE.* This Act amends Chapter 554, the Uniform Commercial Code, by rewriting Article 3 relating to commercial paper, amends Article 4 relating to bank deposits and collections in conformance with recommendations by the American Law Institute and the National Conference of Commissioners on Uniform State Laws, and provides conforming amendments to various sections of the Iowa Code.
- SENATE FILE 2287** - Disclosure of Psychological Test Material  
*SEE HEALTH & SAFETY.* This Act prohibits disclosure of psychological test material in any administrative, judicial or legislative proceeding.
- SENATE FILE 2311** - Mental Health and Developmental Disabilities  
*SEE HUMAN SERVICES.* This Act relates to services and statutory provisions involving mental health and persons with mental illness, mental retardation or other developmental disability, or brain injury, and includes provisions for utilizing alternative dispute resolution processes in lieu of court action to determine the governmental entity liable for the costs of an individual's care in a state institution and certain community-based services.
- SENATE FILE 2313** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and contains various provisions affecting courts, including juvenile courts and orders for foster care and juvenile justice programs, child support orders, and requirements for cooperation activities between the department and the courts.
- SENATE FILE 2319** - Juvenile Justice  
*SEE CHILDREN & YOUTH.* This Act establishes or enhances penalties for delinquent acts committed by juveniles and for public offenses relating to juvenile justice committed by adults, authorizes the search of student lockers in a school without advance notice under certain circumstances, delays the repeal of the interception of communications law, provides for the commitment of persons found to be sexually violent predators, and makes appropriations related to juvenile justice.
- HOUSE FILE 637** - Care of Animals  
*SEE AGRICULTURE.* This Act provides for the rescue, maintenance and disposition of animals subjected to neglect. The Act requires a court to dispose of a neglected animal. In the case of livestock, the determination may be made by a magistrate.
- HOUSE FILE 2037** - Involuntary Commitment — Summary of Procedures  
*SEE HUMAN SERVICES.* This Act requires the development of a summary of the procedures involved in involuntary hospitalization of persons alleged to be seriously mentally impaired or alleged to be chronic substance abusers and provides that the summary is to be made available to applicants, respondents and other persons upon request.
- HOUSE FILE 2070** - State Fire Marshal  
*SEE STATE GOVERNMENT.* This Act contains several provisions pertaining to the

administrative activities of the State Fire Marshal, including provisions pertaining to legal actions brought on behalf of the State Fire Marshal and provisions pertaining to judicial review of orders of the State Fire Marshal.

- HOUSE FILE 2149** - HIV-Related Testing of Certain Offenders  
*SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE.* This Act provides for exemption for certain persons from confidentiality of records requirements related to human immunodeficiency virus (HIV)-related information as the requirements relate to communication of information useful for the detection of crime and the identification and apprehension of criminals, authorizes a medical examiner or deputy medical examiner to notify the immediate family or identifiable partners of a deceased person who is determined to have been infected with HIV, and makes changes in the chapter relating to the testing of convicted sexual assault offenders for HIV in order to comply with federal requirements.
- HOUSE FILE 2217** - Terms Describing Parents, Children, and Siblings  
*SEE HUMAN SERVICES.* This Act makes changes throughout the Code as follows: replacing references to "natural" with "biological" as it modifies parent, mother, father, child, and sibling; replacing "illegitimate" with "biological," or by eliminating references to "illegitimate" in reference to a child; and removing references to "adoptive" when it is unnecessary for distinguishing certain parents from others.
- HOUSE FILE 2261** - Child Abuse and Dependent Adult Abuse  
*SEE HUMAN SERVICES.* This Act relates to child and dependent adult abuse provisions, including court orders restraining notification of a parent concerning a child abuse investigation and proceedings for correction of child abuse information.
- HOUSE FILE 2267** - Arrest — Receipt for Defendant's Property  
*SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE.* This Act eliminates the requirement that a duplicate receipt for property taken from a person arrested for a public offense be filed with the clerk of the district court.
- HOUSE FILE 2270** - Revocations of Parole and Work Release  
*SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE.* This Act makes changes in provisions relating to proceedings in which a person's parole or work release is revoked.
- HOUSE FILE 2321** - Leases — Uniform Commercial Code  
*SEE BUSINESS, BANKING & INSURANCE.* This Act, based upon the recommendations of the Permanent Editorial Board for the Uniform Commercial Code, the National Conference for Commissioners on Uniform State Laws, and the American Law Institute, creates a new Article within the Uniform Commercial Code relating to leases, other than leases intended as security, but includes consumer leases and finance leases. The Act renumbers the Model Act from Article 2A to Article 13. The Act also contains a provision relating to the creation of a sale or security interest arising from the leasing of a motor vehicle or trailer.
- HOUSE FILE 2350** - Appropriations — Justice System  
*SEE APPROPRIATIONS.* This Act makes appropriations to several departments involved in the justice system, including the Department of Justice, the Board of Parole, the Department of Corrections, and the Judicial Department, and contains statutory and intent language pertaining to related matters, including funding for the expansion of the Iowa Court Information System (ICIS) into additional counties, increased state funding for the Judicial Retirement System, funding for educating and training Judicial Department employees, increased funding for the Juvenile Victim Restitution Program, and a statutory change to provide an automatic excuse from jury service for a person who is the mother of a breast-fed child and responsible for the daily care of the child.

- HOUSE FILE 2352** - Corrections — Restitution — Miscellaneous Provisions  
*SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE.* This Act makes changes in the priority order for receipt of payments of restitution by criminal offenders and in the definition of "restitution."
- HOUSE FILE 2372** - Medical Assistance — Trusts and Other Matters  
*SEE HUMAN SERVICES.* This Act provides for changes related to Medical Assistance and includes provisions for regulation of certain special needs and income trusts established by recipients of or applicants for Medical Assistance, with their own assets, as allowed under federal law; and provides for recovery of Medical Assistance benefits from the estate of the recipient and for prioritization of these claims against the estate.
- HOUSE FILE 2383** - Safety in Schools  
*SEE EDUCATION.* This Act requires a plaintiff in an action against a school employee for violation of the corporal punishment prohibition to prove the violation by clear and convincing evidence instead of a preponderance of the evidence.
- HOUSE FILE 2384** - Fraudulent Transfers  
*SEE BUSINESS, BANKING & INSURANCE.* This Act amends a number of provisions relating to commercial transactions, by repealing provisions relating to bulk sales set forth in Article 6 of the Uniform Commercial Code in Chapter 554 of the Iowa Code, and enacting provisions of the Uniform Fraudulent Transfer Act.
- HOUSE FILE 2410** - Child Support, Paternity, and Related Matters  
*SEE HUMAN SERVICES.* This Act makes various changes in the law relating to child support collection. The Act also amends provisions that currently distinguish the treatment of birth certificates which relate to out-of-wedlock births to be consistent with the treatment of other certificates of birth, and amends the sections of the Code relating to the overcoming of paternity to eliminate the three-year statute of limitations for bringing such an action and makes the new provision retroactively applicable to such prior actions.
- HOUSE FILE 2418** - Public Retirement Systems  
*SEE STATE GOVERNMENT.* This Act contains numerous changes pertaining to Iowa's public retirement systems, including the Judicial Retirement System, and prohibits the deposit of certain court revenues in the Judicial Retirement Fund.

## COURTS, CIVIL LAW & PROCEDURE, & PROBATE

### **SENATE FILE 413 - Collection and Disposition of Court Fees, Fines, and Surcharges**

BY COMMITTEE ON WAYS AND MEANS. This Act consolidates and increases certain fees in civil cases, small claims cases, for miscellaneous services performed by the clerk of the district court, and in criminal cases, and makes other changes in the manner in which court revenue is collected and distributed. The Act eliminates the court revenue distribution account in favor of accounts established by each clerk of the district court, from which the clerk will make distributions to the State Court Administrator, counties and cities. The Act moves the distribution provisions for the criminal penalty surcharge from Section 911.3 to Section 602.8108 and provides that 95 percent of the criminal penalty surcharge shall be submitted to the State Court Administrator, instead of the Treasurer of State, and 5 percent shall be distributed to counties or cities. The Act directs the State Court Administrator to deposit 18 percent of the moneys received to the Victim Compensation Program and 82 percent to the General Fund of the State. The Act establishes a Court Technology and Modernization Fund and allocates \$1 million of the moneys received by the State Court Administrator to the fund for use to enhance the information and cases processing ability of the Judicial Department and to facilitate alternative dispute resolution and methods to resolve domestic abuse cases. The Act also provides for the adoption of uniform citation and complaint forms originated by computerized devices and for electronically copying uniform citation and complaint forms for providing an abstract of motor vehicle violations.

### **SENATE FILE 2066 - Farm Mediation and Legal Assistance to Farmers**

BY JUDGE AND LLOYD-JONES. This Act affects farm assistance programs, including provisions authorizing the Attorney General to contract with organizations to provide mediation services and legal assistance to farmers. The Iowa Code provides requirements and procedures for mediation, including voluntary and mandatory mediation proceedings. In general, a creditor must receive a release by the Farm Mediation Service prior to initiating a civil proceeding to resolve a dispute. The Department of Natural Resources must obtain a release prior to inventorying land for wetland designation. A party to a dispute involving a nuisance or the performance of a contract for the care and feeding of livestock must also obtain a release prior to initiating a civil proceeding. Many of these provisions were adopted by the General Assembly in 1986, to be repealed on July 1, 1989. In 1989, 1990 and 1993, the provisions were expanded and their effectiveness was extended. The provisions were to be repealed on July 1, 1995. This Act provides that the provisions remain permanently effective.

### **SENATE FILE 2107 - Jurisdiction of District Associate Judges**

BY COMMITTEE ON JUDICIARY. This Act expands the jurisdiction of district associate judges to civil disputes up to \$10,000, instead of \$5,000, to enter orders in probate matters not requiring notice and hearing, and to set hearings and court appointments in criminal matters.

### **SENATE FILE 2126 - Refunds by District Court Clerks**

BY LIND. This Act provides that clerks of the district court shall refund amounts of less than \$1 owed to persons only upon written request.

### **SENATE FILE 2230 - Judicial Department — Facilities — District Associate Judges**

BY COMMITTEE ON JUDICIARY. This Act extends the ceiling on the formula for appointment of additional district associate judges, which was previously capped at a maximum of four district associate judges in any county with a population of 200,000 or above, to permit the appointment of additional district associate court judges based on increments of one additional judge per additional 35,000 in county population. The formula is capped at a maximum of seven district associate judges in counties having a population of 305,000 or above. The Act also permits the payment of office expenses for court of appeals judges with offices outside of Polk County.

### **SENATE FILE 2307 - Trusts, Conservatorships, and Other Probate Matters**

BY COMMITTEE ON JUDICIARY. This Act defines revocable trusts for the purposes of Chapter 9H, which provides for corporate or partnership farming, and amends Sections 9H.4 and 9H.5 to exclude revocable trusts from the restrictions on ownership of agricultural land. The Act further provides that a person having physical and legal custody of a minor may execute a standby petition for appointing a conservator or guardian for the minor. The standby petition would take effect upon the occurrence of an event specified in the petition. The Act also authorizes

the creation of separate trusts for the same beneficiary in order to minimize federal or state inheritance, estate, generation-skipping, corporate or personal income, or excise taxes. Finally, the Act codifies existing common law regarding the exclusion of life insurance proceeds from a decedent's estate.

**HOUSE FILE 307 - Limitations on Judgments**

BY COMMITTEE ON COMMERCE. This Act amends provisions in Chapter 615 of the Iowa Code relating to limitations on judgments in an action for the foreclosure of a real estate mortgage or deed of trust, or a promissory obligation secured by a mortgage or deed of trust. Sections 615.1 and 615.3 of the Iowa Code provide that a plaintiff is prohibited from enforcing such a judgment or obtaining an execution on the judgment after two years have lapsed since the judgment was entered. The judgment has no effect thereafter except as a setoff or counterclaim. This Act provides that these provisions are limited to a judgment upon property which, at the time of the judgment, is used for an agricultural purpose, or is a one-family or two-family dwelling used as the residence of the mortgagor. The Act also expands transactions subject to the statute to include real estate contracts. Section 624.23 provides that judgments are a lien for a period of 10 years after the judgment is issued upon real estate owned or subsequently acquired by a defendant. Senate File 2330 (See Appropriations) amends Section 615.3 by making a technical correction to this Act.

**HOUSE FILE 618 - Liens for Unpaid Unemployment Compensation Contributions**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act provides that a lien for unpaid unemployment compensation contributions shall continue for 10 years unless the obligation owed is discharged, released or satisfied. The lien may be extended for up to an additional 10 years if a notice is filed during the ninth year of the original lien period.

**HOUSE FILE 2134 - Hospitalization Hearings — Patient Advocates**

BY GRUNDBERG. This Act requires the patient advocate to receive notice of, and permits the patient advocate to attend, hearings regarding the involuntary hospitalization of persons alleged to be mentally ill. The court is to direct the clerk to provide the patient advocate for the county of legal settlement of the person who is the subject of the hearing, with copies of the application and any court orders regarding the hospitalization hearing. The court is also required to permit the patient advocate to attend the hospitalization hearings regarding persons who are from the county or counties that the patient advocate serves.

**HOUSE FILE 2197 - Investment of Funds Paid to District Court Clerks**

BY COMMITTEE ON STATE GOVERNMENT. This Act authorizes a clerk of the district court to invest moneys received by the clerk, that are to be paid to another person, in money market funds. The clerk is restricted to investing the moneys in money market funds limited to obligations of the United States government.

**HOUSE FILE 2284 - Clerks of Court — Probate Scheduling Orders**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act authorizes clerks of the district court to enter routine scheduling orders in probate matters as established by the chief judge in each judicial district. Currently, scheduling orders are entered by a judge.

**HOUSE FILE 2286 - Jurisdictional Amount for Small Claims**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act increases the jurisdictional limit in small claims actions from \$2,000 to \$3,000 for actions commenced on or after July 1, 1994, and \$4,000 for actions commenced on or after July 1, 1995. The Act also provides that the limit will return to \$2,000 if a court of competent jurisdiction declares the \$3,000 or \$4,000 amount unconstitutional.

**HOUSE FILE 2325 - Presentence Investigations**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act provides that presentence investigations are not to be ordered for class "A" felonies and that a presentence investigation is to be ordered in the case of a serious misdemeanor only after a finding that exceptional circumstances exist that warrant an investigation. However, in the case of a class "A" felon, if the Board of Parole determines that the Iowa Medical and Classification Center reception report for the person is inadequate, the board may request and shall be provided with additional information from the appropriate judicial district department of correctional services.

**HOUSE FILE 2377 - Termination of Parental Rights — Adoption Procedures**

BY COMMITTEE ON HUMAN RESOURCES. This Act addresses the areas of termination of parental rights and adoption. The Act establishes a declaration of paternity registry that allows a putative father to register as the putative father of a child prior to the birth of a child and no later than the date of the filing of the petition for termination of parental rights and prescribes the manner of registration, the type of information required, and the uses of the information provided.

The Act also does the following:

- ♦ Provides a definition for "significant and meaningful contact" in the context of an involuntary termination of parental rights.
- ♦ Authorizes the Attorney General to institute actions to enforce the interstate compact on the placement of children.
- ♦ Provides that an agency that enters a contract with another entity for the placement of children is liable for all costs which are to be paid prior to the provision of services if the entity does not subsequently perform the services.
- ♦ Establishes the best interest standard for adoption proceedings and prohibits consideration of evidence in determining the best interest of the parties involved if the evidence is based upon a time period during which a placement is not in compliance with the law.
- ♦ Prescribes the types of expenditures which are allowable between prospective adoptive parents and the biological parents of a child.
- ♦ Provides that a grandparent who has been granted visitation rights with a child to be adopted is to be provided notice of an adoption hearing.
- ♦ Authorizes the Supreme Court to adopt rules to expedite contested termination of parental rights and adoption cases.
- ♦ Provides that access to family medical history, medical and developmental history, and social history of a person to be adopted, which is collected at the time of the release of custody, is consistent with access to other adoption record information.
- ♦ Establishes the standard and provides criteria for the defining of "best interest" in the context of termination of parental rights proceedings.
- ♦ Requires the offering of counseling to the biological parents of a child prior to the execution of a release of custody and prescribes requirements for the counseling if provided.
- ♦ Requires that a release of custody form contain a notice regarding the penalty for the knowing and intentional provision of misinformation by a biological parent regarding the identity of a biological parent in a written release of custody or any other document related to the termination of parental rights proceedings if the biological parent chooses to identify the other biological parent.
- ♦ Requires the provision of family medical and social history of the person to be adopted and provides for the discretionary provision of ongoing family medical and social history information.
- ♦ Prohibits waiver of the 72-hour minimum time period after the birth of a child and prior to the execution of a release of custody.
- ♦ Provides that a putative father who has registered with the declaration of paternity registry or any unknown putative father is to be provided notice of a termination of parental rights hearing.
- ♦ Provides the form of the published notice that is to be provided for a necessary party whose identity is known but whose location is unknown, or all unknown putative fathers, if any, prior to a termination hearing.
- ♦ Prohibits the guardian ad litem appointed for a child in a termination proceeding from also representing any of the other parties to the proceeding.
- ♦ Limits the request for vacation or appeal of a termination order to within 30 days of the issuance of the granting of the termination order.
- ♦ Establishes penalties, including that the knowing and intentional provision of misidentification of a biological parent by the other biological parent who chooses to identify the biological parent is a simple misdemeanor and that the acceptance of a release of custody prior to the minimum 72-hour waiting period is a serious misdemeanor.

The Act does not apply to a termination of parental rights or adoption proceeding pending on July 1, 1994.

**ECONOMIC DEVELOPMENT**

- SENATE FILE 2224** - Allotments for Foreign Trade Offices
- HOUSE FILE 2180** - Quality Jobs Enterprise Zones -- New Jobs and Income Program
- HOUSE FILE 2337** - Agricultural Development and Rural Revitalization
- HOUSE FILE 2403** - Targeted Businesses

**RELATED LEGISLATION**

- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to economic development, including corrective changes that clarify the extent of the discretion of the Director of the Department of Economic Development pertaining to the planning allocation under the Rural Community 2000 Program.
- SENATE FILE 2218** - Appropriations -- Regulatory Bodies  
*SEE APPROPRIATIONS.* This Act makes appropriations to regulatory bodies of state government, including the Department of Employment Services.
- SENATE FILE 2330** - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters  
*SEE APPROPRIATIONS.* Division III of this Act transfers to the General Fund of the State lottery funds remaining from various allotments and appropriations made in previous years to the Jobs Now Capitals, Jobs Now, Education and Agricultural Research and Development, and Surplus accounts of the Iowa Plan Fund. Specified amounts of moneys unencumbered as of July 1, 1993, from the following sources are transferred to the General Fund of the State: the Rural Community 2000 Revolving Fund, bottle deposit surcharge moneys, and the Community College Job Training Fund. Division V of this Act appropriates funds to the Department of Economic Development for a business development initiative for entrepreneurs with disabilities and for the Community Economic Betterment Account (CEBA).
- HOUSE FILE 2415** - Appropriations -- Economic Development  
*SEE APPROPRIATIONS.* This Act appropriates and transfers funds from the General Fund and other funds to the Department of Economic Development, the Wallace Technology Transfer Foundation, the Iowa Seed Capital Corporation, and the Iowa Finance Authority, and makes statutory changes related to economic development.

## ECONOMIC DEVELOPMENT

### **SENATE FILE 2224 - Allotments for Foreign Trade Offices**

BY COMMITTEE ON APPROPRIATIONS. This Act provides that allotments of funds to the foreign trade offices of the Department of Economic Development need not be made at quarterly intervals but may be made at such times as necessary to obtain the most favorable foreign currency exchange rate.

### **HOUSE FILE 2180 - Quality Jobs Enterprise Zones -- New Jobs and Income Program**

BY COMMITTEE ON WAYS AND MEANS. This Act provides economic development assistance to businesses by creating the New Jobs and Income Program and providing for the establishment of quality jobs enterprise zones. The Act prohibits state or local government officials from offering economic development benefits to a business at the time of negotiations with the business unless those benefits are authorized by existing state law or have been enacted but have not yet taken effect.

The Act also requests the Legislative Council to establish a task force to examine the economic development service delivery system, the relationship between local and state governments and business regarding the utilization of financial and tax incentives as economic development tools, and the need for and benefits of a compact with other states regarding economic noncompetition. The task force is to be comprised of 10 voting members from the Senate and House of Representatives and eight nonvoting members appointed by the Legislative Council.

The Act establishes the New Jobs and Income Program to provide economic development incentives such as property tax and income tax exemptions or refunds for businesses meeting the qualifications criteria of the program. The Act also provides for the establishment of quality jobs enterprise zones within 30 days of the March 4, 1994, effective date for the purpose of attracting certain qualified businesses to the state. Economic development assistance available to an eligible business locating within a quality jobs enterprise zone includes a property tax exemption on machinery and equipment, an investment tax credit, and an exemption from the limitations on ownership by foreign corporations of agricultural land in Iowa. The Act provides that a community may exempt from taxation all or a portion of the actual value added by improvements made that fulfill certain requirements by an eligible business under the program. Senate File 2057 (See Taxation) amends this Act to include new construction in the definition of "improvements" and to provide that the research activities credit created in this Act is in addition to a credit allowed in Section 422.33, subsection 5 of the Iowa Code.

The portions of the Act relating to tax incentives and the legislative study and providing for the establishment of quality jobs enterprise zones take effect March 4, 1994. The remainder of the Act takes effect May 1, 1994.

### **HOUSE FILE 2337 - Agricultural Development and Rural Revitalization**

BY COMMITTEE ON WAYS AND MEANS. This Act provides for agricultural development and rural revitalization. Generally, the Act provides for the production and consumption of products derived from agricultural commodities. The Act amends the Value-Added Agricultural Products and Processes Financial Assistance Program administered by the Department of Economic Development, in order to encourage specifically the development of profitable facilities that create value-added products using agricultural commodities. The program is supported by a Value-Added Agricultural Products and Processes Financial Assistance Fund. The Act authorizes the department to commit resources from the fund to assist facilities involved in the development of new innovative products and processes and renewable fuel production. The Act provides that not more than 25 percent of the fund may be used to support a single person, and 50 percent of moneys in the fund must be used to support persons requiring \$100,000 or less in financial assistance. The Act places a number of conditions upon persons who may receive assistance under the program. The department is required to consider specific criteria when awarding moneys to support an ethanol production facility, and provide priority to supporting facilities that directly support livestock production operations. The Office of Renewable Fuels within the Department of Agriculture and Land Stewardship, the Department of Natural Resources, and Regents universities are required to cooperate in providing assistance.

The Act adds two new criteria to the factors required to be considered when the Department of Economic Development awards moneys to businesses under the Community Economic Betterment Account (CEBA) Program.

The Act requires that a preference be given to businesses which demonstrate a capacity to create products by adding value to agricultural commodities. The Act also requires that a preference be given to businesses which rely upon agricultural or value-added research conducted at a college or university.

The Act amends a number of provisions authorizing state agencies to purchase vehicles. Section 118.115 of the Iowa Code provides that after July 1994, state agencies must purchase a minimum of 10 percent of all motor vehicles and light trucks using alternative fuel sources. This Act provides that an alternative fuel may include liquefied natural gas, a mixture of diesel fuel and soybean oil which contains at least 20 percent soybean oil by volume, or a renewable fuel approved by the Office of Renewable Fuels and Coproducts. The Act requires the Department of Corrections to operate its vehicles using ethanol-blended gasoline to the same extent as other state and local governmental entities.

The Act amends Chapter 159A which establishes the Office of Renewable Fuel within the Department of Agriculture and Land Stewardship. The Act changes the name of the Office of Renewable Fuel to the Office of Renewable Fuels and Coproducts, the name of the Renewable Fuel Fund to the Renewable Fuels and Coproducts Fund, and the Renewable Fuel Advisory Committee to the Renewable Fuels and Coproducts Advisory Committee. The office is responsible for promoting the consumption of renewable fuel. This Act provides that the office must also promote the production and consumption of coproducts derived from the processing of agricultural commodities. The Act requires that at least 40 percent of moneys in the fund must support education, promotion and advertising of renewable fuels and coproducts. The Act provides that the office must support research, technical assistance to renewable fuel production facilities, and outreach services. The office is required to assist persons in completing technical information required in order to receive assistance by the Department of Economic Development under the Value-Added Agricultural Products and Processes Financial Assistance Program.

Three and one-half percent, but not more than \$1 million per quarter, of the revenue derived from the use tax on motor vehicles, trailers and accessories and equipment is used to support value-added agricultural products and processes. Prior to the effective date of this Act, the moneys were deposited into the Ethanol Production Incentive Account of the Renewable Fuel Fund. This Act requires that 91.25 percent of these moneys must be deposited in the Value-Added Agricultural Products and Processes Financial Assistance Fund and 8.75 percent must be deposited into the Renewable Fuels and Coproducts Fund. On July 1, 2000, use tax moneys will no longer be deposited into these special funds. The Act provides that moneys in the funds that are in excess of the amount required to be deposited in the funds each year revert to the Road Use Tax Fund. The Act allocates moneys deposited into the account during the fiscal year beginning July 1, 1993, and ending June 30, 1994, to support soydiesel demonstration projects conducted by the State Department of Transportation, an ethanol production and livestock feeding education project conducted by Iowa State University, and a microbusiness rural enterprise demonstration project conducted by an organization selected by the Department of Economic Development. The Act allocates the remaining moneys in the account between the Department of Economic Development and the Office of Renewable Fuels and Coproducts.

The Act provides that motor vehicle fuel pumps which serve retail customers with fuel containing over 1 percent soybean oil by volume must be labeled to notify customers that the fuel contains soydiesel oil. Similar provisions require a notice identifying ethanol-blended gasoline. The office is required to adopt rules specifying the design and location of decals identifying soydiesel or ethanol-blended gasoline.

The Act repeals Section 159A.8, which established a program to pay ethanol production facilities incentive payments for each gallon of qualifying ethanol produced during a quarter. The Act eliminates accounts within the old Renewable Fuel Fund. The first account supported the production incentive program from use tax moneys and the second account supported other activities of the office, such as promotion and research, from nonuse tax moneys.

The Act becomes effective April 26, 1994, and is retroactively applicable.

**HOUSE FILE 2403 - Targeted Businesses**

BY COMMITTEE ON SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TRADE. This Act adds to the definition of "targeted small business," provides a development initiative for entrepreneurs with disabilities, and provides for the direct purchase from vendors by state agencies under certain circumstances. The Act also provides that the Director of the Department of Inspections and Appeals shall establish rules to provide that small businesses are eligible to participate in a construction procurement set-aside program.

The Act adds businesses owned by persons with a disability to the definition of targeted small business. Senate File 2330 (See Appropriations) repeals a provision in this Act that directed the Department of Economic Development to cooperate with the Division of Vocational Rehabilitation Services of the Department of Education to implement a business development initiative for entrepreneurs with disabilities under the Self-employment Loan Program and to take \$40,000 to match federal dollars to implement the initiative.

In addition, the Act requires that rules regarding direct purchasing from vendors by state agencies include a provision permitting a state agency to purchase directly from a vendor, without approval from the Department of General Services, if the purchase will contribute to the agency complying with or exceeding its targeted small business procurement goals. An additional procurement goal is established that state agencies procure at least 40 percent from minority-owned businesses and at least 40 percent from female-owned businesses.

## EDUCATION

- SENATE FILE 2041** - School Finance — State Percent of Growth
- SENATE FILE 2087** - Employment Under School District Sharing Agreements
- SENATE FILE 2092** - Osteopathic Student Loans
- SENATE FILE 2169** - Teacher Licenses and Endorsements
- SENATE FILE 2172** - Vocational Rehabilitation
- SENATE FILE 2199** - College Education Financing
- SENATE FILE 2201** - Funding of Gifted and Talented Programs
- SENATE FILE 2231** - Area Education Agency Property Transactions
- SENATE FILE 2234** - Educational Finances, Activities, and Procedures
- SENATE FILE 2236** - Education — Miscellaneous Technical and Other Provisions
- SENATE FILE 2237** - School Attendance Requirements
- SENATE FILE 2277** - School Social Studies Requirements
- HOUSE FILE 2018** - School Bus Transportation Requirements
- HOUSE FILE 2033** - Minimum School Day
- HOUSE FILE 2049** - School Physical Plant and Equipment Levy
- HOUSE FILE 2155** - Public School Services to Children in Nonpublic Schools
- HOUSE FILE 2308** - Fund Structure of School Districts
- HOUSE FILE 2383** - Safety in Schools

### RELATED LEGISLATION

- SENATE FILE 2089** - Iowa Communications Network  
*SEE STATE GOVERNMENT.* This Act amends Iowa Code sections pertaining to the Iowa Communications Network and establishes the Iowa Telecommunications and Technology Commission, an education telecommunications council and regional councils, expands the definition of authorized users, and makes other changes related to the operation of the network. The Act requires all Regents institutions, community colleges, private colleges, and area education agencies to certify that they are a part of or intend to become a part of the network. The Act provides that a K-12 school district may certify that the district has a full motion interactive video system fully compatible with the network. Upon a determination by the commission that the district's system is fully compatible, access shall be permitted as soon as practical.
- SENATE FILE 2313** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and contains a provision affecting how the Treasurer of State addresses Medical Assistance (Medicaid) funding relating to special education.
- SENATE FILE 2318** - State Budget Processes  
*SEE APPROPRIATIONS.* This Act relates to state budget processes and includes requirements affecting state practices for payment of obligations in accordance with

generally accepted accounting principles (GAAP) such as charging the payment of aid to school districts and community colleges to the correct state fiscal year.

- SENATE FILE 2319** - Juvenile Justice  
**SEE CHILDREN & YOUTH.** This Act directs the Department of Education to develop a statewide violence prevention program, permits school districts to use Phase III funds for conflict resolution and anger management programs for staff and students, authorizes the search of student lockers in a school without advance notice under certain circumstances, and makes an appropriation to the Department of Human Services for school-based programs addressing truancy and school behavioral problems.
- SENATE FILE 2326** - Capitol Project Financing  
**SEE BONDING AND DEBT FINANCE.** The Act authorizes the State Board of Regents to issue bonds for the period beginning July 1, 1994, and ending June 30, 1996, in an amount equal to \$30,750,000 for the three institutions of higher learning under its jurisdiction for purposes of remodeling, facility planning and construction, and fire safety and deferred maintenance projects.
- SENATE FILE 2330** - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters  
**SEE APPROPRIATIONS.** Division VI of this Act amends Section 279.51, relating to a school-based youth services education program. Division VII of this Act appropriates \$50,000 to the Department of Education to conduct a study of the special education costs to the state of rules concerning special education prior to the effectiveness of the rules; \$20,000 for a school liaison; \$139,745 for Phase II of the Education Excellence Program; \$2,000,000 for at-risk children programs, primarily the School-Based Youth Services Education Program; \$50,000 for a four-year pilot project to provide outreach and incentives for a voluntary parenting program in a county with less than 35,000 population; and \$50,000 for establishing a character education pilot program to evaluate methods of incorporating positive character quality in educational programs. These appropriations are contingent upon the realization of projections that the state will pay less in school aid during FY 1995 because of the increase in taxable property valuations over initial estimates.
- HOUSE FILE 181** - Driver Education and Motorcycle Rider Education  
**SEE TRANSPORTATION.** This Act requires that an approved driver education course include instruction in railroad crossing safety and organ donation, and requires that persons applying for a motorcycle license first complete a motorcycle education course.
- HOUSE FILE 2003** - Child Day Care  
**SEE HUMAN SERVICES.** This Act relates to child day care provisions involving the age and school status of the children receiving care, prohibits the Department of Human Services from applying nutritional standards to meals brought to a child day care facility by school-age children, and requires the department, the State Fire Marshal, and local governments to apply school building standards to a building owned or leased by schools and used as a child day care facility.
- HOUSE FILE 2070** - State Fire Marshal  
**SEE STATE GOVERNMENT.** This Act contains several provisions pertaining to the administrative activities of the State Fire Marshal, including a change pertaining to the reference for the types of fire extinguishers required in school buildings.
- HOUSE FILE 2366** - Reapportionment, Redistricting, and Reprecincting  
**SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.** This Act amends a variety of Code sections relating to reapportionment, redistricting and reprecincting and applies to state and certain political subdivisions, including school director districts.

- HOUSE FILE 2403** - Targeted Businesses  
*SEE ECONOMIC DEVELOPMENT.* This Act directs the Department of Economic Development to cooperate with the Division of Vocational Rehabilitation Services of the Department of Education to implement a business development initiative for entrepreneurs with disabilities under the Self-employment Loan Program.
- HOUSE FILE 2411** - Appropriations --- Education  
*SEE APPROPRIATIONS.* This Act appropriates moneys to the Department of Education, the College Student Aid Commission, the State Board of Regents and its institutions, and the Department of Cultural Affairs, and makes several statutory changes.

## EDUCATION

### **SENATE FILE 2041 - School Finance — State Percent of Growth**

BY COMMITTEE ON EDUCATION. This Act establishes for the school budget year beginning July 1, 1994, for the State School Foundation Program, a state percent of growth equal to 2.85 percent. Section 257.8 of the Code, rewritten in 1992, requires that the state percent of growth for a budget year be established by statute within 30 days of the submission in the base year of the Governor's budget to the General Assembly.

The Act takes effect February 10, 1994.

### **SENATE FILE 2087 - Employment Under School District Sharing Agreements**

BY COMMITTEE ON EDUCATION. This Act requires districts that enter into a whole grade sharing agreement which results in a need to hire additional employees to notify individuals whose positions were terminated as a result of the agreement that the new positions exist and that the individuals may apply for the positions. If the individuals apply and are qualified for the new positions, the districts must offer the new positions to these individuals, or to the best qualified from among these individuals. However, this provision is only effective for two school years beyond the time of the agreement.

An employee who accrued benefits before a whole grade sharing agreement resulted in the employee's termination shall not, as a result of reemployment under the provisions of this Act, forfeit the benefits accrued prior to the sharing agreement.

### **SENATE FILE 2092 - Osteopathic Student Loans**

BY COMMITTEE ON EDUCATION. This Act creates an Osteopathic Loan Revolving Fund in the State Treasury and increases the annual potential loan forgiveness amount under the Osteopathic Forgivable Loan Program to 25 percent of a student's outstanding loan balance, including principal and accrued interest, and maintains as the minimum level of loan forgiveness the current amount of \$3,000.

The Act permits the College Student Aid Commission to sell an unforgiven osteopathic loan to a bank, savings and loan association, credit union, or nonprofit agency when the loan becomes due for repayment. Proceeds from the sale of osteopathic loans and payments made by osteopathic loan recipients are to be credited to the newly created revolving fund for use in supplementing moneys appropriated for the Osteopathic Forgivable Loan Program, to pay for loan forgiveness to eligible physicians, and for defaults by eligible physicians. Moneys in the revolving fund do not revert to the State General Fund at the end of the fiscal year.

### **SENATE FILE 2169 - Teacher Licenses and Endorsements**

BY COMMITTEE ON EDUCATION. This Act changes the expiration date for licenses issued by the Board of Educational Examiners from June 30 to August 31 and adds a requirement for an endorsement to accompany each license. The Act also repeals Section 272.34, relating to elementary licenses, since the board has now developed license and endorsement standards for early childhood and early elementary licensing for teachers and elementary principals, and the Department of Human Services licenses child care providers and administrators.

### **SENATE FILE 2172 - Vocational Rehabilitation**

BY COMMITTEE ON EDUCATION. This Act conforms current Code language in the vocational rehabilitation chapter with that of the federal "Rehabilitation Act of 1973," and changes the language so that acceptance of future amendments to the federal Act may not require changes in the Iowa vocational rehabilitation chapter. Terms and phrases are updated to conform to current usage and standards within the rehabilitation community. Certain out-of-date or redundant language and requirements are struck from the Code and nonsubstantive usage changes are made. The Act broadens the responsibility for conducting continuing statewide studies of the vocational rehabilitation needs of individuals with disabilities to include other interested entities.

The Act acknowledges a need to cooperate with an individual with a disability and to cooperate and confer with the individual's parent or guardian or others as appropriate in studying and investigating the vocational rehabilitation needs of the individual in order to implement rehabilitation programs for the individual.

Several years ago, the Department of Education renamed the Division of Vocational Rehabilitation by adding the word "services" to the title of the agency. The Act updates Code references to the division title and makes a number of changes in terminology. The new terms are consistent with the federal Act and are more commonly used by the affected population.

**SENATE FILE 2199 - College Education Financing**

BY COMMITTEE ON EDUCATION. This Act requires the State Board of Regents to issue capital appreciation bonds, designed primarily to be marketed to Iowa parents to encourage them to save for their children's future university costs, in an amount not to exceed 50 percent of the amount of bonds authorized pursuant to Section 262A.4 by the 1994 Session of the 75th General Assembly.

**SENATE FILE 2201 - Funding of Gifted and Talented Programs**

BY COMMITTEE ON EDUCATION. This Act authorizes the Department of Education to waive the deadline by which a school district may request additional allowable growth funding for gifted and talented programs. The funding level for gifted and talented programs is changed to 1.24 percent of the district cost per pupil from 1.2 percent of the district cost per pupil. Funds attributed to allowable growth and allotted for the gifted and talented program that are unspent at the end of the budget year are carried over to the gifted and talented program for the next budget year. The Act also gives the Department of Education authority to request that the staff of the Auditor of State conduct an audit to verify that the gifted and talented programs funded by the additional allowable growth funds conform to a district's program plans for gifted and talented students.

**SENATE FILE 2231 - Area Education Agency Property Transactions**

BY COMMITTEE ON EDUCATION. This Act authorizes the board of directors of an area education agency to sell, lease or dispose of, in whole or in part, agency property after advertising for bids and accepting the best bid. Before leasing agency property, the board is directed to obtain the approval of the Director of the Department of Education. An AEA may also sell, lease, exchange, give, or grant and accept interest in real property, with, or from, a school district if the real property is within the jurisdiction of both the agency and the district.

The Act takes effect April 19, 1994.

**SENATE FILE 2234 - Educational Finances, Activities, and Procedures**

BY COMMITTEE ON EDUCATION. This Act deals with a number of administrative and finance matters related to education.

The administrative matters include permitting facsimile signatures of the president of the school district or allowing a designee to sign for the president on warrants and drafts; providing claims by districts for textbook services for nonpublic schools to be paid once instead of twice a year; changing the four-year enrollment requirement under the open enrollment program to a one-year requirement; requiring districts subject to voluntary or court-ordered desegregation to establish an open enrollment policy; allowing any party to an appeal of an open enrollment request denial by the district of residence, that was based upon failure to show good cause for not meeting the request deadline, to request an oral or written decision at the conclusion of the hearing on the appeal; and providing that early childhood programs established in buildings owned or leased by school districts do not require special licensing or greater standards than that required of the school itself.

The financial matters include not requiring bids for the purchase or sale of equipment by a school district if the unit price is \$5,000 or less; allowing carryover of special education fund balances of up to 10 percent; allowing a school corporation to issue notes to mature within five years for loans to purchase equipment; allowing the community college additional equipment replacement levy to be used for the purchase of instructional equipment; and allowing the payment for liability insurance of a school district from the district management levy fund or State General Fund if the district does not have a management levy.

**SENATE FILE 2236 - Education — Miscellaneous Technical and Other Provisions**

BY COMMITTEE ON EDUCATION. This Act updates a number of Code chapters relating to education by removing obsolete dates and rewriting provisions to reflect that the goals of the requirements legislated have been achieved and will be maintained.

The most substantial change in the Act requires the Superintendent of the School for the Deaf to provide students with prescription refills, if necessary, billing the parent or guardian if the student is a minor, or the student if the student has reached the age of majority. Code Sections 263.12 and 269.2 make this provision apply to the State Hospital-School and the Iowa Braille and Sight Saving School as well.

The Act deletes provisions requiring schools and school districts to meet media center requirements, employ a qualified school media specialist, and provide an articulated sequential guidance program. However, these requirements remain under the Department of Education's administrative rules.

The Department of Education and the State Board of Regents are advised to continue to explore the need for coordination between school districts, area education agencies, the Regents institutions, and community colleges. The Regents are instructed to develop recommendations for coordination as necessary, which are to be submitted in a report to the General Assembly on a timely basis. The Regents are also directed to continue the use of soybean-based inks, and to continue to increase the use of starch-based plastic garbage can liners at their institutions.

The Act repeals a section of the Code that creates a Vocational Youth Organization Fund, a provision relating to a state plan for vocational education developed prior to July 1, 1986, and a provision permitting the Regents to utilize the labor of pupils attending the School for the Deaf.

**SENATE FILE 2237 - School Attendance Requirements**

BY COMMITTEE ON EDUCATION. This Act permits a school district to excuse a graduating senior, who has met district or school requirements for graduation, from attending school on a day or days added to the regular school calendar to make up for school days lost when inclement weather caused the district to close school.

The Act takes effect on March 30, 1994.

**SENATE FILE 2277 - School Social Studies Requirements**

BY COMMITTEE ON EDUCATION. This Act provides that all students in public and nonpublic schools in Iowa complete a minimum of two semesters of United States history and one semester of United States government. The semester of government includes the study of voting procedure and the Constitution and the Bill of Rights. The government course shall also include an assessment of the students' knowledge of the Constitution and the Bill of Rights.

**HOUSE FILE 2018 - School Bus Transportation Requirements**

BY DAGGETT. This Act provides that school districts are not required to maintain seating space on school buses for students who are eligible for transportation if the students do not or will not regularly utilize the district's transportation service for extended periods during the school year. The district must notify the student, or the student's parent or legal guardian if the student is under 18, before suspending transportation services. Transportation services resume if the student or the student's parent or legal guardian notifies the district that the student will regularly ride the bus.

**HOUSE FILE 2033 - Minimum School Day**

BY OLLIE. This Act requires the State Board of Education to define the minimum school day and include as instructional time the time spent on parent-teacher conferences. A school or school district may record a day of school with less than 5.5 hours of instructional time as a minimum school day if the total hours of instructional time for any five consecutive school days equal a minimum of 27.5 hours, even though any one day of school is less than the minimum instructional hours because parent-teacher conferences have been scheduled beyond the regular school day.

**HOUSE FILE 2049 - School Physical Plant and Equipment Levy**

BY LARSON. Currently school districts that impose the regular or voter-approved physical plant and equipment levy can spend those tax revenues to purchase a single unit of equipment exceeding \$5,000 in value or purchase a technology system exceeding \$5,000 in value. This Act reduces the value to \$1,500. The Act also allows the

revenues from this tax levy to be used to purchase or install exterior lighting for school facilities, including athletic fields and tennis courts.

**HOUSE FILE 2155 - Public School Services to Children in Nonpublic Schools**

BY LUNDBY AND CORBETT. This Act requires school districts and area education agency boards to assist nonpublic school students with physical disabilities with their physical and communication needs and to provide students with the services of an educational interpreter, and permits the assistance to be given on nonpublic school premises. Students in need of such assistance are to be weighted to cover the increased costs to the school districts and area education agencies.

To receive additional funds for providing assistance under this Act, a school district shall submit an accounting to the Department of Education by August 1 following the school year for the actual costs of the special education programs and services provided. The department has until September 1 to review and approve or modify the accounting. The approved amount is submitted to the Department of Revenue and Finance by the Department of Education. The Department of Revenue and Finance adjusts payments to the local school district for the next year by the difference between the amount generated by the weighting and the local district's actual costs.

The amount paid by the Department of Revenue and Finance is deducted monthly from the state foundation aid paid during the fiscal year to all school districts in the state and shall be the same as the ratio that the budget enrollment for the budget year of the school district bears to the total budget enrollment in the state for that budget year.

**HOUSE FILE 2308 - Fund Structure of School Districts**

BY COMMITTEE ON EDUCATION. This Act establishes funds for school districts similar to city funds, to use for the budget year beginning July 1, 1995. These funds include funds for the district management levy, physical plant and equipment levy, schoolhouse tax levy, public education and recreation levy, and library levy. The other funds are established for moneys available for student activities, capital projects, debt service, school nutrition, child care, and trust and agency purposes. The funds are to be established for generally accepted accounting principles purposes.

The Act takes effect July 1, 1995, and school districts are to establish the funds identified by the Act, and prepare budget forms based upon these identified funds, for the budget year beginning July 1, 1995.

**HOUSE FILE 2383 - Safety in Schools**

BY COMMITTEE ON EDUCATION. This Act establishes a character education policy and pilot program, authorizes the sharing of certain information between schools regarding students who seek to transfer between schools, establishes a higher threshold of proof for plaintiffs in actions alleging a violation of the corporal punishment prohibition, provides leave for school employees injured as a result of an episode of violence at school, and provides for the suspension and possible expulsion of students who assault school employees.

The Act establishes the policy of the state that each school in Iowa is encouraged to instill the highest character and academic excellence in each student and should make every effort to stress character qualities that will maintain a safe and orderly learning environment. Schools may use Phase III funds to establish character education programs. The Department of Education is to establish a Character Education Pilot Program to evaluate methods for incorporating character education in schools.

The Act provides that the school to which a student seeks to transfer shall receive, upon request, an accurate record of suspension or expulsion actions taken and the basis for the actions taken. Information provided shall not be provided to school employees whose duties do not require them to be involved with the student.

The Act also requires a plaintiff in an action against a school employee for violation of the corporal punishment prohibition to prove the violation by clear and convincing evidence instead of a preponderance of the evidence.

The Act provides that a school employee injured by an act of violence during the course of employment for which workers' compensation is available is entitled to leave for the shorter of either one year from the date of disability or the actual period that the employee is disabled and incapable of employment. The Act requires the school district to

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supplement the amount received from workers' compensation in order for the employee to receive full salary and benefits.

The Act requires the suspension of a student who assaults a school employee, with suspension time to be determined by the principal. The school board is required to review the suspension and determine whether further disciplinary action is necessary, which may include expulsion of the student.

**ELECTIONS, ETHICS AND CAMPAIGN FINANCE**

- SENATE FILE 2219** - Election and Campaign Finance Laws
- SENATE FILE 2223** - Voter Registration
- SENATE FILE 2242** - Ethics in Government — Miscellaneous Provisions
- HOUSE FILE 109** - Legislative Redistricting Standards
- HOUSE FILE 455** - Political Yard Signs
- HOUSE FILE 2366** - Reapportionment, Redistricting, and Reapportioning

**RELATED LEGISLATION**

- HOUSE FILE 2199** - Trustees of Sanitary Districts  
*SEE LOCAL GOVERNMENT.* This Act authorizes a sanitary district to have a three-member or five-member board of trustees.

## ELECTIONS, ETHICS AND CAMPAIGN FINANCE

### SENATE FILE 2219 - Election and Campaign Finance Laws

BY COMMITTEE ON STATE GOVERNMENT. This Act makes numerous technical and other changes in the laws governing elections and procedures, including campaign finance.

A new subsection is added to Code Section 39.3 to define "infamous crime" as a state or federal felony.

Code Section 43.6 is amended to specify that nominations for a vacancy in a county office shall be made at the primary election if the vacancy was not filled by a special election called more than 73 days before the primary election.

Code Section 43.14 is amended to change the paper size requirement for nomination petitions from about 8 1/2 inches by 13 inches to 8 1/2 inches by 14 inches. Code Section 43.26 is amended to revise the primary election ballot format to be consistent with the order of offices prescribed for the general election ballot in Section 49.37.

Code Section 43.77, subsection 4, is amended to strike references to filling vacancies in county offices and is complementary to the enactment of new subsection 5 to Section 43.77, which provides that a vacancy for a county office on the general election ballot exists when the term of office has 70 days remaining after the date of the general election and either the vacancy occurred 73 days before the next primary election and a special election had not been called or the vacancy occurred after the date of the primary election and more than 73 days before the general election.

Code Sections 43.18, 43.67, 44.3, and 45.3 are rewritten to describe in general terms what is required to be included in an affidavit of candidacy filed by a candidate for political office and adds a requirement that the affidavit contain a statement relating to the eligibility of a candidate if the candidate has been convicted, and never pardoned, of an infamous crime. Code Section 43.18 applies to candidates in the primary election. Code Section 43.67 applies to candidates nominated by political parties for special or general elections. Code Sections 44.3 and 45.3 apply to candidates nominated by nonparty political organizations and candidates nominated by petition, respectively.

A new subsection 10 is enacted to Section 45.1 to prescribe the number of signatures required on a nomination petition for a township office.

Code Section 49.11 is amended to expand the circumstances under which precincts may be divided by the county commissioner of elections, for elections other than the primary or general election, to include those circumstances where political subdivisions are voting on one or more public questions. Code Section 49.73 is amended to allow the polls to be opened at noon for benefited district elections.

Code Section 49.77 is amended to remove the reference to the primary election from the voter's declaration of eligibility form. A form is already prescribed in Section 43.43 for the primary election. Code Section 49.82 is amended to specify that a voter shall be given a ballot when a booth is available for the voter's use. The section is also amended to revise the language requiring the precinct election official to initial ballots placed in secrecy folders. Code Section 49.84 is amended to clarify that all voters shall vote in booths and election officials shall not separate voters into different waiting lines based upon whether or not the voter is going to vote the entire ballot.

Code Section 49.104 is amended to specify that three poll watchers at a time per political party and one observer at a time representing any nonparty political organization are allowed at a polling place on election day. The section is also amended to require that nonpartisan and nonparty political organization poll watchers are to be provided with letters of appointment. Code Section 49.124 is amended to allow election precinct official training to be conducted up to the day before the election. Current Code requires that training be finished three days before the election.

Code Section 50.48 is amended to permit a recount board to open ballots from precincts designated by the recount board as well as from precincts designated in the request for recount.

Code Section 52.4 is amended to require that the Secretary of State, rather than the Governor, appoint members of the Board of Examiners for Voting Machines and Electronic Voting Equipment. The section is also amended to require that one board member have computer training and that the other two members be directly involved in election administration and have experience with electronic voting systems. Finally, the section is amended to provide for staggered six-year terms. Current Code provides for five-year terms that run concurrently. The provision takes effect May 16, 1994, and transition language is included at the end of the Act.

Code Section 52.40 is amended to provide that early ballot pickup sites must be established for any election. Current law limits their use to general elections.

Code Section 53.17 is amended to allow absentee ballots postmarked on election day to be counted if they are received before the polls close. Code Section 53.22 is amended to allow a person admitted to a hospital or health care facility on election day to request an absentee ballot.

Code Section 53.39 is amended to allow requests for absentee ballots for military and overseas voters to be submitted at any time for any election. Code Section 53.40 is amended to allow one absentee ballot request from military and overseas voters to be used to obtain ballots for all elections in a calendar year. Code Sections 53.43 and 53.51 are amended by striking references that limit the use of special envelopes for military and overseas voters to primary and general elections.

Code Section 53.53 is amended to specify that the federal write-in absentee ballot may be used in primary and special elections to fill vacancies in Congress and the General Assembly and may be used in the general election. The absentee ballot transmission envelope may also serve as a voter registration application.

Subsection 15 of Code Section 56.2 is amended by changing the reporting threshold for political committees regarding ballot issues from \$250 to \$500.

Code Section 56.5A is amended to delete a requirement that federal candidates organize only one candidate's committee and to correct a reference to the reporting threshold for candidates who incur indebtedness in any calendar year. Code Section 56.7 is amended to require that copies of every report or statement be preserved for three years.

Code Section 56.13 is amended to provide for the reporting of independent expenditures made by individuals in support of or in opposition to a ballot issue. The reporting threshold for individuals making such expenditures is \$500. Reports are to be filed with the commissioner responsible for the election within 10 days of taking any action that exceeds the threshold, and quarterly and election year deadlines are established for state and local ballot issues. A person making such an expenditure independent of a political committee that advocates the same position is to notify the political committee of the expenditure within 72 hours of taking the action and a copy is to be forwarded to the Iowa Ethics and Campaign Disclosure Board. The political committee will be given the opportunity to disavow the expenditure and take corrective action. Any action not disavowed will be attributed to the political committee.

Code Sections 69.8 and 347.10 are amended to provide that vacancies in township offices or on county public hospital trustee boards are to be filled by appointment until the next general election.

Code Section 69.14A is amended to specify that a vacancy in an elective county office must be filled at the next general election if the vacancy occurs after the date of the primary election and before the end of the filing deadline for the general election. The amendments also prohibit the holding of a special election to fill the vacancy if the office becomes vacant during that time. Finally, Code Section 69.14A is amended to provide that, in the case of a vacancy on the board of supervisors of a county that elects supervisors from single-member districts, the petition calling for a special election to fill the vacancy shall be signed by eligible electors equal in number to 10 percent of those residing in the district who voted for the office of Governor or United States President. Present law requires that the number of signatures be equal in number to 10 percent of those in the county who voted for the office of Governor or United States President.

Code Sections 161A.5, 277.4 and 376.4 are amended to require that affidavits of candidacy for the offices of soil and water conservation commissioner, school district board member, or city offices contain a statement that the candidate is aware that conviction of the candidate of a felony or other infamous crime, without having been pardoned, disqualifies the candidate from holding public office.

Code Section 277.5 is amended to change the deadline for filing an objection to a school nomination petition from 30 days before the election to 35 days before the election. The deadline for filing a school nomination petition is 40 days before the election. Code Section 277.7 is created to provide procedures for filing school petitions to request an election on a public measure and to provide that the process for objecting to such school petitions shall be the same process set out in Section 277.5 for objecting to a candidate's nomination petition.

Code Section 331.237 is amended to provide that officers of a newly adopted charter government shall fill the elective offices at the general election following the adoption of the charter, rather than at a special election as present law provides. This provision is applicable to charters adopted on or after May 16, 1994.

Code Section 331.254 is amended to provide that if a multicounty consolidation charter providing for the merger of elective county offices is adopted, no primary election shall be held for the election of new officers and nominations shall be made in the manner currently provided by law, except that the filing deadline is 40 days before the date of the election.

Code Section 331.306 is amended to provide that the objection process set out in Section 44.7 shall be used by persons objecting to nomination petitions filed requesting a countywide election on a public measure.

Code Section 362.3 is amended to allow only those cities with a population of 200 or less to post notices of election in public places as a method of meeting the requirement that election notices be published.

Code Section 362.4 is amended to provide that the objection process set out in Section 44.8 shall be used by those persons objecting to nomination petitions filed requesting a citywide election on a public measure.

Code Section 372.2 is amended to clarify that the number of signatures of eligible electors required for a valid petition to change the form of city government shall be equal to 25 percent of those voting at the last city election. The section is also amended to increase, from 60 days to 84 days, the time between a special election approving the change in city government and the next regular city election at which the change will become effective.

Code Section 372.13 is amended to provide a method for determining the number of signatures required for a petition to request a special election to fill a vacancy in a city office when more than one seat for that office was vacant and filled at the election.

Code Section 384.12 is amended to clarify the language required to be included on a ballot relating to approval of a city property tax levy.

The transition provisions of the Act provide that when the terms of the members of the Board of Examiners for Voting Machines and Electronic Voting Systems expire, the three new members shall be appointed for staggered terms of six, four and two years. The transition provisions take effect May 16, 1994.

#### **SENATE FILE 2223 - Voter Registration**

**BY COMMITTEE ON STATE GOVERNMENT.** This Act rewrites the state voter registration statutes to conform with the federal National Voter Registration Act of 1993 (NVRA). The Act includes a statement of intent and definitions of terms relating to voter registration and enacts the four major parts of the NVRA: voter registration simultaneous with drivers' services, voter registration by mail, voter registration services by certain designated agencies, and requirements with respect to administration of voter registration.

The Act requires that driver's license and identification card application and renewal application forms also serve as voter registration forms. The Act provides that the applicant at a driver's services station shall have the opportunity to decline to register to vote, provides that a change of address for driver's services purposes is a change of address

for registration purposes, and provides that a registration form submitted to the State Department of Transportation serves to update the registrant's previous registration.

The Act provides that voter registration forms be transmitted from driver's services stations by 5 p.m. of the last work day of each week. Present law provides that voter registration forms transmitted from driver's services stations be transmitted within one business day of receipt. The State Voter Registration Commission is to prescribe, by rule, for forms, procedures and a schedule for transmission of forms.

Consistent with present law, the Act provides for voter registration in person at the office of the county commissioner of registration, or at a place designated by the commissioner, and for voter registration by mail. The Act also requires that the mail registration form developed by the Federal Election Commission be accepted for purposes of registering to vote in Iowa.

Relating to voter registration services provided by certain designated agencies, present Iowa law requires that mail registration forms be available in all offices of state agencies and that employees of the offices offer to applicants or clients of the agency the opportunity to register to vote. The Act requires that agencies that provide public assistance or related services, all agencies that provide state-funded services primarily to persons with disabilities, and United States armed forces recruiting offices be designated voter registration agencies. Voter registration agencies are to provide voter registration services with each application for services or assistance, including each submitted change of address relating to the agency's services.

The Act prescribes the form and contents of all notices relating to registration at a voter registration agency. Persons declining to register to vote at a voter registration agency must do so in writing. Voter registration agency employees are prohibited from influencing a registrant's political party preference, discouraging a person from registering to vote, or leading a person to believe that a decision whether or not to register to vote has a bearing on the availability of services or benefits. Agency employees are to assist persons registering to vote if assistance is requested. Agencies that provide services to clients in the clients' homes shall provide voter registration services in the clients' homes. The Secretary of State is directed to encourage volunteer organizations to undertake voter registration drives by providing mail registration forms at the cost of production. Voter registration forms completed at voter registration agencies are to be transmitted from the voter registration agencies by 5 p.m. of the last work day of each week.

Although not addressed by the NVRA, two voter registration programs currently in Iowa's voter registration law are retained by the Act. First, the Department of Revenue and Finance is required, for odd-numbered tax years, to place two voter registration forms in every state income tax return form or instruction booklet. Second, the Act requires schools, at least twice each year, to offer voter registration services to certain students, rather than simply to report their names to the county commissioner of registration, as provided in the current statute. The Act also requires all postsecondary schools receiving state funding to offer voter registration services at least once each year. Present law requires State Board of Regents institutions to make space available in residence halls and lounges for voter registration activities.

With the exception of state statutory political committees, the Act prohibits paying or receiving compensation for providing assistance to persons registering to vote, except for compensation received for actual time spent providing assistance.

The requirements of the Act relating to administration of voter registration encompass the following procedures: acknowledgment of voter registration forms; changes to voter registration records; a voter registration confirmation system; cancellation of voter registration; retention, storage and destruction of voter registration records; electronic registration records; voter lists; and voter registration reporting requirements. The Act sets out the procedure for acknowledgment of voter registration forms, which is more detailed than present law. If an acknowledgment of receipt of a voter registration form is returned as undeliverable, the commissioner is to follow the notice procedure for cancellation of voter registration.

The procedure provided by the NVRA for changing voter registration records, either initiated by the registered voter or automatic changes without any action by the registrant if certain events occur, is not changed from present Iowa law, except that a county commissioner may obtain address changes through the United States Postal Service National Change of Address Program and may confirm an address change by mailing to the registered voter a preaddressed, postage-paid return card.

The Act requires county commissioners of registration to use one of two methods prescribed by the Act to conduct a systematic program to remove from the list of registered voters the names of registered voters who have changed residence. Under the first method, a county commissioner of registration participating in the United States Postal Service National Change of Address Program shall, in the first quarter of each calendar year, mail an address confirmation notice and return card to those registered voters whose names were not reported by the National Change of Address Program and who have not voted, registered again, or reported a change of address in the preceding four years. For those commissioners not participating in the National Change of Address Program, the commissioner is required to send a confirmation notice to each registered voter on the voting list each February.

The Act details the procedure to be followed by the commissioners of registration with respect to the disposition of the return card. If a return card is returned to the commissioner as nondeliverable, the registration record of the voter is made inactive.

The Act sets out the reasons for canceling the voter registration of a registered voter. The reasons are the same as present law, except that the Act prohibits canceling a registration solely for failure to vote. However, the registration of a registered voter may be canceled if the registered voter has not voted for two successive general elections following the return of two confirmation notices as nondeliverable.

The Act provides that voter registrations that have been canceled may not be destroyed for 22 months after the next general election following the cancellation. Declinations to vote collected by a voter registration agency must be kept for 22 months before they may be destroyed. Voter registration records, voter lists and other information are to be available for public inspection and copying, subject to some confidentiality requirements. The Act prohibits the use of voter registration information for commercial purposes and provides that violation of this provision is a serious misdemeanor.

The Act requires that voter registration records be maintained in an electronic medium, and requires that the voter registration and certain voting records be retained for a certain period of time. The Act also allows voter registration agencies and the State Department of Transportation to maintain and transmit voter registration records electronically.

The Act prescribes, as does present law, the information to be included on the state voter registration form. The Act provides that voter registration forms may be on paper or electronic media and allows the use of electronic signatures on voter registration forms.

The Act enacts a penalty section similar to present law except that certain violations of the law remain an aggravated misdemeanor and other violations are made class "D" felonies. The NVRA requires that the penalty for falsely signing a voter registration form be the penalty for committing perjury; under Iowa law that is a class "D" felony.

The Act makes the Secretary of State, designated the State Commissioner of Elections, the officer responsible for implementation of the Act.

The Act contains complementary amendments to other sections of the Code and instructs the Iowa Code Editor to change each reference to "qualified elector" or "qualified electors" in the Code to "registered voter" and "registered voters."

The Act takes effect January 1, 1995.

**SENATE FILE 2242 - Ethics in Government — Miscellaneous Provisions**

BY COMMITTEE ON ETHICS. This Act makes a variety of both substantive and technical changes in the ethics chapter of the Code, Chapter 68B, and makes conforming technical changes in various other provisions of the Code. A reference to Section 68B.32, which is contained in the confidential records portion of the public records law, is deleted, since independent special counsel provides services only to legislative ethics committees, not the Ethics and Campaign Disclosure Board.

Several of the definitions contained in Section 68B.2 are changed. The definition of the term "agency" is amended to include a department, division, board, commission, bureau, or office of a political subdivision of the state. The definition of "local employee" is amended to exclude independent contractors. Language contained in the definition of "state employee" is amended to change "legislative employee" to "an employee of the general assembly."

The gift law exclusion for items or services solicited by or given to a state, national or regional government organization is amended by removing language specifying the purposes of a conference, seminar or other meeting and adding the language in again later in the exclusion. A new gift law exclusion is added for actual registration costs for informational meetings or sessions that assist a public official or public employee in the performance of the person's official functions. The prohibition against lobbying organizations giving members of the General Assembly gifts of food, beverages, registration, or scheduled entertainment with a per person value in excess of \$3 is amended to provide that, where applicable, the exclusions from the general prohibition against the giving and receipt of gifts also apply to the lobbying organizations' gifts.

The provision relating to the filing of complaints with the Ethics and Campaign Disclosure Board regarding ethics violations is amended to specify that the complaints must pertain to persons holding a state office in the executive branch of state government, an employee of the executive branch of state government, or a lobbyist or a client of a lobbyist of the executive branch of state government.

A filing deadline for personal financial disclosure statements for candidates in special elections is added establishing that the statement is to be postmarked no later than seven days after certification of the candidate's name. The breadth of the disclosure is also changed to exclude, for filings by candidates in an election year, information regarding so much of the year as has elapsed by the time set for filing nomination papers for state office. Information concerning the previous year is still required to be filed. Rules adopted by the ethics committees of both houses are to provide for a procedure for notification of candidates of the duty to file disclosure statements.

Language relating to lobbyists registration statements for lobbyists of the executive branch of state government is amended to replace old references to the Executive Council with references to the Ethics and Campaign Disclosure Board. The cancellation of registration requirements is amended to provide for cancellation of registration only upon discontinuation of representation of all clients, employers or causes.

The lobbyists lobbying activities report language is amended to provide that reported contributions are to include contributions to candidates for state office. The deadlines for filing the report by lobbyists of the General Assembly are amended to specify that a report is to be filed by January 31 each year.

**HOUSE FILE 109 - Legislative Redistricting Standards**

BY HANSON OF DELAWARE. This Act lowers the priority of the standard requiring legislative district boundaries to follow congressional district lines. Under current law, so far as possible, legislative districts are to be included within a single congressional district. Under this Act, the standard is given a lower priority, with the standards relating to population, equality, division of political subdivisions, contiguity, compactness, and use of only the demographics of population head counts all taking precedence.

**HOUSE FILE 455 - Political Yard Signs**

BY COMMITTEE ON STATE GOVERNMENT. This Act makes changes regarding the kinds of locations upon which political yard signs may be placed and the times within which the signs may be placed on property adjoining city, county or state roadways.

Yard signs may not be placed on property adjoining a city, county or state roadway sooner than 45 days before a primary or general election and must be removed within seven days after the election. The Act also removes a requirement that yard signs contain information regarding who is responsible for the yard sign. Yard sign placement is not subject to the notice, damage and penalty requirements that apply to excavations that may strike underground facilities, pipes or lines. Finally, the Act permits the placement of political signs on agricultural land, if the land is owned by individuals or a family farm operation; on the site of a corporation, if the land is owned by a private individual and the prior written permission of the property owner is obtained; or on residential property owned by a corporation, but rented or leased to a private individual, if the prior permission of the renter or lessor is obtained.

**HOUSE FILE 2366 - Reapportionment, Redistricting, and Reapportioning**

**BY COMMITTEE ON STATE GOVERNMENT.** This Act amends a variety of Code sections relating to reapportionment, redistricting and reapportioning and applies to state and certain political subdivisions.

Code Section 42.3 is amended to require that the second and third redistricting plans be submitted 21 days after the prior plan failed to receive legislative approval. Currently, the second and third plans must be submitted within 14 days. The section is further amended to provide that failure to receive the topologically integrated geographic encoding referencing (TIGER) data file from the U.S. Census Bureau is reason for extending the dates by which the redistricting plans must be drawn.

Code Section 42.4 is amended to move the date for determining the residence of state senators who are in the middle of their terms during the redistricting year so that the date precedes the first day to file nomination papers. This section is also amended to provide that where more than one incumbent state senator resides in a newly drawn district, the incumbents must run again for election to a two-year term unless all but one of the incumbents resigns effective on or before January 1, 2003.

Code Section 49.3, subsections 3 and 4, are enacted to provide uniform standards for establishing precinct and district boundaries and require all precinct and district boundaries to follow census block boundaries. The amendment to Code Section 49.3, subsection 4, also removes the requirement that plan "two" county supervisor districts follow precinct lines. Plan "two" counties are those counties in which the supervisors are elected at large but with equal-population district residence requirements for the members of the board of supervisors.

Code Section 49.4 is amended to require that a county fix the boundaries of county precincts by ordinance, as cities currently are required. It also requires that a public hearing be held before final adoption of the ordinance fixing the boundaries of county precincts.

Code Section 49.5 is amended to establish a minimum number of days that must be allowed for the county auditor to review city precinct plans and requires that a public hearing be held before final adoption of the ordinance fixing the boundaries of city precincts.

Code Section 49.6 is amended to require that a copy of the agreement between a city council and the county board of supervisors for establishment of a precinct that includes both unincorporated area and territory within a city be filed with the Secretary of State.

Code Section 49.7 is amended to move all reapportioning completion deadlines to earlier dates and provides that redrawn precinct boundaries shall take effect on January 15 of the second year following the year in which the census was taken.

Code Section 49.8 is amended to require that vacancies be filled according to the new district boundaries and that the terms of office of incumbent political subdivision officeholders residing in the same district after the districts have been redrawn will expire after the next election in the political subdivision.

Code Section 49.11 is revised to clarify current Code language relating to the reapportioning responsibilities of supervisors and city council members and amends the section to require that publication, including the map, be

made after the final adoption of any boundary changes and that no publication is needed if no changes have been made.

Code Section 260C.13 is amended to move from July 1 to June 1 the completion deadline for merged area school director redistricting. The standards for merged area school director districts are amended to parallel those for county supervisor and other districts. Section 260C.13 is also amended to require that the terms of office of incumbent officeholders on merged area boards of directors residing in the same district after reprecincting shall expire after the next regular school election.

Code Section 275.12 is amended to require that initial school director district plans conform to the same standards as postcensus redistricting.

Code Section 275.23A is amended to change the standards for school director districts to parallel those for county supervisor and other districts. It is also amended to establish the deadline for submission of notices of school director district changes to the state commissioner. The notice must be postmarked no later than the date of the deadline for adoption of the resolution of director district changes. The section is also amended to allow only discontinuous director districts, to the extent practicable, in school districts that are composed of marginally adjacent territory. Finally, Section 275.23A is amended to provide that the terms of office of incumbent school board members paired in the same redrawn district expire at the next organizational meeting of the board following the next regular school election.

Code Section 331.209 is amended to move the required completion date for county supervisor redistricting from December 15 to October 15, or 90 days after the congressional and legislative plans are drawn, to permit time for the review process and for administrative implementation of plans. The provision that allows the board of supervisors to redraw supervisor districts every two years is stricken.

New Section 331.210A and necessary conforming amendments are enacted that shift the responsibility for the drawing and adoption of county supervisor district plans and corresponding precinct plans, if applicable, from the county boards of supervisors to temporary county redistricting commissions created under the Act.

After the temporary county redistricting commission has finished its preliminary proposed county supervisor districting plan, it must make information available to the public about the plan and conduct at least one public hearing. Members of the public may submit alternative plans at the public hearing. After the conclusion of the public hearings, the commission must adopt a plan for submission to the county board of supervisors for its approval. The county board may approve or reject the plan. If the county board rejects the plan, it then directs the commission to draw a second plan which may be amended by the county board. A plan approved by the county board is submitted to the State Commissioner of Elections for approval.

Code Section 372.13 is amended to require that cities follow the same standards as counties when drawing ward boundaries.

**ENERGY AND PUBLIC UTILITIES**

**SENATE FILE 2157** - Electric Transmission Line Franchises

**HOUSE FILE 2362** - Roads — Pipeline Relocation — Condemnation

**RELATED LEGISLATION**

**SENATE FILE 216** - City Utility and Enterprise Services — Rates and Charges  
*SEE LOCAL GOVERNMENT.* This Act provides for the collection of multiple city utility and enterprise service fees and charges, such as those for city water, sewer and garbage collection services, under a single combined service account.

**SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to energy and public utilities, including changes directed as a result of legislation enacted in 1993 pertaining to certain energy-related trust funds and the Utilities Trust Fund.

**SENATE FILE 2091** - Appropriations — Energy Conservation — Petroleum Overcharge Funds  
*SEE APPROPRIATIONS.* This Act appropriates money for the fiscal year beginning July 1, 1994, and ending June 30, 1995, from the Energy Conservation Trust, which receives deposits of settlements from oil overcharge refunds, to the Department of Human Rights for energy conservation programs for low-income persons and to the Department of Natural Resources for the State Energy Conservation Program, the Energy Extension Service Program, and for administration of petroleum overcharge programs.

**SENATE FILE 2186** - Water Districts  
*SEE LOCAL GOVERNMENT.* This Act authorizes a city to franchise a rural water district for water and sewer services and a water district to join an association.

**HOUSE FILE 455** - Political Yard Signs  
*SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.* This Act exempts yard sign placement from the notice, damage and penalty requirements that apply to excavations that may strike underground facilities, pipes or lines.

**HOUSE FILE 2343** - Assessments for Connection to City Sewer or Water Utilities  
*SEE LOCAL GOVERNMENT.* This Act authorizes connection fees for city water or sewer utilities.

**HOUSE FILE 2365** - Rechargeable Batteries  
*SEE ENVIRONMENTAL PROTECTION.* This Act eliminates the requirement that a rechargeable consumer product be labeled to indicate that the battery which powers the product must be recycled or disposed of properly, if the battery can be easily removed.

## ENERGY AND PUBLIC UTILITIES

### **SENATE FILE 2157 - Electric Transmission Line Franchises**

BY COMMITTEE ON ENVIRONMENT AND ENERGY UTILITIES. This Act requires that a franchise be obtained prior to constructing, erecting, maintaining, or operating an electric transmission line if the line is capable of operating at a voltage of 34.5 kilovolts or more. The Act provides for construction of an electric line without obtaining a franchise if the line is constructed entirely within the boundaries of property owned by a person primarily engaged in the transmission or distribution of electric power, or entirely within the boundaries of property owned by the end user of the electric power. The Act allows for an additional two-year period for construction of improvements for which a franchise was granted on or after July 1, 1994, upon a showing of sufficient justification.

### **HOUSE FILE 2362 - Roads — Pipeline Relocation — Condemnation**

BY COMMITTEE ON TRANSPORTATION. This Act gives an agency having jurisdiction and control over a road the authority to condemn property on behalf of a pipeline company for relocation of an interstate hazardous liquid pipeline. The agency must negotiate for replacement property rights that are equal in substance to the company's existing rights, except that if the issue of width was not addressed, the replacement rights shall be as appropriate and necessary for the needs of the pipeline company. The Act provides that replacement property rights of the pipeline company are subordinate to the agency only to the extent necessary for construction and maintenance of the road.

The Act takes effect March 31, 1994.

**ENVIRONMENTAL PROTECTION**

- SENATE FILE 94** - Regulation of Fertilizers, Soil Conditioners, and Pesticides
- SENATE FILE 2205** - Regulated Toxics in Packaging
- SENATE FILE 2216** - Hazardous Substances Cleanup Costs
- SENATE FILE 2221** - Water Treatment Operator Certification Fees
- SENATE FILE 2300** - Solid Waste
- HOUSE FILE 2055** - Sanitary Landfills — Lien for Closure or Postclosure Care
- HOUSE FILE 2118** - Underground Storage Tank Lender Liability
- HOUSE FILE 2190** - Air Quality — Rules for Training Fires
- HOUSE FILE 2365** - Rechargeable Batteries

**RELATED LEGISLATION**

- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are more substantive in nature, and includes corrections in areas pertaining to environmental protection, including changes directed as a result of legislation enacted in 1993 pertaining to certain trust funds.
- SENATE FILE 2314** - Appropriations — Agriculture and Natural Resources  
*SEE APPROPRIATIONS.* This Act provides for statutory changes affecting environmental protection, including delaying the implementation of the federal Resource Conservation and Recovery Act permit program; delays a requirement that the owner of an agricultural drainage well must develop a plan for the alternative uses of wells; establishes the Organic Nutrient Management Program; provides that income earned on moneys deposited into the Resources and Enhancement Protection Fund remains in the fund; establishes fees to support the regulation of water quality regulations; and establishes a program to provide assistance to public water supply systems.

## ENVIRONMENTAL PROTECTION

### **SENATE FILE 94 - Regulation of Fertilizers, Soil Conditioners, and Pesticides**

BY COMMITTEE ON AGRICULTURE. This Act amends Iowa Code Chapter 200, regulating fertilizers and soil conditioners, and Iowa Code Chapter 206, regulating pesticides. It provides that the provisions of the chapters, and rules adopted by the Department of Agriculture and Land Stewardship pursuant to the chapters, preempt legislative or administrative measures adopted by a local governmental entity such as a county or city, if the legislation or regulation relates to the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, or manufacture of fertilizers, soil conditioners, and pesticides. The local governmental entity is prohibited from adopting or continuing, in effect, such a measure, regardless of whether a statute or rule adopted by the department applies to preempt it. Such a measure is void and unenforceable.

This Act does not apply to local legislation of general applicability to commercial activity.

### **SENATE FILE 2205 - Regulated Toxics in Packaging**

BY COMMITTEE ON ENVIRONMENT AND ENERGY UTILITIES. This Act defines the terms "intentional introduction" and "incidental presence" for the purposes of determining whether the presence of lead, cadmium, mercury, or hexavalent chromium in a package or packaging component is prohibited. A manufacturer or distributor is prohibited from selling a package or packaging component that includes lead, cadmium, mercury, or hexavalent chromium which was intentionally introduced as an element during manufacturing or distribution.

### **SENATE FILE 2216 - Hazardous Substances Cleanup Costs**

BY COMMITTEE ON ENVIRONMENT AND ENERGY UTILITIES. This Act provides that a person having control over a hazardous substance is strictly liable to the state for the cleanup costs incurred by a political subdivision of the state, a governmental subdivision, or by any other person participating in the prevention or mitigation of damages with the approval of the Director of the Department of Natural Resources.

### **SENATE FILE 2221 - Water Treatment Operator Certification Fees**

BY COMMITTEE ON ENVIRONMENT AND ENERGY UTILITIES. This Act authorizes the Department of Natural Resources to retain the fees charged for the certification and examination of persons who supervise the operation of water treatment plants and water distribution systems and to use the moneys for administration of the certification program rather than the current practice of depositing the moneys in the General Fund of the state.

### **SENATE FILE 2300 - Solid Waste**

BY COMMITTEE ON ENVIRONMENT AND ENERGY UTILITIES. This Act makes several changes relating to solid waste. The Act reorders the preference for the waste management hierarchy by combining the third, fourth and fifth priorities to be included in the third priority, which now reads as follows: Other approved techniques of solid waste management including combustion with energy recovery, combustion for waste disposal, and disposal in sanitary landfills.

The Act requires the Environmental Protection Commission to establish a special waste authorization program by December 31, 1994, and provides a definition of "special waste." The Act allocates \$50,000 from tonnage fees appropriated to the Landfill Alternative Grant Program for administration of the special waste authorization program and allows the Environmental Protection Division of the Department of Natural Resources to employ one additional person to administer the program.

The Act provides an exemption from leachate control requirements for certain sanitary landfills if the permittee certifies that a risk assessment of the site indicates that a current or potential threat to environmental health does not exist. If a risk assessment indicates the need for a leachate control system, the permittee must certify a completion date for implementation of the system, but is not subject to penalties for failure to meet the leachate control system installation deadlines.

The Act allows a planning area to project the planning area's waste stream for the year 2000 for purposes of meeting the existing 50 percent waste volume reduction and recycling goals for the year 2000 and eliminates the current

basis for determination of the reduction level of the waste stream. The Act establishes a compliance schedule for meeting 25 percent, 38 percent and 50 percent waste volume reduction and recycling goals and provides those planning areas which meet the goals with an incentive by decreasing the amount of tonnage fees charged in that planning area. The Act requires planning areas that do not meet the 25 percent goal to implement solid waste management techniques, including remitting an additional 50 cents per ton of the fees to the Department of Natural Resources to be allocated to the Landfill Alternative Grant Program, notifying the public of the failure to meet the goal, establishing volume-based collection fees, and conducting educational and promotional programs for waste reduction and recycling.

Finally, the Act allocates \$65,000 to the By-Products and Waste Search Service at the University of Northern Iowa.

The provisions of the Act relating to leachate control requirements for sanitary landfills take effect May 13, 1994.

**HOUSE FILE 2055 - Sanitary Landfills — Lien for Closure or Postclosure Care**

BY WEIGEL AND GIPP. This Act grants a city or county a lien upon property that is used or has been used as a sanitary landfill and is owned by a private agency, for the amount the city or county incurred to provide required closure or postclosure care on the premises of the sanitary landfill.

**HOUSE FILE 2118 - Underground Storage Tank Lender Liability**

BY COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION. This Act limits the underground storage tank lender liability exemptions by stating that the definition of those persons who are not considered "owners" for purposes of corrective action liability must be consistent with the federal Resource Conservation and Recovery Act, as amended to January 1, 1994.

**HOUSE FILE 2190 - Air Quality — Rules for Training Fires**

BY COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION. This Act requires the Environmental Protection Commission to adopt rules to allow for the burning of asphalt shingles as a training practice for fire fighters in fire fighting methods, if the notice required to be provided to the Director of the Department of Natural Resources prior to the training contains testing results indicating that the asphalt shingles do not contain asbestos. Each fire department is permitted to host two training fires per year.

**HOUSE FILE 2365 - Rechargeable Batteries**

BY COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION. This Act eliminates the requirement that a rechargeable consumer product be labeled to indicate that the battery which powers the product must be recycled or disposed of properly, if the battery can be easily removed, and adds this required labeling to the instruction manual for the product. The Act also deletes labeling requirement references to international recycling symbols and adds alternative designations for nickel-cadmium and lead.

**GAMING**

- HOUSE FILE 2179** - Gambling
- HOUSE FILE 2192** - Bingo and Other Games
- HOUSE FILE 2230** - Real Property Raffle
- HOUSE FILE 2375** - Racing and Gaming — Miscellaneous Provisions

**RELATED LEGISLATION**

- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are more substantive in nature, and includes corrections in areas pertaining to gaming, including changes directed as a result of legislation enacted in 1993 pertaining to certain gaming-related trust funds, including the Pari-mutuel Regulation Fund, the Gamblers Assistance Fund, and the Excursion Boat Gambling Special Account. The provisions pertaining to the Gamblers Assistance Fund and revenues from the state lottery and excursion boat gambling for the fund were amended and repealed by S.F. 2330, due to inconsistencies with other legislation enacted pertaining to the Gamblers Assistance Fund (See Appropriations).
- SENATE FILE 2218** - Appropriations — Regulatory Bodies  
*SEE APPROPRIATIONS.* This Act makes appropriations to regulatory bodies of state government, including the Racing and Gaming Commission of the Department of Inspections and Appeals. The appropriation to the Racing and Gaming Commission for excursion boat regulation purposes is reduced from the amount appropriated in FY 1994 due to a decline in the number of riverboats being regulated.
- SENATE FILE 2313** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and contains various provisions affecting gamblers assistance, including reinstating the Gamblers Assistance Fund from lottery and riverboat gambling revenues.
- SENATE FILE 2330** - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters  
*SEE APPROPRIATIONS.* Divisions I, II and VIII of this Act contain provisions relating to the Gamblers Assistance Program and Fund and transferring lottery proceeds to the General Fund of the State. Division VI of this Act adds a new section to the Iowa Code to provide for cooperation between the Department of Inspections and Appeals and the Division of Criminal Investigation of the Department of Public Safety in adopting rules relating to gaming operations at racetracks and riverboats. Division X appropriates for employment of additional employees for gambling regulation and authorizes the Department of Public Safety to employ gaming officers for riverboats upon approval by the Department of Management.

## GAMING

### **HOUSE FILE 2179 - Gambling**

**BY COMMITTEE ON STATE GOVERNMENT.** This Act amends pari-mutuel racing and excursion gambling boat provisions of Chapters 99D and 99F to allow additional slot machine gambling at four licensed pari-mutuel racetracks and removes betting and loss limitations on the casino-style gambling. The Act also increases the age of adults allowed to participate in the lottery, pari-mutuel wagering and casino-style gambling from 18 years of age to 21 years of age, but an adult 18 years of age or older may be employed to work in the gambling area of an excursion gambling boat or pari-mutuel racetrack.

The Act prohibits a conflict or overlap of schedule for the racetracks in Dubuque County and Black Hawk County and reduces the number of required race days at horse racetracks from 90 to 60 days to be eligible for simultaneous telecast or televising of pari-mutuel races.

This Act also removes restrictions on gambling while an excursion gambling boat is docked temporarily during business hours, reduces the minimum size of an excursion boat to 250 passengers, and strikes the restrictions on the space allowed for gambling on excursion boats.

This Act specifies that gambling games at the racetrack enclosures shall not be table games of chance or video machines and requires that the first receipts of the gambling games at a horse racetrack enclosure after operating expenses, taxes, and fees are paid shall be used to repay indebtedness. The dog racetracks must also have a specified number of live race performances scheduled during a racing season in order to qualify for gambling games at the racetrack enclosures. Provision is also made to allot a portion of the gambling game receipts to enhance the purses of the live dog races. In addition, a county referendum must approve the gambling games at the racetrack enclosures and a subsequent vote at a general election at eight-year intervals is required to retain the gaming authority at the racetrack enclosures.

The Act also allows the use of nickels and quarters to be used in lieu of tokens or other forms of credit. Otherwise, a cashless system of gambling is required.

The tax rate for gambling games, beginning January 1, 1997, will increase 2 percent per year on adjusted gross receipts over \$3 million until the rate reaches 36 percent. The current rate is 20 percent.

The tax rate for deposits to the Gamblers Assistance Fund is increased from 3 to 5 percent of the adjusted gross receipts. However, this provision was repealed in S.F. 2330 in favor of another rate from all gambling receipts (See Appropriations).

The Act also appropriates \$299,369 to employ five full-time equivalent pari-mutuel law enforcement agents.

This Act takes effect March 31, 1994.

### **HOUSE FILE 2192 - Bingo and Other Games**

**BY COMMITTEE ON STATE GOVERNMENT.** This Act amends Chapter 99B relating to the regulation of bingo games. The definition of "qualified organization" is amended by changing the word "person" to "organization." The statutory definition of "person" includes an individual who is not eligible to be a qualified organization for the operation of bingo games. The Act also makes reference to new requirements for a qualified organization.

The Act adds an internal reference to a new section of the Act that provides for the licensing of manufacturers and distributors of bingo supplies and equipment. It prohibits the conduct of free bingo games by a licensed qualified organization. It also requires a qualified organization to have a minimum active membership of 12 persons and prohibits self-perpetuating governing bodies and officers for the qualified organizations. The remaining requirements of federal income tax exemption and an exemption for political parties, nonparty political parties with a qualified statewide nominee, or a candidate's committee, are current law.

This Act requires a qualified organization to purchase its bingo equipment and supplies from a licensed distributor or manufacturer.

Finally, this Act provides for the licensing of manufacturers and distributors of bingo equipment and supplies. The license fee is \$1,000 for manufacturers and \$500 for distributors.

Failure to allow inspection of bingo receipts and records is a serious misdemeanor punishable by imprisonment for not more than one year or a fine of not more than \$1,000, or both. A number of other penalties for illegal gaming or betting are listed in Section 725.7.

#### **HOUSE FILE 2230 - Real Property Raffle**

BY WELTER. This Act authorizes a nonprofit, tax-exempt, charitable organization to raffle a parcel of real property acquired by the organization as a gift. The Act exempts the organization from the restrictions on raffles such as a maximum of \$1 per chance or ticket and a maximum prize value of \$20,000 for the calendar year. The organization must meet other requirements relating to a qualified organization and the conduct of raffles. The organization is to make a financial report to the Department of Inspections and Appeals by January 15, 1995, and a special audit is to be conducted by the department by January 30, 1995. A copy of the audit report is to be filed with the Governor and the General Assembly by February 15, 1995.

This Act takes effect April 19, 1994, and is repealed effective January 1, 1995. However, this Act was amended by S.F. 2330, Section 68, to extend the date of repeal to February 15, 1995.

#### **HOUSE FILE 2375 - Racing and Gaming -- Miscellaneous Provisions**

BY COMMITTEE ON STATE GOVERNMENT. This Act amends Chapters 99D and 99F relating to records kept and drugs and drug information disclosed on pari-mutuel horses and dogs and the delivery of gambling games and equipment directly to an excursion gambling boat outside this state. It strikes the requirement that racing programs indicate which horses were administered lasix or phenylbutazone within 10 days before the race. The licensee must indicate which horses are treated with legal drugs and if the drugs are used currently. This Act strikes the requirement that continuing records of the racing soundness of all horses be kept by the State Racing and Gaming Commission veterinarian. The amendment will require records only on horses determined to be sick, unsafe, unsound, or unfit.

The Act also amends the definition of "numbing" to treat similarly all freezing devices, substances, ice, or cold packs used on dogs or horses and strikes the prohibition that phenylbutazone may not be administered to a horse within 96 hours of the start of a race in which the horse is entered. The Act eliminates the requirement that each horse on which lasix is used be tested before a race.

This Act provides that the manufacturer or distributor of gambling games and implements of gambling shall give the commission a copy of the bill of lading and the invoice of all gaming devices sent to a licensee. It also allows an already equipped excursion gambling boat to be acquired by another licensee in this state.

This Act provides that gambling games or implements of gambling intended for an excursion gambling boat shall be delivered to a location specified by the commission. The gaming devices shall be tested on the vessel before being placed in operation.

This Act takes effect April 19, 1994.

## HEALTH AND SAFETY

- SENATE FILE 2053 - Prescriptions by Certain Registered Nurses
- SENATE FILE 2069 - Community Health Management Information System
- SENATE FILE 2287 - Disclosure of Psychological Test Material
- HOUSE FILE 2353 - Human Immunodeficiency Virus Epidemiological Studies
- HOUSE FILE 2354 - Health Care Facilities — Medication Aides
- HOUSE FILE 2392 - Coalition to Study Law Enforcement Training
- HOUSE FILE 2422 - Health Care Providers — Rural Health and Primary Care

## RELATED LEGISLATION

- SENATE FILE 2009 - Child Abuse Investigations  
*SEE CHILDREN & YOUTH.* This Act relates to child abuse investigations by requiring follow-up contact when the Department of Human Services refers a child to a physician for a physical examination.
- SENATE FILE 2044 - Asbestos Removal Permits  
*SEE LABOR & EMPLOYMENT.* This Act corrects Code references to delineate the difference between an asbestos license, which is issued to individuals, and an asbestos permit, which is issued to business entities.
- SENATE FILE 2060 - County Hospitals  
*SEE LOCAL GOVERNMENT.* This Act relates to county hospital provisions involving the pecuniary interest of a hospital trustee and establishes procedures for a hospital that is organized under Chapter 37 or 347A to become a county hospital organized under Chapter 347.
- SENATE FILE 2086 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to health and safety, including changes directed as a result of legislation enacted in 1993 pertaining to certain trust funds.
- SENATE FILE 2109 - Temporary Licensure of Nurses  
*SEE STATE GOVERNMENT.* This Act eliminates temporary licensure of nursing examinees based upon examinations, but retains the provision for issuance of temporary licensure based upon endorsement. The Act allows the Board of Nursing to determine the length of time a temporary license is in effect for an individual applying for licensure through endorsement.
- SENATE FILE 2196 - Medical Assistance — Services to Persons with Disabilities  
*SEE HUMAN SERVICES.* This Act includes a provision adding additional health care provider, service advocacy and service funding groups to the membership of the Medical Assistance Advisory Council, which consults with the Department of Human Services concerning Medical Assistance (Medicaid) Program policy.
- SENATE FILE 2203 - Health Care Facilities — Classifications of Care  
*SEE HUMAN SERVICES.* This Act provides an exemption from general requirements applying to health care facilities for adult day care services and an exemption from select provisions applying to health care facilities for respite care services provided through admission to a nursing facility, an intermediate care facility for the mentally ill, an

intermediate care facility for the mentally retarded, or a residential care facility. The Act authorizes the Department of Inspections and Appeals to adopt rules to implement these provisions and provides for the establishment of special classifications of facilities, including residential facilities for persons with mental illness and nursing facilities for the care of persons who suffer from chronic confusion or a dementing illness.

- SENATE FILE 2264** - Supplemental Needs Trusts for Persons with Disabilities  
**SEE HUMAN SERVICES.** This Act provides for the establishment of supplemental needs trusts for persons with disabilities, which are funded by someone other than the beneficiary or the beneficiary's spouse or a person obligated to pay a sum to or for the beneficiary under a settlement or judgment.
- SENATE FILE 2311** - Mental Health and Developmental Disabilities  
**SEE HUMAN SERVICES.** This Act relates to services and statutory provisions involving mental health and persons with mental illness, mental retardation or other developmental disability, or brain injury, and includes a provision for a task force to review and make recommendations for waivers of regulatory requirements involving services and facilities for persons with mental retardation.
- SENATE FILE 2313** - Appropriations — Human Services  
**SEE APPROPRIATIONS.** This Act makes appropriations to the Department of Human Services and includes provisions affecting the Iowa Department of Public Health's issuance of certificates of need for intermediate care facilities for the mentally retarded (ICFMR) and other provisions involving reimbursement of health service providers.
- HOUSE FILE 582** - Screening and Assessment for Nursing Facility Placement  
**SEE HUMAN SERVICES.** This Act requires the Department of Elder Affairs to administer a preadmission screening and assessment pilot program for elders seeking admission to nursing facilities, beginning July 1, 1994, and ending June 30, 1996. The program is to be established in three to six counties that are representative of both urban and rural counties. The Act prescribes the screening and assessment process, provides exemptions from screening and assessment for certain elders, and requires the department to submit an annual report that provides an analysis of the program to the Governor and the General Assembly.
- HOUSE FILE 2070** - State Fire Marshal  
**SEE STATE GOVERNMENT.** This Act contains several provisions pertaining to the administrative activities of the State Fire Marshal, including procedures pertaining to the State Building Code and procedures utilized in accordance with Chapter 100, the State Fire Marshal chapter, of the Iowa Code.
- HOUSE FILE 2116** - City Emergency Medical Services Districts  
**SEE LOCAL GOVERNMENT.** This Act permits a city to establish a city emergency medical services district similar to a benefited emergency medical services district for an unincorporated area to be funded by an additional property tax levy.
- HOUSE FILE 2145** - Public Health — Miscellaneous Provisions  
**SEE HUMAN SERVICES.** This Act exempts certain substance abuse programs from the licensing requirements of Chapter 125, changes reporting deadlines for substance abuse programs, changes the definition of brain injury for various purposes, requires immunization of certain children for haemophilus influenza b, increases the fees for vital records services provided by clerks of the district court to be consistent with State Registrar fees, and extends the date for the repeal of Chapter 145, providing for the Health Data Commission, from July 1, 1994, to July 1, 1996.
- HOUSE FILE 2149** - HIV-Related Testing of Certain Offenders  
**SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE.** This Act provides for

exemption for certain persons from confidentiality of records requirements pertaining to human immunodeficiency virus (HIV)-related information as the requirements relate to communication of information useful for the detection of crime and the identification and apprehension of criminals, authorizes a medical examiner or deputy medical examiner to notify the immediate family or identifiable partners of a deceased person who is determined to have been infected with HIV, and makes changes in the chapter relating to the testing of convicted sexual assault offenders for HIV in order to comply with federal requirements.

- HOUSE FILE 2190** - Air Quality — Rules for Training Fires  
*SEE ENVIRONMENTAL PROTECTION.* This Act allows a fire department to host two training fires per year that burn asphalt shingles if the fire department conducts prior testing of the shingles to determine that the shingles do not contain asbestos.
- HOUSE FILE 2261** - Child Abuse and Dependent Adult Abuse  
*SEE HUMAN SERVICES.* This Act relates to child and dependent adult abuse provisions, including the presence of an illegal drug in a child's body, child and dependent adult abuse registry, and criminal record checks of persons working in substance abuse and health care facilities.
- HOUSE FILE 2302** - Persons with Disabilities — Personal Assistance and Family Support Services  
*SEE HUMAN SERVICES.* This Act creates the Personal Assistance Services Program and the Comprehensive Family Support Program for families of persons with disabilities, with both programs intended to avoid the usage of institutional health care.
- HOUSE FILE 2309** - Contact Lenses and Spectacle Lenses  
*SEE STATE GOVERNMENT.* This Act provides that only a person in possession of a prescription written by a person licensed under Chapter 148, 150, 150A, or 154 may dispense or adapt contact lenses or spectacle lenses and requires that the prescription shall be made available to the patient upon the patient's request.
- HOUSE FILE 2358** - Federal Highway Moneys to Governor's Traffic Safety Bureau  
*SEE TRANSPORTATION.* This Act encourages distribution by the Governor's Traffic Safety Bureau of moneys transferred because of the state's failure to enact a mandatory helmet law to various traffic and safety programs.
- HOUSE FILE 2387** - Licensing of Athletic Trainers  
*SEE STATE GOVERNMENT.* This Act provides for the voluntary licensing of athletic trainers under the Iowa Department of Public Health with the appointment of a seven-member advisory board to consult with the department for the development of rules governing licensure.
- HOUSE FILE 2411** - Appropriations — Education  
*SEE APPROPRIATIONS.* This Act directs the State Board of Education to adopt rules requiring schools to waive school fees for indigent families, and provides for a school breakfast program at each public school by July 1, 2000, unless a waiver is granted. However, a waiver shall not be granted to a school if 35 percent or more of the students attending the school during the month of March 1999 are eligible for free or reduced price meals under the federal National School Lunch Act. The Act also appropriates moneys to the College Student Aid Commission for an initiative to direct primary care physicians to shortage areas in the state.
- HOUSE FILE 2418** - Public Retirement Systems  
*SEE STATE GOVERNMENT.* This Act contains numerous changes pertaining to Iowa's public retirement systems, including changes pertaining to the extension of certain health and medical group insurance benefits on behalf of the surviving spouses of certain

eligible retired state employees, and the inclusion of additional peace officers within the Public Safety Peace Officers' Retirement, Accident and Disability System.

## HEALTH AND SAFETY

### **SENATE FILE 2053 - Prescriptions by Certain Registered Nurses**

BY JUDGE. This Act provides that a registered nurse who is licensed and registered as an advanced registered nurse practitioner and who qualifies for and is registered in a recognized nursing specialty may prescribe substances or devices, including controlled substances or devices, if the nursing specialty is regulated under rules adopted by the Board of Nursing in consultation with the Board of Medical Examiners and the Board of Pharmacy Examiners.

### **SENATE FILE 2069 - Community Health Management Information System**

BY SZYMONIAK AND KRAMER. This Act creates new Chapter 144C, which provides for the development and implementation of a community health management information system.

The Act also provides for the establishment of a community health management information system that is to be organized as a nonprofit corporation pursuant to Chapter 504A. The Act establishes a data repository to collect health care data to provide patients, physicians, hospitals, purchasers, payors, government agencies, and researchers with information on which to base decisions on the quality, effectiveness and appropriateness of care.

The Act establishes a 12-member Community Health Management Information System Governing Board, which is to develop all public policy positions and operational policies and procedures related to the system. The board is to file a written report with the General Assembly on or before January 15 of each year concerning the operation of the system.

The Insurance Division of the Department of Commerce is authorized to enforce the new chapter. All policies and procedures adopted by the board are subject to the review and approval of the division. The division may impose a civil penalty of up to \$500 per offense, against a payor, provider, transaction network, the data repository, or the board for failure to comply with the provisions of Chapter 144C.

The Act provides that the transactions data and other data collected and transmitted through the system is to be kept confidential. The Act establishes the transaction procedure and identifies the information to be submitted. Implementation of the system is divided into three phases under the control of the board.

The Act extends the existence of the Health Data Commission to July 1, 1996.

### **SENATE FILE 2287 - Disclosure of Psychological Test Material**

BY COMMITTEE ON HUMAN RESOURCES. This Act establishes restrictions on the disclosure of psychological test material. Disclosure to any person, including disclosure to the individual who is the subject of the test, is prohibited except as otherwise provided in the Act. Test material cannot be disclosed in any administrative, judicial or legislative proceeding. However, upon the request of the subject of a test, the records of the test are to be disclosed to a licensed psychologist designated by the subject. This type of disclosure is subject to requirements for voluntary disclosure of mental health information, which include specification of the information to be disclosed, provision of the copy of the authorization to the subject's legal representative, and inclusion of the authorization in the subject's mental health record.

### **HOUSE FILE 2353 - Human Immunodeficiency Virus Epidemiological Studies**

BY COMMITTEE ON HUMAN RESOURCES. This Act authorizes the Iowa Department of Public Health, with the approval of the State Board of Health, to conduct, in addition to the currently authorized blinded studies, nonblinded epidemiological studies to determine the incidence and prevalence of the human immunodeficiency virus infection. Initiation of new nonblinded studies is contingent upon the receipt of funding sufficient to cover all costs associated with the studies. The Act also defines the terms "blinded" and "nonblinded."

### **HOUSE FILE 2354 - Health Care Facilities — Medication Aides**

BY COMMITTEE ON HUMAN RESOURCES. This Act requires the Department of Inspections and Appeals to establish a procedure and adopt rules that allow a medication aide who is certified in another state to be certified in Iowa upon completion and passage of both the Certified Nurse Aide and Certified Medication Aide Challenge

Examination, without additional requirements for certification, including, but not limited to, any required employment in Iowa prior to certification.

**HOUSE FILE 2392 - Coalition to Study Law Enforcement Training**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act establishes a study under the direction of the Office of Attorney General regarding training for law enforcement officers to recognize the signs and symptoms of serious mental illness. The coalition conducting the study is to include law enforcement and mental health professionals and representatives from various state and local agencies. The coalition is to report its findings to the General Assembly by January 15, 1995.

**HOUSE FILE 2422 - Health Care Providers — Rural Health and Primary Care**

BY COMMITTEE ON APPROPRIATIONS. This Act renames the Office of Rural Health, in the Iowa Department of Public Health, the Center for Rural Health and Primary Care, and directs the center to establish a primary care provider recruitment and retention endeavor, to be known as PRIMECARRE.

The endeavor, PRIMECARRE, is to include a community grant program, a primary care provider loan repayment program, a primary care provider community scholarship program, and the establishment of area health education centers. The focus of PRIMECARRE is to promote and assist local efforts in developing health care provider recruitment and retention programs in rural areas of the state. The Act appropriates \$235,000 for implementing PRIMECARRE.

The community grant program is to provide assistance in the form of forgivable loans, grants or other nonfinancial assistance, based on illustrated efforts to meet the health care provider needs of the locality and surrounding area.

The primary care provider loan repayment program is established to increase the number of primary health care providers in federally designated health professional shortage areas of the state.

The primary care provider community scholarship program is established to recruit and provide scholarships to train primary health care providers in federally designated health professional shortage areas of the state.

The area health education centers are established to provide educational opportunities, access to other health care providers, and access to medical libraries and research resources to primary care providers.

The Act also directs the Director of the Iowa Department of Public Health to establish a primary care collaborative work group to coordinate all statewide recruitment and retention activities. The department and the center are to submit a written report annually to the General Assembly concerning the implementation and coordination of all PRIMECARRE efforts.

## HUMAN SERVICES

- SENATE FILE 2034** - Human Services — Family Investment Program — Emergency Social Services
- SENATE FILE 2196** - Medical Assistance — Services to Person with Disabilities
- SENATE FILE 2203** - Health Care Facilities — Classifications of Care
- SENATE FILE 2250** - Human Services — Enforcement — Liens — Reports
- SENATE FILE 2264** - Supplemental Needs Trusts for Persons with Disabilities
- SENATE FILE 2288** - Family Investment and JOBS Programs and Related Matters
- SENATE FILE 2297** - Medical Assistance Services to Persons with Brain Injuries
- SENATE FILE 2311** - Mental Health and Developmental Disabilities
- HOUSE FILE 582** - Screening and Assessment for Nursing Facility Placement
- HOUSE FILE 2003** - Child Day Care
- HOUSE FILE 2037** - Involuntary Commitment — Summary of Procedures
- HOUSE FILE 2145** - Public Health — Miscellaneous Provisions
- HOUSE FILE 2217** - Terms Describing Parents, Children, and Siblings
- HOUSE FILE 2261** - Child Abuse and Dependent Adult Abuse
- HOUSE FILE 2302** - Persons with Disabilities — Personal Assistance and Family Support Services
- HOUSE FILE 2372** - Medical Assistance — Trusts and Other Matters
- HOUSE FILE 2407** - Collection of Child Support
- HOUSE FILE 2410** - Child Support, Paternity, and Related Matters

## RELATED LEGISLATION

- SENATE FILE 2009** - Child Abuse Investigations  
*SEE CHILDREN & YOUTH.* This Act relates to child abuse investigations by requiring follow-up contact when the Department of Human Services refers a child to a physician for a physical examination.
- SENATE FILE 2051** - Access to Child Abuse Information  
*SEE CHILDREN & YOUTH.* This Act provides access to founded child abuse information to the administrator of a child day care resource and referral agency.
- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to human services, including changes pertaining to preaudit responsibilities of the Department of Revenue and Finance with respect to institutions governed by the Department of Human Services.
- SENATE FILE 2109** - Temporary Licensure of Nurses  
*SEE STATE GOVERNMENT.* This Act eliminates temporary licensure of nursing examinees based upon examinations, but retains the provision for issuance of temporary licensure based upon endorsement. The Act allows the Board of Nursing to determine the length of time a temporary license is in effect for an individual applying for licensure through endorsement.

- SENATE FILE 2313** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and contains numerous provisions affecting the department and its programs.
- SENATE FILE 2330** - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters  
*SEE APPROPRIATIONS.* Division IV, V and VI of this Act contain provisions relating to the responsibilities of the Department of Human Services. These include reductions in the FY 1994 appropriation for Medical Assistance (Medicaid); supplemental appropriations for the Family Investment Program, medical contracts, and state hospital-schools; and authorization for the department to change various reimbursement rates for residential care facilities and in-home, health-related care.
- HOUSE FILE 2134** - Hospitalization Hearings — Patient Advocates  
*SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE.* This Act requires the patient advocate to receive notice of, and permits the patient advocate to attend, hearings regarding the involuntary hospitalization of persons alleged to be mentally ill.
- HOUSE FILE 2241** - Placement of Certain Persons at Iowa Medical and Classification Center  
*SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE.* This Act adds language to the Code section that permits placement of persons, for whom criminal proceedings are suspended on the basis of a lack of capacity to appreciate the charges against them because of a mental disorder, in the Iowa Medical and Classification Center at Oakdale and provides for review of the placement to determine whether the person will regain capacity or whether civil commitment proceedings should be instituted.
- HOUSE FILE 2377** - Termination of Parental Rights — Adoption Procedures  
*SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE.* This Act addresses the areas of termination of parental rights and adoption by establishing a declaration of paternity registry and by making other changes in the termination of parental rights and adoption-related chapters of the Code.
- HOUSE FILE 2392** - Coalition to Study Law Enforcement Training  
*SEE HEALTH & SAFETY.* This Act establishes a study under the direction of the Office of Attorney General regarding training for law enforcement officers to recognize the signs and symptoms of serious mental illness.
- HOUSE FILE 2411** - Appropriations — Education  
*SEE APPROPRIATIONS.* This Act appropriates moneys to the Department of Education for purposes of vocational education administration, the Division of Vocational Rehabilitation Services, and for matching funds for programs to enable severely physically or mentally disabled persons to function more independently; directs the State Board of Education to adopt rules requiring schools to waive school fees for indigent families; and provides for a school breakfast program at each public school by July 1, 2000, unless a waiver is granted. However, a waiver shall not be granted to a school if 35 percent or more of the students attending the school during the month of March 1999 are eligible for free or reduced price meals under the federal National School Lunch Act.
- HOUSE FILE 2430** - County Property Taxes and Mental Health Financing  
*SEE LOCAL GOVERNMENT.* This Act relates to the limitation on county expenditures for mental health, mental retardation and developmental disabilities (MH/MR/DD) services and the provision of those services, provides for increasing state participation in the funding of those services, and extends the limitation on the amount that a county may collect from designated property tax levies. The Department of Human Services, Director of Human Services, and Council on Human Services are required to perform various duties relating to the state participation.

## HUMAN SERVICES

### **SENATE FILE 2034 - Human Services — Family Investment Program — Emergency Social Services**

BY COMMITTEE ON APPROPRIATIONS. This Act relates to Department of Human Services provisions in the Iowa Code involving eligibility for the Family Investment Program (formerly known as Aid to Families with Dependent Children) and federal flood relief supplemental social services block grant funds.

The Act directs the department to request federal approval of a revision of the welfare reform waiver previously approved by the federal government. The provisions of the welfare reform waiver were part of the creation of the Family Investment Program during the 1993 Legislative Session.

The revision of the waiver is to limit the applicability of the work incentive deduction to Family Investment Program participants only. This deduction is applied against an applicant's or recipient's earned income while determining eligibility for the program. Under the original waiver, this deduction would also be applicable in determining eligibility for public assistance programs other than the Family Investment Program. The revision is to be implemented on the first day of the month following federal approval or March 1, 1994, whichever date is later. The Act authorizes the department to adopt administrative rules on an emergency basis to implement the change, but the change is also authorized to be implemented prior to issuance of the administrative rules.

The Act also appropriates to the department federal flood relief supplemental social services block grant funds available during FY 1994. Again, the department is authorized to adopt administrative rules on an emergency basis to utilize the funds.

The Act takes effect February 7, 1994.

### **SENATE FILE 2196 - Medical Assistance — Services to Persons with Disabilities**

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to Medical Assistance (Medicaid) provisions involving the Medical Assistance Advisory Council and services to persons with disabilities.

The Act repeals the statute that establishes the Enhanced Mental Health, Mental Retardation, and Developmental Disabilities Services Plan Oversight Committee. The committee was created to perform various planning and oversight duties associated with the implementation of enhanced services available to persons with disabilities under the Medical Assistance Program. The committee, which has not been active in recent years, includes members representing state and county officials and legislative appointees.

The Act also repeals the Candidate Services Fund used for moneys appropriated for the provision of certain medical assistance services for persons with disabilities. The funding provisions for these services have been revised in appropriation bills enacted this year. The Act also provides for representation of additional organizations on the Medical Assistance Advisory Council, which consults with the Department of Human Services concerning Medical Assistance (Medicaid) Program policy.

### **SENATE FILE 2203 - Health Care Facilities — Classifications of Care**

BY COMMITTEE ON HUMAN RESOURCES. This Act provides an exemption from general requirements that apply to health care facilities for adult day care services and an exemption from select provisions that apply to health care facilities for respite care services provided through admission to a nursing facility, an intermediate care facility for the mentally ill, an intermediate care facility for the mentally retarded, or a residential care facility. The Act authorizes the Department of Inspections and Appeals to adopt rules to implement these provisions and provides for the establishment of special classifications of facilities, including residential facilities for persons with mental illness and nursing facilities for the care of persons who suffer from chronic confusion or a dementing illness.

### **SENATE FILE 2250 - Human Services — Enforcement — Liens — Reports**

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for the establishment of a lien on real or personal property of a person liable to pay a debt to the Department of Human Services based upon benefits that

were inappropriately obtained. Administration of the procedure is the responsibility of the Department of Inspections and Appeals. The Act also provides for recording of the lien and for recording of satisfaction of the debt owed.

The Act also requires a conservator of a ward receiving Medical Assistance (Medicaid) to report the assets and income of the ward to the Department of Human Services.

**SENATE FILE 2264 - Supplemental Needs Trusts for Persons with Disabilities**

**BY COMMITTEE ON HUMAN RESOURCES.** This Act provides for the establishment of supplemental needs trusts for persons with disabilities, which are funded by someone other than the beneficiary or the beneficiary's spouse or a person obligated to pay a sum to or for the beneficiary under a settlement or judgment. The income and assets of the trust are to be used only for supplementing existing funding sources for payment of the needs of the person with a disability and disbursement of the funds is prohibited if the result would be a replacement, reduction or substitution of public funds or would render the beneficiary ineligible for a publicly funded benefit.

The Act provides that a supplemental needs trust is not available to a person who is a patient or resident of a state institution or nursing facility for six months or more after the age of 64 if the person is not reasonably expected to be discharged from the facility. The trust income and assets are available to the beneficiary to determine the beneficiary's eligibility for public programs to the extent that a particular program's methodology requires. The Act also provides that back payments made in *Sullivan v. Zebley* by the United States Social Security Administration, resulting from a judgment regarding the regulatory schemes for determination of child disability, may be used for establishing a supplemental needs trust. A supplemental needs trust is not subject to administration by the probate court, although trustees are subject to all duties and liabilities, with the exceptions of reporting to and gaining approval of the court, which are provided in the probate code.

**SENATE FILE 2288 - Family Investment and JOBS Programs and Related Matters**

**BY COMMITTEE ON HUMAN RESOURCES.** This Act amends statutory provisions for the federal-state Family Investment Program (previously known as the Aid to Families with Dependent Children Program) and the Job Opportunities and Basic Skills (JOBS) Program in accordance with federally approved requirements. In addition, the Act modifies provisions involving the State Council on Human Investment and the Family Development and Self-Sufficiency Program.

The Act amends Iowa law in accordance with recently approved federal regulatory waivers revising welfare programs. In 1993 Iowa Acts, Chapter 97, Iowa's welfare reform initiative, the Department of Human Services was directed to request federal approval of significant changes in the major state-federal public assistance programs. These programs are the Family Investment Program and the Job Opportunities and Basic Skills Program, which is known in Iowa as PROMISE JOBS. Since the extent of federal approval was not known until after the 1993 Legislative Session, the department was directed to revise the public assistance programs in accordance with the federal approval and to submit proposed legislation in the 1994 Legislative Session to resolve any conflict with Iowa law.

The approved federal waiver authorizes significant changes in policy for eligibility, work requirements and other requirements, and requires the state to evaluate the effect of the change in policy by dividing the recipients under the Family Investment and JOBS Programs into "control" and "treatment" groups. The control group consists of approximately 10 percent of recipients or 4,000 families in nine counties and is subject to program requirements as though the federal waiver had not been implemented. The treatment group consists of the remainder of those eligible for the Family Investment Program and constitutes the majority of recipients.

The Act codifies the directive to the department to administer the Family Investment Program and the JOBS Program in accordance with the federal waiver provisions and makes coordinating changes.

In addition, the Act revises the membership of the Council on Human Investment, a policy development group for state government established as part of the welfare reform initiative and attached administratively to the Department of Management. The membership revision adds four legislators as *ex officio*, nonvoting members of the Council.

The Family Development and Self-Sufficiency (known as FaDSS) Program was an initiative created in the 1988 Legislative Session involving a council comprised of the various state agencies and university programs that address children's issues. The council is provided an annual appropriation to issue demonstration grants for intensive family development services to families at-risk of long-term welfare dependency. The FaDSS Program has been made a permanent part of the Family Investment Program and the Act removes references to FaDSS as only a demonstration project. In addition, the Act eliminates a statutory requirement for random selection of families eligible for FaDSS services.

The Act takes effect April 25, 1994.

**SENATE FILE 2297 - Medical Assistance Services to Persons with Brain Injuries**

**BY COMMITTEE ON HUMAN RESOURCES.** This Act directs the Department of Human Services to submit a waiver request to the United States Department of Health and Human Services, on or before July 1, 1995, for approval of redirection of resources from institutional services to home and community-based services for persons with brain injury who receive Medical Assistance (Medicaid), if the department determines that the redirection would not result in an adverse fiscal impact at the federal and state levels. Following receipt of approval, the department is required to implement the waiver on the first day of the month following receipt of federal approval. Additionally, S.F. 2311 includes a provision prohibiting the department from implementing a waiver for services to persons with brain injury in a manner that mandates county funding for the nonfederal share of the service costs.

**SENATE FILE 2311 - Mental Health and Developmental Disabilities**

**BY COMMITTEE ON HUMAN RESOURCES.** This Act relates to services and statutory provisions involving mental health and persons with mental illness, mental retardation or other developmental disability, or brain injury. Many of the Act's provisions were initially recommended by the Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Service Delivery System Restructuring Task Force, which met during the 1992 and 1993 Legislative Interims.

The Act authorizes usage of alternative dispute resolution processes for resolving conflicts concerning establishment of an individual's legal settlement under Chapter 222, relating to the state hospital-schools, and Chapter 230, relating to the state mental health institutes. In addition, the processes may be used in resolving conflicts involving the legal settlement of a person with mental retardation in a community-based service.

The Act also makes various statutory provisions relating to residential housing for persons with disabilities and to zoning of such housing applicable to persons with brain injury.

Chapter 225C, which relates to persons with disabilities, is rewritten. Various definitions and responsibilities are broadened to address persons with developmental disabilities other than mental retardation and persons with brain injury. The name of the Division of Mental Health, Mental Retardation, and Developmental Disabilities of the Department of Human Services created in that chapter is changed to the Division of Mental Health and Developmental Disabilities. The name of the Mental Health and Mental Retardation Commission is changed to the Mental Health and Developmental Disabilities Commission and the membership is revised to include representation from persons with a developmental disability other than mental retardation, persons with brain injury, and mental health and developmental disability regional planning councils. Responsibilities of the division and of the commission are also broadened, but fulfillment of the responsibilities is made contingent upon the availability of funding.

The responsibilities of the commission are revised to encourage greater uniformity in the disability service delivery system. The commission is to adopt rules to identify, for planning purposes, basic services for persons with a disability, and to identify model guidelines for disability services eligibility, purchase and reimbursement methodologies.

Mental health and developmental disabilities regional planning councils, which were initially created in the FY 1993 human services appropriations bill, are established in the Code. The Act provides criteria for the commission

to authorize counties to change their regional planning council membership. The planning councils are assigned various duties to plan and to make recommendations for the provision of disability services in each council's region.

The Act also includes repeals of the State Community Mental Health and Mental Retardation Services Fund and replaces the fund with the Mental Health and Developmental Disabilities Community Services Fund. The new fund is to provide disability services funding to counties and the statute includes requirements for county usage of community mental health centers for financial maintenance of effort, which were also required for the repealed fund.

The Act provides coordinating amendments throughout the Code for the name changes of the Division of Mental Health, Mental Retardation, and Developmental Disabilities and the Mental Health and Mental Retardation Commission. The Department of Human Services is prohibited from amending an administrative rule solely for the purpose of reflecting the name changes of the division or the commission.

The department is required to convene a task force of various service consumers and family members, advocates, service providers, and counties and state government entities relating to persons with mental retardation. The task force is to review outcome-based performance standards for facilities and services and make recommendations to revisions of standards and requirements. The Director of Human Services may request federal waivers and implement demonstration projects to apply the task force recommendations.

The Act also prohibits the Department of Human Services from proposing or implementing a Medical Assistance (Medicaid) home and community-based services waiver for services to persons with brain injury in a manner that mandates provision of county funding relating to the funding of the services or matching of the federal funding. Senate File 2297 requires submission of such a waiver request to the federal government by July 1, 1995, and S.F. 2313 (See Appropriations) includes an appropriation for the costs of developing the waiver.

**HOUSE FILE 582 - Screening and Assessment for Nursing Facility Placement**

BY COMMITTEE ON HUMAN RESOURCES. This Act requires the Department of Elder Affairs to administer a preadmission screening and assessment pilot program for elders seeking admission to nursing facilities, beginning July 1, 1994, and ending June 30, 1996. The program is to be established in three to six counties that are representative of both urban and rural counties. As amended by S.F. 2330 (See Appropriations), this provision shall not apply to individuals who are eligible for medical assistance until necessary waivers are approved by the federal Health Care Financing Administration. The Act prescribes the screening and assessment process, provides exemptions from screening and assessment for certain elders, and requires the department to submit an annual report that provides an analysis of the program to the Governor and the General Assembly.

**HOUSE FILE 2003 - Child Day Care**

BY HAVERLAND. This Act relates to child day care provisions involving the age and school status of the children receiving care and building and nutrition requirements.

The age and school status of the children receiving child day care is modified in the various provisions affecting family and group day care homes. Under prior law, a child was considered to be school-age if the child was attending school full-time on a regular basis. The Act revises this standard so that school-age means a child attending school in kindergarten or a higher grade level. The new standard applies when counting the number of school-age children in a group day care home and a family day care home to determine if the homes are within limits for the number of children cared for at one time.

The Act prohibits the Department of Human Services from restricting the use of or applying nutritional standards to lunches or other meals brought to a child care center or day care home by a school-age child for the child's own consumption.

The Act directs that building and fire safety rules adopted by the State Fire Marshal for a building owned or leased by a school district or accredited nonpublic school and used as a child day care facility shall not differ from standards for school buildings. In addition, the department, cities and counties are prohibited from setting standards

and requirements for such buildings that differ from the standards and requirements set for use of such buildings as schools.

**HOUSE FILE 2037 - Involuntary Commitment — Summary of Procedures**

BY GRUNDBERG AND HANSON OF DELAWARE. This Act requires the development of a summary of the procedures involved in involuntary hospitalization of persons alleged to be seriously mentally impaired or alleged to be chronic substance abusers and provides that the summary be made available to applicants, respondents and other persons upon request.

The summary is to be developed by the Department of Human Services, in consultation with the Office of Attorney General, and is to be provided by the department, at the department's expense, to the clerks of the district court for distribution to applicants and other interested persons. A copy of the summary is also to be attached to the application that is served upon respondents to a proceeding. The summary is to include information regarding the statutory criteria for commitment, a description of the hearing process, and an explanation of the types of evidence admissible in the hearings, the right of the applicant to testify at the hearing, and the duties of the county attorney in commitment proceedings.

**HOUSE FILE 2145 - Public Health — Miscellaneous Provisions**

BY COMMITTEE ON HUMAN RESOURCES. This Act exempts certain substance abuse programs from the licensing requirements of Chapter 125; changes reporting deadlines for substance abuse programs; changes the definition of brain injury for various purposes; requires immunization of certain children; requires immunization for haemophilus influenza b; increases fees for vital records services provided by clerks of the district court; and extends the date for the repeal of Chapter 145, providing for the Health Data Commission, from July 1, 1994, to July 1, 1996.

Those substance abuse programs not funded by the Department of Public Health and accredited or licensed by recognized organizations approved by the Commission on Substance Abuse of the Department of Public Health are exempt from the licensing requirements of Chapter 125. The Act also provides that counties which operate substance abuse programs that receive moneys transferred from the Treasurer of State to the Department of Human Services in the form of grants are to report within 60 days after the end of the fiscal year in which money is granted instead of by June 10.

The Act requires any child attending a licensed child care center to be immunized against haemophilus influenza b, and increases the fees for vital records services provided by clerks of the district court to be consistent with the fees charged by the State Registrar.

The Act provides that the advisory council on head injuries may address head injuries that include brain injuries resulting from infection or vascular lesions as well as those brain injuries which are trauma-related or anoxia-related. The Center for Disease Control's definition of a brain injury, limiting brain injury to trauma-related or anoxia-related injuries, is codified for the purposes of the central registry for brain injuries. The Act maintains the requirement that hospitals report brain injury as part of a diagnosis, but eliminates the reporting requirement for physicians treating brain injuries in an office setting.

When used to define a recognized disability, "brain injury" is defined to mean clinically evident brain damage or spinal cord injury resulting directly or indirectly from trauma, infection, anoxia, or vascular lesions not primarily related to degenerative or aging processes, which temporarily or permanently impairs a person's physical or cognitive functions.

The Act also extends the date for repealing Chapter 145, which established the Health Data Commission, from July 1, 1994, to July 1, 1996.

**HOUSE FILE 2217 - Terms Describing Parents, Children, and Siblings**

BY LUNDBY AND CORBETT. This Act makes changes throughout the Code as follows: replacing references to "natural" with "biological" as it modifies parent, mother, father, child, and sibling; replacing "illegitimate" with

"biological," or by eliminating references to "illegitimate" in reference to a child; and removing references to "adoptive" when it is unnecessary for distinguishing certain parents from others.

**HOUSE FILE 2261 - Child Abuse and Dependent Adult Abuse**

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to child and dependent adult abuse provisions, including the presence of an illegal drug in a child's body, mandatory child abuse reporters, investigation procedures, expungement of unfounded child abuse information, correction of child abuse information, and child and dependent adult abuse registry and criminal record checks of persons working in various types of service facilities.

The Act amends two of the child abuse definitions used in the context of reporting and investigations. First, the statutory child abuse definitions addressing the responsibility for presence of an illegal drug in a child relating to the acts or omissions of the child's parent, guardian or custodian are expanded to include any person responsible for the care of the child. The second amendment affects the definition of "person responsible for the care of a child," which is the basis for determining whether a person is a perpetrator of child abuse. The Act modifies that portion of the definition that addresses a relative or any other person with whom a child resides by requiring that in order to be a perpetrator that person must also assume care or supervision of the child.

The Act identifies additional mandatory reporters of child abuse. The listing of child abuse reporters who are not licensed health care providers is rewritten to be in a numbered-list form. The following facility or program employees and operators are added to the list: health care facilities (such as nursing homes), substance abuse programs and facilities, Department of Human Services facilities, and juvenile detention and shelter care facilities.

The Act includes various provisions relating to child abuse investigations. Prior law permitted the court to issue an order to restrain notification of a parent concerning a child abuse investigation if notification was likely to endanger the child or other persons. Under the Act the court may initially restrain notification by oral directive and subsequently issue a written order within one working day of the oral directive.

The child abuse investigation requirement for evaluation of the home environment of the child and of the relationships of the child named in the report is modified. The modification permits performance of the evaluation of the child and the child's relationships to be predicated on the identification of child protection concerns.

Section 232.77, relating to performance of and payment for photographs and other medically relevant tests during a child abuse investigation, is amended to provide payment for physical examinations or other medical tests in addition to payment for photographs and X-rays.

The provisions that would eliminate multidisciplinary teams, which assist the department in the child abuse investigation and reporting process, are repealed. This portion of the Act takes effect April 28, 1994, to prevent that elimination of teams, which was to take effect on July 1, 1994.

Effective July 1, 1995, the Act also requires the Department of Human Services to expunge child abuse information, determined to be unfounded, six months after the determination date. During the six-month period, the information is required to be sealed and is accessible only through a court order. The Legislative Council is requested to create a 1994 interim study of the issues regarding child protection and child abuse information. Senate File 2330 (See Appropriations) appropriates funding to the Department of Human Services for this study.

Under an Iowa Court of Appeals ruling, only a person or the person's attorney would have the right to examine child abuse information in the child abuse registry that relates to that person and to request correction of the information or of the findings of the child abuse report in administrative and legal proceedings. The Act provides those rights to the following additional parties to a child abuse investigation and report: the child named in the report and the child's attorney and guardian ad litem; the parent of a child named in a report or the parent's attorney; the guardian or legal custodian of a child named in a report or that person's attorney; and the person named in a report as having abused a child or that person's attorney.

The Act makes other changes concerning record checks of persons employed in various types of service facilities. In facilities which, under prior law, are required to conduct child abuse record checks of employees and licensees, the Department of Human Services is authorized to conduct random dependent adult abuse record checks in this and other states. Beginning July 1, 1994, applicants for employment at the various facilities are required to be notified of the possibility of a record check and to verify receipt of the notice. In addition, employment applications are required to include the following question: "Do you have a record of founded child or dependent adult abuse or have you ever been convicted of a crime in this state or any other state?" The following facilities that performed checks under prior law are affected by these provisions: substance abuse programs regulated by the Iowa Department of Public Health, psychiatric medical institutions for children, child foster care licensees, and child day care providers. In addition, beginning July 1, 1994, various licensed health care facility providers, including nursing facilities and residential care facilities, may request that the department conduct the record checks.

**HOUSE FILE 2302 - Persons with Disabilities — Personal Assistance and Family Support Services**

BY COMMITTEE ON HUMAN RESOURCES. This Act creates the Personal Assistance Services Program for persons with disabilities and the Comprehensive Family Support Program for families with disabilities. The Department of Human Services is to administer both programs. The Act also provides noncodified law requiring the department to develop a budget and funding plan and program design for both programs for submission for the 1995 and 1996 Legislative Sessions to the Governor and General Assembly prior to implementation of the programs.

A council and working group or groups are created to assist with implementation planning. The Act includes a statement of legislative intent that the purpose of the Personal Assistance Services Program is to ensure the inclusion of individuals with disabilities in the general population, community and work force in the state.

The terms "disability" and "personal assistance services" are defined for use in the Personal Assistance Services Program based on the definition used by the federal Americans with Disabilities Act. An Iowan with a disability with a federal or Iowa taxable income of less than \$40,000, who is at least 18 years of age or an emancipated minor, would be eligible for the program. Implementation of the program is subject to appropriation of funding for the program.

The Personal Assistance Services Program provides for the delivery of personal assistance services under individual contracts between the individual receiving services and the service providers. The department would develop the provisions of a master contract but the individual who receives the services would determine the actual components of the contract for services to be provided to the individual. The department is directed to adopt rules providing for the components of personal assistance services contracts and is required to work with other state and local agencies in developing the rules.

The Act also creates the Comprehensive Family Support Program directed to families of individuals with disabilities. Implementation of the program is subject to appropriation of funding for the program. Eligibility for the Comprehensive Family Support Program is limited to families with an individual who is less than 22 years of age and who has a developmental disability as defined in federal law. The federal definition includes specific requirements such as special criteria for children who are less than six years of age, age of onset is prior to age 22, the disability is likely to continue indefinitely, and the disability affects at least three areas of major life activity. To be eligible, the family must be maintaining or desiring to maintain the family member with a disability in the family home and must have a taxable income of less than \$60,000. The department is to determine eligibility according to the criteria provided in the statute and the department's decisions may be appealed under Iowa's Administrative Procedures Act.

The Comprehensive Family Support Program is required to be implemented July 1, 1996, subject to the availability of funding. The term "services and support" is defined as assistance intended to promote the autonomy and independence of the families and individuals who are eligible for the initiative. The services and support may include purchase of equipment, supplies, assistive technology, respite care, and payment of other costs attributable to an individual's disability identified by the family. The initiative is to be implemented in a manner that emphasizes the decision-making ability of eligible families.

The Personal Assistance and Family Support Services Council is created to assist the department in implementing the programs and to evaluate the programs and make recommendations to the Governor and the General Assembly. A temporary provision provides for staggered terms for the appointment of members to the council by the Governor and legislative leaders. The council is repealed effective July 1, 1998.

The programs are to be implemented over a two-year period. During FY 1995, the department is directed to estimate the eligible population for the two programs through surveys and interviews and to consult with eligible individuals on contract components in order to develop a proposed budget and funding plan and program design for the Personal Assistance Services Program. In addition, the department is to utilize a working group to assist in development of the proposed plans and designs required by the legislation. The proposed plan and design is required to be submitted to the Governor and the General Assembly for action during the 1995 Legislative Session. Actual contracts would be implemented beginning January 1, 1996, following negotiation over the service components of individual contacts between the department and individuals. Negotiations would be based upon financial resources available and the relative cost and benefit of a particular service.

The Act includes similar provisions for development of a budget and funding plan and program design for the Comprehensive Family Support Program. The plan and design are to be submitted by June 15, 1995. Both the programs' plans and designs are to be developed in a manner that does not create an unfunded mandate on counties.

**HOUSE FILE 2372 - Medical Assistance — Trusts and Other Matters**

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for changes related to Medical Assistance (Medicaid). The Act provides for regulation of certain special needs and income trusts established by recipients of or applicants for Medical Assistance, with their own assets, as allowed under federal law; increases the look-back period for transfers of assets, considered when establishing eligibility for Medical Assistance, from 30 to 36 months, and increases the penalty period of ineligibility for Medical Assistance; provides for recovery of Medical Assistance benefits from the estate of the recipient and provides for prioritization of these claims against the estate; redefines psychiatric medical institutions for children to include both secure and nonsecure institutions; and updates the Code to reflect federal requirements for coverage of children under the Medical Assistance Program.

**HOUSE FILE 2407 - Collection of Child Support**

BY COMMITTEE ON HUMAN RESOURCES. This Act provides a procedure for initiation of levies against the bank accounts of child support obligors and other account holders of interest against whom a support obligation is being enforced by the Child Support Recovery Unit of the Department of Human Services, if support is delinquent in an amount equal to the support payment for one month. The Act provides for notice to the obligor and other account holders of interest, notice to the financial institution in which the account is held, a procedure for an administrative levy and for challenges to administrative procedures, and for responsibilities of financial institutions. The Act also provides that if a support obligor is in arrears and is held in contempt of court for failure to provide support, the court may enjoin the obligor from engaging in the exercise of any activity governed by a license.

**HOUSE FILE 2410 - Child Support, Paternity, and Related Matters**

BY COMMITTEE ON HUMAN RESOURCES. This Act makes various changes related to child support recovery. The Act does the following:

- ♦ Clarifies liability for and limitations of payment of workers' compensation for persons injured during the performance of community service relative to a contempt order against a person who fails to pay child support and makes this provision take effect May 11, 1994.
- ♦ Provides for the consistent treatment of all birth certificates notwithstanding the marital status of the biological parents of a child and provides for the type of information the Department of Public Health's Division of Vital Statistics may share with the Department of Human Service's Child Support Recovery Unit (CSRU).
- ♦ Provides that the same force and effect is applicable to child support orders whether established by the judicial process or by an expedited departmental process.
- ♦ Provides that the CSRU Administrator may establish a support debt or medical support obligation if an existing order does not address the payment of the debt or medical support.

- ♦ Clarifies terms used relative to child support; expands the recognized forms of paternity establishment
- ♦ Clarifies that the provision of information in hospitals to alleged fathers regarding paternity establishment procedures is required only if possible.
- ♦ Lists the provisions for establishment of paternity under which the Department of Human Services has authority.
- ♦ States the type of information to be provided in the compiled listing of cases for publication regarding outstanding child support obligations, including the obligor's address.
- ♦ Clarifies that in cases of suspension of an obligation, the child is the person who is not receiving public assistance, and not the parent entitled to receive support.
- ♦ Provides for mailing of administrative seek employment orders to an obligor.
- ♦ Alters where administrative actions are to be filed.
- ♦ Provides that immediate withholding of income is automatic even if not authorized in a court order establishing a support obligation for all cases enforced by the CSRU and for those not enforced by the CSRU after January 1, 1994, and makes the provision take effect May 11, 1994, and apply retroactively to January 1, 1994.
- ♦ Provides that inaccurate information contained in an income withholding order regarding the amount of support does not modify the order.
- ♦ Makes the provisions of the department's centralized employee registry mandatory only as to employees 18 years of age or older unless the employer chooses to include those under 18 years of age and provides the conditions for reporting of contractors which is a distinct group of earners of income.
- ♦ Provides that payments made directly to the Department of Revenue and Finance by self-employed obligors are to be credited as though directly remitted to the Collection Services Center.
- ♦ Provides that the personal identification number of a party to an action for which a document is filed with the clerk of the district court by the Child Support Recovery Unit may be other than the party's social security number or driver's license number in order to comply with confidentiality requirements, makes this provision take effect May 11, 1994, and makes it retroactively applicable to July 1, 1993.
- ♦ States that an assignment of income relative to workers' compensation is one means of enforcing child support recovery provisions.
- ♦ Provides for changes in the area of paternity establishment and medical child support orders to provide conformity with the federal Omnibus Budget Reconciliation Act (OBRA) of 1993.
- ♦ Eliminates the three-year statute of limitations for the bringing of an action to overcome paternity effective May 11, 1994, and makes this provision retroactively applicable to any prior action to overcome paternity.

**LABOR AND EMPLOYMENT**

- SENATE FILE 2044** - Asbestos Removal Permits
- SENATE FILE 2244** - Workers' Compensation Mediation — Confidentiality
- SENATE FILE 2245** - Workers' Compensation -- Miscellaneous Provisions
- SENATE FILE 2261** - Employment Services — Workers' Compensation and Unemployment Compensation

**RELATED LEGISLATION**

- SENATE FILE 218** - Compensation of Deputy County Sheriffs  
*SEE LOCAL GOVERNMENT.* This Act removes the requirement that the total annual compensation received by a deputy county sheriff must be less than that received by the county's sheriff.
- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to labor and employment.
- SENATE FILE 2087** - Employment Under School District Sharing Agreements  
*SEE EDUCATION.* This Act requires districts that enter into a whole grade sharing agreement to notify individuals, whose positions were terminated as a result of the agreement, of any new district positions and that the individuals may apply for the positions. For a period of two school years, if the individuals apply and are qualified for the new positions, the districts must offer the new positions to the best qualified from among these applicants, and those reemployed shall retain benefits accrued prior to the agreement.
- SENATE FILE 2288** - Family Investment and JOBS Programs and Related Matters  
*SEE HUMAN SERVICES.* This Act amends statutory provisions for the federal-state Family Investment Program (previously known as the Aid to Families with Dependent Children Program) and Job Opportunities and Basic Skills (JOBS) Program in accordance with federally approved requirements. The JOBS Program addresses employment and employment training needs of recipients of public assistance.
- HOUSE FILE 618** - Liens for Unpaid Unemployment Compensation Contributions  
*SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE.* This Act provides that a lien for unpaid unemployment compensation contributions shall continue for 10 years unless the obligation owed is discharged, released or satisfied, and may be extended for another 10 years if notice of extension is filed in the ninth year of the lien.
- HOUSE FILE 2120** - State Employees Disability Insurance Program  
*SEE STATE GOVERNMENT.* This Act pertains to the computation of benefits under the State Employees Disability Insurance Program.
- HOUSE FILE 2218** - City Civil Service  
*SEE LOCAL GOVERNMENT.* This Act extends the probationary period for certain civil service employees and allows for more names to be included on civil service employee lists for appointment to a fire department in cities with a population over 175,000.
- HOUSE FILE 2383** - Safety in Schools  
*SEE EDUCATION.* This Act provides that a school employee injured by an act of violence during the course of employment for which workers' compensation is available is entitled to leave for the shorter of either one year from the date of disability or the

actual period that the employee is disabled and incapable of employment. The Act requires the school district to supplement the amount received from workers' compensation in order for the employee to receive full salary and benefits.

- HOUSE FILE 2410** - Child Support, Paternity, and Related Matters  
*SEE HUMAN SERVICES.* This Act makes various changes in the law relating to child support collection, including making alterations in provisions relating to automatic withholding of income, the centralized employee registry, and assignment of income related to workers' compensation.
- HOUSE FILE 2418** - Public Retirement Systems  
*SEE STATE GOVERNMENT.* This Act contains numerous changes pertaining to Iowa's public retirement systems, as well as changes relating to other types of public employee benefits.

## LABOR AND EMPLOYMENT

### **SENATE FILE 2044 - Asbestos Removal Permits**

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act corrects Code references to delineate the difference between an asbestos license, which is issued to individuals, and an asbestos permit, which is issued to business entities.

### **SENATE FILE 2244 - Workers' Compensation Mediation — Confidentiality**

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act provides that information provided to a mediator acting to resolve a dispute through mediation under the workers' compensation laws pursuant to Chapter 86 is confidential information not subject to disclosure as a public record under Chapter 22 or any administrative or judicial proceeding. Mediators are defined to include a chief deputy industrial commissioner or deputy industrial commissioner or an employee of the Division of Industrial Services of the Department of Employment Services.

### **SENATE FILE 2245 - Workers' Compensation — Miscellaneous Provisions**

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act makes several changes to the workers' compensation laws.

The Act prohibits debt collection to recover health service provider charges for treatment of an employee for an injury while a workers' compensation contested case proceeding is pending, but permits the provider to send the employee a copy of the amount owed.

The Act provides that certain injured employees can receive an amount equivalent to the wages the employee lost for having to leave work to receive treatment subsequent to sustaining a compensable injury. This payment is required to be covered by any workers' compensation insurance policy. The payment is considered to be payment of wages and not weekly benefits.

The Act further provides that the minimum weekly benefit amount for death, a permanent partial disability, or a total disability is based solely on the weekly benefit amount of a person whose gross weekly earnings are 35 percent of the statewide average weekly wage. Currently, except for a minor or a student, the amount is based on the lesser of the 35 percent amount or the spendable weekly earnings of the employee.

The Act provides that temporary partial disability benefits are available upon return to work by an injured employee with a different employer if the injured employee's employer is unable to provide suitable work.

An employer is also allowed, under the Act, to take a credit against future weekly benefits paid to an employee for a permanent partial disability when the employer paid any weekly benefits in excess of the amount required. This would allow an employer to take the credit for weekly benefits due an employee for a permanent partial disability when that employer has overpaid compensation for a prior injury to the employee. The employer and employee are allowed to agree to a repayment of the overpayment pursuant to a written settlement agreement.

### **SENATE FILE 2261 - Employment Services — Workers' Compensation and Unemployment Compensation**

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act provides for certain workers' compensation liability insurance requirements for employers, requires participation in reemployment services for certain persons seeking unemployment benefits, makes the Voluntary Shared Work Program permanent, and eliminates certain unemployment benefits charges on employers based on unemployment due to the flood.

The Act provides that employers are subject to all current workers' compensation laws, including the Occupational Disease Compensation and Occupational Hearing Loss chapters of the Code. The Act makes it a class "D" felony for any employer subject to the workers' compensation chapters to willfully and knowingly engage in business without having insurance covering compensation, being relieved from carrying the insurance, or posting a bond as required by the Industrial Commissioner. The Act further allows the Attorney General, the applicable county attorney, or any person to bring an action to obtain an injunction to prohibit employers from violating their obligation to provide compensation insurance or a bond as required by this Act.

The Act also allows the Industrial Commissioner to require any employer, regardless of the number of employees or the nature of the business, who is not insured or relieved from insurance to post a bond securing payment of the employer's workers' compensation liability. This provides that the bond secures the liability under Chapters 85, 85A, 85B, and 86 as well as any liability for damages. The Act repeals provisions of the Code that limit the requirement to post bond to employers of more than five persons engaged in hazardous employment, specifically require mining operations to provide insurance for compensation payments, and define mining as "extra hazardous."

The Act requires certain unemployed individuals to participate in reemployment services in order to receive benefits based on criteria established by the Division of Job Service of the Department of Employment Services.

The Voluntary Shared Work Program as provided in Section 96.40 is made permanent by the Act by eliminating the subsection repealing the program on February 28, 1995.

The Act also repeals the requirement that the Industrial Commissioner adopt rules requiring parties in a dispute for Second Injury Fund benefits to mediate their dispute prior to initiation of a contested case proceeding.

Finally, the Act eliminates the unemployment benefits charges against contributory employers' accounts for flood disaster-related benefits paid during the period from April 13, 1993, to January 8, 1994. The Division of Job Service shall establish criteria for eligibility for this relief.

## LOCAL GOVERNMENT

- SENATE FILE 216** - City Utility and Enterprise Services — Rates and Charges
- SENATE FILE 218** - Compensation of Deputy County Sheriffs
- SENATE FILE 294** - Qualifications for Sheriffs
- SENATE FILE 2060** - County Hospitals
- SENATE FILE 2186** - Water Districts
- SENATE FILE 2190** - Mobile, Modular, and Manufactured Houses — Taxation and Other Matters
- SENATE FILE 2226** - County Recorder — Document Management Fee
- HOUSE FILE 43** - County Commissions of Veteran Affairs
- HOUSE FILE 259** - Trustees of City Hospitals or Health Care Facilities
- HOUSE FILE 425** - Investments by Political Subdivisions
- HOUSE FILE 606** - County General Obligation Bonds for Water Systems and Facilities
- HOUSE FILE 642** - Revisions of State Mandates and Related Matters
- HOUSE FILE 2094** - Fees Collected by County Officers
- HOUSE FILE 2116** - City Emergency Medical Services Districts
- HOUSE FILE 2199** - Trustees of Sanitary Districts
- HOUSE FILE 2218** - City Civil Service
- HOUSE FILE 2326** - Revenue Bond Projects
- HOUSE FILE 2343** - Assessments for Connection to City Sewer or Water Utilities
- HOUSE FILE 2401** - Recording of Instruments in County Recorder's Office
- HOUSE FILE 2430** - County Property Taxes and Mental Health Financing

## RELATED LEGISLATION

- SENATE FILE 94** - Regulation of Fertilizers, Soil Conditioners, and Pesticides  
*SEE ENVIRONMENTAL PROTECTION.* This Act provides that state law regulating fertilizers, soil conditioners, and pesticides preempts legislative or administrative measures adopted by a local governmental entity such as a county or city.
- SENATE FILE 2013** - South Africa-Related Deposits and Investments  
*SEE STATE GOVERNMENT.* This Act eliminates restrictions on South Africa-related investments and deposits by certain public institutions, including public retirement systems that include local government employees as members.
- SENATE FILE 2051** - Access to Child Abuse Information  
*SEE CHILDREN & YOUTH.* This Act provides access to founded child abuse information to the administrator of a child day care resource and referral agency.
- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to local government, including

changes pertaining to the duty of the State Commission of Veterans Affairs to provide training for county veteran affairs executive directors.

- SENATE FILE 2196** - Medical Assistance — Services to Persons with Disabilities  
**SEE HUMAN SERVICES.** This Act includes a provision providing for Iowa State Association of Counties membership on the Medical Assistance Advisory Council, which consults with the Department of Human Services concerning Medical Assistance (Medicaid) Program policy.
- SENATE FILE 2216** - Hazardous Substances Cleanup Costs  
**SEE ENVIRONMENTAL PROTECTION.** This Act provides that a person having control over a hazardous substance is strictly liable to the state for the cleanup costs incurred by a political subdivision of the state, a governmental subdivision, or by any other person participating in the prevention or mitigation of damages.
- SENATE FILE 2242** - Ethics in Government — Miscellaneous Provisions  
**SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.** This Act makes a variety of both substantive and technical changes in the ethics chapter, Chapter 68B, including several changes in the gift law, and makes conforming technical changes in various other provisions of the Code.
- SENATE FILE 2250** - Human Services — Enforcement — Licns — Reports  
**SEE HUMAN SERVICES.** This Act provides for the establishment of a lien on real or personal property of a person liable to pay a debt to the Department of Human Services based upon benefits that were inappropriately obtained. Administration of the procedure is the responsibility of the Department of Inspections and Appeals. The Act also provides for recording of the lien and for recording of satisfaction of the debt owed.
- SENATE FILE 2297** - Medical Assistance Services to Persons with Brain Injuries  
**SEE HUMAN SERVICES.** This Act directs the Department of Human Services to submit a waiver request to the United States Department of Health and Human Services, on or before July 1, 1995, for approval of redirection of resources from institutional services to home and community-based services for persons with brain injuries who receive Medical Assistance (Medicaid), if the department determines that the redirection would not result in an adverse fiscal impact at the federal and state levels.
- SENATE FILE 2300** - Solid Waste  
**SEE ENVIRONMENTAL PROTECTION.** This Act establishes and funds a special waste authorization program, provides for certain exemptions from leachate control requirements for sanitary landfills, and establishes waste volume reduction and recycling goals, requirements and incentives.
- SENATE FILE 2311** - Mental Health and Developmental Disabilities  
**SEE HUMAN SERVICES.** This Act relates to services and statutory provisions involving mental health and persons with mental illness, mental retardation or other developmental disability, or brain injury, includes provisions for alternative forms of dispute resolution for determining the legal settlement of a person with a disability in a state institution or community-based mental retardation service; requirements for zoning of residential housing of persons with brain injuries; and codifies mental health and developmental disabilities regional planning councils previously included in Department of Human Services' appropriations bills.
- SENATE FILE 2313** - Appropriations — Human Services  
**SEE APPROPRIATIONS.** This Act makes appropriations to the Department of Human Services and contains various provisions affecting state funds provided to counties for juvenile justice, shelter care and detention services; provides for decategorization of child welfare funding; provides state funding to counties for mental health, mental retardation,

- developmental disabilities, and brain injury funding; affects legal settlement of blind persons placed in state institutions; and affects reimbursement rates paid for various services.
- HOUSE FILE 605** - Vacating and Closing of Roads  
*SEE TRANSPORTATION.* This Act requires that all property owners within one mile of a road that is proposed to be vacated or closed receive notice of a hearing by regular mail and eliminates the right of an abutting property owner to claim damages from the vacating and closing of a road if the homestead is not located on the abutting land and the abutting land will not be landlocked.
- HOUSE FILE 637** - Care of Animals  
*SEE AGRICULTURE.* This Act provides that counties and cities have authority to rescue and maintain animals that have been neglected as provided in the Act. The Act also provides limitations on the liability of a county or city acting to rescue and maintain a neglected animal.
- HOUSE FILE 2003** - Child Day Care  
*SEE HUMAN SERVICES.* This Act relates to child day care and includes provisions requiring local governments to apply school building standards to buildings owned or leased by a school district or nonpublic school and used for child day care.
- HOUSE FILE 2055** - Sanitary Landfills — Lien for Closure or Postclosure Care  
*SEE ENVIRONMENTAL PROTECTION.* This Act grants a city or county a lien upon property that is used or has been used as a sanitary landfill and is owned by a private agency, for the amount the city or county incurred to provide required closure or postclosure care on the premises of the sanitary landfill.
- HOUSE FILE 2070** - State Fire Marshal  
*SEE STATE GOVERNMENT.* This Act contains several provisions pertaining to the administrative activities of the State Fire Marshal, as well as procedures utilized by local authorities in enforcing Chapter 100 of the Code, the State Fire Marshal chapter, and rules adopted pursuant to the chapter.
- HOUSE FILE 2180** - Quality Jobs Enterprise Zones — New Jobs and Income Program  
*SEE ECONOMIC DEVELOPMENT.* This Act provides economic development assistance, including property and income tax incentives, to businesses by creating the New Jobs and Income Program and providing for the establishment of quality jobs enterprise zones.
- HOUSE FILE 2190** - Air Quality — Rules for Training Fires  
*SEE ENVIRONMENTAL PROTECTION.* This Act allows a fire department to host two training fires per year that burn asphalt shingles if the fire department conducts prior testing of the shingles to determine that there is no asbestos present in the shingles.
- HOUSE FILE 2204** - Tax Increment Financing for Urban Renewal and New Jobs Training  
*SEE TAXATION.* This Act amends Chapters 260E, 260F and 403 relating to the use of tax increment financing to fund urban renewal projects, industrial new jobs training projects, and small business new jobs training projects.
- HOUSE FILE 2261** - Child Abuse and Dependent Adult Abuse  
*SEE HUMAN SERVICES.* This Act relates to child and dependent adult abuse Code provisions, including the addition of juvenile detention and shelter care employees as mandatory child abuse reporters and optional dependent adult abuse registry and criminal record checks of persons working in various types of licensed health service facilities such as residential care facilities.

- HOUSE FILE 2302** - Persons with Disabilities — Personal Assistance and Family Support Services  
*SEE HUMAN SERVICES.* This Act creates the Personal Assistance Services Program and the Comprehensive Family Support Program for families of persons with disabilities and includes representatives of local government on a council established to oversee the development of the programs.
- HOUSE FILE 2311** - Drainage District Assessments — Interest Rate  
*SEE AGRICULTURE.* This Act amends Chapter 468 providing for the establishment, repair and improvement of drainage and levee districts, by providing for the rate of interest applicable to assessments and to instruments connected to assessments.
- HOUSE FILE 2313** - Administration of Drainage Districts  
*SEE AGRICULTURE.* This Act amends a number of provisions in Chapter 468 relating to the administration of drainage and levee districts.
- HOUSE FILE 2366** - Reapportionment, Redistricting, and Reprecincting  
*SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.* This Act amends a variety of Code sections relating to reapportionment, redistricting and reprecincting and applies to state and certain political subdivisions, including school director districts.
- HOUSE FILE 2418** - Public Retirement Systems  
*SEE STATE GOVERNMENT.* This Act contains numerous changes pertaining to Iowa's public retirement systems, including the Iowa Public Employees' Retirement System (IPERS - Chapter 97B) and the Statewide Fire and Police Retirement System (Chapter 411), as well as changes pertaining to other types of public employee benefits.
- HOUSE FILE 2421** - Claims for Property Tax Credits and Exemptions  
*SEE TAXATION.* This Act provides that the county board of supervisors is not required to send a notice disallowing a claim for a homestead property tax credit or a military service property tax exemption if the claimant withdraws the claim.
- HOUSE FILE 2435** - Local Government Flood Damage Loan Program  
*SEE BONDING & DEBT FINANCE.* This Act creates a state loan program for 1993 flood damage and flood prevention.

## LOCAL GOVERNMENT

### **SENATE FILE 216 - City Utility and Enterprise Services — Rates and Charges**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides for the collection of multiple city utility and enterprise service fees and charges, such as those for city water, sewer and garbage collection services, under a single combined service account. It also authorizes the discontinuance of one or more services in the event of delinquency in the payment of fees and charges for those services. A uniform notice and hearing requirement is imposed upon all city utilities and enterprises, requiring that notice and an opportunity for a hearing be given to account holders prior to discontinuance. If the account holder is a tenant, notice would also have to be given to the owner or landlord of the property requesting the notice in advance. Notice must also be given to an account holder, and to an owner or landlord, if requested, prior to the imposition of a lien upon the property for nonpayment of fees and charges. Cities and independent city utilities are also authorized to enter into Chapter 28E agreements to provide for the joint billing and collection of combined service accounts.

### **SENATE FILE 218 - Compensation of Deputy County Sheriffs**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act removes the requirement that the total annual compensation received by a deputy county sheriff must be less than that received by the county's sheriff.

### **SENATE FILE 294 - Qualifications for Sheriffs**

BY COMMITTEE ON JUDICIARY. This Act provides that a person elected or appointed sheriff must have no felony convictions and shall be at least 21 years of age at the time of assuming the office of sheriff and be a certified peace officer or complete the basic course at the Iowa Law Enforcement Academy within one year of taking office.

### **SENATE FILE 2060 - County Hospitals**

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to county hospital provisions of the Iowa Code involving the pecuniary interest of a hospital trustee and establishes procedures for a hospital which is organized under Chapter 37 or 347A to become a county hospital organized under Chapter 347.

Prior law explicitly prohibited a county hospital trustee from having a pecuniary interest in commodity or supply transactions associated with the hospital. The Act would permit a trustee to have a pecuniary interest if the benefit to the trustee is less than \$1,500 per fiscal year or the transaction is subject to the public competitive bid process.

Chapter 347 relates to public hospitals operated by counties and includes various levy and governance provisions not included in Chapter 37 or 347A. Chapter 37 relates to hospitals and other buildings, memorials and monuments commemorating the armed services which were built and equipped by a city or county. Chapter 347A relates to hospitals established using revenue bonds by counties with a population of less than 150,000. Both Chapters 37 and 347A include limited levy authority to pay various costs of the hospitals and provide for governance of the hospitals.

The Act permits a hospital organized under Chapter 37 or 347A to change to a county hospital subject to Chapter 347. The provisions for making the change require that the board or commission governing the hospital submit a request to the county board of supervisors. The request must be endorsed by a petition signed by qualified electors in an amount of at least 5 percent of votes cast in the latest presidential or gubernatorial election. If these conditions are met the board of supervisors must place the question on the ballot. The election may be either a special or a general election.

If the hospital is a memorial hospital organized by a city, the city must be located in the county that would assume ownership. Also, in this case, the question must be approved by a majority of both the county's electors and the city's electors.

If the hospital is a county memorial hospital or county hospital payable from revenue bonds, the question to the voters is whether or not to change the hospital's legal basis to be under Chapter 347.

**SENATE FILE 2186 - Water Districts**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act allows a city to extend a franchise granted to a rural water district organized under Chapter 357A or 504A up to 40 years so that the rural water district will qualify for federal funding. In addition, this Act authorizes a city to grant a franchise to a rural water district to provide sewer services. The Act also allows a water district to join a federated association or a federal district.

**SENATE FILE 2190 - Mobile, Modular, and Manufactured Houses — Taxation and Other Matters**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act relates to the regulation, location and taxation of mobile homes, modular homes and manufactured homes. This Act amends the county and city zoning statutes relating to manufactured homes and requirements for permanent foundations to convert the homes to real estate.

The Act defines the three types of factory-built homes: mobile, modular and manufactured. The Act also amends the definition of mobile home park. Mobile homes generally are manufactured or constructed for human habitation with a capability of conveyance on public streets and highways and built before June 15, 1976. Modular homes are built for human habitation according to a state modular building code and a seal issued by the State Building Code Commissioner is to be displayed. Manufactured homes are built according to federal requirements, are required to display a seal from the federal Department of Housing and Urban Development, and were constructed on or after June 15, 1976. This Act provides that mobile, modular or manufactured homes shall be placed on a permanent foundation if located outside of a mobile home park. The Act also repeals a section that provides an exemption for modular homes from Chapter 435.

This Act also provides that a mobile home and related personal property may be disposed of at a sheriff's sale and thus removed from real property where it was unlawfully parked or abandoned without a known owner. The sale transfers the mobile home and related personal property to the purchaser and relieves the real estate owner of the unwanted property and tax lien.

The tax provisions of this Act take effect January 1, 1995.

**SENATE FILE 2226 - County Recorder — Document Management Fee**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that the document management fee established in 1993 to be collected by the county recorder applies to each recorded transaction. Current law provides that the fee applies to each recorded instrument regardless of the number of transactions contained in the instrument.

**HOUSE FILE 43 - County Commissions of Veteran Affairs**

BY NELSON. This Act permits a county board of supervisors to increase the membership of the county commissions of veteran affairs from three persons, as specified by the current Code, to five persons. If the board increases the commission's membership to five persons, the two new members will serve two and three years, respectively, and shall serve until their successors are appointed and qualify.

**HOUSE FILE 259 - Trustees of City Hospitals or Health Care Facilities**

BY McNEAL. This Act changes from six years to four years the term of office of trustees of city hospitals or health care facilities. The Act also removes the requirement that the city treasurer serve as treasurer of the board of trustees of a city hospital or health care facility.

**HOUSE FILE 425 - Investments by Political Subdivisions**

BY MERTZ. This Act adds warrants or improvement certificates of a levee or drainage district established pursuant to Chapter 468 to the list of authorized investments for public funds held by political subdivisions.

The Act takes effect March 25, 1994.

**HOUSE FILE 606 - County General Obligation Bonds for Water Systems and Facilities**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act rewrites provisions for the facilities available or used for the storage, transportation or utilization of water systems. The Act provides that a county may establish a special service area tax district for the purpose of issuing general obligation bonds to support the construction,

expansion or repair of facilities. The Act provides for the boundaries of the district and property subject to the tax. Electors of the district may submit a petition requiring an election to approve the tax.

**HOUSE FILE 642 - Revisions of State Mandates and Related Matters**

**BY COMMITTEE ON LOCAL GOVERNMENT.** This Act strikes and revises mandates and goals of political subdivisions of the state and the duties of a number of local public officers. For example, this Act removes a county or county officer from acting on behalf of the state when a legal counsel is appointed to represent a member of the Sac and Fox Indian settlement and the county attorney from representing the state in legal actions involving health care professionals. The Act also specifies that a new state mandate to political subdivisions must specify in the legislation the portion of the costs which the state shall pay annually, excluding retirement mandates or mandates originated by the federal government. The Act also amends the definition of state mandate to specify that the fiscal impact of a new or expanded requirement of \$100,000 per year or \$500,000 over five years means the impact to all affected political subdivisions. The same amendment also applies to the fiscal impact of an administrative rule.

The political subdivisions of the state are not required to follow the bid letting procedures and requirements of the state nor the evaluation of life cycle costs on designs for public improvements. The minimum estimated cost of a public improvement requiring contract letting procedures for counties was increased to \$50,000. An exemption for a veteran's newsstand in public buildings not to compete with the food service offered by the State Commission for the Blind is removed. Provisions are also made to recover costs related to the involuntary commitment of persons who are not indigent. Two reports from the county auditor to the Department of Revenue and Finance are stricken as being unnecessary references to permanent school fund mortgages. Also a report to the State Department of Transportation from the county engineer relating to bridge or culvert costs is removed.

The county board of supervisors is given the option of appointing a county weed commissioner and the board is given the authority to determine speed limits along secondary roads and their intersections.

The state and its political subdivisions are no longer required to grant paid leaves of absence to employees who participate in Olympic competition.

The county treasurer is required to designate the employee, if other than the first deputy treasurer, who shall serve as treasurer in case of the absence or disability of the treasurer and, by agreement, the board and county attorney may implement a change in full-time or part-time employment of the county attorney before the current 60-day waiting period expires. County attorneys are no longer required to provide legal services to community school districts and are removed from demanding payment or security for money due the state.

Counties are no longer required to license dogs. The duties of county officers relating to estrays and trespassing animals are repealed along with Chapter 169B. The authority to establish a county weather modification board is also repealed and property tax exemptions for military service during the Mexican War, War of the Rebellion, Spanish-American War, Indian wars, Chinese relief expedition, or Philippine insurrection or for military service as Tyler Rangers or Colorado volunteers in the War of the Rebellion, are stricken.

Political subdivisions are also given more flexibility to use fees collected for solid waste disposal.

Provisions relating to the listing and assessment of personal property and the assessment of ice or coal dealers are repealed.

**HOUSE FILE 2094 - Fees Collected by County Officers**

**BY RANTS.** This Act provides that county officers may pay the fees collected by their offices to the county treasurer more often than quarterly. Current law provides that a county officer shall pay the fees collected quarterly.

**HOUSE FILE 2116 - City Emergency Medical Services Districts**

**BY COMMITTEE ON WAYS AND MEANS.** This Act permits a city to establish a city emergency medical services district similar to a benefited emergency medical services district for an unincorporated area. The Act authorizes a city council to place on the ballot for approval by residents of the proposed city district, the issue of a levy of up to \$1 per \$1,000 of assessed valuation of property in the proposed district to fund emergency medical

services in the district. The Act also sets out the procedure for residents to petition for the formation, governance and dissolution of a district.

The Act is retroactively applicable to January 1, 1993.

**HOUSE FILE 2199 - Trustees of Sanitary Districts**

BY GREIG, BLODGETT AND MAY. This Act authorizes a sanitary district to have a three-member or five-member board of trustees. The number of trustees may be changed from three to five or from five to three by petition of electors of the district or upon request of the board of trustees to the board of supervisors. The board of trustees shall implement a plan to change the number of trustees as requested commencing with the next general election. The petition of the electors must contain signatures of at least 5 percent of the eligible electors of the district.

**HOUSE FILE 2218 - City Civil Service**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act extends from six months to 12 months the civil service employment probationary period for police dispatchers. The Act also provides that appointments made on or after January 1, 1994, to the position of fire fighter in cities with a population over 175,000, shall be conditional upon a civil service employment probationary period not to exceed 24 months.

The Act also provides that, in cities with a population over 175,000, additional lists may be held in reserve for promotions in the fire department; and for original appointments to the position of fire fighter only, effective January 1, 1994, no more than four additional lists, with each list containing two groups of 10 persons each of possible civil service employment appointees, shall be allowed to be certified by a city's civil service commission.

The Act takes effect April 13, 1994.

**HOUSE FILE 2326 - Revenue Bond Projects**

BY COMMITTEE ON WAYS AND MEANS. This Act includes in the definition of project for which a city or county may issue revenue bonds, a facility of an organization described in Section 501(c)(3) of the Internal Revenue Code, that is a nonprofit organization operated for religious, charitable, scientific, or educational purposes. The Act also allows a city or county to issue revenue bonds for retiring existing indebtedness on a facility to be used by such a Section 501(c)(3) organization. The interest on these bonds is exempt from federal income tax.

The Act takes effect May 5, 1994.

**HOUSE FILE 2343 - Assessments for Connection to City Sewer or Water Utilities**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act authorizes a city, by ordinance after notice and a public hearing, to establish one or more special assessment districts within the city and adopt schedules of fees to cover the cost of connecting a city sewer or water utility to properties served by the utility. The connection fees shall not exceed an equitable part of the total original cost to the city of extending the utility to the properties to be served in the district, less any part of the cost paid to the city by a preceding special assessment. The fees collected shall be used only to pay the cost of operating the utility or to pay debt service.

**HOUSE FILE 2401 - Recording of Instruments in County Recorder's Office**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act strikes the county recorder's duties relating to recording and indexing of certificates of registration and other official documents for limited partnerships, articles of incorporation and amendments for nonprofit corporations and corporations for profit, and articles of incorporation and amendments for cooperative associations. These documents will continue to be recorded with the Secretary of State.

**HOUSE FILE 2430 - County Property Taxes and Mental Health Financing**

BY COMMITTEE ON WAYS AND MEANS. This Act relates to the limitation on county expenditures for mental health, mental retardation and developmental disabilities (MH/MR/DD) services and the provision of the services, provides for increasing state participation in the funding of the services, and extends by two years the limitation on the amount that a county may collect from designated property tax levies.

The Medical Assistance (Medicaid) chapter is amended by requiring that, beginning with FY 1996, the state is responsible for payment of the nonfederal share of the following services provided under Medicaid to minors: intermediate care facility for the mentally retarded (ICFMR) services and home and community-based waiver services for persons with mental retardation. Currently, the nonfederal share of the costs of these services is paid by counties. The Act includes a provision for repeal of the extension of the property tax limitation effective April 1, 1995, if an appropriation to fund fully the state participation is not enacted.

Prior law in Section 331.438 is stricken and rewritten. The stricken provision would have established a county maximum for MH/MR/DD services expenditures at the amount expended by counties in FY 1996 and required the state to assume any expenses in excess of that amount beginning with FY 1997. The rewritten provision and new Sections 331.439 and 331.440 establish a framework for revising the funding and delivery of the services and the role of the state concerning county-paid services.

A formula is provided for state funding of a portion of the expenditure increase for those counties that meet certain reporting, planning and service implementation requirements. In the formula, FY 1994 is established as base year for county MH/MR/DD expenditures. In succeeding fiscal years, beginning with FY 1997, a county that meets all of the requirements is eligible for a state payment in an amount determined by the formula. According to the formula, the amount of state payment is 50 percent of the amount by which a county's MH/MR/DD services expenditures in the immediately preceding fiscal year exceeded the amount of the county's base year expenditures. The statute notes that the actual amount of the state payment may be modified subject to the actual appropriation to fund the state payment. However, if an appropriation is not provided to fund fully the state payment provision for FY 1997, the second year of the property tax limitation extension is repealed effective April 1, 1996.

The eligibility requirements for state payment include the following: the county reports its previous fiscal year's MH/MR/DD services expenditures by October 15; the county must implement a single entry point process for its delivery of the services; the county must implement a county management plan for the services that complies with administrative rule requirements and is approved by the Director of Human Services; for mental health services, the management plan must provide for a contract with a state-approved managed mental health care contractor or comparable system and for FY 1996, this part of the plan must be submitted by March 1, 1995; for mental retardation and developmental disabilities, the county must describe its efforts to investigate the development of managed care for these services. Any changes to an approved plan must be submitted to the director for approval at least 60 days prior to implementation.

The single entry point process for delivery of services may include a clinical assessment process to identify a person's service needs and to make recommendations regarding a person's plan for services. The Department of Human Services is to seek federal approval as necessary for the processes to be eligible for Medicaid coverage. Counties must implement a single entry point process to be eligible for state payment and are authorized to implement the process beginning with FY 1995.

The Act also creates a state-county management committee to make recommendations for joint state and county planning, implementing and funding of MH/MR/DD services, for fiscal and accountability controls, for management plans, and for ensuring that eligible persons have access to appropriate services. This committee includes representatives of the county and state, service providers, consumers and advocates, and the General Assembly. The committee is to make detailed recommendations regarding the single entry point process and other requirements for state payment to counties, recommend other service-related rules, collect information, identify the fiscal impact of proposed legislation and administrative rules, and perform other duties concerning MH/MR/DD services. For many of the provisions requiring administrative rules, the rules are to be adopted by the Council on Human Services from recommendations developed by the committee.

Senate File 2330 (See Appropriations) includes an appropriation of approximately \$295,000 to the Department of Human Services for technical assistance staffing to counties and other support relating to the provisions of this Act.

The Act extends by two years the limitation on the amount of property tax dollars that a county may collect from property tax levies. The original limitation applies to both cities and counties and applies only to FY 1994 and FY

1995. The extension of the limitation applies only to counties and extends to FY 1996 and FY 1997. In the extension of the limitation, a new exception is provided for levies made for hazardous substance teams. As indicated previously in this summary, the Act includes repeals of the extension in the event that appropriations are not made to fund the provisions for state financial participation in MII/MR/DD services as specified in the Act.

**NATURAL RESOURCES AND OUTDOOR RECREATION**

- SENATE FILE 2049** - Use of Mobile Radio Transmitters for Hunting
- SENATE FILE 2071** - Fur-Bearing Animals and Other Wildlife
- SENATE FILE 2206** - Nonresident Deer and Turkey Hunting Licenses
- HOUSE FILE 2126** - Deer and Wild Turkey Hunting Licenses

**RELATED LEGISLATION**

- SENATE FILE 2086** - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes corrections in areas pertaining to natural resources and outdoor recreation, including changes directed as a result of legislation enacted in 1993 pertaining to certain trust funds, such as the Public Outdoor Recreation and Resources Fund.
- SENATE FILE 2330** - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters  
*SEE APPROPRIATIONS.* Divisions II and III of this Act contain provisions affecting natural resources by making appropriations for specific purposes and allocating lottery revenues to the General Fund of the State rather than the CLEAN Fund.
- HOUSE FILE 2099** - Natural Resources Motor Vehicle Registration Plates  
*SEE TRANSPORTATION.* This Act provides for the issuance of special natural resources license plates. The Act further directs that a portion of the fees assessed to receive a special natural resources plate shall be deposited in the Iowa Resources Enhancement and Protection Fund. The Act takes effect on January 1, 1995.

## NATURAL RESOURCES AND OUTDOOR RECREATION

### **SENATE FILE 2049 - Use of Mobile Radio Transmitters for Hunting**

BY BOSWELL. This Act defines one-way and two-way mobile radio transmitters and prohibits the use of a two-way mobile radio transmitter to communicate the location or direction of game or fur-bearing animals, except coyotes, or to coordinate the movement of other hunters. However, during shotgun deer season, a two-way mobile radio transmitter shall not be used for any hunting.

A one-way mobile radio transmitter may be used by a licensed falconer to recover free-flying birds of prey that are properly banded and permitted. A one-way mobile radio transmitter may also be used by a person hunting with the aid of a dog to track or recover the dog.

The scheduled fine for violations is increased from \$25 to \$50.

### **SENATE FILE 2071 - Fur-Bearing Animals and Other Wildlife**

BY FINK. This Act amends the requirement that a person taking a fur-bearing animal out of season to protect public or private property must obtain prior written permission of a conservation officer. Permission is required to take fur-bearing animals unless it is impractical or impossible to obtain the permission. The Act also provides for the disposal of illegally taken animals.

### **SENATE FILE 2206 - Nonresident Deer and Turkey Hunting Licenses**

BY COMMITTEE ON NATURAL RESOURCES. This Act increases the number of annual wild turkey licenses that may be issued to nonresident hunters from 600 to 2,000 and increases the number of annual deer licenses that may be issued to nonresident hunters from 1,200 to 5,000. The additional revenue derived from nonresident deer and turkey licenses is to be used to employ additional conservation officers in nonsupervisory positions until 99 conservation officers are employed in that capacity.

The Act takes effect December 15, 1994, and applies to the issuance of licenses in 1995 and subsequent years.

### **HOUSE FILE 2126 - Deer and Wild Turkey Hunting Licenses**

BY KREIMAN. This Act amends the definition of tenant, which is contained in the Code section pertaining to the issuance of certain hunting and fishing licenses, to include a person who is a member of the landowner's family. The Act allows a member of the landowner's family, who is a tenant and residing on the farm unit, to receive free deer and wild turkey licenses for the farm unit.

**STATE GOVERNMENT**

- SENATE FILE 2013** - South Africa-Related Deposits and Investments
- SENATE FILE 2086** - Substantive Code Corrections
- SENATE FILE 2089** - Iowa Communications Network
- SENATE FILE 2109** - Temporary Licensure of Nurses
- HOUSE FILE 2070** - State Fire Marshal
- HOUSE FILE 2120** - State Employees Disability Insurance Program
- HOUSE FILE 2124** - Nonsubstantive Code Corrections
- HOUSE FILE 2309** - Contact Lenses and Spectacle Lenses
- HOUSE FILE 2387** - Licensing of Athletic Trainers
- HOUSE FILE 2418** - Public Retirement Systems

**RELATED LEGISLATION**

- SENATE FILE 2034** - Human Services — Family Investment Program — Emergency Social Services  
*SEE HUMAN SERVICES.* This Act relates to Department of Human Services provisions in the Iowa Code involving the Family Investment Program (formerly known as Aid to Families with Dependent Children) and federal flood relief supplemental social services block grant funds.
- SENATE FILE 2038** - Destruction of Transportation Department Records  
*SEE TRANSPORTATION.* This Act permits the Department of Transportation to destroy records relating to certain old license suspensions and, after 12 years, records pertaining to arrests or convictions for operating while intoxicated.
- SENATE FILE 2053** - Prescriptions by Certain Registered Nurses  
*SEE HEALTH & SAFETY.* This Act provides that a registered nurse who is licensed and registered as an advanced registered nurse practitioner and who qualifies for and is registered in a recognized nursing specialty may prescribe substances or devices, including controlled substances or devices, if the nursing specialty is regulated under rules adopted by the Board of Nursing in consultation with the Board of Medical Examiners and the Board of Pharmacy Examiners.
- SENATE FILE 2203** - Health Care Facilities — Classifications of Care  
*SEE HUMAN SERVICES.* This Act provides an exemption from general requirements applying to health care facilities for adult day care services and an exemption from select provisions applying to health care facilities for respite care services provided through admission to a nursing facility, an intermediate care facility for the mentally ill, an intermediate care facility for the mentally retarded, or a residential care facility. The Act authorizes the Department of Inspections and Appeals to adopt rules to implement these provisions and provides for the establishment of special classifications of facilities, including residential facilities for persons with mental illness and nursing facilities for the care of persons who suffer from chronic confusion or a dementing illness.
- SENATE FILE 2218** - Appropriations — Regulatory Bodies  
*SEE APPROPRIATIONS.* This Act makes appropriations to regulatory bodies of state government, including the Auditor of State; the Campaign Finance Disclosure Commission; the Department of Employment Services; the Department of Inspections

and Appeals; the Office of the State Public Defender; the Public Employment Relations Board; the Department of Commerce, including the divisions of Professional Licensing and Regulation, Administrative Services, Alcoholic Beverages, Banking, Credit Union, Insurance, and Utilities; and the Racing and Gaming Commission.

- SENATE FILE 2221** - Water Treatment Operator Certification Fees  
*SEE ENVIRONMENTAL PROTECTION.* This Act authorizes the Department of Natural Resources to retain the fees charged for the certification and examination of persons who supervise the operation of water treatment plants and water distribution systems and to use the moneys for administration of the certification program rather than the current practice of depositing the moneys in the General Fund of the State.
- SENATE FILE 2229** - Appropriations — State Departments and Agencies  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Offices of Governor and Lieutenant Governor, Secretary of State, Treasurer of State, the Department of General Services, the Department of Management, the Department of Personnel, the Department of Revenue and Finance, and other state agencies and state purposes.
- SENATE FILE 2230** - Judicial Department — Facilities — District Associate Judges  
*SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE.* This Act extends the ceiling on the formula for appointment of additional district associate judges and permits the payment of office expenses for court of appeals judges with offices outside of Polk County.
- SENATE FILE 2242** - Ethics in Government — Miscellaneous Provisions  
*SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.* This Act makes a variety of both substantive and technical changes in the ethics chapter, Chapter 68B, and makes conforming technical changes in various other provisions of the Code. Several of the gift law provisions are amended and a new gift law exclusion is added for actual registration costs for informational meetings or sessions that assist a public official or public employee in the performance of the person's official functions. The provision relating to the filing of complaints with the Ethics and Campaign Disclosure Board regarding ethics violations is amended to specify that the complaints must pertain to persons holding a state office in the executive branch of state government, an employee of the executive branch of state government, or a lobbyist or a client of a lobbyist of the executive branch of state government. Several changes are also made regarding the filing of personal financial disclosure reports by candidates, cancellation of lobbyists registration statements, and the lobbyists lobbying activities reports.
- SENATE FILE 2244** - Workers' Compensation Mediation — Confidentiality  
*SEE LABOR & EMPLOYMENT.* This Act provides that information provided to a mediator attempting to resolve a workers' compensation case is confidential and not subject to disclosure.
- SENATE FILE 2276** - Multistate Life and Health Insurance Resolution Facility  
*SEE BUSINESS, BANKING & INSURANCE.* This Act creates a new Chapter 508D and authorizes the formation of a legal entity by one or more state life and health insurance guaranty associations for administering and disposing of the business of impaired or insolvent insurance companies.
- SENATE FILE 2288** - Family Investment and JOBS Programs and Related Matters  
*SEE HUMAN SERVICES.* This Act contains an amendment to include legislative members as part of the state Council on Human Investment, which performs various planning activities for state government.
- SENATE FILE 2311** - Mental Health and Developmental Disabilities  
*SEE HUMAN SERVICES.* This Act relates to services and statutory provisions

involving mental health and persons with mental illness, mental retardation or other developmental disability, or brain injury, and includes provisions changing the names of the Division of Mental Health, Mental Retardation, and Developmental Disabilities of the Department of Human Services and the Mental Health and Mental Retardation Commission to the Division of Mental Health and Developmental Disabilities and the Mental Health and Developmental Disabilities Commission, respectively. In addition, the Act includes other provisions concerning the duties and memberships of the division and the commission.

- SENATE FILE 2313** - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and includes appropriations-related provisions involving the Council on Human Investment.
- SENATE FILE 2318** - State Budget Processes  
*SEE APPROPRIATIONS.* This Act relates to state budget processes and includes requirements for certain types of appropriation reversions, revises provisions relating to the Revenue Estimating Conference and the state General Fund Expenditure Limitation, applies a limitation on interdepartmental transfers, and affects state practices for payment of obligations in accordance with generally accepted accounting principles (GAAP).
- SENATE FILE 2329** - Appropriation for Iowa Communications Network  
*SEE APPROPRIATIONS.* This Act appropriates \$5.6 million to the Iowa Communications Network Fund for FY 1995. The Act provides that upon appropriation of the funds to the Iowa Communications Network Fund, the Iowa Telecommunications and Technology Commission (established in S.F. 2089) is to immediately transfer the amount to a separate fund in the State Treasurer's Office to be used solely for making a payment on the principal amount of the certificates of participation issued for the Iowa Communications Network. This appropriation is in addition to other amounts appropriated to the network fund, including the \$5 million standing appropriation contained in Section 18.137.
- HOUSE FILE 109** - Legislative Redistricting Standards  
*SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.* This Act lowers the priority of the standard that requires legislative district boundaries to follow congressional district lines.
- HOUSE FILE 2003** - Child Day Care  
*SEE HUMAN SERVICES.* This Act relates to child day care and includes provisions requiring the State Fire Marshal to apply school building standards to a building owned or leased by a school district or nonpublic school and used as a child day care facility.
- HOUSE FILE 2033** - Minimum School Day  
*SEE EDUCATION.* This Act requires the State Board of Education to define the minimum school day and include time spent on parent-teacher conferences as instructional time.
- HOUSE FILE 2145** - Public Health — Miscellaneous Provisions  
*SEE HUMAN SERVICES.* This Act exempts certain substance abuse programs from the licensing requirements of Chapter 125, changes reporting deadlines for substance abuse programs, changes the definition of brain injury for various purposes, requires immunization of certain children for haemophilus influenza b, increases the fees for vital records services provided by clerks of the district court to be consistent with State Registrar fees, and extends the date for the repeal of Chapter 145, providing for the Health Data Commission, from July 1, 1994, to July 1, 1996.

- HOUSE FILE 2337** - Agricultural Development and Rural Revitalization  
*SEE ECONOMIC DEVELOPMENT.* This Act provides for the production and consumption of products derived from agricultural commodities, establishing and funding programs administered by the Department of Economic Development and the Department of Agriculture and Land Stewardship. The Act also amends a number of provisions requiring state agencies to purchase vehicles using alternative fuel sources.
- HOUSE FILE 2350** - Appropriations — Justice System  
*SEE APPROPRIATIONS.* This Act makes appropriations to several departments involved in the justice system, including the Department of Justice, the Board of Parole, the Department of Corrections, and the Judicial Department, and contains statutory and intent language pertaining to related matters, including an increase in state funding for the Judicial Retirement System.
- HOUSE FILE 2354** - Health Care Facilities — Medication Aides  
*SEE HEALTH & SAFETY.* This Act requires the Department of Inspections and Appeals to establish a procedure and adopt rules that allow a medication aide who is certified in another state to be certified in Iowa upon completion and passage of both the Certified Nurse Aide and Certified Medication Aide Challenge Examination, without additional requirements for certification, including, but not limited to, any required employment in Iowa prior to certification.
- HOUSE FILE 2366** - Reapportionment, Redistricting, and Reprecincting  
*SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.* This Act amends a variety of Code sections relating to reapportionment, redistricting and reprecincting and applies to state and certain political subdivisions.
- HOUSE FILE 2403** - Targeted Businesses  
*SEE ECONOMIC DEVELOPMENT.* This Act adds to the definition of "targeted small business," provides a development initiative for entrepreneurs with disabilities, and provides for the direct purchase from vendors by state agencies under certain circumstances.
- HOUSE FILE 2407** - Collection of Child Support  
*SEE HUMAN SERVICES.* This Act provides a procedure for initiation of levies against the bank accounts of child support obligors and other account holders of interest against whom a support obligation is being enforced by the child support recovery unit, if support is delinquent in an amount equal to the support payment for one month. The Act also provides that if a support obligor is in arrears and is held in contempt of court for failure to provide support, the court may enjoin the obligor from engaging in the exercise of any activity governed by a license.
- HOUSE FILE 2429** - Compensation for Public Employees  
*SEE APPROPRIATIONS.* This Act relates to and appropriates moneys to fund salary adjustments for state-appointed, nonelected officers, justices, judges, magistrates, employees subject to collective bargaining agreements, and noncontract employees.
- HOUSE FILE 2430** - County Property Taxes and Mental Health Financing  
*SEE LOCAL GOVERNMENT.* This Act relates to the limitation on county expenditures for mental health, mental retardation and developmental disabilities (MH/MR/DD) services and the provision of those services, provides for increasing state participation in the funding of those services, and extends the limitation on the amount that a county may collect from designated property tax levies. The Act includes creation of a permanent state-county management committee in the Department of Human Services to perform various duties associated with MH/MR/DD services.

- HOUSE FILE 2433** - Appropriations — Claims Against the State  
*SEE APPROPRIATIONS.* This Act provides for the payment of two claims against the state and for disapproval of all other claims submitted and considered by the Joint Appropriations Subcommittee on Claims as of April 14, 1994.
- HOUSE FILE 2435** - Local Government Flood Damage Loan Program  
*SEE BONDING & DEBT FINANCE.* This Act creates a state loan program for 1993 flood damage and prevention.
- H. J.R. 2007** - Annual Meeting of Adjutants General Association  
*SEE ALCOHOL REGULATION & SUBSTANCE ABUSE.* This Act authorizes the Adjutants General Association of the United States to use and consume alcoholic beverages at a social event to be held at the State Capitol between May 22, 1994, and May 25, 1994. Current law and rules would prohibit the use and consumption of alcoholic beverages within the Capitol Complex.

## STATE GOVERNMENT

### **SENATE FILE 2013 - South Africa-Related Deposits and Investments**

BY COMMITTEE ON STATE GOVERNMENT. This Act repeals Chapter 12A, pertaining to restrictions on South Africa-related investments and deposits by certain public institutions, and amends corresponding provisions in the Code.

The Act takes effect February 1, 1994.

### **SENATE FILE 2086 - Substantive Code Corrections**

BY COMMITTEE ON JUDICIARY. This Act adopts miscellaneous Code corrections that are more substantive in nature, and which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities. Many of the changes in the Act pertain to a directive contained in 1993 Iowa Acts, Chapter 131, which required the Code Editor to include in the Code Editor's bill coordinating amendments to the legislation contained in H.F. 669, which was passed during the 1993 Regular Session. House File 669 made permanent the requirement that certain moneys, which were formerly segregated in special-purpose accounts or funds, be credited and deposited in the General Fund of the State. Under this Act, the moneys must still only be used for the designated purposes, even though the moneys are deposited in the General Fund of the State. The provisions in the Act pertaining to the Gambler's Assistance Fund and revenues from the state lottery and excursion boat gambling for the fund were amended and repealed by S.F. 2330 (Sec Appropriations), due to inconsistencies with other legislation enacted pertaining to the Gambler's Assistance Fund.

### **SENATE FILE 2089 - Iowa Communications Network**

BY COMMITTEE ON COMMUNICATIONS AND INFORMATION POLICY. This Act amends Iowa Code sections pertaining to the Iowa Communications Network (ICN) and establishes the Iowa Telecommunications and Technology Commission, an education telecommunications council and regional councils, expands the definition of authorized users, and makes other changes related to the operation of the network. The Act directs the Iowa Code Editor to transfer Sections 18.132 through 18.137 of the Code to be a new Chapter 8D.

The Act expands the definitions of public and private agencies to include a hospital or physician clinic, an institution under the control of the State Board of Regents, the Judicial Department, a judicial district department of correctional services, an agency of the federal government, and a United States post office that receives a federal grant for pilot and demonstration projects.

The Act establishes the Iowa Telecommunications and Technology Commission, which is charged with the sole authority to supervise the management, development and operation of the network. The commission is directed to ensure that educational users and applications be given the highest priority with respect to the network. The commission is composed of three members appointed by the Governor and confirmed by the Senate. The commission is also directed to develop and issue all requests for proposals for any construction, installation, repair, maintenance, or equipment and parts necessary for the network. The commission is required to deliver a written report and all proposals submitted in response to a request for proposals to construct Part III of the network no later than January 1, 1995. The commission is prohibited from entering into any agreement related to the proposals without prior approval by the General Assembly and the Governor. In addition to its other duties, the commission must annually prepare a written five-year financial plan for the network, including estimates for income and expenses for the network for the five-year period and the actual income and expenses for each preceding fiscal year.

The commission is directed to appoint an executive director of the commission, subject to Senate confirmation. The executive director is to be selected primarily for administrative ability and knowledge in the field of telecommunications.

An 18-member Education Telecommunications Council is established for the purposes of establishing scheduling and site usage policies, coordinating the activities of the regional telecommunications councils, and developing proposed rules and changes to rules for recommendation to the commission. The members of the council must be

selected by various organizations representing educational interests. The Act also establishes a nine-member regional telecommunications council in each merged area.

The Act directs the commission to establish an advisory group to examine the use of the network for telemedicine applications, and authorizes the commission to establish other advisory groups as necessary. The Act also establishes a telecommunications advisory committee to advise the commission on telecommunications matters.

The Act requires all Regents institutions, community colleges, private colleges, and area education agencies to certify to the commission no later than July 1, 1994, that they are a part of or intend to become a part of the network. An entity that provides such certification is to use the network for all video, data and voice requirements of the entity unless granted a waiver from the commission. The commission is to provide for the connection of the certifying entity as soon as practical.

The Act provides that a state agency that is a part of the network is to provide annually a written report of savings realized as a result of the agency's use of the network to the General Assembly.

The Act prohibits the commission from entering into contracts for the purchase, lease-purchase, lease, or improvement of property, equipment or services for telecommunications in an amount greater than \$500,000 without the prior authorization by a constitutional majority of each house of the General Assembly, or approval by the Legislative Council, if the General Assembly is not in session. The commission is also prohibited from disposing of the network without the prior authorization by a constitutional majority of the Senate and House of Representatives, and approval by the Governor.

The Act provides that the educational telecommunications system consists of Parts I, II and III, and that the financing for the procurement costs for state agency connections and connections for Parts I, II and III, except for the connections for Regents institutions, is to be provided by the state.

The Act directs the commission to permit a site usage fee to be charged by a receiving site to the originating site for the purpose of recovering unreimbursed operating costs of the receiving site. The Act exempts a public utility from regulation by the Iowa Utilities Board for purposes of telecommunications services or facilities provided by the utility to the commission for the network or to any authorized user of the network for the authorized user's connection.

The Act requires that the state lease all fiber optic cable facilities for Part III connections for which state funding is provided. The state is prohibited from owning such facilities, except for those owned as of January 1, 1994. The lease provisions do not apply to a school district that elects to provide 100 percent of the financing for the district's connection.

The Act directs the Auditor of State to examine the financial condition and transactions of the commission at least annually. Access must be offered to the Judicial Department and the judicial district departments of correctional services, provided they contribute an amount consistent with their share of use for the part of the system in which they participate, as determined by the commission. The Act also provides that access is to be offered to hospitals and physician clinics for the purpose of developing a comprehensive, statewide telemedicine network, to agencies of the federal government, and United States post offices, provided that such entities are responsible for all costs associated with becoming part of the network.

The Act eliminates the Narrowcast System Advisory Committee under the Iowa Public Broadcasting Board.

The Act provides that the Iowa Telecommunications and Technology Commission is to develop a written proposal to be submitted to the Governor relating to the structure and organization of the commission. The proposal is to identify positions that exist in state departments or agencies directly related to the duties and mission of the commission and recommend that these positions be transferred to the commission. Upon approval by the Governor, the Department of Management is to transfer funds to the commission from the department or agency from which the position was transferred.

The Act provides that a K-12 school district may certify in writing to the commission on or before July 1, 1994, that the district has a full motion interactive video system which is fully compatible with the network. Upon a determination by the commission that the district's system is fully compatible, access shall be permitted as soon as practical.

The commission is required to evaluate and develop a cost-benefit analysis concerning the use of video conferencing by area education agencies. The Iowa Utilities Board is directed to conduct a study determining the overall impact of the network on the private telecommunications industry in Iowa.

The Act provides that the ICN chief executive is to perform all duties of the commission until the commission is appointed and has organized itself. The Act directs the Iowa Code Editor to transfer Sections 18.132 through 18.137 to a new Chapter 8D.

The Act takes effect May 18, 1994.

**SENATE FILE 2109 - Temporary Licensure of Nurses**

BY COMMITTEE ON HUMAN RESOURCES. This Act eliminates temporary licensure of nursing examinees based upon examinations, but retains the provision for issuance of temporary licensure based upon endorsement. The Act allows the Board of Nursing to determine the length of time a temporary license is in effect for an individual applying for licensure through endorsement.

**HOUSE FILE 2070 - State Fire Marshal**

BY COMMITTEE ON STATE GOVERNMENT. This Act contains numerous provisions pertaining to the administrative activities of the State Fire Marshal. The Act strikes procedures providing for the State Fire Marshal or local authorities to issue orders requiring removal or repair of premises, as well as the review procedure for those orders in which the State Fire Marshal undergoes a self-review process. The Act also repeals provisions pertaining to hearings upon review, as well as a provision that upon judicial review, notwithstanding Chapter 17A, a petition may be filed in the district court where the building is located. The Act further repeals a provision pertaining to bonds upon judicial review, which provides that upon filing a \$100 bond, any order subject to the review is suspended during the proceeding. The Act further repeals a section that requires the State Fire Marshal to establish a data filing system utilizing fire hazard analysis. The Act repeals a section authorizing officials to demolish or repair a building upon failure to comply with an order, in which case, expenses, as well as a 25 percent penalty, are assessed. The Act further repeals a review procedure concerning the assessment and a section pertaining to the entry of the assessment as a special charge against the real estate.

The Act replaces the stricken provisions by establishing procedures for the entry of orders by the State Fire Marshal, the chief of any fire department, or the fire prevention officer of a fire department organized under Chapter 400. The Act requires the orders to state a reasonable time for compliance, and authorizes a person to contest the order in accordance with Chapter 17A. The Act permits the State Fire Marshal to issue emergency orders without notice or hearing. These orders are immediately effective, unless or until modified, vacated, or stayed through administrative hearing or by the district court. The Act authorizes the county attorney to institute legal actions for enforcement on behalf of the State Fire Marshal, and provides that injunctive relief may be sought. Under the Act, if an enforcement action has been instituted, all related issues that could otherwise be raised in a proceeding for judicial review shall be raised in the enforcement action. The Act also contains a provision similar to one in the prior law, pertaining to payment of costs in a judicial review proceeding, which assesses costs against an unsuccessful party. The Act changes a reference to fire extinguishers that are required for school buildings. The Act eliminates the previous procedure pertaining to rulemaking concerning the State Building Code, and inserts the rulemaking provisions of Chapter 17A.

**HOUSE FILE 2120 - State Employees Disability Insurance Program**

BY SCHRADER. This Act pertains to benefits payable under the State Employees Disability Insurance Program. Under the program, monthly disability benefits are reduced by primary and family Social Security. The Act specifies that "primary and family Social Security" shall not include Social Security benefits awarded to a disabled adult child of a disabled state employee if the Social Security benefits were awarded to the disabled adult child prior

to the approval of the state employee's benefits under the program, regardless of whether the United States Social Security Administration records the benefits to the Social Security number of the disabled adult child, the disabled state employee, or any other family member, and such benefits shall not reduce benefits payable under the State Employees Disability Insurance Program.

The Act takes effect March 31, 1994, and applies retroactively to July 1, 1990.

**HOUSE FILE 2124 - Nonsubstantive Code Corrections**

BY COMMITTEE ON JUDICIARY AND LAW ENFORCEMENT. This Act makes Code changes and corrections that are considered to be nonsubstantive and noncontroversial, in addition to style changes.

**HOUSE FILE 2309 - Contact Lenses and Spectacle Lenses**

BY COMMITTEE ON STATE GOVERNMENT. This Act provides that only a person in possession of a prescription written by a person licensed under Chapter 148, 150, 150A, or 154 may dispense or adapt contact lenses or spectacle lenses. Individuals licensed under these chapters shall provide a patient with a copy of the patient's prescription at no cost after the completion of an eye examination for spectacle lenses or for contact lenses, upon the patient's request, and for contact lenses after the contact lenses have been adequately adapted and the patient released from initial follow-up care. A prescriber may give a contact lens prescription orally to a person licensed under Chapter 148, 150, 150A, 154, or 155A. The prescription for contact lenses shall have a maximum 18-month expiration date. Information required on the prescription shall be established by rule.

A simple misdemeanor penalty applies for the first violation of the Act's provisions. Subsequent violations fall under Section 147.86, which provides for a serious misdemeanor penalty.

Section 154.9, which provides that optometrists provide prescriptions for ground ophthalmic lenses, is repealed.

**HOUSE FILE 2387 - Licensing of Athletic Trainers**

BY COMMITTEE ON STATE GOVERNMENT. This Act provides for the voluntary licensing of athletic trainers through the Iowa Department of Public Health. House File 2387 establishes an Athletic Trainer Advisory Board composed of seven members, appointed by the Governor and subject to confirmation by the Senate, to consult with the department in establishing requirements for licensure, collection of fees, revocation, renewal, and reciprocity. The authorized practice of athletic training is to be carried out only under the supervision of a licensed physician and the practice of physical reconditioning is to be carried out only through the oral or written orders of a physician or physician's assistant. A violation of a provision of the Act is punishable as a simple misdemeanor.

Other licensed health care practitioners are exempt from the provisions of the Act, as well as students of athletic training and elementary or secondary school teachers, coaches or authorized volunteers.

**HOUSE FILE 2418 - Public Retirement Systems**

BY COMMITTEE ON WAYS AND MEANS. This Act makes numerous changes pertaining to public retirement systems, including the Public Safety Peace Officers' Retirement, Accident and Disability System (PORS, Chapter 97A), the Iowa Public Employees' Retirement System (IPERS, Chapter 97B), the Statewide Fire and Police Retirement System (Chapter 411), and the Judicial Retirement System (Chapter 602, Article 9). The Act also contains changes pertaining to other public employee benefits.

The Act amends provisions contained in Sections 19A.30, 260C.23, 262.21, 273.3, and 294.16, pertaining to the purchase of annuity contracts that qualify for preferential tax treatment under Section 403(b) of the federal Internal Revenue Code. Under the terms of the federal Internal Revenue Code, these annuities are limited to employees of certain public educational organizations and charitable organizations, and the Code sections contained in the Act relate to employees of a state agency, community colleges, the State Board of Regents, area education agencies, and school districts. The Act standardizes each of the Code sections to permit purchase of annuity contracts for retirement or other purposes from any company that the employee chooses that is authorized to do business in the state or through an Iowa-licensed salesperson that the employee selects. The Act specifies that the annuity contracts which may be purchased include custodial accounts that meet the requirements of Section 403(b)(7) of the federal Internal Revenue Code. The Act also makes changes pertaining to the deferred compensation program available to

certain governmental employees pursuant to Section 509A.12. The Act specifies that a governing body or county board of supervisors shall invest in a mutual fund to fund a deferred compensation program for employees upon their request, and standardizes language pertaining to the entities from which investments may be purchased, as provided in the sections of the Act pertaining to the Section 403(b) annuities.

In a provision effective May 16, 1994, the Act permits the surviving spouses of certain eligible retired state employees, who were participating in a state health or medical group insurance plan at the time of death of the eligible retired state employee, to continue that participation upon request. Under the Act, the surviving spouse is required to pay the entire premium. In order to be eligible to participate, the deceased retired state employee must have achieved a certain minimum level of retirement benefits through state employment.

With respect to Iowa's public retirement systems, the Act alters the tax treatment of employee contributions under PORS, IPERS and the Statewide Fire and Police Retirement System, as well as for retirement systems established pursuant to Chapter 294 for teachers in school districts. The Act provides that member contributions under these systems shall be picked up by the employer and shall be considered employer contributions for federal income tax purposes only, as permitted in Section 414(h) of the federal Internal Revenue Code. With respect to PORS, IPERS and the Statewide Fire and Police Retirement System, the federal pretax treatment of member contributions commences January 1, 1995, whereas for those systems established under Chapter 294, federal pretax commences January 1 following the submission by the board of trustees of the system of an application to the federal Internal Revenue Service requesting qualification in accordance with the requirements of the Internal Revenue Code. The Act does not affect the tax treatment of the judges' contributions under the Judicial Retirement System, which are accorded pretax treatment for both federal and state income tax purposes under current law.

In order to comply with requirements of the federal Internal Revenue Code, the Act contains provisions in PORS, IPERS, the Statewide Fire and Police Retirement System, and the Judicial Retirement System, which provide for a member or a member's surviving spouse to elect to have the systems pay all or a portion of an eligible rollover distribution directly to an eligible retirement plan in a direct rollover. These provisions take effect May 16, 1994, and apply retroactively to January 1, 1993.

The Act contains several provisions pertaining to the transfer of certain employees of the Department of Public Safety from IPERS to PORS. The Act transfers arson investigators employed by the Department of Public Safety on or after July 1, 1988, from the IPERS protection occupation classification to PORS. In addition, commencing July 1, 1994, the Act provides that newly hired gaming enforcement officers employed by the Division of Criminal Investigation for excursion boat gambling enforcement activities, newly hired fire prevention inspector peace officers, and newly hired employees of the Division of Capitol Police, except clerical workers, shall be members of PORS. Under the Act, persons employed in these positions prior to July 1, 1994, may elect to transfer to PORS on or before July 1, 1995, or else they shall remain members of IPERS. The Act contains provisions pertaining to the transfer of contributions and the treatment of membership years while included in IPERS.

The Act contains the following provisions that pertain to both the Public Safety Peace Officers' Retirement, Accident and Disability System established in Chapter 97A, as well as to the Statewide Fire and Police Retirement System established under Chapter 411:

1. The Act addresses the issue of persons who are reemployed under the respective chapters after commencing to receive service retirement allowances, by providing that such persons shall not be active members of the systems upon reemployment and that employer and employee contributions shall not be made. The Act provides that such members shall continue to receive service retirement allowances, which shall not be recalculated based upon the reemployment, and specifies that such persons shall be exempt from IPERS. These provisions take effect May 16, 1994, and are retroactive to July 1, 1993.
2. The Act removes references to the medical board providing "ratings" pertaining to members' physical impairment, and refers to provisions pertaining to the report of the medical board, which includes the required findings.

3. The Act codifies several provisions required for qualified plans in accordance with the federal Internal Revenue Code.
4. In provisions which take effect May 16, 1994, and apply retroactively to October 16, 1992, the age 55 cap for credit for additional years of service beyond 22 years is eliminated, and an implementation provision requires the boards of trustees of the systems to develop and implement plans to adjust benefits accordingly.
5. Effective with the fiscal period commencing January 1, 1995, and for subsequent fiscal periods, member contributions are increased by 0.25 percent.
6. In sections that take effect May 16, 1994, and apply retroactively to October 16, 1992, the Act eliminates graduated contribution rates by members who were a certain age on July 1, 1990, and an implementation provision requires the boards of trustees of the systems to develop and implement plans to reimburse members for excess contributions that were paid.
7. House File 2418 requires the board of trustees of each of the systems to submit a report for distribution to the Public Retirement Systems Committee established in Section 97D.4, on or before September 1, 1995, concerning issues related to portability between the two systems.
8. The Act requires the Public Retirement Systems Committee to study the feasibility of increasing the benefits paid to surviving spouses under these two systems, and to submit a report to the General Assembly on or before January 31, 1996, containing its findings and recommendations.

In a section pertaining only to the Statewide Fire and Police Retirement System, the Act strikes a provision that specifies how the offset for workers' compensation or other benefits is accomplished when the amount is less than the amount payable from the funds provided through the retirement system.

House File 2418 contains the following changes, which pertain only to the Iowa Public Employees' Retirement System established in Chapter 97B:

1. With respect to joint planning commissions created under Chapter 28E and certain area agencies on aging, H.F. 2418 clarifies that these entities are employers covered by IPERS, but the Act further provides that employees of an area agency on aging which, as of July 1, 1994, provides for participation by all of its employees in an alternative qualified plan, are excluded from the definition of employees covered by IPERS.
2. The Act contains numerous provisions pertaining to members with periods of service that are terminated prior to vesting. The Act requires the Department of Personnel to combine all periods of service for which the member has made contributions in determining membership service, and provides that if the department has not maintained the member's account for a period of service, the department shall credit the service upon submission of satisfactory proof. House File 2418 changes the period of time after which the department has no obligation to maintain accounts from five to 10 years after termination from employment, and changes corresponding provisions pertaining to the time for claiming a refund. The Act strikes restrictions pertaining to members who leave their contributions in the system, and provides that certain contributions left in the system shall earn interest and interest dividends. The Act applies interest and dividends to certain contributions for periods of service for which a person was not vested when the person terminated covered employment, by providing that if a person subsequently becomes a vested member, the contributions will accumulate interest and dividends from the latter date of either the date that the Department of Personnel determines that these provisions shall be implemented or the date that the member became vested. These provisions take effect July 1, 1995. However, the department shall not implement these sections under the Act until the actuarial valuation of the system indicates that after meeting the priorities of increasing the covered wage by \$3,000 and permitting the partial buy-backs as provided under the Act, the system can absorb the costs within existing contribution rates.

3. The definition of "three-year average covered wage" is amended to provide that when the department determines the third year by combining quarters from different calendar years, the department shall compute the average quarter from all quarters of the member's highest calendar year of covered wages not being used in the selection of the two highest years and use the computed average quarter for each quarter in the third year in which no wages have been reported, in combination with the final quarter or quarters of the member's service, to create a full year. However, the Act does not alter the provision in current law that provides that the department shall not use the member's final quarter if using that quarter would reduce the three-year average covered wage.
4. House File 2418 provides that if an employee joins another publicly maintained retirement system, the member may leave the member's contributions in the IPERS Fund, apply for a refund, or, upon achieving a bona fide retirement from employment with a covered employer or upon reaching age 70, receive retirement benefits.
5. House File 2418 limits the employer's contribution to an alternative retirement benefits system established for community college employees commencing July 1, 1994, to the annual contribution in dollars that the employer would have paid for the employee in IPERS. Under the Act, a member of IPERS who is employed by a community college prior to July 1, 1994, has a period of 18 months from the first day on which coverage commences under the alternative retirement benefits system to elect coverage under that system, or the member shall remain in IPERS. Employees hired on or after July 1, 1994, have 60 days from the commencement of employment to make the election.
6. Commencing July 1, 1994, those employees who may elect to participate in IPERS by filing an application with the department shall have 60 days from the commencement of employment to make the election, if employment commences on or after July 1, 1994, and until July 1, 1995, if the employees were employed prior to July 1, 1994.
7. House File 2418 increases from \$200 to \$600 a year the amount of the retirement allowance for which a member may elect a lump-sum payment in an actuarial equivalent.
8. With respect to the dividends paid to already retired members, the Act extends the dividends paid to the current retiree groups for an additional two years, and increases the dividends to the following amounts: 236 percent of the monthly benefit for the pre-1976 group of retirees; 181 percent of the monthly benefit for the January 1, 1976, through June 30, 1982, group of retirees; and 49 percent of the monthly benefit for the July 1, 1982, through June 30, 1986, group of retirees. These changes result in increases that are approximately 4 percent, 3 percent, and 2 percent of the dividend costs.
9. The Act improves benefits for airport fire fighters employed by the Military Division of the Department of Public Defense. The Act removes these employees from the IPERS protection occupation classification, which provides for retirement with full benefits at age 55 with 25 years of service, and provides that the airport fire fighters may retire under the same formula used for sheriffs and deputy sheriffs, at age 55 with 22 years of service. The Act also contains corresponding statutory changes.
10. Persons employed by the judicial district departments of correctional services as a Probation Officer III or a Parole Officer III are included in the IPERS protection occupation classification under the Act.
11. The Act permits members eligible for "buy-backs" to make contributions for the "buy-backs" in increments of one or more years, effective July 1, 1995, if the most recent actuarial valuation of the system indicates that the costs can be absorbed within existing contribution rates after meeting the priority of increasing the covered wage by \$3,000. If the actuarial valuation does not reflect that the costs may be so absorbed, the Act requires the department to delay implementing the provisions until funds are available. While certain legislative members are allowed under current law in Section 97B.72A, subsection 1, to make contributions for a portion of a period of service, the Act applies the one-year increment limitation to those members effective July 1, 1995, or when the department determines that all of the changes pertaining to partial buy-backs may be implemented. With the

exception of the provisions pertaining to legislative members, current law requires members electing a "buy-back" to make contributions for the entire period of service.

12. The Act strikes a provision permitting former members of the General Assembly with six or more years of service in the General Assembly, or six or more years of service in the General Assembly combined with other covered employment, to make contributions to the system for all or a portion of the period of service in the General Assembly. Members of the General Assembly may still make contributions to the system for prior service under several other provisions of the Code.
13. The Act restricts options pertaining to "buy-ins" for service in other states and in the armed forces effective July 1, 1994, by limiting "buy-in" options to members with membership service within the current calendar year.
14. The Department of Personnel is required under the Act to develop a proposal or proposals and to report the proposals and their costs to the Public Retirement Systems Committee on or before September 1, 1995, with respect to the establishment of a new benefit formula for combining the value of different types of membership service.
15. The Department of Corrections is required under the Act to conduct a study and submit a report for the Public Retirement Systems Committee on or before September 1, 1995, concerning occupational injuries and deaths to persons employed by the Department of Corrections within the correctional institutions who are not members of the protection occupation classification, as well as to persons employed by the judicial district departments of correctional services within community-based correctional facilities and persons employed as Probation Officers I and II and Parole Officers I and II.
16. Numerous other substantive changes to Chapter 97B, which were requested by the Department of Personnel, are contained in the Act.

The Act contains the following provisions pertaining to the Judicial Retirement System established in Chapter 602, Article 9:

1. The Act provides for changes in the way that the state funds the Judicial Retirement System. Previously, the system was funded by a pretax contribution by judges of 4 percent, a state contribution of 3 percent, and the deposit of certain court revenues. House File 2418 does not alter the judges' contributions, but does change the state funding by increasing the state contribution to an amount equal to at least 23.7 percent of the basic salary of judges, effective with the fiscal year commencing July 1, 1994, and for each subsequent fiscal year until the system attains fully funded status. Commencing when the system attains fully funded status and for each subsequent fiscal year, the state shall contribute the required contribution rate established by the actuary by making an appropriation to the Judicial Retirement Fund. The Act prohibits the deposit of court revenues in the Judicial Retirement Fund, and S.F. 413 (See Courts, Civil Law & Procedure, & Probate) removes the dedication of those court revenues to the Judicial Retirement Fund. The state contribution of 23.7 percent is appropriated in H.F. 2350 (See Appropriations). The Act makes corresponding changes related to the determination by the actuary of the required contribution rate.
2. For those judges who first become senior judges on or after July 1, 1994, the Act requires that the senior judge annuity shall be based upon a formula limited to 75 percent of the increase in salary of active judges. The benefits of judges who became senior judges prior to that date are not altered by the Act, and are based upon previous law, which provides for the use of an active judge's entire salary in computing the benefits of a senior judge.
3. The Act requests that the Legislative Council establish a Senior Judge Compensation Task Force to review the services provided by and compensation paid to senior judges.

## TAXATION

- SENATE FILE 2057 - State Taxes — Miscellaneous Provisions
- SENATE FILE 2074 - Taxation of Pension Income of Nonresidents
- SENATE FILE 2133 - Rent Reimbursement Claims for Low-Income Persons
- SENATE FILE 2215 - Internal Revenue Code References and Income Tax Provisions
- SENATE FILE 2322 - State Taxation of Little Cigars — VETOED BY THE GOVERNOR
- HOUSE FILE 2102 - Sales and Use Tax Exemption for Medical Devices
- HOUSE FILE 2204 - Tax Increment Financing for Urban Renewal and New Jobs Training
- HOUSE FILE 2413 - Disclaimer of Homestead Tax Credit
- HOUSE FILE 2419 - State Tax Procedures, Practices, and Penalties
- HOUSE FILE 2421 - Claims for Property Tax Credits and Exemptions
- HOUSE FILE 2426 - Property Tax Exemption for Certain Institutions in Certain Counties

## TAXATION

- SENATE FILE 2086 - Substantive Code Corrections  
*SEE STATE GOVERNMENT.* This Act contains Code corrections that are substantive in nature, and includes numerous corrections in areas pertaining to taxation.
- SENATE FILE 2190 - Mobile, Modular, and Manufactured Homes — Taxation and Other Matters  
*SEE LOCAL GOVERNMENT.* This Act relates to the regulation, location and taxation of mobile homes, modular homes and manufactured homes.
- SENATE FILE 2313 - Appropriations — Human Services  
*SEE APPROPRIATIONS.* This Act makes appropriations to the Department of Human Services and includes a provision to authorize use of moneys deposited in the Child Day Care Credit Fund for state child care assistance.
- SENATE FILE 2330 - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters  
*SEE APPROPRIATIONS.* Division I of this Act creates a Special Olympics Fund under the control of the Department of Management; establishes an annual appropriation to the Special Olympics Fund of \$20,000, beginning with FY 1995; and repeals the \$5,000 appropriation in S.F. 2229 (See Appropriations), the Administration Appropriations Act, to the Special Olympics Fund for FY 1995; repeals the income tax refund checkoff that benefited the United States Olympic Committee; and repeals contingent effective language relating to the Iowa State Fair income tax refund checkoff and future income tax refund checkoffs, which repeal is retroactive to January 1, 1993, thus reaffirming the operation of the State Fair checkoff beginning with calendar year 1993.
- HOUSE FILE 2070 - State Fire Marshal  
*SEE STATE GOVERNMENT.* This Act contains several provisions pertaining to the administrative activities of the State Fire Marshal, including the repeal of a section authorizing officials to demolish or repair a building upon failure to comply with an order, in which case expenses, as well as a 25 percent penalty, are assessed; and the repeal of a review procedure concerning the assessment and a section pertaining to the entry of the assessment as a special charge against the real estate.

- HOUSE FILE 2116** - City Emergency Medical Services Districts  
*SEE LOCAL GOVERNMENT.* This Act permits a city to establish a city emergency medical services district similar to a benefited emergency medical services district for an unincorporated area to be funded by an additional property tax levy.
- HOUSE FILE 2180** - Quality Jobs Enterprise Zones — New Jobs and Income Program  
*SEE ECONOMIC DEVELOPMENT.* This Act provides economic development assistance, including property and income tax incentives, to businesses by creating the New Jobs and Income Program and providing for the establishment of quality jobs enterprise zones.
- HOUSE FILE 2418** - Public Retirement Systems  
*SEE STATE GOVERNMENT.* This Act contains numerous changes pertaining to Iowa's public retirement systems, including changes to require the federal pretax treatment of employee contributions under certain systems, changes necessary to provide for certain systems to become qualified plans pursuant to the federal Internal Revenue Code, and provisions pertaining to direct rollovers of distributions from members' accounts.
- HOUSE FILE 2428** - Agricultural Commodity Organizations  
*SEE AGRICULTURE.* This Act amends a number of Iowa Code chapters relating to organizations established by the Code and authorized to collect and spend moneys assessed on the sale of agricultural commodities on behalf of agricultural producers.
- HOUSE FILE 2430** - County Property Taxes and Mental Health Financing  
*SEE LOCAL GOVERNMENT.* This Act relates to the limitation on county expenditures for mental health, mental retardation and developmental disabilities (MH/MR/DD) services and the provision of those services, provides for increasing state participation in the funding of those services, and extends by two years the limitation on the amount that a county may collect from designated property tax levies.

## TAXATION

### SENATE FILE 2057 - State Taxes — Miscellaneous Provisions

BY COMMITTEE ON WAYS AND MEANS. This Act does the following:

- ♦ Makes changes in the procedures, requirements and liability relating to the imposition and collection of state taxes and state refunds and credits.
- ♦ Authorizes employment of collection agencies to collect delinquent accounts owed any state agency.
- ♦ Imposes personal liability on members and employees of limited liability companies in the same way as for an individual who is a partner for sales, use, motor fuel, and income taxes (applies retroactively to July 1, 1993).
- ♦ Authorizes the waiver of penalty for failure to timely pay the tax required if payment by electronic funds transfer is delayed.
- ♦ Eliminates the requirement for displaying of permits and licenses issued by the Department of Revenue and Finance.
- ♦ Provides for the cancellation of outstanding warrants at the end of each month.
- ♦ Disallows the limited capital gain deduction in computing net operating loss or disallows the deduction in the year the net operating loss is deducted (applies retroactively to January 1, 1994, for net operating losses occurring after that date).
- ♦ Requires withholding from pension distributions to the extent withheld at the federal level (applies retroactively to January 1, 1994, for distribution from qualified pension plans made on or after that date).
- ♦ Limits the amount of income tax withholding of bonus-type payments made to 6 percent (applies retroactively to January 1, 1994, for tax years beginning on or after that date).
- ♦ Allows the Director of Revenue and Finance to compromise claims for tax refunds.
- ♦ Allows the department to file a distress warrant or receive a search warrant immediately upon issuance of the distress warrant for tax assessments in jeopardy of being removed or hidden.
- ♦ Prohibits Department of Revenue and Finance employees from preparing tax returns for individuals during regular working hours, except if it is part of an audit or is in connection with assistance requested by the taxpayer.
- ♦ Authorizes witness fees and mileage for those subpoenaed to attend Department of Revenue and Finance hearings.
- ♦ Provides that married taxpayers who file joint returns or separately on the combined return are jointly and severally liable for tax liabilities on the returns unless the spouse is considered an innocent spouse under federal law (applies retroactively to January 1, 1994, for tax years beginning on or after that date).
- ♦ Subjects limited liability companies to the state corporate income tax.
- ♦ Eliminates the definition of "mixed municipal solid waste" for sales tax purposes and taxes separately those items that would be taxed under that definition.
- ♦ Requires retailers providing taxable services to keep records of sales up to five years.
- ♦ Deletes the requirement that a low-income person must occupy the homestead for six months in the fiscal year for which the person was to receive the additional homestead credit (effective January 1, 1995, for claims filed on or after that date).
- ♦ Makes failure to file or falsely filing an inheritance tax return or failure to pay the tax due a fraudulent practice, and makes an attempt to evade inheritance tax an aggravated misdemeanor.
- ♦ Provides that low-income persons owning mobile homes must be at least 23 years old to qualify for property tax relief (effective January 1, 1995, for claims filed on or after that date).
- ♦ Provides for the court to determine reasonable attorney fees for probate proceedings for purposes of inheritance tax liability deductions (applies to the estates of decedents dying on or after July 1, 1994).
- ♦ Exempts from use tax those services subject to sales tax.

### SENATE FILE 2074 - Taxation of Pension Income of Nonresidents

BY COMMITTEE ON WAYS AND MEANS. This Act exempts from state income taxation pension income derived from a business, trade, profession, or occupation carried on within Iowa, or from any other source within the state, and received by a nonresident of the state and related directly to the nonresident's retirement.

The Act applies retroactively to January 1, 1994, for tax years beginning on or after that date.

**SENATE FILE 2133 - Rent Reimbursement Claims for Low-Income Persons**

BY COMMITTEE ON WAYS AND MEANS. The Act removes the requirement that the low-income claimant for reimbursement of rent constituting property taxes exclude from gross rent charges for utilities, services and furnishings that are included in the claimant's rental payment, and reduces the rent constituting property taxes paid percentage from 27.5 percent to 23 percent. It also changes the filing deadline from October 31 to June 1 to make it consistent with the deadline for property tax credit claims.

The Act is effective January 1, 1995, for rent reimbursement claims filed on or after that date.

**SENATE FILE 2215 - Internal Revenue Code References and Income Tax Provisions**

BY COMMITTEE ON WAYS AND MEANS. This Act updates the references to the federal Internal Revenue Code to make the provisions of the federal Omnibus Budget Reconciliation Act of 1993 applicable for Iowa income tax purposes, except that social security benefits shall continue to be taxed in the manner provided in Section 86 of the federal Internal Revenue Code, as amended up to and including December 31, 1992.

The Act updates the Iowa Code references for the state research credits for individuals and corporations in order to include changes in the federal credit retroactive to January 1993. The Act strikes state provisions for disallowance of private club expenses and moving expenses to conform with federal tax treatment of club expenses and moving expenses, starting in 1994. The Act also corrects references to certain sections of the federal Internal Revenue Code that were renumbered but otherwise not changed.

The Act takes effect May 10, 1994, and contains retroactive applicability date provisions.

**SENATE FILE 2322 - State Taxation of Little Cigars — VETOED BY THE GOVERNOR**

BY COMMITTEE ON WAYS AND MEANS. This bill would amend the definition of little cigar for purposes of state cigarette and tobacco taxation by increasing the minimum weight and price of those tobacco products classified as little cigars. This change in the definition would have caused little cigars to be taxed at the same rate as cigarettes (36 cents per pack), rather than the rate at which tobacco products are taxed (13.4 cents per pack).

**HOUSE FILE 2102 - Sales and Use Tax Exemption for Medical Devices**

BY COMMITTEE ON WAYS AND MEANS. This Act exempts from the state sales and use taxes the sale or rental of certain specifically identified medical devices intended for human use. The Act applies retroactively to July 1, 1993, for sales made on or after that date. Refunds for sales tax paid between July 1, 1993, and June 30, 1994, must be filed prior to June 30, 1995, and such refunds are limited to \$5,000 in the aggregate and shall be prorated amongst claims if the total amount of claims exceeds \$5,000.

**HOUSE FILE 2204 - Tax Increment Financing for Urban Renewal and New Jobs Training**

BY COMMITTEE ON WAYS AND MEANS. This Act amends Chapters 260E, 260F and 403 of the Iowa Code relating to the use of tax increment financing to fund urban renewal projects, industrial new jobs training projects, and small business new jobs training projects.

Code Sections 260E.3 and 260F.3 are amended to clarify the requirements relating to new jobs training agreements between a community college and an employer or business.

Code Sections 331.441 and 403.12 are amended to include in the definition of "essential county purpose" bonds issued by counties as part of an urban renewal project and to provide that counties shall follow the general obligations bonding procedure for counties when issuing bonds as part of an urban renewal project.

The Act provides that, prior to the approval of an urban renewal plan, or a modification or amendment to an existing plan, the municipality shall notify the affected taxing entities and hold a consultation with, and accept recommendations from, the affected taxing entities, and respond to those recommendations, prior to the public hearing on the urban renewal plan. Notice of the public hearing shall be sent to each affected taxing entity. An affected taxing entity is defined as a city, community college, county, or school district that certified for levy in a specified year a property tax against property within the urban renewal area.

The Act amends the definition of "area of operation" to provide that such area for a city may include the area within two miles of the city limits if the county consents. "Blighted area" and "slum area" are amended to exclude real property assessed as agricultural for purposes of property taxation. The definition of "economic development area" is amended to provide that the use of tax increment financing in an area so designated which does not contain any slum or blighted conditions is limited to 20 years. The definition is also amended to provide that an urban renewal area designated an economic development area may, on or after July 1, 1994, include land which is part of a century farm. Clarifying amendments are made to the definitions of "low or moderate income families" and "urban renewal plan" and the latter is also amended to require that the plan include information on proposed and current indebtedness of the municipality.

Code Section 403.19 is amended to provide that the assessment date for property in an urban renewal area, the tax revenues from which are to be divided, is the calendar year preceding the first calendar year in which the municipality certifies to the county auditor the amount of indebtedness to be paid from the division of property tax revenue. However, a municipality, and any taxing entity that agrees, may use the assessment date in present law, which is the calendar year preceding the effective date of the ordinance that provides for the division of revenue. The Act also amends this section to require that the certification of a municipality's indebtedness pursuant to an urban renewal plan shall be mailed to each affected taxing district. The Act provides that a county may levy on all taxable property in an urban renewal area, if the city agrees, rather than only on industrial property.

Relating to new jobs training programs, Code Section 403.19 is amended to provide that the assessment date for property of an eligible employer or business, the tax revenues from which are to be divided, shall be the calendar year preceding the first written agreement providing for a division of revenue. When the agreement is filed, the appropriate assessor may inspect and reassess the property to exclude any increase in value over the prior assessment year due to new construction, additions or improvements to existing structures, or remodeling of existing structures for which a building permit is required.

The Act creates new Section 403.21, which provides that, after July 1, 1995, a community college shall not enter into a new jobs training project that is to be funded by a division of revenues without first reaching an agreement or adopting a plan with the municipality in whose area of operation the taxable property of the project is located. The community college is required to send a copy of the final agreement for a new jobs training project to the Department of Economic Development and to report annually on the progress of the new jobs training project.

Those sections of the Act relating to a county issuing bonds to be funded by a division of revenue and relating to the property in an urban renewal area against which a county may levy to fund such bonds take effect April 20, 1994. The section of the Act that requires a municipality to conduct a consultation and notification process prior to approval of an urban renewal plan applies to urban renewal plans approved on or after August 31, 1994. The remaining sections of the Act apply to urban renewal plans approved, or new jobs training project agreements entered into, on or after January 1, 1995.

#### **HOUSE FILE 2413 - Disclaimer of Homestead Tax Credit**

BY COMMITTEE ON WAYS AND MEANS. This Act provides that when an owner of property for which a homestead credit is allowed fails to notify by July 1 of a year for which the credit will apply that the person no longer qualifies for the credit, the owner forfeits the right to file a belated claim on another homestead for that same year.

#### **HOUSE FILE 2419 - State Tax Procedures, Practices, and Penalties**

BY COMMITTEE ON WAYS AND MEANS. The Act sets out the obligations of the Department of Revenue and Finance and the rights of taxpayers and procedures to be followed in regard to state taxes which are, in most cases, in addition to those responsibilities and duties presently existing. These duties require informing the taxpayer of the taxpayer's rights, the obligations of the department with respect to notice of tax owed, denial of claim, or reduction in refunds and the reasons for such, and the taxpayer's right to appeal and the time period when the appeal must be filed. The Act also provides for awarding of costs and damages to a taxpayer as a result of a position taken by the department that is not substantially justified.

The Act provides that if a determination of additional tax is made or refund claim denied, the taxpayer has 60 days, which is an increase from the previous 30 days, to file an appeal or to contest the action by paying the tax, interest and penalty and timely filing a claim for refund.

Most provisions of the Act take effect January 1, 1995. However, the provision requiring the department to report annually to the General Assembly all areas of recurrent taxpayer noncompliance with rules or guidelines issued by the department, and to make recommendations concerning noncompliance, is effective for annual reports for fiscal years ending June 30, 1995, and thereafter.

**HOUSE FILE 2421 - Claims for Property Tax Credits and Exemptions**

BY COMMITTEE ON WAYS AND MEANS. This Act provides that the county board of supervisors is not required to send a notice disallowing a claim for a homestead property tax credit or a military service property tax exemption if the claimant withdraws the claim.

**HOUSE FILE 2426 - Property Tax Exemption for Certain Institutions in Certain Counties**

BY COMMITTEE ON WAYS AND MEANS. This Act requires the board of supervisors of a county with a population between 100,000 and 200,000 to abate the property taxes or refund the taxes, if paid, that were assessed for calendar year 1992, of a nonprofit institution, which were imposed on the grounds and buildings used primarily for housing handicapped individuals where the present owner failed to timely file for an exemption for the property taxes.

The Act takes effect May 2, 1994, and is repealed August 15, 1994.

## TRANSPORTATION

- SENATE FILE 2038** - Destruction of Transportation Department Records
- SENATE FILE 2080** - Agricultural and Other Motor Vehicles — Miscellaneous Provisions
- SENATE FILE 2268** - Funeral Proccssions
- HOUSE FILE 181** - Driver Education and Motorcycle Rider Education
- HOUSE FILE 545** - Motor Carrier Certificates and Permits
- HOUSE FILE 605** - Vacating and Closing of Roads
- HOUSE FILE 2086** - Handicapped Parking Spaces
- HOUSE FILE 2099** - Natural Resources Motor Vehicle Registration Plates
- HOUSE FILE 2156** - Size of Registration Plates for Certain Trailers
- HOUSE FILE 2358** - Federal Highway Moneys to Governor's Traffic Safety Bureau

## RELATED LEGISLATION

- SENATE FILE 2086** - Substantive Code Corrections  
**SEE STATE GOVERNMENT.** This Act contains Code corrections that are more substantive in nature, and includes corrections in areas pertaining to transportation, including changes relating to the dimensions of handicapped parking spaces which require the Department of Public Safety to adopt rules that contain accepted national standards consistent with the requirements of federal law, and changes directed as a result of legislation enacted in 1993 pertaining to certain transportation-related trust funds.
- SENATE FILE 2217** - Appropriations — Transportation and Safety  
**SEE APPROPRIATIONS.** This Act includes appropriations involving transportation, provisions relating to programs, and provisions affecting transportation.
- SENATE FILE 2223** - Voter Registration  
**SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.** This Act rewrites the state voter registration statutes to conform with the federal National Voter Registration Act of 1993 (NVRA). The Act includes a statement of intent and definitions of terms relating to voter registration and enacts the four major parts of the NVRA: voter registration simultaneous with drivers' services, voter registration by mail, voter registration services by certain designated agencies, and requirements with respect to administration of voter registration.
- SENATE FILE 2314** - Appropriations — Agriculture and Natural Resources  
**SEE APPROPRIATIONS.** This Act exempts certain farm vehicles and implements of husbandry from permit requirements otherwise necessary to travel on state roads.
- SENATE FILE 2330** - Miscellaneous Appropriations, Reductions, Transfers, and Other Matters  
**SEE APPROPRIATIONS.** Division IX of this Act provides an amendment to Section 321.24, which allows a requirement that subsequent certificates of title must retain other states' damage designations. The Division also amends the Iowa Code to extend maximum lengths for certain vehicles, provide that a vehicle designed to tow wrecked or disabled vehicles is exempt from weight limitations while the vehicle is towing a wrecked or disabled vehicle, and increase the motor vehicle dealer's license surety bond from \$35,000 to \$50,000.

- HOUSE FILE 455** - Political Yard Signs  
*SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE.* This Act provides that yard signs may not be placed on property adjoining a city, county or state roadway sooner than 45 days before a primary or general election and must be removed within seven days after the election.
- HOUSE FILE 2018** - School Bus Transportation Requirements  
*SEE EDUCATION.* This Act provides that school districts are not required to maintain seating space on school buses if the students do not or will not regularly utilize the district's transportation service, and a district may suspend service after notifying a student or a student's parent or legal guardian.
- HOUSE FILE 2146** - Alcoholic Beverages — Access and Possession by Underage Persons  
*SEE ALCOHOL REGULATION & SUBSTANCE ABUSE.* This Act includes provisions authorizing seizure of a motor vehicle license or nonoperator identification card of a person wishing to purchase an alcoholic beverage if the license or card appears to be altered or falsified or belongs to another person.
- HOUSE FILE 2153** - Eluding a Law Enforcement Vehicle  
*SEE CRIMINAL JUSTICE & CORRECTIONS.* This Act establishes a new crime of eluding law enforcement while participating in a felony and changes the penalty applicable to eluding when a death is unintentionally caused as a result of eluding or attempting to elude a law enforcement vehicle.
- HOUSE FILE 2337** - Agricultural Development and Rural Revitalization  
*SEE ECONOMIC DEVELOPMENT.* This Act reallocates 3.5 percent, but not more than \$1 million per quarter, of the revenue derived from the use tax on motor vehicles, trailers and accessories and equipment, to support value-added agricultural products and processes through programs administered by the Department of Economic Development and the Department of Agriculture and Land Stewardship.
- HOUSE FILE 2362** - Roads — Pipeline Relocation — Condemnation  
*SEE ENERGY & PUBLIC UTILITIES.* This Act gives an agency having jurisdiction and control over a road the authority to condemn property on behalf of a pipeline company for relocation of an interstate hazardous liquid pipeline.

## TRANSPORTATION

### **SENATE FILE 2038 - Destruction of Transportation Department Records**

BY SZYMONIAK. This Act permits the Department of Transportation to destroy records relating to certain old license suspensions and, after 12 years, records pertaining to arrests or convictions for operating while intoxicated.

If certain requirements have been complied with and six months have expired since the termination of the suspension, the department is authorized to destroy records relating to license suspensions for citations issued under the nonresident traffic violator compact, and for failure to pay a fine, penalty, surcharge, or court costs. The department is also permitted, under certain circumstances, to destroy operating records pertaining to arrests or convictions for operating while intoxicated which are more than 12 years old, unless the vehicle operated by the individual was a commercial motor vehicle. The 12-year period commences with the date of the arrest or conviction, whichever first occurs.

### **SENATE FILE 2080 - Agricultural and Other Motor Vehicles — Miscellaneous Provisions**

BY COMMITTEE ON AGRICULTURE. This Act amends several provisions relating to motor vehicles. The Act expands the definition of "special mobile equipment" to include, rather than exclude as in the current Iowa Code, road construction or maintenance machinery, loading and safety equipment, and ditch digging apparatus. The Act requires that towed equipment be equipped with and display an amber flashing light if the amber flashing light that is displayed on the vehicle is obstructed by the towed equipment.

The Act strikes references to the state designated highway system and exempts oversized vehicles from the permit requirements of Chapter 321E for vehicles exempted from the size, weight and load requirements of Chapter 321. The Act was further amended in S.F. 2314 (See Appropriations) and S.F. 2330 (See Appropriations) to clarify these provisions.

The Act provides that vehicles designed to transport solid waste shall not be required to unload any portion of the load if the weight of the vehicle is determined to be unlawful. The Act changes several provisions relating to permits for movement of oversized vehicles by allowing the State Department of Transportation to issue permits, at the request of a local authority, for the movement of oversized vehicles on roads that are under the jurisdiction of the local authority; requiring local authorities to allow persons to request permits by telephone or facsimile machine; providing that single-trip permits include a round-trip to and from a job site; and exempting vehicles from the requirement that movements be only from sunrise to sunset if the vehicle subject to the permit has an overall length not to exceed 100 feet, an overall width not to exceed 11 feet, and an overall height not to exceed 14 feet, four inches.

Finally, the Act extends repeal provisions until July 1, 1996, for exemptions of certain cargo tank motor vehicles from hazardous materials transportation regulations.

### **SENATE FILE 2268 - Funeral Processions**

BY COMMITTEE ON JUDICIARY. This Act provides for the operation of vehicles in funeral processions and defines the scope of the liability of a funeral home for damages arising out of a procession. The Act defines a funeral procession as a daylight procession of motor vehicles with lighted head lamps accompanying the body of a deceased person, and following a lead escort vehicle that uses identifying flags and lighted head lamps while continuously displaying its emergency signal lights. The Act requires a motorist to yield the right-of-way to vehicles in a funeral procession and exempts persons participating in a funeral procession from traffic signal and device rules and regulations while in the procession so long as the operation is not reckless. The Act provides that the funeral home in charge of the procession is only liable for any negligent, reckless or intentional act by the funeral home or any of its agents and employees, for any injuries or damages arising out of the procession.

### **HOUSE FILE 181 - Driver Education and Motorcycle Rider Education**

BY IVERSON AND WITT. This Act requires that classroom instruction for driver education include instruction on becoming an organ donor and a minimum of 20 minutes of instruction on railroad crossing safety. This Act also

requires persons applying for a class M license, which is valid for operation of a motorcycle, to complete a motorcycle education course.

Operators who have been issued a class M license prior to July 1, 1994, who renew a class M license, or who have out-of-state licenses valid for operation of a motorcycle, do not have to complete the motorcycle education course prior to issuance of the class M license.

This Act was amended by S.F. 2330 (See Appropriations) to provide that the motorcycle education course requirement takes effect May 1, 1995, or whenever the Department of Education has the resources available to effectively offer the course, whichever is sooner.

**HOUSE FILE 545 - Motor Carrier Certificates and Permits**

BY COMMITTEE ON TRANSPORTATION. This Act requires that a motor carrier or a liquid transport carrier whose certificate of public convenience and necessity has been suspended or revoked cannot operate within the state until the certificate is reissued. The Act also requires that advertising provided by a truck operator or contract carrier must contain or display the number of the permit issued to the operator or carrier, and advertising provided by a liquid transport carrier must contain or display the number of the certificate issued to the carrier.

The Act changes the penalty for violations of Chapter 325, 327, or 327A from a simple misdemeanor, punishable by a fine from \$50 to \$100 and imprisonment of up to 30 days, to a fine of \$250 for the first violation, \$500 for the second violation if it occurs within 12 months of the first violation, and \$1,000 for the third violation if it occurs within 12 months of the first and second violations. Chapter 325 governs certificated carriers, Chapter 327 governs truck operators and contract carriers, and Chapter 327A governs liquid transport carriers.

**HOUSE FILE 605 - Vacating and Closing of Roads**

BY COMMITTEE ON LOCAL GOVERNMENT. This Act requires that notice of the hearing for the vacating and closing of a road be sent by regular mail by the agency in control of the road to all property owners within one mile of the road. The Act also limits an abutting landowner's right to claim damages due to the vacating and closing of a road, if the occupied homestead is not located on the abutting land and the abutting land will not be landlocked.

**HOUSE FILE 2086 - Handicapped Parking Spaces**

BY COMMITTEE ON STATE GOVERNMENT. This Act requires the Department of Public Safety to adopt dimensional requirements for handicapped parking spaces that are consistent with the requirements of federal law. In addition, the Act provides that dimensional requirements shall be those in effect at the time the handicapped parking space was designated.

**HOUSE FILE 2099 - Natural Resources Motor Vehicle Registration Plates**

BY CORBETT AND LUNDBY. This Act provides for the issuance of special natural resources license plates. The motor vehicle plates are to be designed by the State Department of Transportation in cooperation with the Department of Natural Resources. The Act requires payment of a special natural resources fee of \$35 in addition to the regular annual registration fee for the initial issuance of the plates and an additional \$10 special natural resources fee each subsequent year. Owners desiring personalized natural resources plates shall pay, in addition to the fees for regular natural resources plates, an additional \$45 fee upon initial issuance of the plates, and an additional annual fee of \$5. The funds collected by the \$35 special natural resources fee and the \$10 annual special natural resources fee shall be deposited in the Iowa Resources Enhancement and Protection Fund.

The Act takes effect January 1, 1995.

**HOUSE FILE 2156 - Size of Registration Plates for Certain Trailers**

BY WEIDMAN. This Act provides that the registration plates issued to an owner of a trailer with an empty weight of 2,000 pounds or less shall be smaller than registration plates issued for cars. The Act provides a specific exemption from the size requirements of standard registration plates.

The Act takes effect January 1, 1995, and applies only to new registration plates issued to owners of the trailers on or after January 1, 1995.

**HOUSE FILE 2358 - Federal Highway Moneys to Governor's Traffic Safety Bureau**

BY COMMITTEE ON TRANSPORTATION. This Act encourages the Governor's Traffic Safety Bureau to use federal moneys transferred as a result of the state's failure to enact a mandatory helmet law for emergency medical services, highway safety and motorcycle training programs, farm vehicle safety and extraction from farm machinery programs, the Iowa operator lifesaver program, adolescent substance abuse prevention, computer-based enforcement reporting systems, and the development of electronic and computer communication of traffic citations.

The Act is repealed October 1, 1996.

## CHAPTER NUMBERS OF THE 1994 IOWA ACTS

## SENATE FILES

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
94	1002	2126	1124	2237	1020
216	1056	2133	1125	2242	1092
218	1004	2153	1058	2244	1064
294	1010	2157	1136	2245	1065
413	1074	2169	1126	2250	1112
2009	1082	2172	1109	2261	1066
2013	1001	2186	1137	2263	1113
2016	1086	2190	1110	2264	1158
2034	1005	2196	1150	2265	1093
2038	1164	2199	1084	2268	1139
2041	1003	2201	1088	2272	1185
2044	1057	2203	1151	2273	1140
2049	1147	2205	1085	2276	1011
2051	1156	2206	1111	2277	1152
2053	1134	2215	1166	2279	1167
2057	1165	2216	1157	2282	1176
2060	1135	2217	1189	2287	1159
2066	1106	2218	1187	2288	1114
2069	1033	2219	1180	2297	1160
2071	1148	2221	1059	2300	1177
2074	1149	2223	1169	2307	1153
2080	1087	2224	1063	2311	1170
2086	1107	2226	1138	2313	1186
2087	1083	2229	1188	2314	1198
2089	1184	2230	1127	2318	1181
2091	1192	2231	1089	2319	1172
2092	1108	2232	1090	2326	1195
2107	1122	2234	1175	2329	1190
2109	1123	2236	1091	2330	1199

## CHAPTER NUMBERS OF THE 1994 IOWA ACTS AND JOINT RESOLUTION

### HOUSE FILES

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
43	1007	2146	1105	2342	1053
109	1042	2149	1154	2343	1073
121	1128	2153	1069	2350	1196
181	1102	2155	1161	2352	1142
259	1034	2156	1028	2353	1054
307	1115	2169	1061	2354	1036
403	1094	2172	1009	2358	1080
425	1012	2179	1021	2362	1030
455	1178	2180	1008	2365	1037
545	1095	2190	1040	2366	1179
582	1077	2192	1062	2370	1038
605	1013	2194	1019	2372	1120
606	1014	2197	1070	2375	1100
618	1116	2199	1045	2376	1200
637	1103	2204	1182	2377	1174
642	1173	2217	1046	2383	1131
2003	1129	2218	1071	2384	1121
2013	1006	2230	1097	2385	1031
2018	1060	2232	1032	2387	1132
2033	1043	2241	1079	2391	1039
2037	1024	2261	1130	2392	1081
2049	1141	2267	1047	2401	1055
2055	1044	2270	1048	2403	1076
2070	1078	2280	1049	2407	1101
2086	1015	2284	1050	2410	1171
2094	1025	2286	1117	2411	1193
2099	1104	2302	1041	2413	1143
2102	1016	2308	1029	2415	1201
2110	1026	2309	1098	2418	1183
2115	1017	2311	1035	2419	1133
2116	1075	2313	1051	2421	1144
2118	1067	2314	1072	2422	1168
2120	1022	2318	1118	2426	1145
2124	1023	2321	1052	2428	1146
2126	1018	2323	1194	2429	1191
2133	1096	2325	1099	2430	1163
2134	1027	2326	1162	2433	1197
2145	1068	2337	1119	2435	1155

### HOUSE JOINT RESOLUTION

No.	Acts Chapter
2007	1202

**1994 SECTIONS AMENDED, ADDED OR REPEALED**

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1.15	Section amended	HF 642.1	J
2.32	New subsection 9	SF 2089.1	E
2.68	Section repealed	HF 2124.125	J
2.100	Section amended	HF 2124.1	J
2B.12	Subsection 7, paragraph a amended	SF 2086.19	J
7A.3*	Unnumbered paragraph 3 amended	SF 2086.1	J
8.8	New section	SF 2330.1	J
8.22A	New subsection 4	SF 2318.4	J
8.31	New unnumbered paragraph	SF 2224.1	J
8.39	Subsection 2 amended	SF 2318.6	** J
8.39	Subsection 2 amended	SF 2330.44	J
8.53	Unnumbered paragraph 1 amended	SF 2318.7	J
8.54	Subsection 1, unnumbered paragraph 1 & para. a amended	SF 2318.5	J
8.54	New subsection 8	SF 2318.1	J
8.55	Subsection 1 amended	SF 2318.8	J
8.56	Subsection 1 amended	SF 2318.9	J
8.57	Subsections 2 & 3 amended	SF 2318.10	J
8.57	New subsection 5	SF 2318.11	J
8.60*	Section amended	SF 2086.32	** J
8.60*	Subsection 2 stricken	SF 2330.64	E
8.62	New section	SF 2318.2	J
8A.1*	Unnumbered paragraph 1 amended	SF 2288.1	E
9E.9	Subsection 5 amended	SF 2279.1	7/1/95
9H.1*	New subsections 13A & 17A, subsections renumbered	SF 2307.1	J
9H.1*	Subsection 18 amended	SF 2307.2	J
9H.1*	Subsection 19 amended	SI' 2307.3	J
9H.4*	Unnumbered paragraph 1 amended	SF 2307.4	J
9H.4*	Unnumbered paragraph 2 amended	SF 2307.5	J
9H.5*	New subsection 4	SI' 2307.6	J
9H.5A*	New subsection 4	HF' 2391.1	J
10A.104*	Subsection 8 amended	HF' 2403.1	J
10A.108	New section	SF 2250.1	J
11.5B	Subsection 7 rewritten	SF 2218.16	J
11.27	Section amended	HF 2124.2	J
12.8	Unnumbered paragraph 1 amended	SF 2013.1	E
12.38	Section amended	SF 2229.31	J
12.43	New subsection 5	HF 2415.13	J
12A.	Chapter repealed	SF 2013.5	E
12B.10	Subsection 5, new paragraph h	HF 425.1	E
12C.14	Unnumbered paragraph 2 amended	HF 2308.15	7/1/95
12C.23	Subsection 2 amended	HF 2124.3	J
13.25*	Section repealed	SF 2066.1	J
13B.4*	Subsections 3 & 4 amended	SF 2218.17	J
13B.4*	Subsection 6 amended	SF 2086.20	J
13B.9	Subsection 5 amended	SF 2218.18	J
13B.9	New subsection 6	SF 2218.19	J
15.102	Subsection 5 amended	HI' 2403.2	J
15.108*	Subsection 1, paragraph e amended	HF 2124.4	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	R	- Retroactive applicability	*	- Code Supplement 1993
C	- Conditional effective date	VETO	- Entire bill section vetoed	**	- Section amended by subsequent bill
E	- Effective upon enactment	IV	- Part of bill section vetoed	***	- Bill section repealed by subsequent bill
J	- Effective July 1, 1994	00-00-00	- Specified effective date		

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
15.108*	Subsection 1, paragraph e stricken	SF 2330.16	J
15.241	Unnumbered paragraphs 1, 2, & 4 amended	HF 2403.3	J
15.251*	Subsection 3 stricken	SF 2330.17	J
15.283	Subsection 4 amended	SF 2086.2	J
15.308	Subsection 2, paragraph a stricken	SF 2330.18	J
15.308	Subsection 2, new paragraph c	HF 2180.2	5/1/94
15.313	Subsection 2, paragraph b stricken	IIF 2337.2	E
15.313	Subsection 3 amended	HF 2337.3	E
15.318	New subsections 16 & 17	HI' 2337.4	E
15.318	New subsection 16	HF 2415.14	J
15.325	New section	HF 2180.3	5/1/94
15.326	New section	IIF 2180.4	5/1/94
15.327	New section	HF 2180.5	5/1/94
15.329	New section	HF 2180.6	5/1/94
15.330	New section	HF 2180.7	5/1/94
15.331	New section	HI' 2180.8	5/1/94
15.332	New section	HF 2180.9	** 5/1/94
15.332	New subsection 2 amended	SF 2057.43	J
15.333	New section	HF 2180.10	5/1/94
15.334	New section	HF 2180.11	5/1/94
15.335	New section	HF 2180.12	** 5/1/94
15.335	New section amended	SF 2057.44	J
15.336	New section	HF 2180.13	5/1/94
15A.1	Subsection 1, unnumbered paragraph 1 amended	HI' 2180.14	E
15A.1	Subsection 2, unnumbered paragraph 1 amended	IIF 2180.15	E
15A.2	Unnumbered paragraph 1 amended	HF 2180.16	E
15A.9	New section	HF 2180.17	E
15E.81	Section amended	HF 2415.15	J
15E.82	Subsections 1, 2, & 5 amended	HF 2415.16	J
15E.83	Section amended	HF 2415.17	J
15E.86	Section amended	HF 2415.18	J
15E.87	Subsection 1 amended	HF 2415.19	J
15E.87	Subsection 4 stricken	HF 2415.20	J
15E.87	Subsection 7 amended	HF 2415.21	J
15E.88	Section amended	IIF 2415.22	J
15E.89*	Section amended	HF 2415.23	J
15E.90	Section amended	IIF 2415.24	J
15E.92*	Section amended	HF 2415.25	J
15E.111	Section amended	HF 2337.5	E
15E.112	Section amended	HF 2337.6	E
15E.152*	New subsection 7	HF 2415.26	J
16.62	Subsection 1 amended	HF 2124.74	J
16.71	Section amended	HF 2124.75	J
16.177	New section	IIF 2350.20	J
16.181	New section	HF 2435.1	E
16.181	New section repealed	HF 2435.7	8/1/96
16.182	New section	HF 2435.2	E
16.182	New section repealed	HF 2435.7	8/1/96
16.183	New section	HF 2435.3	E
16.183	New section repealed	HF 2435.7	8/1/96
16.184	New section	HF 2435.4	E
16.184	New section repealed	HF 2435.7	8/1/96
16.185	New section	HI' 2435.5	E
16.185	New section repealed	IIF 2435.7	8/1/96

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
16.186	New section	HF 2435.6	E
16.186	New section repealed	HF 2435.7	8/1/96
18.3	Subsection 5 stricken	SF 2089.2	E
18.6	Subsection 8, unnumbered paragraph 1 amended	HF 2403.4	J
18.12	Subsection 8 amended	SF 2229.32	J
18.23	New section	SF 2326.1	J IV
18.115*	Subsection 4, unnumbered paragraph 1 amended	SF 2229.33	J
18.115*	Subsection 5 amended	HF 2337.7	E
18.115*	Subsection 6 amended	SF 2229.34	J
18.117	Unnumbered paragraph 1 amended	SF 2229.35	J
18.133*	Subsections 1, 2, 3, & 4 amended	SF 2089.3	E
18.133*	New subsection 1B	SF 2089.4	E
18.133A	New section	SF 2089.5	E
18.133B	New section	SF 2089.6	E
18.133C	New section	SF 2089.7	E
18.133D	New section	SF 2089.8	E
18.133E	New section	SF 2089.9	E
18.133F	New section	SF 2089.10	E
18.133G	New section	SF 2089.11	E
18.133H	New section	SF 2089.12	E
18.134*	Subsection 1 amended	SF 2089.13	E
18.134A	New section	SF 2089.14	E
18.135	Section repealed	SF 2089.31	E
18.136*	Subsections 1, 2, 3, 4, 6, 7, 8, 9, 10, 12, & 14 amended	SF 2089.15	E
18.136*	New subsection 4A	SF 2089.16	E
18.136*	New subsection 12A	SF 2089.17	E
18.136*	New subsection 13A	SF 2089.18	E
18.136*	New subsection 13B	SF 2089.19	E
18.136*	New subsection 13C	SF 2089.20	E
18.137	Section amended	SF 2089.21	E
19A.3	Subsection 22 amended	HF 2337.8	E
19A.30	Unnumbered paragraph 1 amended	HF 2418.1	J
19B.2	Unnumbered paragraph 2 amended	SF 2172.1	J
20.4	Subsection 13 amended	HF 2337.9	E
22.7*	Subsection 30 amended	HF 2124.76	J
22.7*	Subsection 30 amended	SF 2242.1	J
22.7*	New subsection 31	HF 2377.1	J
22.7*	New subsection 31	SF 2244.1	J
24.48	Unnumbered paragraph 3 amended	HF 2124.5	J
25B.2	New subsection 3	HF 642.2	J
25B.3	Subsection 2 amended	HF 642.3	J
25B.6	Unnumbered paragraph 1 amended	HF 642.4	J
34.1	Subsection 1 stricken	HF 2124.6	J
34A.2*	Subsection 6, paragraph e, unnumbered para. 2 amended	SF 2330.45	J
35.9	Section amended	HF 2376.9	J
35A.3	New subsection 12	SF 2086.3	J
35B.3	Section amended	HF 43.1	J
35B.4	Section rewritten	HF 43.2	J
35B.6	Subsection 1, paragraph b amended	SF 2086.4	J
35C.1	Subsection 2, new unnumbered paragraph	SF 2217.16	J

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C	- Conditional effective date	VETO	- Entire bill section vetoed	**	- Section amended by subsequent bill
E	- Effective upon enactment	IV	- Part of bill section vetoed	***	- Bill section repealed by subsequent bill
J	- Effective July 1, 1994	00-00-00	- Specified effective date		

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
38.3	Section amended	HF 2415.27	VETO
38.	Chapter repealed	HF 2415.32	VETO
39.3*	New subsection 7A	SF 2219.1	J
39.3*	Subsection 10 amended	SF 2223.43	1/1/95
39.3*	Section amended	SF 2223.65	1/1/95
42.3	Subsections 2 & 3 amended	HF 2366.1	J
42.3	Subsection 4, paragraph b amended	IIF 2366.2	J
42.4	Subsection 6 amended	HF 109.1	J
42.4	Subsection 8 amended	HF 2366.3	J
43.5	Section amended	SF 2223.44	1/1/95
43.6	Subsection 2 rewritten	SF 2219.2	J
43.14	Unnumbered paragraph 1 amended	SF 2219.3	J
43.18	Unnumbered paragraph 5 amended	HF 2124.77	J
43.18	Section rewritten	SF 2219.4	J
43.26	Section amended	SF 2219.5	J
43.41	Section amended	SI 2223.64	1/1/95
43.42	Section amended	SF 2223.64	1/1/95
43.43	Section amended	SF 2223.64	1/1/95
43.67	Section rewritten	SF 2219.6	J
43.77	Subsection 4 amended	SF 2219.7	J
43.77	New subsection 5	SF 2219.8	J
43.120	Section amended	SI 2223.64	1/1/95
44.3	Subsection 2, unnumbered paragraph 7 amended	HF 2124.78	J
44.3	Section rewritten	SF 2219.9	J
45.1*	New subsection 10	SF 2219.10	J
45.3	Unnumbered paragraph 8 amended	HF 2124.79	J
45.3	Unnumbered paragraphs 2, 3, 4, 5, 6, 7, & 8 rewritten	SF 2219.11	J
47.1*	New unnumbered paragraph	SF 2223.45	1/1/95
47.2	Subsection 1 amended	SF 2223.46	1/1/95
47.4	Section repealed	SF 2223.66	1/1/95
47.7	Subsection 4 amended	SF 2223.47	1/1/95
47.8*	Subsection 4 amended	SF 2223.48	1/1/95
48.1	Section repealed	SF 2223.66	1/1/95
48.2	Section repealed	SF 2223.66	1/1/95
48.3	Section repealed	SF 2223.66	1/1/95
48.4	Section repealed	SF 2223.66	1/1/95
48.5	Section repealed	SF 2223.66	1/1/95
48.6	Section repealed	SF 2223.66	1/1/95
48.7	Section repealed	SF 2223.66	1/1/95
48.8	Section repealed	SF 2223.66	1/1/95
48.9	Section repealed	SF 2223.66	1/1/95
48.10	Section repealed	SF 2223.66	1/1/95
48.11	Section repealed	SF 2223.66	1/1/95
48.12	Section repealed	SF 2223.66	1/1/95
48.15	Section repealed	SF 2223.66	1/1/95
48.16*	Section repealed	SF 2223.67	1/1/95
48.17	Section repealed	SI 2223.66	1/1/95
48.20	Section repealed	SF 2223.66	1/1/95
48.21	Section repealed	SF 2223.66	1/1/95
48.22	Section repealed	SF 2223.66	1/1/95
48.23	Section repealed	SF 2223.66	1/1/95
48.29	Section repealed	SI 2223.66	1/1/95
48.30	Section repealed	SF 2223.66	1/1/95
48.31*	Section repealed	SF 2223.67	1/1/95

Section	Action	Sen/Hse File No.	Effective
48.32	Section repealed	SF 2223.66	1/1/95
48A.1	New section	SF 2223.1	1/1/95
48A.2	New section	SF 2223.2	1/1/95
48A.3	New section	SF 2223.3	1/1/95
48A.4	New section	SF 2223.4	1/1/95
48A.5	New section	SF 2223.5	1/1/95
48A.5A	New section	SF 2223.6	1/1/95
48A.6	New section	SF 2223.7	1/1/95
48A.7	New section	SF 2223.8	1/1/95
48A.8	New section	SF 2223.9	1/1/95
48A.9	New section	SF 2223.10	1/1/95
48A.10	New section	SF 2223.11	1/1/95
48A.11	New section	SF 2223.12	1/1/95
48A.12	New section	SF 2223.13	1/1/95
48A.13	New section	SF 2223.14	1/1/95
48A.14	New section	SF 2223.15	1/1/95
48A.15	New section	SF 2223.16	1/1/95
48A.16	New section	SF 2223.17	1/1/95
48A.17	New section	SF 2223.18	1/1/95
48A.18	New section	SF 2223.19	1/1/95
48A.19	New section	SF 2223.20	1/1/95
48A.20	New section	SF 2223.21	1/1/95
48A.21	New section	SF 2223.22	1/1/95
48A.22	New section	SF 2223.23	1/1/95
48A.23	New section	SF 2223.24	1/1/95
48A.24	New section	SF 2223.25	1/1/95
48A.25	New section	SF 2223.26	1/1/95
48A.26	New section	SF 2223.27	1/1/95
48A.27	New section	SF 2223.28	1/1/95
48A.28	New section	SF 2223.29	1/1/95
48A.29	New section	SF 2223.30	1/1/95
48A.30	New section	SF 2223.31	1/1/95
48A.31	New section	SF 2223.32	1/1/95
48A.32	New section	SF 2223.33	1/1/95
48A.33	New section	SF 2223.34	1/1/95
48A.34	New section	SF 2223.35	1/1/95
48A.35	New section	SF 2223.36	1/1/95
48A.36	New section	SF 2223.37	1/1/95
48A.37	New section	SF 2223.38	1/1/95
48A.38	New section	SF 2223.39	1/1/95
48A.39	New section	SF 2223.40	1/1/95
48A.40	New section	SF 2223.41	1/1/95
48A.41	New section	SF 2223.42	1/1/95
49.3	Unnumbered paragraph 1 amended	HF 2366.4	J
49.3	New subsections 3 & 4	HF 2366.5	J
49.4	Unnumbered paragraph 1 amended	HF 2366.6	J
49.5*	Unnumbered paragraph 1 amended	HF 2366.7	J
49.5*	Subsections 1, 2, & 3 stricken	HF 2366.8	J
49.6	Section amended	HF 2366.9	J
49.7	Section rewritten	HF 2366.10	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   | R        | - Retroactive applicability   | *   | - Code Supplement 1993                     |
| C | - Conditional effective date | VETO     | - Entire bill section vetoed  | **  | - Section amended by subsequent bill       |
| E | - Effective upon enactment   | IV       | - Part of bill section vetoed | *** | - Bill section repealed by subsequent bill |
| J | - Effective July 1, 1994     | 00-00-00 | - Specified effective date    |     |  |

<u>Section</u>	<u>Action</u>	<u>Sen/Hisc File No.</u>	<u>Effective</u>
49.8	Subsection 4 amended	HIF 2366.11	J
49.8	Subsection 4, new unnumbered paragraph	HF 2366.12	J
49.11*	Unnumbered paragraph 1 rewritten	HF 2366.13	J
49.11*	Subsection 2 amended	SF 2219.12	J
49.11	Section amended	SF 2223.64	1/1/95
49.27	Section amended	SF 2223.64	1/1/95
49.28	Section rewritten	SF 2223.49	1/1/95
49.30	Section amended	SF 2223.64	1/1/95
49.43	Section amended	SI' 2223.64	1/1/95
49.73*	Subsection 1, new paragraph d	SF 2219.13	J
49.74	Section amended	SF 2223.64	1/1/95
49.77	Subsection 1 amended	SF 2219.14	J
49.77	Section amended	SF 2223.50	1/1/95
49.80	Section amended	SF 2223.64	1/1/95
49.81	Subsection 4, unnumbered paragraph 1 amended	SF 2223.51	1/1/95
49.81	Section amended	SF 2223.64	1/1/95
49.82	Section amended	SF 2219.15	J
49.84	Section amended	SF 2219.16	J
49.104	Subsections 2, 3, & 5 amended	SF 2219.17	J
49.105	Section amended	SI' 2223.64	1/1/95
49.124	Section amended	SF 2219.18	J
50.7	Section amended	SF 2223.64	1/1/95
50.8	Section amended	SF 2223.64	1/1/95
50.19	Unnumbered paragraph 1 amended	SF 2223.52	1/1/95
50.22	Unnumbered paragraph 2 amended	SF 2223.53	1/1/95
50.48*	Subsection 4, unnumbered paragraph 1 amended	SF 2219.19	J
52.4	Section amended	SF 2219.20	E
52.40*	Subsection 1 amended	SF 2219.21	J
53.1*	Section amended	SF 2223.65	1/1/95
53.2	Section amended	SF 2223.54	1/1/95
53.7	Section amended	SF 2223.64	1/1/95
53.8	Section amended	SF 2223.64	1/1/95
53.11*	Section amended	SF 2223.65	1/1/95
53.15	Section amended	SF 2223.64	1/1/95
53.17	Subsection 2, unnumbered paragraph 2 amended	SF 2219.22	J
53.17	Section amended	SF 2223.64	1/1/95
53.19	Section amended	SI' 2223.64	1/1/95
53.22*	Subsection 2 amended	SF 2219.23	J
53.22*	Subsection 5 amended	SF 2219.24	J
53.22*	Section amended	SF 2223.65	1/1/95
53.25	Section amended	SF 2223.64	1/1/95
53.37	New unnumbered paragraph	SF 2219.25	J
53.38	Section amended	SF 2223.55	1/1/95
53.39	Section amended	SF 2219.26	J
53.39	Section amended	SF 2223.64	1/1/95
53.40	Unnumbered paragraph 1 amended	SI' 2219.27	J
53.43	Section amended	SF 2219.28	J
53.51	Section amended	SF 2219.29	J
53.53	Unnumbered paragraph 2 amended	SF 2223.56	1/1/95
53.53	New unnumbered paragraph	SF 2219.30	J
56.2*	Subsection 5 stricken	HI' 2124.80	J
56.2*	Subsection 5 stricken	SF 2219.31	J
56.2*	Subsection 15 amended	SF 2219.32	J
56.5*	Subsection 2, paragraph f amended	SF 2219.33	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
56.5A*	Section amended	HF 2124.81	J
56.5A*	Section amended	SF 2219.34	J
56.7	Subsection 2 amended	SF 2219.35	J
56.13*	Section amended	SF 2219.36	J
56.14	Section amended	HF 455.1	J
56.15	Subsection 4, new unnumbered paragraph	HF 455.2	J
68B.2*	Subsection 1 amended	SF 2242.2	J
68B.2*	Subsection 14 amended	SF 2242.3	J
68B.2*	Subsection 25 amended	SF 2242.4	J
68B.22*	Subsection 4, paragraph j amended	SF 2242.5	J
68B.22*	Subsection 4, new paragraph q	SF 2242.6	J
68B.22*	Subsection 8 amended	SF 2242.7	J
68B.32B*	Subsection 1 amended	SF 2242.8	J
68B.35*	Subsection 5 amended	SF 2242.9	J
68B.35A*	Section amended	HF 2124.82	J
68B.36*	Subsections 2, 4, & 5 amended	HF 2124.83	J
68B.36*	Subsections 2, 4, & 5 amended	SF 2242.10	J
68B.37*	Subsection 1, paragraph b amended	SF 2242.11	J
68B.37*	Subsection 3 amended	SF 2242.12	J
69.8	Subsection 5 rewritten	SF 2219.37	J
69.14A	Subsection 1, paragraph a, unnumbered para. 2 amended	SF 2219.38	J
69.14A	Subsection 1, paragraph b, new unnumbered paragraphs	SF 2219.39	J
69.14A	Subsection 2, paragraph b, new unnumbered paragraphs	SF 2219.40	J
70A.17A	New section	SF 2229.36	J
70A.20*	Unnumbered paragraph 1 amended	HF 2120.1	R 7/1/90
70A.24	Section repealed	HF 642.42	J
72.5	Subsection 1, unnum. para. 1, & subsection 3 amended	HF 642.5	J
73.16	Subsection 2, new unnumbered paragraph	HF 2403.5	J
80.9	Subsection 2, paragraph d amended	HF 2149.1	J
80.25	Section amended	HF 2124.7	J
80.26	New section	HF 2358.1	J
80.26	New section repealed	HF 2358.1	10/1/96
80B.11*	New subsection 3A	SF 2319.1	J
80B.11B	New subsection 3	SF 2217.17	J
85.27	New unnumbered paragraph	SF 2245.1	J
85.27	New unnumbered paragraph	SF 2245.2	J
85.31	Subsection 1, unnumbered paragraph 2 amended	SF 2245.3	J
85.33	Subsection 3 amended	SF 2245.4	J
85.34	Subsection 2, unnumbered paragraph 1 amended	SF 2245.5	J
85.34	Subsection 3, unnumbered paragraph 1 amended	SF 2245.6	J
85.34	New subsection 5	SF 2245.7	J
85.59*	Unnumbered paragraph 2 amended	HF 2410.1	E
86.44	New section	SF 2244.2	J
87.1	Unnumbered paragraph 1 amended	SF 2261.1	J
87.2	Section amended	SF 2261.2	J
87.11D	Section amended	SF 2086.5	J
87.12	Section repealed	SF 2261.8	J
87.14	Section repealed	SF 2261.8	J
87.14A	New section	SF 2261.3	J
87.15	Section rewritten	SF 2261.4	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.

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|--------------------------------|-------------------------------------|--|
| A - Applicability provisions   | R - Retroactive applicability       | * - Code Supplement 1993                       |
| C - Conditional effective date | VETO - Entire bill section vetoed   | ** - Section amended by subsequent bill        |
| E - Effective upon enactment   | IV - Part of bill section vetoed    | *** - Bill section repealed by subsequent bill |
| J - Effective July 1, 1994     | 00-00-00 - Specified effective date |  |

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
87.16	Section amended	SF 2261.5	J
88.5*	Subsection 12 amended	HF 2124.84	J
88B.3	Subsection 4 amended	SF 2044.1	J
88B.5	Subsection 1 amended	SF 2044.2	J
88B.9	Subsections 1 & 3 amended	SF 2044.3	J
88B.11	Section amended	SF 2044.4	J
96.4	New subsection 7	SF 2261.6	J
96.14	Subsection 3, unnumbered paragraph 1 amended	HF 618.1	J
96.40	Subsection 11 stricken	SF 2261.7	J
97A.1	Subsection 13 amended	HF 2418.2	J
97A.3	Section amended	HF 2418.3	R 7/1/93
97A.5*	Subsection 8 amended	HF 2418.4	J
97A.5*	New subsection 13	HF 2418.5	J
97A.6	Subsection 1, new paragraph c	HF 2418.6	R 7/1/93
97A.6	Subsection 2, paragraph d, subparagraph (2) amended	HF 2418.7	R 10/16/92
97A.6	Subsection 2, paragraph d, new subparagraph (3)	HF 2418.8	R 10/16/92
97A.6B	New section	HF 2418.9	R 1/1/93
97A.8	Subsection 1, paragraph f, subparas. (6) & (7) amended	HF 2418.10	J
97A.8	Subsection 1, paragraph h amended	HF 2418.11	R 10/16/92
97A.8	Subsection 1, new paragraph i	HF 2418.12	J
97B.5	Section amended	SF 2013.2	E
97B.7	Subsection 2, para. b, unnumbered para. 1 amended	SF 2013.3	E
97B.11A	New section	HF 2418.13	J
97B.14	Section amended	HF 2418.14	J
97B.25	Section amended	HF 2124.8	J
97B.25	Section amended	HF 2418.15	J
97B.41*	Subsection 8, paragraph a, unnumbered para. 1 amended	HF 2418.16	J
97B.41*	Subsection 8, paragraph b, subparagraph (1) amended	HF 2418.17	J
97B.41*	Subsection 8, para. b, subpara. (4), unnumb. para. 1 amended	HF 2418.18	J
97B.41*	Subsection 8, paragraph b, new subparagraph (19)	HF 2418.19	J
97B.41*	Subsection 12 amended	HF 2418.20	7/1/95
97B.41*	Subsection 15, paragraph a amended	HF 2418.21	J
97B.41*	Subsection 18 amended	HF 2418.22	1/1/95
97B.42	Unnumbered paragraph 1 amended	HF 2418.23	J
97B.42	Unnumbered paragraph 5 amended	HF 2418.24	J
97B.42A	New section	HF 2418.25	J
97B.42B	New section	HF 2418.26	J
97B.45	Unnumbered paragraph 2 amended	HF 2418.27	J
97B.46	Section amended	HF 2418.28	J
97B.48	Subsection 1 amended	HF 2418.29	J
97B.49*	Subsection 13, paragraphs a & b amended	HF 2418.30	J
97B.49*	Subsection 13, paragraph d amended	HF 2418.31	J
97B.49*	Subsection 16, paragraph a, subparagraph (4) amended	HF 2418.32	J
97B.49*	Subsection 16, paragraph b amended	HF 2418.33	J
97B.49*	Subsection 16, paragraph c, unnumbered para. 3 amended	HF 2418.34	J
97B.49*	Subsection 16, paragraph d, subparagraph (2) amended	HF 2418.35	J
97B.49*	Subsection 16, paragraph d, subparagraph (4) stricken	HF 2418.36	J
97B.49*	Subsection 16, paragraph d, subparagraph (6) stricken	HF 2418.37	J
97B.49*	Subsection 16, paragraph d, subparagraph (8) amended	HF 2418.38	J
97B.49*	Subsection 16, paragraph d, new subparagraph (9)	HF 2418.39	J
97B.49*	Subsection 16, paragraph j stricken	HF 2418.40	J
97B.49*	Subsection 16, new paragraph l	HF 2418.41	J
97B.49*	Subsection 16, new paragraph m	HF 2418.42	J
97B.50	Subsection 1, unnumbered paragraph 1 amended	HF 2418.43	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
97B.50	Subsection 2 amended	HF 2418.44	J
97B.53	Subsection 3 amended	HF 2418.45	7/1/95
97B.53	Subsection 6, unnumbered paragraph 1 amended	HF 2418.46	7/1/95
97B.53	Subsection 7 amended	HF 2418.47	7/1/95
97B.53B	New section	HF 2418.48	R 1/1/93
97B.54	Section repealed	HF 2418.88	J
97B.56	Section amended	HF 2418.49	J
97B.61	Unnumbered paragraph 2 amended	HF 2418.50	J
97B.66*	Unnumbered paragraphs 1 & 2 amended	HF 2418.51	7/1/95
97B.70	New subsection 4	HF 2418.52	7/1/95
97B.72*	Unnumbered paragraphs 1 & 2 amended	HF 2418.53	7/1/95
97B.72A*	Subsection 1, unnumbered paragraph 1 amended	HF 2418.54	7/1/95
97B.72A*	Subsection 2 stricken	HF 2418.55	J
97B.73*	New unnumbered paragraph	HF 2418.56	J
97B.73A*	Unnumbered paragraph 1 amended	HF 2418.57	7/1/95
97B.74*	Unnumbered paragraphs 1 & 2 amended	HF 2418.58	7/1/95
97B.80*	New unnumbered paragraph	HF 2418.59	J
99A.4	Section amended	HF 642.6	J
99A.7	Section amended	HF 642.7	J
99B.1	Subsection 21 amended	HF 2192.1	J
99B.2	Subsection 2 amended	HF 2192.2	J
99B.6	Subsection 1, paragraph k amended	HF 2179.1	E
99B.7	Subsection 1, paragraph c, unnumbered para. 1 amended	HF 2192.3	J
99B.7	Subsection 1, paragraph m rewritten	HF 2192.4	J
99B.7	New subsection 7	HF 2192.5	J
99B.7A	New section	HF 2192.6	J
99D.7	Subsection 19 amended	HF 2375.1	E
99D.9	Subsection 1 amended	HF 2179.2	E
99D.11	Subsection 6, paragraph b amended	HF 2179.3	E
99D.11	Subsection 7 amended	HF 2179.4	E
99D.15	Subsection 3, paragraph c amended	SF 2086.6	J
99D.17*	Section amended	SF 2086.33	J
99D.23	Subsection 4 amended	HF 2375.2	E
99D.24	Subsection 2 amended	HF 2179.5	E
99D.25	Subsection 1, paragraph b amended	HF 2375.3	E
99D.25	Subsection 6 stricken	HF 2375.4	E
99D.25A	Subsection 7 amended	HF 2375.5	E
99E.10*	Subsection 1, paragraph a rewritten	SF 2086.34	*** J
99E.10*	Subsection 1, paragraph a rewritten	SF 2313.32	J
99E.18	Subsection 2 amended	HF 2179.6	E
99E.31	Section repealed	SF 2330.19	6/30/94
99E.32	Section repealed	SF 2330.19	6/30/94
99E.33	Section repealed	SF 2330.19	6/30/94
99F.1	Subsections 8 & 15 stricken	HF 2179.7	E
99F.1	Subsection 10 amended	HF 2179.8	E
99F.1	New subsection 17	HF 2179.9	E
99F.4*	Subsection 2 amended	SF 2086.35	J
99F.4*	Subsection 4 amended	HF 2179.10	E
99F.4*	Subsection 17 amended	HF 2179.11	E
99F.4*	Subsection 20 stricken	HF 2179.12	E

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C	- Conditional effective date	VETO	- Entire bill section vetoed	**	- Section amended by subsequent bill
E	- Effective upon enactment	IV	- Part of bill section vetoed	***	- Bill section repealed by subsequent bill
J	- Effective July 1, 1994	00-00-00	- Specified effective date		

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
99F.4A	New section	HF 2179.13	E
99F.4B	New section	SF 2330.46	J
99F.5	Subsection 1 amended	HF 2179.14	E
99F.6	Subsection 4 amended	HF 2179.15	E
99F.7*	Subsection 5, paragraph a stricken	HF 2179.16	E
99F.7*	Subsection 10, paragraph c amended	HF 2179.17	E
99F.7*	New subsection 16	HF 2179.18	E
99F.9	Subsection 2 stricken	HF 2179.19	E
99F.9	Subsection 3 amended	IIF 2179.20	L
99F.9	Subsection 4 amended	HF 2179.21	E
99F.9	Subsections 5 & 7 stricken	HF 2179.22	E
99F.9	Subsection 6 amended	HF 2179.23	E
99F.9	New subsection 8	IIF 2179.24	L
99F.11	Unnumbered paragraph 1 amended	HF 2179.25	E
99F.11	Subsection 3 amended	HF 2179.26	*** E
99F.11	Subsection 3 amended	SF 2086.36	*** J
99F.11	Subsection 3 amended	SF 2313.33	J
99F.15	Subsection 2 amended	HF 2179.27	E
99F.15	Subsection 3 amended	IIF 2179.28	E
99F.16	Subsection 2 amended	HF 2179.29	E
99F.17	Subsection 1 amended	SF 2086.37	J
99F.17	Subsection 5 amended	IIF 2375.6	L
99F.17	New subsection 6	HF 2375.7	E
99F.17A	Section amended	HF 2375.8	E
100.13	Section rewritten	HF 2070.1	J
100.14	Section rewritten	HF 2070.2	J
100.15	Section repealed	HF 2070.9	J
100.16	Section amended	HF 2070.3	J
100.17	Section repealed	HF 2070.9	J
100.18	Subsection 2, paragraph b amended	HF 2070.4	J
100.19	Section repealed	HF 2070.9	J
100.23	Section repealed	HF 2070.9	J
100.26	Section amended	HF 2070.5	J
100.27	Section repealed	HF 2070.9	J
100.28	Section repealed	HF 2070.9	J
100.29	Section repealed	HF 2070.9	J
100.31	Unnumbered paragraph 2 amended	IIF 2070.6	J
103A.11	Subsection 1 rewritten	HF 2070.7	J
123.3*	New subsection 8A	HF 2115.1	J
123.36*	Unnumbered paragraph 1 amended	HF 2124.85	J
123.37*	Unnumbered paragraph 1 amended	HF 2124.9	J
123.39*	Subsection 1, paragraph a amended	HF 2115.2	J
123.42	Section rewritten	HF 2115.3	J
123.43	Section amended	HF 2115.4	J
123.44	Section amended	HF 2115.5	J
123.47	Section amended	IIF 2146.1	J
123.47	Section amended	SF 2319.2	J
123.47A	Section amended	SF 2319.3	J
123.47A	Subsection 1 amended	HF 2146.2	J
123.47C	New section	HF 2146.3	J
123.49	Subsection 2, paragraph h amended	SF 2319.4	J
123.50*	Subsection 1 amended	SF 2319.5	J
123.124	Section amended	HF 2115.6	J
123.132	Section amended	HF 2115.7	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
124.101	Subsection 18 rewritten	HF 2172.1	J
124.204	Subsection 1 amended	HF 2172.2	J
124.204	Subsection 2, paragraph c amended	HF 2172.3	J
124.204	Subsect. 2, new paras. au, av, aw, ax, ay, az, ba, bb, & bc	HF 2172.4	J
124.204	Subsection 4, paragraph y amended	HF 2172.5	J
124.204	Subsection 4, new paragraphs z, aa, ab, & ac	HF 2172.6	J
124.204	Subsection 6, new paragraphs c, d, & e	HF 2172.7	J
124.204	Subsection 9 rewritten	HF 2172.8	J
124.206	Subsection 3, new paragraph z	HF 2172.9	J
124.206	Subsection 7, paragraph b amended	HF 2172.10	J
124.208	Subsection 1 amended	HF 2172.11	J
124.208	Subsection 3, paragraph k, subparas. (2) & (3) amended	HF 2172.12	J
124.208	Subsection 5, paragraph d amended	HF 2172.13	J
124.210	Subsection 1 amended	HF 2172.14	J
124.210	Subsection 3, new paragraph av	HF 2172.15	J
124.212	Subsection 1 amended	HF 2172.16	J
124.212	Subsection 4 amended	HF 2172.17	J
124.401	Subsection 1, paragraph d amended	SF 2086.7	J
124.401A	Section amended	SF 2319.6	J
124.401B	New section	SF 2319.7	J
124.406	Subsection 1, paragraphs a & b amended	SF 2319.8	J
124.406	Subsection 2, paragraphs a & b amended	SF 2319.9	J
124.406A	New section	SF 2319.10	J
124.415	Section amended	SF 2319.11	J
125.13	Subsection 2, new paragraph i	HF 2145.1	J
125.14A	New subsections 5, 6, & 7	HF 2261.11	J
125.59	Subsection 1, paragraph b amended	HF 2145.2	J
135.1	Unnumbered paragraph 1 amended	HF 2124.10	J
135.11*	Subsections 11 & 13 amended	HF 2387.9	J
135.11*	Subsection 13 amended	HF 2124.11	J
135.13	Section amended	HF 2422.2	J
135.22	Section amended	HF 2145.3	J
135.22A	Subsection 1, paragraph b amended	HF 2145.4	J
135.22A	Subsection 2, paragraph e amended	SF 2172.2	J
135C.1	New subsections 1A & 17A	SF 2203.1	J
135C.2	Subsection 3 amended	SF 2203.2	J
135C.2	Subsection 5, unnumbered paragraph 1 amended	SF 2311.7	J
135C.2	Subsection 5, paragraph f, subparagraph (4) amended	SF 2311.22	J
135C.2	New subsection 6	SF 2203.3	J
135C.23	Subsection 2, unnumbered paragraph 2 amended	SF 2311.23	J
135C.25	Subsection 1 amended	SF 2311.24	J
135C.33	New section	HF 2261.12	J
135C.33	New section	HF 2354.1	J
135H.1	Subsection 6 stricken	HF 2372.14	J
135H.1	Subsection 9 amended	HF 2372.15	J
135H.7	New subsections 4, 5, & 6	HF 2261.13	J
137.19	Section amended	HF 2124.86	J
137C.25	New section	HF 2232.1	J
137C.25A	New section	HF 2232.2	J
137C.25B	New section	HF 2232.3	J

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|---------------------------------------|--|---|
| <b>A</b> - Applicability provisions   | <b>R</b> - Retroactive applicability       | <b>*</b> - Code Supplement 1993                       |
| <b>C</b> - Conditional effective date | <b>VETO</b> - Entire bill section vetoed   | <b>**</b> - Section amended by subsequent bill        |
| <b>E</b> - Effective upon enactment   | <b>IV</b> - Part of bill section vetoed    | <b>***</b> - Bill section repealed by subsequent bill |
| <b>J</b> - Effective July 1, 1994     | <b>00-00-00</b> - Specified effective date |   |

Section	Action	Sen/Hse File No.	Effective
137C.25C	New section	HF 2232.4	J
137C.25D	New section	HF 2232.5	J
137C.25E	New section	HF 2232.6	J
139.9	Subsection 2 amended	HF 2145.5	J
141.6	New subsection 7	HF 2149.2	J
141.23*	Subsection 1, paragraph i amended	HF 2124.87	J
141.23*	Subsection 1, new paragraph j	HF 2149.3	J
141.23A	Section amended	HF 2353.1	J
144.12A	New section	HF 2377.2	J
144.13*	Subsection 1, paragraph e amended	HF 2410.2	J
144.13*	Subsection 4 amended	HF 2410.3	J
144.40*	Section amended	HF 2410.4	J
144.43	Subsection 1 amended	HF 2410.5	J
144.44	Section amended	HF 2410.6	J
144.46	Section amended	SF 413.1	J
144C.1	New section	SF 2069.1	J
144C.2	New section	SF 2069.3	J
144C.3	New section	SF 2069.4	J
144C.4	New section	SF 2069.5	J
144C.5	New section	SF 2069.6	J
144C.6	New section	SF 2069.7	J
144C.7	New section	SF 2069.8	J
144C.8	New section	SF 2069.9	J
145.	Chapter repealed	HF 2145.6	7/1/96
145.	Chapter repealed	SF 2069.11	7/1/96
145.1A*	Section amended	HF 2145.6	J
145.1A*	Section amended	SF 2069.11	J
147.1	Unnumbered paragraph 1 & subsection 7 amended	HF 2387.10	J
147.3	Section amended	HF 2387.11	J
147.6	Section amended	HF 2387.12	J
147.7	Section amended	HF 2387.13	J
147.9	Section amended	HF 2387.14	J
147.12	Unnumbered paragraph 1 amended	HF 2387.15	J
147.30	Section amended	HF 2387.16	J
147.34	Section amended	HF 2387.17	J
147.41	Subsection 2 amended	HF 2387.18	J
147.44	Section amended	HF 2387.19	J
147.46	Subsection 1 amended	HF 2387.20	J
147.52	Section amended	HF 2387.21	J
147.72	Section amended	HF 2387.22	J
147.73	Subsection 1 amended	HF 2387.23	J
147.83	Section amended	HF 2387.24	J
147.86	Section amended	HF 2124.12	J
147.86	Section amended	HF 2387.25	J
147.87	Section amended	HF 2387.26	J
147.88	Section amended	HF 2387.27	J
147.90	Section amended	HF 2387.28	J
147.92	Section amended	HF 642.8	J
147.92	Section amended	HF 2387.29	J
147.93	Section amended	HF 2387.30	J
147.107	Subsection 9 amended	SF 2053.1	J
147.108	New section	HF 2309.1	J
147.109	New section	HF 2309.2	J
147.111*	Section amended	HF 2387.31	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
152.9	Section amended	SF 2109.1	J
152D.1	New section	HF 2387.1	J
152D.2	New section	HF 2387.2	J
152D.3	New section	HF 2387.3	J
152D.4	New section	HF 2387.4	J
152D.5	New section	HF 2387.5	J
152D.6	New section	HF 2387.6	J
152D.7	New section	HF 2387.7	J
152D.8	New section	HF 2387.8	J
154.9	Section repealed	HF 2309.3	J
154D.2	Subsection 1, paragraph b amended	SF 2311.25	J
154D.2	Subsection 2, paragraph b amended	SF 2311.26	J
155A.13A	Subsection 2 amended	HF 2172.18	J
159.1	Section amended	HF 2124.13	J
159.5	Subsection 11 amended	HF 2124.14	J
159.6	Subsection 8 amended	HF 2124.15	J
159.20	Subsection 10 amended	HF 2337.10	E
159.29	Subsection 2, unnumbered paragraph 1 amended	SF 2314.32	J
159A.1	Subsections 2 & 3 amended	HF 2337.11	E
159A.2	Section amended	HF 2337.12	E
159A.3	Section amended	HF 2337.13	E
159A.4	Subsection 1, unnumbered paragraph 1 amended	HF 2337.14	E
159A.4	Subsection 1, new paragraph i, paragraphs relettered	HF 2337.15	E
159A.4	Subsection 1, paragraph j amended	HF 2337.16	E
159A.4	Unnumbered paragraph 2 amended	HF 2337.17	E
159A.5*	Subsections 1, 2, 4, & 5 amended	HF 2337.18	E
159A.6	Section amended	HF 2337.19	E
159A.6A	New section	HF 2337.20	E
159A.6B	New section	HF 2337.21	E
159A.7*	Section amended	HF 2337.22	E
159A.8	Section repealed	HF 2337.37	E
161A.5	Subsection 3 amended	SF 2219.41	J
161A.42	Subsection 11 amended	SF 2086.8	J
161A.43	Unnumbered paragraph 2 amended	HF 2124.16	J
161C.5	New section	SF 2314.33	J
161C.6	New section	SF 2314.34	J
162.13	Unnumbered paragraph 2 amended	HF 637.1	E
169.4A	New section	SF 2314.35	J
169B.	Chapter repealed	HF 642.42	J
169B.49	Section repealed	HF 637.23	J
173.14B	Subsection 2 amended	SF 2314.36	J
175.2	Subsection 6 amended	HF 2318.1	E
175.2	Subsection 12, new paragraphs c & d	HF 2318.2	E
175.2	Subsection 16 amended	HF 2318.3	E
175.12	Subsection 3, paragraph a amended	HF 2318.4	E
175.12	Subsection 3, paragraph c amended	HF 2318.5	E
175.12	Subsection 3, paragraph f amended	HF 2318.6	E
175.12	Subsection 3, paragraph g amended	HF 2318.7	E
176A.5	Section amended	SF 2223.64	1/1/95
176A.8	Section amended	SF 2223.64	1/1/95

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| J | - Effective July 1, 1994     | 00-00-00 | - Specified effective date    |     |  |

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
179.1	New subsection 7A	HF 2428.1	J
179.5	Subsection 3 amended	HF 2428.2	J
179.8	Section amended	HF 2428.3	J
179.10	Section rewritten	HF 2428.4	J
181.2	Subsection 7 amended	HF 2428.5	J
181.6	New subsection 4	HF 2428.6	J
181.13	Section amended	HF 2428.7	J
181.16	Section amended	HF 2428.8	J
181.18B	New section	HF 2428.9	J
183A.1	New subsection 9	HF 2428.10	J
183A.7	Section amended	HF 2428.11	J
183A.11	Section amended	HF 2428.12	J
183A.12A	New section	HF 2428.13	J
184A.1	New subsection 4A	HF 2428.14	J
184A.4	Section amended	HF 2428.15	J
184A.6	Section amended	HF 2428.16	J
184A.7	Section repealed	HF 2428.46	J
184A.9	Section amended	HF 2428.17	J
184A.17	Section rewritten	HF 2428.18	J
185.1	Subsections 6 & 11 amended	HF 2428.19	J
185.1	New subsection 10A	HF 2428.20	J
185.10	Section amended	HF 2428.21	J
185.13	New subsection 5	HF 2428.22	J
185.21	Section amended	HF 2428.23	J
185.24	Section amended	HF 2428.24	J
185.25	Section amended	HF 2428.25	J
185.25A	New section	HF 2428.26	J
185.26	Section amended	HF 2428.27	J
185.28	Section amended	HF 2428.28	J
185.29	Section amended	HF 2428.29	J
185.30	Section amended	HF 2428.30	J
185.33	Section rewritten	HF 2428.31	J
185C.1	New subsection 12A	HF 2428.32	J
185C.1	Subsection 13 amended	HF 2428.33	J
185C.10	Section amended	HF 2428.34	J
185C.21	Section amended	HF 2428.35	J
185C.26	Section amended	HF 2428.36	J
185C.28	Section amended	HF 2428.37	J
185C.33	Section rewritten	HF 2428.38	J
189.1	Unnumbered paragraph 1 & subs. 1 & 6 amended	HF 2124.17	J
189.2	Section amended	HF 2124.18	J
189.3	Section amended	HF 2124.19	J
189.4	Section amended	HF 2124.20	J
189.5	Section amended	HF 2124.21	J
189.6	Section amended	HF 2124.22	J
189.8	Section amended	HF 2124.23	J
189.9	Unnumbered paragraph 1 amended	HF 2124.24	J
189.13	Section amended	HF 2124.25	J
189.14	Subsection 1 amended	HF 2124.26	J
189.15	Section amended	HF 2124.27	J
189.16	Section amended	HF 2124.28	J
189.19	Section amended	HF 2124.29	J
189.20	Section amended	HF 2124.30	J
189.21	Section amended	HF 2124.31	J

Section	Action	Sen/Hsc File No.	Effective
189.22	Section amended	HF 2124.32	J
189.23	Section amended	HF 2124.33	J
189.24	Section amended	HF 2124.34	J
189.25	Section amended	HF 2124.35	J
189.27	Section amended	HF 2124.36	J
189.28	Section amended	HF 2124.37	J
189.29	Section amended	HF 2124.38	J
189.30	Section amended	HF 2124.39	J
189.31	Section amended	IIF 2124.40	J
190.1	Unnumbered paragraph 1 amended	IIF 2124.41	J
190.14	Subsection 1 amended	SF 2314.37	J
191.9	Subsection 1 amended	SF 2314.38	J
192.102	Section amended	SF 2314.39	J
192.110*	Subsection 2 amended	SF 2314.40	J
192.111*	Subsection 3 amended	SF 2086.38	J
192.133	Section amended	SF 2086.39	J
192A.11	New subsection 4	HF 2194.1	J
192A.30*	Unnumbered paragraph 2 amended	SF 2086.40	J
194.14	Section amended	SF 2086.41	J
194.19	Section amended	SF 2086.42	J
194.20	Section amended	SF 2086.43	J
195.9	Section amended	SF 2086.44	J
196A.1	New subsection 9	HF 2428.39	J
196A.17	Section amended	HF 2428.40	J
196A.19	Section amended	HF 2428.41	J
196A.20	Section repealed	HF 2428.46	J
196A.21	Section amended	IIF 2428.42	J
196A.25	Section rewritten	HF 2428.43	J
198.9*	Subsection 3 amended	SF 2086.45	J
200.8	Subsection 3 amended	SF 2086.46	J
200.9*	Section amended	SF 2086.47	J
200.22	New section	SF 94.1	** J
200.22	New subsection 1, paragraph a amended	SF 2314.41	J
201.13	Section amended	SF 2086.48	J
203.3	Subsection 4, paragraph b, new unnumbered paragraph	SF 2016.1	E
203.3	Subsection 4, paragraph c amended	SF 2016.2	E
203.3	Subsection 5, paragraph b, new unnumbered paragraph	SF 2016.3	E
203.3	Subsection 5, paragraph c amended	SF 2016.4	E
203C.16	Section amended	SF 2263.1	J
206.12*	Subsection 3 amended	SF 2086.49	J
206.34	New section	SF 94.2	** J
206.34	New subsection 1, paragraph a amended	SF 2314.42	J
214.4	New section	SF 2314.43	J
214A.16	Section amended	HF 2337.23	E
216.2	Subsection 4, paragraph b amended	HF 2124.42	J
216B.3*	Subsection 16 amended	HF 2337.24	E
216D.2	Subsection 2 amended	HF 642.9	J
217.6	Unnumbered paragraph 2 amended	SF 2311.27	J
217.10	Section amended	SF 2311.28	J
217.11*	Subsection 6 stricken	SF 2288.2	E

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| J - Effective July 1, 1994     | 00-00-00 - Specified effective date |  |

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
217.11*	Unnumbered paragraph 2 amended	SF 2288.3	E
217.12*	Subsection 3, unnumbered paragraph 1 amended	SF 2288.4	F
217.12*	Subsection 3, paragraph a amended	SF 2288.5	E
217.12*	Subsection 4 amended	SF 2288.6	F
217.12*	Subsection 6 amended	SF 2288.7	E
218.3	Subsection 2 amended	SF 2311.29	J
218.4	Unnumbered paragraph 2 amended	SF 2311.30	J
218.9	Unnumbered paragraph 1 amended	SF 2311.31	J
218.30	Section amended	SF 2311.32	J
218.86	Section amended	SF 2086.9	J
218.92	Section amended	SF 2311.33	J
221.2	Section amended	SF 2311.34	J
222.2	Subsection 1 amended	SF 2311.35	J
222.70	Section amended	SF 2311.1	J
222.71	Section amended	SF 2311.2	J
222.72	Section amended	SF 2311.3	J
225C.1	Section amended	SF 2311.10	J
225C.2	Section amended	SF 2311.11	J
225C.3	Section amended	SF 2311.12	J
225C.4	Section amended	SF 2311.13	J
225C.5	Section amended	SF 2311.14	J
225C.6	Section amended	SF 2311.15	J
225C.7	Section rewritten	SF 2311.16	J
225C.8	Section repealed	SF 2311.54	J
225C.9	Section repealed	SF 2311.54	J
225C.10	Section repealed	SF 2311.54	J
225C.11	Section repealed	SF 2311.54	J
225C.13	Section amended	SF 2311.17	J
225C.14	Subsection 1 amended	SF 2311.18	J
225C.18	New section	SF 2311.19	J
225C.21	Subsection 3 amended	SF 2311.20	J
225C.23	Section amended	HF 2145.7	J
225C.23	Section amended	SF 2172.3	J
225C.45	Subsection 1 amended	SF 2311.21	J
225C.46	New section	HF 2302.2	J
225C.47	New section	HF 2302.3	A 7/1/95
225C.48	New section	HF 2302.4	J
225C.48	New section repealed	HF 2302.4	7/1/98
226.47	Section amended	SF 2311.36	J
227.4	Section amended	SF 2311.37	J
227.19	Section amended	SF 2311.38	J
228.9	New section	SF 2287.1	J
229.9A	New section	HF 2134.1	J
229.12	Subsection 2 amended	HF 2134.2	J
229.19*	Unnumbered paragraph 3 amended	HF 642.10	J
229.45	New section	HF 2037.1	J
230.12	Section amended	SF 2311.4	J
230.13	Section amended	SF 2311.5	J
230.14	Section amended	SF 2311.6	J
230.34	Section amended	SF 2311.39	J
230A.1	Section amended	SF 2311.40	J
230A.2	Section amended	SF 2311.41	J
230A.16	Unnumbered paragraph 1 amended	SF 2311.42	J
230A.16	Subsection 3 amended	SF 2311.43	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
230A.17	Section amended	SF 2311.44	J
230A.18	Section amended	SF 2311.45	J
231.44	Subsection 2 amended	SF 2311.46	J
232.2*	Subsection 4, paragraph c amended	HF 2217.1	J
232.2*	Subsection 22, new unnumbered paragraph	SF 2319.12	J
232.2*	Subsection 39 amended	HF 2217.2	J
232.4	Section amended	HF 2410.7	J
232.19	Subsection 2 amended	SF 2319.13	J
232.29	Subsection 2 amended	SF 2319.14	J
232.42	New subsection 3	SF 2319.15	J
232.44	Subsection 1, new unnumbered paragraph	SF 2319.16	J
232.44	Subsection 7 amended	SF 2319.17	J
232.45A	Subsections 2 & 3 amended	SF 2319.18	J
232.46	Subsection 1 amended	SF 2319.19	J
232.47	New subsection 12	SF 2319.20	J
232.52	Subsection 2, paragraph a, new subparagraph (4)	SF 2319.21	J
232.52	Subsection 2, paragraph c, new unnumbered paragraph	SF 2319.22	J
232.68*	Subsection 2, paragraph f amended	HF 2261.1	J
232.68*	Subsection 7, paragraph b amended	HF 2261.2	J
232.69	Subsection 1, paragraph b amended	HF 2261.3	J
232.71*	Subsection 1 amended	HF 2261.4	J
232.71*	Subsection 2, paragraph d amended	HF 2261.5	J
232.71*	Subsection 5 amended	SF 2009.1	J
232.77*	Subsection 1 amended	HF 2261.6	J
232.78	Subsection 1, unnumbered paragraph 1 amended	SF 2319.23	J
232.79	Subsection 1, unnumbered paragraph 1 amended	SF 2319.24	J
232.116*	Subsection 1, paragraph d, subparagraph (3) amended	HF 2377.3	J
232.117	Subsection 3, unnumbered paragraph 1 amended	HF 2217.3	J
232.148	Section amended	SF 2319.25	J
232.149	New subsection 2A	SF 2319.26	J
232.168	New section	HF 2377.4	J
232.190	New section	SF 2319.27	J
232.191	New section	SF 2319.28	J
234.39	Subsection 1 amended	HF 2410.8	J
234.41	Section amended	HF 2217.4	J
235.1	Unnumbered paragraph 1 amended	HF 2124.88	J
235A.15*	Subsection 2, paragraph c, subparagraph (3) amended	HF 2124.43	J
235A.15*	Subsection 2, paragraph e, new subparagraph (12)	SF 2051.1	J
235A.18*	Subsection 2, unnumbered paragraph 1 amended	HF 2261.9	7/1/95
235A.19	Subsections 1, 2 & 3 amended	HF 2261.10	J
236.14*	Subsection 2, unnumbered paragraphs 3 & 4 amended	SF 2265.1	J
237.3*	Subsection 2, paragraph h amended	HF 2217.5	J
237.8	New subsections 3, 4, & 5	HF 2261.14	J
237.15	Subsection 1, paragraph c amended	HF 2217.6	J
237.22	Subsection 4 amended	HF 2217.7	J
237.23*	Section repealed	SF 2313.37	6/30/94
237A.1*	Subsection 4, paragraph a amended	SF 2234.1	J
237A.1*	Subsection 8, paragraph b amended	HF 2003.1	J
237A.3*	Subsection 1, paragraph b amended	HF 2003.2	J
237A.3*	Subsection 1, paragraph d amended	HF 2003.3	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
237A.5	New subsections 3, 4, & 5	HF 2261.15	J
237A.12	Subsection 3 amended	HF 2003.4	J
237A.12	Unnumbered paragraphs 2, 3, 4, & 5 amended	IIF 2003.5	J
237A.12	Unnumbered paragraphs 2, 3, 4, & 5 amended	SF 2234.2	J
238.1	Subsection 2, paragraph c amended	HF 2217.8	J
238.43A	New section	HF 2377.5	J
239.1A*	Section amended	SF 2288.8	E
239.18	Section amended	SF 2288.9	E
239.21	Section amended	SF 2288.10	E
249A.3*	Subsection 1, paragraph g amended	HF 2372.16	J
249A.3*	Subsection 7 amended	HF 2372.8	J
249A.3*	New subsection 11	HF 2372.9	J
249A.3*	New subsections 12 & 13	IIF 2372.1	J
249A.4	Subsection 8, unnumbered paragraph 1 amended	SF 2196.1	J
249A.4	Subsection 8, new unnumbered paragraph	SF 2196.2	J
249A.4A	New section	HF 2410.9	J
249A.5	Section amended	HF 2372.10	J
249A.6*	Subsections 1, 2, & 4 amended	HF 2124.89	J
249A.12	New subsection 3	HF 2372.2	J
249A.12	New subsection 3	HF 2430.1	7/1/95
249A.25	Section repealed	SF 2196.4	J
249A.25	Subsection 3 amended	SF 2311.47	J
249A.25	Subsection 4, paragraph d amended	SF 2311.48	J
249A.25	Subsection 4, paragraph f amended	SF 2311.49	J
249A.25	Subsection 4, paragraph h amended	SF 2311.50	J
249A.26*	Section amended	SF 2196.3	J
249C.1	Subsection 3 amended	SF 2288.11	E
249C.1	New subsection 3A	SF 2288.12	E
249C.1	Subsection 4 amended	SF 2288.13	E
249C.3	Section amended	SF 2288.14	E
249C.4	Section amended	SF 2288.15	E
249C.6	Section amended	SF 2288.16	E
249C.7	Section amended	SF 2288.17	E
249C.8	Section amended	SF 2288.18	E
249C.9	Section amended	SF 2288.19	E
249C.14	Section amended	SF 2288.20	E
249C.16	Section amended	SF 2288.21	E
249C.17	Section amended	SF 2288.22	E
252.16	Subsection 6 amended	SF 2313.34	J
252A.2*	New subsections 1 & 1A, subsections renumbered	HF 2410.10	J
252A.2*	New subsections 4A & 6A	HF 2410.11	J
252A.3*	Subsection 9, new paragraph d	HF 2410.12	J
252A.3A*	Section rewritten	HF 2410.13	J
252A.6A	New section	HF 2410.14	J
252B.5*	Subsection 2 amended	HF 2410.15	J
252B.9*	Subsection 2, paragraph b, subparagraph (2) amended	HF 2410.16	J
252B.18	Section rewritten	IIF 2410.17	J
252B.20*	Subsection 1, paragraph b amended	HF 2410.18	E
252B.21*	Subsection 1 amended	HF 2410.19	E
252C.2	Subsections 2, 3, & 4 amended	HF 2410.20	J
252C.4*	Subsections 1, 2, & 5 amended	HF 2410.21	J
252C.4*	New subsection 7	HF 2410.22	J
252C.5	Section amended	HF 2410.23	J
252D.8*	Subsection 1, unnumbered paragraph 1 amended	HF 2410.24	R 1/1/94

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
252D.23	Section amended	HF 2410.25	R 7/1/92
252E.2	New subsection 2, subsection renumbered	HF 2410.26	J
252E.5	Section amended	HF 2410.27	J
252E.7	Section amended	HF 2410.28	J
252E.8	Subsection 1 amended	HF 2410.29	J
252E.13	New subsection 3	HF 2410.30	J
252F.1*	Subsection 3, paragraph c stricken	HF 2410.31	J
252F.3*	Section amended	HF 2410.32	J
252F.4*	Subsections 1, 2, 3, 4, 6, & 7 amended	IIF 2410.33	J
252F.5*	Subsections 2, 3, 6, & 7 amended	HF 2410.34	J
252F.8*	Section amended	IIF 2410.35	J
252G.1*	Section amended	HF 2410.36	R 1/1/94
252G.3*	Subsection 1 amended	IIF 2410.37	R 1/1/94
252G.4*	Section amended	HF 2410.38	R 1/1/94
252I.1	New section	HF 2407.1	J
252I.2	New section	HF 2407.2	J
252I.3	New section	HF 2407.3	J
252I.4	New section	HF 2407.4	J
252I.5	New section	HF 2407.5	J
252I.6	New section	HF 2407.6	J
252I.7	New section	HF 2407.7	J
252I.8	New section	HF 2407.8	J
255.15	Section amended	IIF 2124.90	J
255.17	Section amended	HF 2124.91	J
256.1*	Subsections 2, 3, & 4 amended	HF 2124.92	J
256.7*	Subsections 7, 8, 15, 16, & 17 stricken	SF 2236.3	J
256.7*	Subsection 12 amended	SF 2236.1	J
256.7*	Subsection 21 amended	SF 2236.2	J
256.7*	New subsection 24	HF 2033.1	J
256.7*	New subsection 24	HF 2411.17	J
256.9*	Subsection 27 amended	SF 2236.4	J
256.9*	Subsection 33 amended	SF 2236.5	J
256.9*	Subsection 36 amended	SF 2236.6	J
256.9*	Subsection 39 stricken	SF 2236.12	J
256.9*	Subsection 41 amended	SF 2236.7	J
256.9*	Subsection 42 amended	SF 2236.8	J
256.9*	Subsection 43 amended	SF 2236.9	J
256.9*	Subsection 44 amended	SF 2236.10	J
256.9*	Subsection 46 amended	SF 2236.11	J
256.11*	Subsection 5, paragraph b, unnumbered para. 1 amended	SF 2277.1	J
256.11*	Subsections 9 & 9A stricken	SF 2236.13	J
256.11A*	Section amended	SF 2236.14	J
256.11C	New section	HF 2383.1	J
256.12*	Subsection 2 amended	HF 2155.1	J
256.52*	Subsection 3, paragraph c amended	HF 2411.18	J
256.82*	Subsection 3 rewritten	SF 2089.22	E
256B.5	Section amended	SF 2236.15	J
256B.9	Subsections 3 & 4 amended	HF 2155.2	J
256B.15	Subsection 7 amended	HF 2372.12	R 7/1/93
257.2	Subsection 12 amended	HF 2124.93	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
257.16	Unnumbered paragraph 2 amended	HF 2124.44	J
257.16	Unnumbered paragraph 2 amended	SF 2318.12	C
257.31*	Subsection 14, paragraph a amended	SF 2234.3	J
257.42	New unnumbered paragraph	SF 2201.1	J
257.45	Section amended	SF 2201.2	J
257.46	Section amended	SF 2201.3	J
257B.11	Section amended	HF 2124.45	J
257B.39	Section amended	HF 642.11	J
257B.42	Section amended	IIF 642.12	J
257C.9	Subsections 3 & 4 amended	HF 2124.46	J
258.14	Section repealed	SF 2236.25	J
258.15	Section repealed	SF 2236.25	J
259.1	Section amended	SF 2172.4	J
259.2	Unnumbered paragraph 1 amended	SF 2172.5	J
259.3	Section amended	SF 2172.6	J
259.4	Section amended	SF 2172.7	J
259.5	Section amended	SF 2172.8	J
259.6	Section amended	SF 2172.9	J
259.7	Section amended	SF 2172.10	J
260C.13	Subsection 1 amended	HF 2366.14	J
260C.13	Subsections 3 & 4 rewritten	HF 2366.15	J
260C.19A*	Section amended	HF 2337.25	E
260C.23*	Subsection 9 amended	HF 2418.60	J
260C.23*	Subsection 17 amended	HF 2418.61	J
260C.28	Subsection 2 amended	SF 2234.4	J
260C.57	Section amended	HF 2124.94	J
260C.59	Section amended	HF 2124.95	J
260C.65	Section amended	HF 2124.96	J
260C.66	Section amended	IIF 2124.97	J
260C.67	Section amended	HF 2124.98	J
260C.70	Section amended	HF 2124.99	J
260D.12	Section amended	SF 2318.13	C
260E.3	Unnumbered paragraph 1 & subsection 1 amended	HF 2204.1	A 1/1/95
260E.3	Subsection 4 amended	HF 2204.2	A 1/1/95
260F.3	Unnumbered paragraph 1 & subsection 1 amended	HF 2204.3	A 1/1/95
260F.3	Subsections 5 & 7 amended	HF 2204.4	A 1/1/95
261.19A	Unnumbered paragraph 2 amended	SF 2092.1	J
261.19B	New section	SF 2092.2	J
261.25*	Subsection 1 amended	HF 2411.19	J
261.25*	Subsection 3 amended	HF 2411.20	J
262.9*	Subsection 4, paragraphs a, b, & c amended	SF 2236.16	J
262.9*	Subsection 5 amended	SF 2236.17	J
262.9*	Subsection 24 amended	SF 2236.18	J
262.9*	Subsection 25 amended	SF 2236.19	J
262.9*	Subsection 26 amended	SF 2236.20	J
262.9*	New subsection 29	HF 2411.21	J
262.14	Unnumbered paragraph 1 amended	SF 2013.4	E
262.21	Unnumbered paragraph 1 amended	HF 2418.62	J
262.25A*	New subsection 3	IIF 2337.26	** E
262.25A*	New subsection 3, unnumbered paragraph 1 amended	SF 2330.65	J
262.70	Section amended	SF 2311.51	J
262A.6A	Subsection 1 amended	SF 2199.1	J
266.19	New section	HF 2337.27	E
266.39D	New section	HF 2411.22	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
266.39D	New section	SF 2314.44	J
269.1	Section amended	SF 2236.21	J
270.2	Section repealed	SF 2236.25	J
270.4	Section amended	SF 2236.22	J
272.7	Unnumbered paragraph 1 amended	SF 2169.1	J
272.34	Section repealed	SF 2169.2	J
272C.1	Subsection 6, new paragraph bb	HF 2387.32	J
272D.	Chapter repealed	HF 2411.37	7/1/95
273.3	Subsection 14 amended	HF 2418.63	J
273.3	New subsection 20	SF 2231.1	E
273.3	New subsection 20	SF 2234.5	J
275.1*	Subsection 2 amended	HF 2124.100	J
275.1*	Section amended	SF 2223.65	1/1/95
275.12*	Subsection 3 amended	HF 2366.16	J
275.13	Section amended	SF 2223.64	1/1/95
275.23A	Subsections 1 & 2 rewritten	HF 2366.17	J
275.23A	Subsections 3 & 4 amended	HF 2366.18	J
275.51*	Unnumbered paragraph 1 amended	SF 2234.6	J
277.4*	Unnumbered paragraph 2 amended	SF 2219.42	J
277.5	Unnumbered paragraph 1 amended	SF 2219.43	J
277.7	New section	SF 2219.44	J
278.1	Subsection 5 amended	HF 2308.16	7/1/95
278.1	Unnumbered paragraph 2 amended	HF 2308.17	7/1/95
279.9	Section amended	HF 2383.2	J
279.9A	New section	HF 2383.3	J
279.10	Subsection 1 amended	SF 2237.1	E
279.41	Section amended	HF 2308.18	7/1/95
279.42	Section amended	HF 2308.19	7/1/95
279.48	New section	SF 2234.7	J
279.49	Section amended	SF 2234.8	J
279.51	Subsection 1, paragraph c amended	SF 2330.47	J
279.51	Subsection 1, new paragraph g	SF 2330.48	J
279.51	Subsection 3, unnumbered paras. 1, 2, 4, & 5 amended	SF 2330.49	J
280.3A	New section	SF 2234.9	J
280.9A	Subsection 2 rewritten	SF 2223.57	1/1/95
280.9B	New section	SF 2319.29	J
280.15	Subsection 1 amended	SF 2087.1	J
280.19A	New unnumbered paragraph	HF 2383.4	J
280.19A	New unnumbered paragraph	SF 2319.30	J
280.21	New unnumbered paragraph	HF 2383.5	J
280.21A	New section	HF 2383.6	J
282.4	Section amended	HF 2383.7	** J
282.4	Section amended	SF 2330.66	J
282.5	Section amended	SF 2236.23	J
282.18*	Subsections 2, 4, 5, 7, & 14 amended	SF 2234.10	J
282.18*	Subsection 14 stricken	SF 2236.24	J
282.18*	Subsection 16 amended	HF 2383.8	J
283A.1	Subsection 3 amended	SF 2223.58	1/1/95
283A.1	Subsection 4 amended	HF 2411.23	J
283A.2	Section amended	HF 2411.24	A

EFFECTIVE DATE - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

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|---------------------------------------|--|---|
| <b>A</b> - Applicability provisions   | <b>R</b> - Retroactive applicability       | <b>*</b> - Code Supplement 1993                       |
| <b>C</b> - Conditional effective date | <b>VETO</b> - Entire bill section vetoed   | <b>**</b> - Section amended by subsequent bill        |
| <b>E</b> - Effective upon enactment   | <b>IV</b> - Part of bill section vetoed    | <b>***</b> - Bill section repealed by subsequent bill |
| <b>J</b> - Effective July 1, 1994     | <b>00-00-00</b> - Specified effective date |   |

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
283A.2	Subsection 3 stricken	IIF 2411.36	7/1/2000
283A.3	Section amended	HF 2411.25	J
283A.4	Section amended	HF 2411.26	J
283A.5	Section amended	HF 2411.27	J
283A.7	Section amended	HF 2411.28	J
283A.8	Section amended	HF 2411.29	J
283A.9	Section amended	HF 2308.20	7/1/95
283A.9	Section amended	HF 2411.30	J
283A.10	Section amended	HF 2411.31	J
285.1*	Subsection 1, new paragraph d	HF 2018.1	J
285.1*	Subsection 1, unnumbered paragraph 4 stricken	HF 2018.2	J
285.2	Unnumbered paragraph 5 amended	SF 2318.14	C
285.10*	Subsection 7, paragraph a amended	HF 2308.21	7/1/95
291.1	Section amended	SF 2234.11	J
291.8	Section amended	SF 2234.12	J
291.13	Section repealed	HF 2308.32	7/1/95
294.10A	New section	HF 2418.64	J
294.16	Section amended	HF 2418.65	J
294A.14*	Unnumbered paragraphs 9 & 10 amended	SF 2319.31	J
294A.25*	Subsection 8 amended	HF 2411.32	J
294A.25*	Subsection 8 amended	HF 2124.101	J
297.22	Subsection 1, unnumbered paragraph 2 amended	HF 2308.22	7/1/95
297.22	Subsection 1, unnumbered paragraph 4 amended	SF 2231.2	E
297.23	Section amended	SF 2234.13	J
297.36	Unnumbered paragraphs 4 & 5 amended	HF 2308.23	7/1/95
298.3	Unnumbered paragraph 1 amended	HF 2308.24	7/1/95
298.3	Subsection 1, paragraph b amended	HF 2049.1	J
298.3	Subsection 3 amended	HF 2049.2	J
298.3	Subsections 5 & 10 amended	SF 2234.14	J
298.3	Unnumbered paragraphs 2 & 3 amended	HF 2308.25	7/1/95
298.4*	Unnumbered paragraph 1 amended	HF 2308.26	7/1/95
298.4*	Unnumbered paragraph 2 amended	HF 2308.27	7/1/95
298.18	Unnumbered paragraph 1 amended	HF 2308.28	7/1/95
298A.1	New section	HF 2308.1	7/1/95
298A.2	New section	HF 2308.2	7/1/95
298A.3	New section	HF 2308.3	7/1/95
298A.4	New section	HF 2308.4	7/1/95
298A.5	New section	IIF 2308.5	7/1/95
298A.6	New section	HF 2308.6	7/1/95
298A.7	New section	HF 2308.7	7/1/95
298A.8	New section	IIF 2308.8	7/1/95
298A.9	New section	HF 2308.9	7/1/95
298A.10	New section	HF 2308.10	7/1/95
298A.11	New section	HF 2308.11	7/1/95
298A.12	New section	HF 2308.12	7/1/95
298A.13	New section	HF 2308.13	7/1/95
298A.14	New section	HF 2308.14	7/1/95
299.1B	New section	SF 2319.32	J
299.5A	New unnumbered paragraph	SF 2319.33	J
300.2*	Unnumbered paragraph 2 amended	HF 2308.29	7/1/95
301.8	Section repealed	SF 2234.18	J
301.10*	Subsection 1 amended	SF 2234.15	J
301.30	Unnumbered paragraph 4 amended	SF 2234.16	J
303.18*	Unnumbered paragraph 2 amended	SF 2318.15	C

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
303.25	Section amended	SF 2223.64	1/1/95
303.49	Section amended	SF 2223.64	1/1/95
306.12	Section amended	HF 605.1	J
306.14	Section amended	HF 605.2	J
306.19	New subsection 7	HF 2362.1	E
307.21*	New subsection 4A	HF 2337.28	E
307.26	Subsection 5, new paragraph c	SF 2330.50	J
309.82	Section amended	HF 642.13	J
312.2*	Subsections 13 & 15 amended	SF 2086.50	J
312.2*	Subsection 19 amended	HF 2124.102	J
312.3*	Subsection 1, new unnumbered paragraph	HF 2124.103	J
317.3	Unnumbered paragraph 1 amended	HF 642.14	J
321.1*	Subsection 75 amended	SF 2080.1	J
321.12	Section amended	SF 2038.1	J
321.12	New unnumbered paragraph	SF 2038.2	J
321.24	Unnumbered paragraph 5 amended	SF 2330.77	J
321.34*	New subsection 17	HF 2099.1	1/1/95
321.51	New section	HF 2321.1	J
321.52*	Subsection 4, paragraph c amended	SF 2086.51	J
321.166	Subsection 1 amended	HF 2156.1	1/1/95
321.166	Subsection 3 amended	HF 2156.2	1/1/95
321.166	Subsection 4 amended	HF 2156.3	1/1/95
321.166	New subsection 8	HF 2156.4	A 1/1/95
321.178	Subsection 1, unnumbered paragraph 1 amended	HF 181.1	J
321.189	Subsection 7 amended	HF 181.2	5/1/95
321.213A	New section	SF 2319.34	J
321.213B	New section	SF 2319.35	J
321.279	New unnumbered paragraph	HF 2153.1	J
321.285*	Subsection 5 amended	HF 642.15	J
321.291*	Section amended	HF 2124.104	J
321.324A	New section	SF 2268.1	J
321.423	Subsection 6 amended	SF 2080.2	J
321.453	Section amended	SF 2080.3	** J
321.453	Section rewritten	SF 2314.45	J
321.454	Subsection 1 amended	SF 2080.4	J
321.454	Subsection 2 stricken	SF 2080.5	J
321.457*	Subsection 2, paragraph h stricken	SF 2080.6	** J
321.457*	Subsection 3 amended	SF 2080.7	** J
321.457*	Section amended	SF 2330.78	J
321.463	New unnumbered paragraph	SF 2330.79	J
321.465	Unnumbered paragraph 2 amended	SF 2080.8	J
321.491*	Unnumbered paragraph 3 amended	SF 413.2	J
321A.17*	Subsection 5 amended	SF 2319.36	J
321E.1	Section amended	SF 2080.9	J
321E.1	New unnumbered paragraph	SF 2080.10	J
321E.2	New unnumbered paragraph	SF 2080.11	J
321E.9	Unnumbered paragraph 1 amended	SF 2080.12	J
321E.11	Unnumbered paragraph 1 amended	SF 2080.13	J
321I.5	Subsection 2, paragraph m amended	HF 2385.1	J
321I.8	Section amended	HF 2385.2	J

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A	- Applicability provisions	R	- Retroactive applicability	*	- Code Supplement 1993
C	- Conditional effective date	VETO	- Entire bill section vetoed	**	- Section amended by subsequent bill
E	- Effective upon enactment	IV	- Part of bill section vetoed	***	- Bill section repealed by subsequent bill
J	- Effective July 1, 1994	00-00-00	- Specified effective date		

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
321I.12	New subsection 4	HF 2385.3	J
321I.14	New subsection 4	HF 2385.4	J
321I.16	New section	HF 2385.5	J
321L.5	Subsection 2 amended	HF 2086.1	J
321L.5	Subsection 2 amended	SF 2086.21	J
322.4	Subsection 7 amended	SF 2330.80	J
322D.6	Section amended	IIF 2384.1	1/1/95
322F.4	Section amended	HF 2384.2	1/1/95
324A.6*	Subsections 1 & 4 amended	SF 2086.52	J
325.33	New unnumbered paragraph	HF 545.1	J
325.34	Section rewritten	HF 545.2	J
327.22	Section rewritten	HF 545.3	J
327.24	New section	HF 545.4	J
327A.9	New unnumbered paragraph	HF 545.5	J
327A.18	Section rewritten	HF 545.6	J
327A.22	New section	HF 545.7	J
327H.18*	Section amended	SF 2086.53	J
327H.20	Section amended	SI 2086.54	J
327H.21	Section amended	SF 2086.55	J
327H.24	Section repealed	SF 2086.98	J
327H.25	Section amended	SF 2086.56	J
327I.4	Subsections 11 & 15 amended	SI 2086.57	J
327I.7	Subsections 14, 20, & 21 amended	SF 2086.58	J
327I.9	Unnumbered paragraph 1 amended	SF 2086.59	J
327I.12	Section amended	SF 2086.60	J
327I.23*	Subsections 1 & 2 amended	SF 2086.61	J
327I.23*	Subsection 3 stricken	SF 2086.62	J
327I.25	Unnumbered paragraph 1 amended	SF 2086.63	J
327I.26	Section amended	SI 2086.64	J
328.12	Subsection 1 amended	SF 2086.65	J
328.24	Section amended	SF 2086.66	J
328.36*	Section rewritten	SF 2086.67	J
331.201	Section amended	SF 2223.64	1/1/95
331.203	Subsection 2, paragraph b amended	HF 2366.19	J
331.204	Subsection 3 amended	HF 2366.20	J
331.209	Subsections 1 & 5 amended	HF 2366.21	J
331.209	Subsection 3 stricken	HF 2366.22	J
331.210A	New section	HF 2366.23	J
331.237	Subsection 1 amended	SF 2219.45	J
331.237	Subsection 2, paragraph a amended	SF 2219.46	J A
331.254	Subsection 7 amended	SF 2219.47	J
331.306	New unnumbered paragraphs	SF 2219.48	J
331.308	New section	HF 637.2	J
331.321*	Subsection 1, paragraph v stricken	HF 642.16	J
331.324	Subsection 1, paragraph b amended	HF 642.17	J
331.341	Subsection 1 amended	HF 642.18	J
331.361	Subsection 4 stricken	HF 642.19	J
331.381*	Subsection 14 amended	HF 642.20	J
331.424	Subsection 1, paragraph g amended	SF 2311.52	J
331.424	Subsection 1, paragraph i amended	SF 2223.59	1/1/95
331.427	Subsection 1, unnumbered paragraph 1 amended	SF 413.3	J
331.438	Section rewritten	HF 2430.2	J
331.439	New section	HF 2430.3	J
331.440	New section	HF 2430.4	J

<u>Section</u>	<u>Action</u>	<u>Sen/Use File No.</u>	<u>Effective</u>
331.441*	Subsect. 2, para. b, subpara. (12), subpara. subdiv. (a), (b) & (c) rewritten	HF 606.1	J
331.441*	Subsection 2, paragraph b, new subparagraph (14)	HF 2204.5	A
331.502*	Subsection 3 stricken	HF 642.21	J
331.502*	Subsection 14 stricken	HF 642.22	J
331.505	Subsection 4 amended	SF 2223.60	1/1/95
331.507	Subsection 3, paragraphs b & c stricken	HF 642.23	J
331.507	Subsection 4 amended	HF 2094.2	J
331.508	Subsection 7 stricken	HF 642.24	J
331.512	Subsection 1, paragraph d stricken	HF 2070.8	J
331.512	Subsection 5 amended	HF 642.25	J
331.552	New subsection 32	HF 642.26	J
331.558	Subsection 3 amended	HF 2094.3	J
331.602	Subsections 26, 28, 29, & 33 stricken	HF 2401.1	J
331.602	Subsection 29 stricken	HF 2124.105	J
331.602	Subsection 43 amended	HF 2094.4	J
331.605A*	Unnumbered paragraph 1 amended	SF 2226.1	J
331.607	Subsection 6 stricken	HF 2401.2	J
331.651	Subsection 1, new unnumbered paragraph	SF 294.1	J
331.653	Subsection 21 stricken	HF 637.3	J
331.653	Subsection 21 stricken	HF 642.27	J
331.751	Section amended	SF 2223.64	1/1/95
331.752	New subsection 3A	HF 642.28	J
331.756*	Subsection 5, unnumbered paragraph 1 amended	HF 642.29	J
331.756*	Subsections 13, 23, 30, 75, & 76 stricken	HF 642.30	J
331.756*	Subsections 15 & 64B amended	HF 2124.106	J
331.756*	Subsection 45 amended	SF 2311.53	J
331.902	Subsection 3 amended	HF 2094.1	J
331.903	Subsection 4 amended	HF 642.31	J
331.904	Subsection 2 amended	SF 218.1	J
335.25*	Subsection 3 amended	HF 2124.107	J
335.25*	Section amended	SF 2311.8	J
335.30*	Section amended	SF 2190.1	J A
335.32*	Section amended	HF 2124.108	J
347.10	Section amended	SF 2219.49	J
347.15	Section amended	SF 2060.1	J
347.23A	New section	SF 2060.2	J
351.1	Section repealed	HF 642.42	J
351.2	Section repealed	HF 642.42	J
351.3	Section repealed	HF 642.42	J
351.4	Section repealed	HF 642.42	J
351.5	Section repealed	HF 642.42	J
351.6	Section repealed	HF 642.42	J
351.7	Section repealed	HF 642.42	J
351.8	Section repealed	HF 642.42	J
351.9	Section repealed	HF 642.42	J
351.10	Section repealed	HF 642.42	J
351.11	Section repealed	HF 642.42	J
351.12	Section repealed	HF 642.42	J
351.13	Section repealed	HF 642.42	J

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|--------------------------------|-------------------------------------|--|
| A - Applicability provisions   | R - Retroactive applicability       | * - Code Supplement 1993                       |
| C - Conditional effective date | VETO - Entire bill section vetoed   | ** - Section amended by subsequent bill        |
| E - Effective upon enactment   | IV - Part of bill section vetoed    | *** - Bill section repealed by subsequent bill |
| J - Effective July 1, 1994     | 00-00-00 - Specified effective date |  |

Section	Action	Sen/Hse File No.	Effective
351.14	Section repealed	HF 642.42	J
351.17	Section repealed	HF 642.42	J
351.20	Section repealed	HF 642.42	J
351.22	Section repealed	IIF 642.42	J
351.23	Section repealed	HF 642.42	J
351.24	Section repealed	HF 642.42	J
351.25	Section amended	HF 642.32	J
351.26	Section amended	HF 642.33	J
351.27	Section amended	IIF 642.34	J
351.34	Section repealed	HF 642.42	J
357.12	Section amended	SF 2223.64	1/1/95
357A.14*	Subsection 1 amended	HF 2124.109	J
357A.23	New section	SF 2186.1	J
357C.7	Section amended	SF 2223.64	1/1/95
357D.8	Section amended	SF 2223.64	1/1/95
357E.8	Section amended	SF 2223.64	1/1/95
357F.4	Section amended	HF 2124.47	J
357I.8	Section amended	SF 2223.64	1/1/95
357G.1	New section	IIF 2116.1	R 1/1/93
357G.2	New section	HF 2116.2	R 1/1/93
357G.3	New section	HF 2116.3	R 1/1/93
357G.4	New section	HF 2116.4	R 1/1/93
357G.5	New section	HF 2116.5	R 1/1/93
357G.6	New section	HF 2116.6	R 1/1/93
357G.7	New section	HF 2116.7	R 1/1/93
357G.8	New section	IIF 2116.8	R 1/1/93
357G.9	New section	HF 2116.9	R 1/1/93
357G.10	New section	HF 2116.10	R 1/1/93
357G.11	New section	HF 2116.11	R 1/1/93
357G.12	New section	HF 2116.12	R 1/1/93
357G.13	New section	HF 2116.13	R 1/1/93
357G.14	New section	HF 2116.14	R 1/1/93
358.7	Section amended	SF 2223.64	1/1/95
358.9*	New unnumbered paragraphs	HF 2199.1	J
359A.18	New subsection 4A	HF 2169.1	J
361.	Chapter repealed	HF 642.42	J
362.2*	Section amended	SF 2223.65	1/1/95
362.3*	Subsection 2 amended	SF 2219.50	J
362.4	New unnumbered paragraphs	SF 2219.51	J
364.3	Subsection 2 amended	SF 413.4	J
364.22A	New section	IIF 637.4	J
368.1*	Subsection 12 amended	SF 2223.61	1/1/95
368.14	Section amended	SF 2223.64	1/1/95
372.2	Subsection 1 amended	SF 2219.52	J
372.2	Subsection 5, paragraph a amended	SF 2219.53	J
372.13*	Subsection 2, paragraph a, subparagraph (4) amended	SF 2219.54	J
372.13*	Subsection 7 rewritten	HF 2366.24	J
376.4	Unnumbered paragraph 4 amended	SF 2219.55	J
384.12	New subsection 18A	IIF 2116.15	R 1/1/93
384.12	Subsection 19, paragraph c rewritten	SF 2219.56	J
384.38	New subsection 3	HF 2343.1	J
384.80	New subsections 2A, 5A, & 7A	SF 216.1	J
384.84	Section rewritten	SF 216.2	J
392.6	Unnumbered paragraphs 1, 2, & 4 amended	HF 259.1	J A

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
400.8*	Subsection 3 amended	HF 2218.1	R 1/1/94
400.11*	New unnumbered paragraph	HF 2218.2	R 1/1/94
403.5	Subsections 2, 3, 4, 5, & 7 amended	HF 2204.6	A 8/31/94
403.12	Subsection 5 amended	HF 2204.7	A
403.17	New subsection 1A	HF 2204.9	A 1/1/95
403.17	Subsections 2, 3, 12, 20, & 22 amended	HF 2204.8	A 1/1/95
403.17	Subsection 8 amended	HF 2204.8	J A
403.19	Unnumbered para. 1 & subsections 1, 2, & 3 amended	HF 2204.10	A 1/1/95
403.19	Subsection 5 amended	HF 2204.11	A 1/1/95
403.19	Subsection 7 amended	HF 2204.12	A
403.21	New section	HF 2204.13	A 7/1/95
411.3	Section amended	HF 2418.66	R 7/1/93
411.5*	Subsection 8 amended	HF 2418.67	J
411.5*	New subsection 12	HF 2418.68	J
411.6	Subsection 1, new paragraph c	HF 2418.69	R 7/1/93
411.6	Subsection 2, paragraph d, subparagraph (2) amended	HF 2418.70	R 10/16/92
411.6	Subsection 2, paragraph d, new subparagraph (3)	HF 2418.71	R 10/16/92
411.6	Subsection 10 amended	HF 2418.72	J
411.6B	New section	HF 2418.73	R 1/1/93
411.8	Subsection 1, para. f, subparas. (6) through (8) amended	HF 2418.74	J
411.8	Subsection 1, paragraph h amended	HF 2418.75	R 10/16/92
411.8	Subsection 1, new paragraph i	HF 2418.76	J
414.22*	Subsection 3 amended	HF 2124.110	J
414.22*	Section amended	SF 2311.9	J
414.28*	Section amended	SF 2190.2	J A
414.30*	Section amended	HF 2124.111	J
419.1	Subsection 12, paragraph a amended	HF 2326.1	E
419.2	New subsection 9	HF 2326.2	F
421.4	Section amended	SF 2057.1	J
421.5	Section amended	SF 2057.2	J
421.7	Subsection 1	HF 2124.48	J
421.9	Unnumbered paragraph 1 amended	SF 2057.3	J
421.17*	Subsection 1 amended	SF 2086.22	J
421.17*	Subsection 2, unnumbered paragraphs 2 & 3 amended	SF 2086.23	J
421.17*	Subsection 5 amended	SF 2057.4	J
421.17*	Subsection 10, unnumbered paragraph 2 amended	SF 2057.5	J
421.17*	Subsections 15 & 17 stricken	SF 2086.24	J
421.17*	Subsection 21A, paragraphs c & d amended	HF 2410.39	J
421.17*	Subsection 22 amended	SF 2057.6	J
421.17*	Subsection 25, unnumbered paragraph 1 amended	HF 2352.1	J
421.20	Unnumbered paragraph 1 amended	SF 2086.25	J
421.23	Section amended	SF 2057.7	J
421.26	Section amended	SF 2057.8	R 7/1/93
421.27	Subsection 1, new paragraph 1	SF 2057.9	J
421.29	New section	SF 2057.10	J
421.31	Subsection 2 amended	HF 2428.44	J
421.31	Subsection 5 amended	SF 2318.16	J
421.31	New subsection 6A	HF 2428.45	J
421.31	Subsection 9 stricken	SF 2086.10	J
421.45	Section amended	SF 2057.11	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
421.60	New section	HF 2419.1	A 1/1/95
422.3*	Subsection 4 amended	SF 2215.1	R 1/1/93
422.4	Subsection 1, paragraph d amended	SF 2086.11	J
422.4	New subsection 10A	HF 2419.2	A 1/1/95
422.7*	Subsection 13 rewritten	SF 2215.2	R 1/1/94
422.7*	Subsection 21, unnumbered paragraph 2 amended	SF 2057.12	R 1/1/94
422.7*	Subsection 25 stricken	SF 2215.3	R 1/1/94
422.7*	New subsection 29	HF 2418.77	A 1/1/95
422.7*	New subsection 30	IIF 2418.78	A 1/1/95
422.7*	New subsection 31	HF 2418.79	J
422.8	Subsection 2 amended	SF 2074.1	R 1/1/94
422.9	Subsection 2, unnumbered paragraph 1 amended	SF 2215.4	R 1/1/94
422.9	Subsection 2, paragraph c amended	HF 2217.9	J
422.9	Subsection 2, paragraph g stricken	SF 2215.5	R 1/1/94
422.9	Subsection 3, paragraph c amended	SF 2215.6	E
422.10*	Unnumbered paragraph 1 amended	SF 2215.7	R 1/1/93
422.12A*	Section repealed	SF 2330.2	R 1/1/94
422.16	Subsection 1, unnumbered paragraph 3 amended	SF 2057.13	R 1/1/94
422.16	Subsection 1, new unnumbered paragraph	SF 2057.14	R 1/1/94
422.16	Subsection 4 amended	SF 2057.15	R 7/1/93
422.21	New unnumbered paragraph	SI 2057.16	R 1/1/94
422.25	Subsection 1 amended	HF 2419.3	A 1/1/95
422.25	Subsection 4 amended	HF 2419.4	A 1/1/95
422.28	Section amended	HF 2419.5	A 1/1/95
422.29	Subsection 2 rewritten	IIF 2419.6	A 1/1/95
422.30	Unnumbered paragraph 1 amended	SF 2057.17	J
422.32	Subsection 4 amended	SF 2057.18	J
422.33*	Subsection 1A amended	SI 2057.19	J
422.33*	Subsection 5, unnumbered paragraph 1 amended	SF 2215.8	R 1/1/93
422.34	Subsection 2 rewritten	SF 2057.20	J
422.34	Subsections 3 through 6 stricken	SF 2057.20	J
422.35	Subsection 9 stricken	SF 2086.26	J
422.35	Subsection 11, paragraphs c & e amended	SF 2215.9	E
422.35	Subsection 14 stricken	SF 2215.10	R 1/1/94
422.42	Subsection 12, unnumbered paragraph 2 amended	SF 2086.27	J
422.42	Subsection 15, unnumbered paragraph 2 amended	SF 2057.21	J
422.43*	Subsection 13 amended	SF 2057.22	J
422.45*	Subsection 13, paragraph a amended	HF 2102.1	R 7/1/93
422.45*	Subsection 28 stricken	HF 2124.49	J
422.45*	Subsection 33, paragraph b stricken	HF 2124.50	J
422.50	Section amended	SF 2057.23	J
422.53	Subsection 3 amended	SI 2057.24	J
422.54	Subsections 1 & 2 amended	HF 2419.7	A 1/1/95
422.73	Subsections 3, 4, 5, 6, & 7 stricken	HF 2124.51	J
422A.2	Subsections 1 & 2 amended	SF 2086.12	J
423.1*	Subsection 8 amended	SF 2086.28	J
423.4	Subsection 1 amended	SF 2057.25	J
423.22*	Section amended	SF 2086.29	J
423.24*	Subsection 1, paragraph b amended	HF 2337.29	E
423.24*	Subsection 1, paragraph b stricken	HF 2337.36	7/1/2000
423.24*	Subsection 2 amended	SF 2326.2	VETO
423.25	Section amended	HF 2124.52	J
424.10	Subsection 2 amended	HF 2419.8	A 1/1/95
425.2	Unnumbered paragraph 2 amended	HF 2413.1	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
425.3	Unnumbered paragraph 4 amended	HF 2421.1	J
425.17*	Subsection 2, paragraph b, unnumbered para. 2 amended	SF 2133.1	1/1/95
425.17*	Subsections 3 & 9 amended	SF 2133.2	1/1/95
425.17*	Subsection 6 amended	SF 2057.26	1/1/95
425.20	Unnumbered paragraphs 1 & 2 amended	SF 2057.27	1/1/95
425.20	Unnumbered paragraph 1 amended	SF 2133.3	1/1/95
425.26	Subsection 2 amended	SF 2133.4	1/1/95
425.26	Section 8 stricken	SF 2057.28	J
425.28	Section amended	SF 2057.29	J
427.3	Subsections 1 & 2 stricken	HF 642.35	J
427.6	Unnumbered paragraph 4 amended	HF 2421.2	J
427A.2	Section repealed	HF 642.42	J
427A.3	Section repealed	HF 642.42	J
427A.4	Section repealed	HF 642.42	J
427A.5	Section repealed	HF 642.42	J
427A.6	Section repealed	HF 642.42	J
427A.9	Section repealed	HF 642.42	J
427A.10	Section repealed	HF 642.42	J
427A.11	Section repealed	HF 642.42	J
428.10	Section repealed	HF 642.42	J
428.20	Section amended	HF 2124.53	J
428A.8	Unnumbered paragraph 1 amended	HF 2415.28	J
429.2	Section rewritten	HF 2419.9	A 1/1/95
429.3	Section amended	HF 2419.10	A 1/1/95
435.1	Subsection 1 amended	SF 2190.3	J A
435.1	New subsections 1A & 1B	SF 2190.4	J A
435.1	Subsection 2, unnumbered paragraph 1 amended	SF 2190.5	J A
435.1	Subsection 3 rewritten	SF 2190.6	J A
435.22	Unnumbered paragraph 1 amended	SF 2190.7	J A
435.22	Subsections 1, 2, & 3 amended	SF 2190.8	J A
435.22	Subsection 2, unnumbered paragraph 1 amended	SF 2057.30	1/1/95
435.22	Subsection 5, unnumbered paragraph 1 amended	SF 2190.9	J A
435.23	Section amended	SF 2190.10	J A
435.24	Subsections 1 through 6 amended	SF 2190.11	J A
435.24	Subsection 7, paragraph a amended	SF 2190.12	J A
435.25	Section amended	SF 2190.13	J A
435.26	Section amended	SF 2190.14	J A
435.27	Section amended	SF 2190.15	J A
435.28	New section	SF 2190.16	J A
435.29	Section amended	SF 2190.17	J A
435.33	Section amended	SF 2190.18	J A
435.34	Section repealed	SF 2190.25	J A
435.35	New section	SF 2190.19	J A
441.17	Subsection 10 amended	SF 2190.20	J A
443.19	Section amended	HF 2124.54	J
444.25A	New section	HF 2430.5	J
444.25A	New section repealed	HF 2430.8	C 4/1/95
444.25A	New section repealed	HF 2430.8	C 4/1/96
444.26	Section amended	HF 2430.6	J
444.27	Section amended	HF 2430.7	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
450.4*	Subsection 2 rewritten	SF 2057.31	J
450.9	Subsection 2 amended	HF 2217.10	J
450.10	Subsection 1, unnumbered paragraph 1 amended	HF 2217.11	J
450.12	Subsection 1, paragraph a amended	SF 2057.32	J A
450.53	Section amended	SF 2057.33	J
450.94	Subsection 3 amended	HF 2419.11	A 1/1/95
451.12	Section amended	SF 2057.34	J
452A.4	Unnumbered paragraph 6 amended	SF 2057.35	J
452A.8	Subsection 7 amended	SF 2057.36	J
452A.16	Unnumbered paragraph 1 amended	SF 2057.37	J
452A.64	Section amended	HF 2419.12	A 1/1/95
452A.79*	Unnumbered paragraph 2 amended	SF 2086.68	J
452A.79*	Unnumbered paragraph 3 stricken	SF 2086.69	J
452A.82	Section amended	SF 2086.70	J
452A.84	Section amended	SF 2086.71	J
453A.2	Section amended	SF 2319.37	J
453A.3	Section amended	SF 2319.38	J
453A.13	Subsection 10 stricken	SF 2057.38	J
453A.29	Section amended	HF 2419.13	A 1/1/95
453A.42	Subsection 5, paragraph c amended	SF 2322.1	VETO
453A.44	Subsection 9 stricken	SF 2057.39	J
453A.46	Subsection 4 amended	HF 2419.14	A 1/1/95
453A.48	Subsection 5 amended	HF 2419.15	A 1/1/95
453B.9	Unnumbered paragraph 1 amended	SF 2057.40	J
455A.18*	New subsection 4	SF 2314.46	J
455B.104*	New unnumbered paragraph	HF 2337.30	E
455B.105	Subsection 11, paragraph b amended	SF 2314.47	E
455B.133*	New subsection 9	HF 2190.1	J
455B.183A	New section	SF 2314.48	E
455B.183B	New section	SF 2314.49	E
455B.183C	New section	SF 2314.50	E
455B.221	Section amended	SF 2221.1	J
455B.301A	Subsection 1 amended	SF 2300.1	J
455B.302	New unnumbered paragraph	HF 2055.1	J
455B.304	New subsection 18	SF 2300.2	J
455B.305	Subsection 6 amended	SF 2300.3	E
455B.305A*	Subsections 5, 7, & 8 amended	HF 2124.55	J
455B.392*	Subsection 1, paragraph a amended	SF 2216.1	J
455B.392*	Subsection 5 amended	SF 2216.2	J
455B.471*	Subsection 6, paragraph b amended	HF 2118.1	J
455D.3	Section amended	SF 2300.4	J
455D.10B	Subsection 1, paragraph b amended	HF 2365.1	J
455D.10B	Subsection 2, new unnumbered paragraph	HF 2365.2	J
455D.11A	Subsection 4 amended	HF 2124.56	J
455D.19	Subsection 2, new paragraphs b & c	SF 2205.1	J
455E.11*	Subsection 2, paragraph a, subparagraph (9) amended	SF 2300.5	J
455E.11*	Subsection 2, paragraph a, subparagraph (15) amended	HF 642.36	J
455E.11*	Subsection 2, paragraph e, unnumbered para. 1 amended	HF 2124.112	J
456A.17	Section amended	SF 2086.72	J
456A.19	Unnumbered paragraph 7 stricken	SF 2086.73	J
461A.79*	Section amended	SF 2086.74	J
461A.80	Subsections 1 & 2 amended	SF 2086.75	J
468.10	Subsections 4 & 5 amended	HF 2313.1	J
468.34	Section amended	HF 2313.2	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
468.35	Subsection 2 amended	HF 2313.3	J
468.50	Section amended	HF 2311.1	J
468.50	Section amended	HF 2313.4	J
468.52	Section amended	HF 2313.5	J
468.57	Subsections 1 & 2 amended	HF 2311.2	J
468.66	Section amended	HF 2313.6	J
468.70	Unnumbered paragraph 1 amended	HF 2311.3	J
468.72	Section amended	HF 2311.4	J
468.76	Section amended	HF 2311.5	J
468.126	Subsection 2 amended	HF 2313.7	J
468.126	Subsection 4, paragraph a amended	HF 2313.8	J
468.127	Unnumbered paragraph 1 amended	HF 2313.9	J
468.136	Section amended	HF 2313.10	J
468.137	Section amended	HF 2313.11	J
468.212	Section amended	HF 2311.6	J
468.291	Section amended	HF 2313.12	J
473.11*	Subsection 1, paragraph f amended	SF 2086.76	J
473.11*	Subsection 5, paragraph f stricken	SF 2086.77	J
473.16	Section amended	SF 2086.78	J
473.20	Subsection 2, unnumbered paragraph 2 amended	HF 2308.30	7/1/95
475A.3	Subsection 3 amended	SF 2086.79	J
476.10*	Unnumbered paragraphs 5 through 8 rewritten	SF 2086.80	J
476.51	Unnumbered paragraphs 5 & 6 amended	SF 2086.81	J
477C.5	Section amended	HF 2124.57	J
478.1	Section amended	SF 2157.1	J
478.2	Unnumbered paragraph 4 amended	SF 2157.2	J
478.3	Subsection 2, unnumbered paragraph 1 amended	SF 2157.3	J
478.4	Section amended	SF 2086.82	J
478.13	New unnumbered paragraph	SF 2157.4	J
478.21	Section amended	SF 2157.5	J
479.16	Section amended	SF 2086.83	J
479A.9	Section amended	SF 2086.84	J
481A.12	Section amended	SF 2071.1	J
481A.24*	Section amended	SF 2049.1	J
481A.87	Section amended	SF 2071.2	J
483A.7	Subsection 3 amended	SF 2206.1	12/15/94
483A.8	Subsection 3 amended	SF 2206.2	12/15/94
483A.24	Subsections 1 & 13 amended	HF 2124.58	J
483A.24	Subsection 7 amended	HF 2126.1	J
483A.30	Section rewritten	SF 2206.3	12/15/94
486.2	New subsection 7	HF 2280.1	J
486.6	Subsection 1 amended	HF 2280.2	J
486.15	Section amended	HF 2280.3	J
486.18	Subsection 1 amended	HF 2280.4	J
486.34	Section amended	HF 2280.5	J
486.36	Subsection 4 amended	HF 2280.6	J
486.40	Subsection 1, paragraph b amended	HF 2280.7	J
486.40	Subsection 4 amended	HF 2280.8	J
486.44	New section	HF 2280.9	J
486.45	New section	HF 2280.10	J

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486.46	New section	HF 2280.11	J
487.206	Subsection 3 stricken	IIF 2401.3	J
490.1422*	New subsection 4	HF 2342.1	E
490A.1404	Subsection 1 amended	HF 2124.59	J
490A.1406*	Subsection 1, paragraph e amended	HF 2124.60	J
490A.1407*	Subsection 2, paragraph d amended	HF 2124.61	J
491.4	Section repealed	HF 2401.16	J
491.5	Unnumbered paragraph 1 amended	HF 2401.4	J
491.23	Section amended	HF 2401.5	J
491.27	Section amended	HF 2401.6	J
491.33	Section amended	HF 2401.7	J
491.107	Unnumbered paragraph 1 amended	IIF 2401.8	J
497.3	Section amended	HF 2401.9	J
497.4	Section amended	HF 2401.10	J
497.9	Section amended	HF 2401.11	J
497.29	Section amended	HF 2401.12	J
497.34	Section amended	HF 2124.62	J
498.36	Section amended	HF 2124.63	J
499.5A	Section amended	SF 2186.2	J
499.30	Section amended	SF 2153.1	J
499.36	Subsection 6 amended	HF 2124.64	J
499.43A	Subsection 2, unnumbered paragraph 1 amended	HF 2401.13	J
499.45*	Section amended	SF 2086.30	J
499.59A	Section amended	HF 2124.65	J
499.67	Unnumbered paragraph 2 amended	HF 2401.14	J
502.102	Subsection 11 amended	HF 2385.6	J
502.208	Subsection 2 rewritten	HF 2385.7	J
502.208	Subsection 9, paragraph a amended	HF 2385.8	J
502.208	Subsection 11 rewritten	HF 2385.9	J
502.208	Subsection 13 rewritten	IIF 2385.10	J
502.209	Subsection 1, paragraphs i & j rewritten	HF 2385.11	J
502.209	Subsection 1, new paragraph k	HF 2385.12	J
502.209	Subsection 3 amended	HF 2385.13	J
502.302	Subsection 5 stricken	HF 2385.14	J
502.304	Subsection 1, new paragraph m	HF 2385.15	J
502.603	Subsection 1, paragraph c amended	IIF 2385.16	J
502.604A	Unnumbered paragraph 1 amended	HF 2385.17	J
504A.28	Section amended	HF 2124.66	J
504A.32*	Subsection 2 amended	HF 2401.15	J
505.1*	Section amended	HF 2124.113	J
505.7*	Subsection 1 amended	SF 2282.1	J
505.7*	New subsection 8	SF 2282.2	J
505.8	New subsection 6	SF 2282.3	J
505.17	New section	SF 2282.4	J
505.20	New section	SF 2282.5	J
505.21	New section	SF 2282.6	1/1/95
507A.4	New subsection 10	HF 2370.1	J
507A.4	New subsection 10 repealed	HF 2370.3	7/1/95
507C.42*	Subsection 3 amended	HF 2124.114	J
507E.1	New section	IIF 2314.1	J
507E.2	New section	HF 2314.2	J
507E.3	New section	HF 2314.3	J
507E.4	New section	HF 2314.4	J
507E.5	New section	HF 2314.5	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
507E.6	New section	HF 2314.6	J
507E.7	New section	HF 2314.7	J
507E.8	New section	HF 2314.8	J
508.36	Subsection 1 amended	SF 2282.7	J
508.36	Subsection 2 rewritten	SF 2282.8	J
508D.1	New section	SF 2276.1	J
508D.2	New section	SF 2276.2	J
508D.3	New section	SF 2276.3	J
508D.4	New section	SF 2276.4	J
508D.5	New section	SF 2276.5	J
508D.6	New section	SF 2276.6	J
508D.7	New section	SF 2276.7	J
508D.8	New section	SF 2276.8	J
508D.9	New section	SF 2276.9	J
509A.12	Unnumbered paragraph 1 amended	HF 2418.80	J
509A.13A	New section	HF 2418.81	E
513A.8	New section	HF 2370.2	J
513A.8	New section repealed	HF 2370.3	7/1/95
513B.2*	Subsection 16 amended	SF 2282.9	J
513B.4*	New subsection 1A	SF 2282.10	J
513B.4*	Subsection 2, unnumbered paragraph 2 rewritten	SF 2282.11	J
513B.4*	New subsection 5	SF 2282.12	J
515A.13	New subsection 5	SF 2282.13	J
521A.5*	Subsection 3, para. b, unnum. para. 2 amended	HF 2013.1	E
521C.2	Subsection 8, paragraph c amended	SF 2282.14	J
521C.11	Section amended	SF 2282.15	J
521D.1	New section	SF 2282.16	J
521D.2	New section	SF 2282.17	J
521D.3	New section	SF 2282.18	J
521D.4	New section	SF 2282.19	J
523C.12	Section amended	HF 2385.18	J
523C.20	New section	HF 2385.19	J
523C.21	New section	HF 2385.20	J
524.207*	Section rewritten	SF 2086.85	J
524.901	Subsection 3, paragraph j amended	SF 2273.1	J
524.901	Subsection 3, new paragraph n	SF 2273.2	J
524.1213	Subsection 2 amended	HF 2124.67	J
533.43	Subsection 3 amended	SF 2279.2	7/1/95
533.67*	Section rewritten	SF 2086.86	J
534.102	Subsection 28 amended	SF 2218.20	J
534.401	Subsection 1 amended	SF 2218.21	J
536A.2	Subsection 5 stricken	HF 2124.68	J
537.3211	Section amended	SF 2279.3	7/1/95
539.1	Section amended	SF 2279.4	7/1/95
539.2	Section amended	SF 2279.5	7/1/95
541A.1*	Subsection 2 amended	SF 2288.23	E
541A.4*	Subsection 1 amended	SF 2288.24	E
541A.5	New section	SF 2288.25	E
542B.2	Unnumbered paragraph 3 amended	SF 2086.13	J
542B.12	Section amended	SF 2086.87	J

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542B.14	Subsection 1, paragraph b amended	SF 2086.14	J
542C.3*	Subsection 3 amended	SF 2086.88	J
543B.14	Section amended	SF 2086.89	J
543D.6	Subsection 2 amended	SF 2086.90	J
544A.11	Unnumbered paragraph 2 amended	SF 2086.91	J
544B.14	Unnumbered paragraph 2 amended	SF 2086.92	J
546.8*	Section amended	HF 2124.115	J
546.9	Unnumbered paragraph 2 stricken	SF 2086.93	J
546.10*	Subsection 5 stricken	SF 2086.94	J
546.10*	Subsection 6 rewritten	SF 2086.95	J
546.10*	New subsection 7	SF 2218.22	J
546.11*	Section repealed	SF 2086.99	J
548.1	Section amended	SF 2232.1	J
548.2	Section amended	SF 2232.2	J
548.3	Section amended	SF 2232.3	J
548.3A	New section	SF 2232.4	J
548.4	Section amended	SF 2232.5	J
548.5	Section amended	SF 2232.6	J
548.6	Section amended	SF 2232.7	J
548.6A	New section	SF 2232.8	J
548.7	Section amended	SF 2232.9	J
548.8	Section amended	SF 2232.10	J
548.9	Section amended	SF 2232.11	J
548.10	Section amended	SF 2232.12	J
548.10A	New section	SF 2232.13	J
548.11	Section amended	SF 2232.14	J
548.11A	New section	SF 2232.15	J
548.11B	New section	SF 2232.16	J
548.11C	New section	SF 2232.17	J
548.12	Section repealed	SF 2232.19	J
548.13	Section repealed	SF 2232.19	J
554.1105	Subsection 2, new unnumbered paragraph	HF 2321.2	J
554.1105	Subsection 2 amended	HF 2384.3	1/1/95
554.1201	Subsections 20, 24, & 43 amended	SF 2279.6	7/1/95
554.1201	Subsection 37 amended	HF 2321.3	J
554.1207	Section amended	SF 2279.7	7/1/95
554.2103	Subsection 3 amended	SF 2279.8	7/1/95
554.2403	Subsection 4 amended	HF 2384.4	1/1/95
554.2511	Subsection 3 amended	SF 2279.9	7/1/95
554.3101	New section	SF 2279.10	7/1/95
554.3102	New section	SF 2279.11	7/1/95
554.3103	New section	SF 2279.12	7/1/95
554.3104	New section	SF 2279.13	7/1/95
554.3105	New section	SF 2279.14	7/1/95
554.3106	New section	SF 2279.15	7/1/95
554.3107	New section	SF 2279.16	7/1/95
554.3108	New section	SF 2279.17	7/1/95
554.3109	New section	SF 2279.18	7/1/95
554.3110	New section	SF 2279.19	7/1/95
554.3111	New section	SF 2279.20	7/1/95
554.3112	New section	SF 2279.21	7/1/95
554.3113	New section	SF 2279.22	7/1/95
554.3114	New section	SF 2279.23	7/1/95
554.3115	New section	SF 2279.24	7/1/95

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
554.3116	New section	SF 2279.25	7/1/95
554.3117	New section	SF 2279.26	7/1/95
554.3118	New section	SF 2279.27	7/1/95
554.3119	New section	SF 2279.28	7/1/95
554.3201	New section	SF 2279.29	7/1/95
554.3202	New section	SF 2279.30	7/1/95
554.3203	New section	SF 2279.31	7/1/95
554.3204	New section	SF 2279.32	7/1/95
554.3205	New section	SF 2279.33	7/1/95
554.3206	New section	SF 2279.34	7/1/95
554.3207	New section	SF 2279.35	7/1/95
554.3301	New section	SF 2279.36	7/1/95
554.3302	New section	SF 2279.37	7/1/95
554.3303	New section	SF 2279.38	7/1/95
554.3304	New section	SF 2279.39	7/1/95
554.3305	New section	SF 2279.40	7/1/95
554.3306	New section	SF 2279.41	7/1/95
554.3307	New section	SF 2279.42	7/1/95
554.3308	New section	SF 2279.43	7/1/95
554.3309	New section	SF 2279.44	7/1/95
554.3310	New section	SF 2279.45	7/1/95
554.3311	New section	SF 2279.46	7/1/95
554.3312	New section	SF 2279.47	7/1/95
554.3401	New section	SF 2279.48	7/1/95
554.3402	New section	SF 2279.49	7/1/95
554.3403	New section	SF 2279.50	7/1/95
554.3404	New section	SF 2279.51	7/1/95
554.3405	New section	SF 2279.52	7/1/95
554.3406	New section	SF 2279.53	7/1/95
554.3407	New section	SF 2279.54	7/1/95
554.3408	New section	SF 2279.55	7/1/95
554.3409	New section	SF 2279.56	7/1/95
554.3410	New section	SF 2279.57	7/1/95
554.3411	New section	SF 2279.58	7/1/95
554.3412	New section	SF 2279.59	7/1/95
554.3413	New section	SF 2279.60	7/1/95
554.3414	New section	SF 2279.61	7/1/95
554.3415	New section	SF 2279.62	7/1/95
554.3416	New section	SF 2279.63	7/1/95
554.3417	New section	SF 2279.64	7/1/95
554.3418	New section	SF 2279.65	7/1/95
554.3419	New section	SF 2279.66	7/1/95
554.3420	New section	SF 2279.67	7/1/95
554.3501	New section	SF 2279.68	7/1/95
554.3502	New section	SF 2279.69	7/1/95
554.3503	New section	SF 2279.70	7/1/95
554.3504	New section	SF 2279.71	7/1/95
554.3505	New section	SF 2279.72	7/1/95
554.3601	New section	SF 2279.73	7/1/95
554.3602	New section	SF 2279.74	7/1/95

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| <b>A</b> - Applicability provisions   | <b>R</b> - Retroactive applicability       | <b>*</b> - Code Supplement 1993                       |
| <b>C</b> - Conditional effective date | <b>VETO</b> - Entire bill section vetoed   | <b>**</b> - Section amended by subsequent bill        |
| <b>E</b> - Effective upon enactment   | <b>IV</b> - Part of bill section vetoed    | <b>***</b> - Bill section repealed by subsequent bill |
| <b>J</b> - Effective July 1, 1994     | <b>00-00-00</b> - Specified effective date |   |

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
554.3603	New section	SF 2279.75	7/1/95
554.3604	New section	SF 2279.76	7/1/95
554.3605	New section	SF 2279.77	7/1/95
554.4101	Section amended	SF 2279.78	7/1/95
554.4102	Section amended	SF 2279.79	7/1/95
554.4103	Section amended	SF 2279.80	7/1/95
554.4104	Section amended	SF 2279.81	7/1/95
554.4105	Section amended	SF 2279.82	7/1/95
554.4106	Section amended	SF 2279.83	7/1/95
554.4107	Section amended	SF 2279.84	7/1/95
554.4108	Section amended	SF 2279.85	7/1/95
554.4109	Section repealed	SF 2279.121	7/1/95
554.4110	New section	SF 2279.86	7/1/95
554.4111	New section	SF 2279.87	7/1/95
554.4201	Section amended	SF 2279.88	7/1/95
554.4202	Section amended	SF 2279.89	7/1/95
554.4203	Section amended	SF 2279.90	7/1/95
554.4204	Section amended	SF 2279.91	7/1/95
554.4205	Section rewritten	SF 2279.92	7/1/95
554.4206	Section amended	SF 2279.93	7/1/95
554.4207	Section rewritten	SF 2279.94	7/1/95
554.4208	Section amended	SF 2279.95	7/1/95
554.4209	Section amended	SF 2279.96	7/1/95
554.4210	Section amended	SF 2279.97	7/1/95
554.4211	Section rewritten	SF 2279.98	7/1/95
554.4212	Section amended	SF 2279.99	7/1/95
554.4213	Section amended	SF 2279.100	7/1/95
554.4214	Section amended	SF 2279.101	7/1/95
554.4215	New section	SF 2279.102	7/1/95
554.4216	New section	SF 2279.103	7/1/95
554.4301	Section amended	SF 2279.104	7/1/95
554.4302	Section amended	SF 2279.105	7/1/95
554.4303	Section amended	SF 2279.106	7/1/95
554.4401	Section amended	SF 2279.107	7/1/95
554.4402	Section amended	SF 2279.108	7/1/95
554.4403	Section amended	SF 2279.109	7/1/95
554.4405	Section amended	SF 2279.110	7/1/95
554.4406	Section amended	SF 2279.111	7/1/95
554.4407	Section amended	SF 2279.112	7/1/95
554.4501	Section amended	SF 2279.113	7/1/95
554.4502	Section amended	SF 2279.114	7/1/95
554.4503	Section amended	SF 2279.115	7/1/95
554.4504	Subsection 1 amended	SF 2279.116	7/1/95
554.5103	Subsection 3 amended	SF 2279.117	7/1/95
554.6101	Section repealed	HF 2384.17	1/1/95
554.6102	Section repealed	HF 2384.17	1/1/95
554.6103	Section repealed	HF 2384.17	1/1/95
554.6104	Section repealed	HF 2384.17	1/1/95
554.6105	Section repealed	HF 2384.17	1/1/95
554.6106	Section repealed	HF 2384.17	1/1/95
554.6107	Section repealed	HF 2384.17	1/1/95
554.6108	Section repealed	HF 2384.17	1/1/95
554.6109	Section repealed	HF 2384.17	1/1/95
554.6110	Section repealed	HF 2384.17	1/1/95

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
554.6111	Section repealed	HF 2384.17	1/1/95
554.9111	Section repealed	HF 2384.17	1/1/95
554.9113	Section amended	HF 2321.4	J
554.9206	Subsection 1 amended	SF 2279.118	7/1/95
554.9403*	Subsection 5 amended	SF 2086.31	J
554.13101	New section	HF 2321.5	J
554.13102	New section	HF 2321.6	J
554.13103	New section	HF 2321.7	J
554.13104	New section	HF 2321.8	J
554.13105	New section	HF 2321.9	J
554.13106	New section	HF 2321.10	J
554.13107	New section	HF 2321.11	J
554.13108	New section	HF 2321.12	J
554.13109	New section	HF 2321.13	J
554.13201	New section	HF 2321.14	J
554.13202	New section	HF 2321.15	J
554.13203	New section	HF 2321.16	J
554.13204	New section	HF 2321.17	J
554.13205	New section	HF 2321.18	J
554.13206	New section	HF 2321.19	J
554.13207	New section	HF 2321.20	J
554.13208	New section	HF 2321.21	J
554.13209	New section	HF 2321.22	J
554.13210	New section	HF 2321.23	J
554.13211	New section	HF 2321.24	J
554.13212	New section	HF 2321.25	J
554.13213	New section	HF 2321.26	J
554.13214	New section	HF 2321.27	J
554.13215	New section	HF 2321.28	J
554.13216	New section	HF 2321.29	J
554.13217	New section	HF 2321.30	J
554.13218	New section	HF 2321.31	J
554.13219	New section	HF 2321.32	J
554.13220	New section	HF 2321.33	J
554.13221	New section	HF 2321.34	J
554.13301	New section	HF 2321.35	J
554.13302	New section	HF 2321.36	J
554.13303	New section	HF 2321.37	J
554.13304	New section	HF 2321.38	J
554.13305	New section	HF 2321.39	J
554.13306	New section	HF 2321.40	J
554.13307	New section	HF 2321.41	J
554.13308	New section	HF 2321.42	J
554.13309	New section	HF 2321.43	J
554.13310	New section	HF 2321.44	J
554.13311	New section	HF 2321.45	J
554.13401	New section	HF 2321.46	J
554.13402	New section	HF 2321.47	J
554.13403	New section	HF 2321.48	J
554.13404	New section	HF 2321.49	J

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| J - Effective July 1, 1994     | 00-00-00 - Specified effective date |  |

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
554.13405	New section	HF 2321.50	J
554.13406	New section	IIF 2321.51	J
554.13407	New section	HF 2321.52	J
554.13501	New section	HF 2321.53	J
554.13502	New section	HF 2321.54	J
554.13503	New section	HF 2321.55	J
554.13504	New section	HF 2321.56	J
554.13505	New section	IIF 2321.57	J
554.13506	New section	HF 2321.58	J
554.13507	New section	HF 2321.59	J
554.13508	New section	HF 2321.60	J
554.13509	New section	HF 2321.61	J
554.13510	New section	HF 2321.62	J
554.13511	New section	HF 2321.63	J
554.13512	New section	HF 2321.64	J
554.13513	New section	IIF 2321.65	J
554.13514	New section	HF 2321.66	J
554.13515	New section	HF 2321.67	J
554.13516	New section	HF 2321.68	J
554.13517	New section	IIF 2321.69	J
554.13518	New section	HF 2321.70	J
554.13519	New section	HF 2321.71	J
554.13520	New section	HF 2321.72	J
554.13521	New section	HF 2321.73	J
554.13522	New section	HF 2321.74	J
554.13523	New section	HF 2321.75	J
554.13524	New section	HF 2321.76	J
554.13525	New section	HF 2321.77	J
554.13526	New section	HF 2321.78	J
554.13527	New section	HF 2321.79	J
554.13528	New section	HF 2321.80	J
554.13529	New section	HF 2321.81	J
554.13530	New section	HF 2321.82	J
554.13531	New section	HF 2321.83	J
554.13532	New section	HF 2321.84	J
554.	Article 3 repealed	SF 2279.121	7/1/95
555B.1*	New subsection 4A	SF 2190.21	J A
555B.2*	Subsection 2, paragraph a amended	SF 2190.22	J A
556.5*	Subsection 2 amended	HF 2124.116	J
556.17	Subsections 1 & 2 amended	SF 2229.37	J
556.18*	Subsection 1 amended	SF 2086.96	J
556.18*	Subsection 1 amended	SF 2229.38	J
556.18*	New subsection 3	SF 2086.97	J
556F.1	New section	HF 403.1	J
562B.7	Subsection 5 amended	SF 2190.23	J A
568.2	Section repealed	HF 642.42	J
568.3	Section amended	HF 642.37	J
568.4	Section amended	HF 642.38	J
595.18	Section amended	HF 2217.30	J
595.19	Section amended	HF 2124.117	J
598.21*	New subsection 4A	HF 2410.40	E
598.21*	New subsection 4B	HF 2410.42	J
598.21*	Subsection 8, paragraph k stricken	HF 2410.41	E
598.23A*	Subsection 2, unnumbered paragraph 1 amended	HF 2407.9	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
598.23A*	Subsection 2, new paragraph c	HF 2407.10	J
600.1	Section amended	HF 2377.6	J
600.2	Subsection 1 amended	HF 2217.12	J
600.8	Subsection 1, paragraph c, unnumbered para. 1 amended	HF 2217.13	J
600.9	Subsection 1, paragraphs c & d amended	HF 2217.14	J
600.9	Subsection 2 amended	HF 2217.15	J
600.9	Section rewritten	HF 2377.7	J
600.11	Subsection 2, new paragraph c	HF 2377.8	J
600.14	New unnumbered paragraph	HF 2377.9	J
600.16	Subsection 2 amended	HF 2217.16	J
600.16	New subsection 2A	HF 2377.10	J
600.16	Subsection 3 amended	HF 2377.11	J
600.16A	Subsections 2 & 3 amended	HF 2217.17	J
600.24	Subsection 1 amended	HF 2217.18	J
600A.1	Section amended	HF 2377.12	J
600A.2	Subsection 12 amended	HF 2217.19	J
600A.2	New subsection 14A	HF 2377.13	J
600A.4	Subsection 2, new paragraphs d, e, & f, paras. relettered	HF 2377.14	J
600A.4	Subsection 2, old paragraph d amended	HF 2377.15	J
600A.5	Subsection 2 amended	HF 2217.20	J
600A.6	Subsection 1 amended	HF 2217.21	J
600A.6	Subsection 1 amended	HF 2377.16	J
600A.6	Subsection 2, new unnumbered paragraph	HF 2377.17	J
600A.6	Subsections 5 & 6 rewritten	HF 2377.18	J
600A.7	New subsection 3	HF 2377.19	J
600A.9	Subsection 2 amended	HF 2377.20	J
600A.9A	New section	HF 2377.21	J
600B.5	Section amended	HF 2217.22	J
600B.9	Section amended	HF 2410.43	J
600B.24	Section amended	HF 2410.44	J
600B.35	Section amended	HF 2217.23	J
600B.36	Section amended	HF 2217.24	J
600B.41*	Subsections 3, 5, & 6 amended	HF 2410.45	J
600B.41*	Subsection 7 stricken	HF 2410.46	E
600B.41*	Subsection 8 amended	HF 2410.47	E
600B.41A	New section	HF 2410.48	E
602.5205	Subsection 2 amended	SF 2230.1	J
602.6111*	New subsection 3	HF 2410.49	R 7/1/93
602.6301	Section amended	SF 2230.2	J
602.6306	Subsection 2 amended	SF 2107.1	J
602.6405	Subsection 1 amended	HF 637.5	J
602.7103	Subsection 3 amended	SF 2319.39	J
602.8102*	New subsection 11	SF 2126.1	J
602.8102*	Subsection 15 rewritten	SF 2223.62	1/1/95
602.8102*	Subsection 34 stricken	HF 642.39	J
602.8102*	Subsection 119 amended	HF 2217.25	J
602.8103	Subsection 5, new unnumbered paragraph	HF 2197.1	J
602.8105	Section rewritten	SF 413.5	J
602.8106*	Section rewritten	SF 413.6	J
602.8107*	Subsections 1 & 2 amended	HF 2352.2	J

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| C | - Conditional effective date | VETO     | - Entire bill section vetoed  | **  | - Section amended by subsequent bill       |
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| J | - Effective July 1, 1994     | 00-00-00 | - Specified effective date    |     |  |

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
602.8107*	Subsection 5, unnumbered paragraph 2 amended	HF 2352.3	J
602.8107*	Subsection 5, unnumbered paragraph 2 amended	HF 2124.118	J
602.8108	Section rewritten	SF 413.7	J
602.8108A	New section	HF 2350.21	J
602.9104	Subsection 4 rewritten	IIF 2418.82	J
602.9104A	New section	HF 2418.83	J
602.9105	New section	IIF 2418.84	R 1/1/93
602.9116	Section amended	HF 2418.85	J
602.9204	Section amended	HF 2418.86	J
607A.5	Section amended	HF 2350.22	J
613.16	Subsection 2 amended	SF 2319.40	J
615.1	Section amended	HF 307.1	J
615.3	Section amended	HF 307.2	** J
615.3	Section amended	SF 2330.67	J
625.8	Subsection 3 amended	SF 413.8	J
626.29*	Section amended	SF 2057.41	J
626A.5	Section rewritten	SF 413.9	J
627.13	Section amended	HF 2410.50	J
631.1	Section amended	HF 2286.1	J
631.6	Section rewritten	SF 413.10	J
633.3	Subsections 5 & 23 amended	HF 2217.26	J
633.5	New section	SF 2307.7	J
633.13	Unnumbered paragraph 2 amended	SF 2107.2	J
633.20*	Subsection 2 amended	SF 413.11	J
633.22	New subsection 6	HF 2284.1	J
633.31	Subsection 2, unnumbered paragraph 1 amended	SF 413.12	J
633.31	Subsection 2, paragraph i amended	SF 413.13	J
633.197	New unnumbered paragraph	SF 2307.8	J
633.221	Section amended	IIF 2217.27	J
633.222	Section amended	HF 2217.28	J
633.223	Section amended	HF 2217.29	J
633.272	Section amended	SF 2057.42	J
633.425	New subsection 6A	HF 2372.11	J
633.559	Section amended	SF 2307.9	J
633.571	Section amended	SF 2307.10	J
633.591A	New section	SF 2307.11	J
633.641	New unnumbered paragraph	SF 2250.2	J
633.703A	New section	SF 2307.12	J
633.703B	New section	SF 2307.13	J
633.707	New section	HF 2372.3	J
633.708	New section	HF 2372.4	J
633.709	New section	HF 2372.5	J
633.710	New section	HF 2372.6	J
633.711	New section	HF 2372.7	J
634A.1	New section	SF 2264.1	J
634A.2	New section	SF 2264.2	J
641.1	Section amended	HF 642.40	J
641.2	Section amended	IIF 642.41	J
654A.17*	Section repealed	SF 2066.1	J
654B.12*	Section repealed	SF 2066.1	J
668.16	New section	SF 2279.119	7/1/95
669.2*	Subsection 4, new unnumbered paragraph	HF 2410.51	E
670.4	New subsection 13	HF 637.6	J
670.7	Section amended	SF 2234.17	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
674.10	Section rewritten	SF 413.14	J
684.1	New section	HF 2384.5	1/1/95
684.2	New section	HF 2384.6	1/1/95
684.3	New section	HF 2384.7	1/1/95
684.4	New section	HF 2384.8	1/1/95
684.5	New section	HF 2384.9	1/1/95
684.6	New section	HF 2384.10	1/1/95
684.7	New section	HF 2384.11	1/1/95
684.8	New section	HF 2384.12	1/1/95
684.9	New section	HF 2384.13	1/1/95
684.10	New section	HF 2384.14	1/1/95
684.11	New section	HF 2384.15	1/1/95
684.12	New section	HF 2384.16	1/1/95
692.2*	Subsection 1, paragraph c amended	HF 2261.16	J
692.2*	Subsection 1, new paragraph 1	HF 2261.17	J
692.3	Subsection 2 amended	HF 2261.18	J
692.8	Unnumbered paragraph 1 amended	HF 2133.1	J
702.11	Section amended	HF 2124.69	J
702.18	Section amended	SF 2319.41	J
707.2	New subsection 5	SF 2319.42	J
707.6A	Subsections 1, 2, & 3 amended	HF 2153.2	J
708.2A*	New subsection 4A	SF 2265.2	J
708.7	Subsection 1 amended	SF 2265.3	J
708.11	Section rewritten	SF 2265.4	J
709.4	Subsection 2, paragraph c, subparagraph (4) amended	HF 121.1	J
709B.1*	Subsection 2 amended	HF 2149.4	J
709B.2*	Subsection 1, unnumbered paragraph 1 amended	HF 2149.5	J
709B.2*	Subsection 1, paragraph a amended	HF 2149.6	J
709B.2*	Subsection 4, paragraph a amended	HF 2149.7	J
709B.2*	Subsection 5, unnumbered paragraph 1 amended	HF 2149.8	J
709B.3*	Subsection 14 amended	HF 2149.9	J
709C.1	New section	SF 2319.43	7/1/95
709C.2	New section	SF 2319.44	7/1/95
709C.3	New section	SF 2319.45	7/1/95
709C.4	New section	SF 2319.46	7/1/95
709C.5	New section	SF 2319.47	7/1/95
709C.6	New section	SF 2319.48	7/1/95
709C.7	New section	SF 2319.49	7/1/95
709C.8	New section	SF 2319.50	7/1/95
709C.9	New section	SF 2319.51	7/1/95
709C.10	New section	SF 2319.52	7/1/95
713.3	Section amended	SF 2086.15	J
713.4	Section amended	SF 2086.16	J
713.5	Section amended	SF 2086.17	J
713.6	Section amended	SF 2086.18	J
714.7A	Section amended	HF 2352.4	J
714.8	Subsection 12 amended	HF 2124.70	J
714.8	New subsection 15	SF 2272.1	J
714.16	Subsection 7, unnumbered paragraph 1 amended	HF 2352.5	J
714.16A	Subsection 1, unnumbered paragraph 2 amended	HF 2352.6	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.

- |                                       |  |   |
|---------------------------------------|--|---|
| <b>A</b> - Applicability provisions   | <b>R</b> - Retroactive applicability       | <b>*</b> - Code Supplement 1993                       |
| <b>C</b> - Conditional effective date | <b>VETO</b> - Entire bill section vetoed   | <b>**</b> - Section amended by subsequent bill        |
| <b>E</b> - Effective upon enactment   | <b>IV</b> - Part of bill section vetoed    | <b>***</b> - Bill section repealed by subsequent bill |
| <b>J</b> - Effective July 1, 1994     | <b>00-00-00</b> - Specified effective date |   |

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
714B.1	New section	SF 2272.2	J
714B.2	New section	SF 2272.3	J
714B.3	New section	SF 2272.4	J
714B.4	New section	SF 2272.5	J
714B.5	New section	SF 2272.6	J
714B.6	New section	SF 2272.7	J
714B.7	New section	SF 2272.8	J
714B.8	New section	SF 2272.9	J
714B.9	New section	SF 2272.10	J
714B.10	New section	SF 2272.11	J
717.1	Section rewritten	HF 637.7	J
717.1A	New section	HF 637.8	J
717.2	Section amended	HF 637.9	J
717.2A	New section	HF 637.10	J
717.3	Section repealed	HF 637.23	J
717.4	Section repealed	HF 637.23	J
717.5	Section rewritten	HF 637.11	J
717.6	Section repealed	HF 637.23	J
717B.1	New section	HF 637.12	J
717B.2	New section	HF 637.13	J
717B.3	New section	HF 637.14	J
717B.4	New section	HF 637.15	J
717B.5	New section	HF 637.16	J
717B.5A	New section	HF 637.17	J
717B.6	New section	HF 637.18	J
717B.7	New section	HF 637.19	J
717B.8	New section	HF 637.20	J
724.4A	New section	SF 2319.53	J
724.6*	Subsection 2 amended	HF 2418.87	J
724.16	Subsection 1 amended	SF 2319.54	J
724.16A	New section	SF 2319.55	J
724.22	Subsections 1 & 2 amended	SF 2319.56	J
724.22	Subsection 7 amended	HF 2124.119	J
724.27	Section amended	SF 2319.57	J
724.30	New section	SF 2319.58	J
726.6B	New section	SF 2319.59	J
728.14	Subsection 1, new paragraph g	HF 121.2	J
730.5	Subsection 2, unnumbered paragraph 1 amended	HF 2124.120	J
802.2	Section amended	HF 121.3	J
804.19	Section amended	HF 2267.1	J
805.1	Subsection 1 amended	SF 2265.5	J
805.6	Subsection 1, paragraph a, unnumbered para. 1 amended	SF 413.15	J
805.6	Subsection 1, paragraph a, new unnumbered paragraph	SF 413.16	J
805.8*	Subsection 2, paragraph g, subparagraph (3) amended	HF 2124.121	J
805.8*	Subsection 5, paragraphs c & d amended	SF 2049.2	J
805.8*	Subsection 10 amended	SF 2319.60	J
805.8*	Subsection 11 amended	SF 2319.61	J
808A.2	New subsection 4	SF 2319.62	J
808B.9	Section amended	SF 2319.63	6/30/94
808B.	Chapter repealed	SF 2319.63	7/1/99
811.1	Subsection 3 amended	SF 2265.6	J
812.4	Section amended	HF 2241.1	J
812.5	Section amended	HF 2241.2	J
815.7	Section amended	SF 2218.23	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
815.9A*	Subsection 1 amended	HF 2124.122	J
815.10	New subsection 4	SF 2218.24	J
815.11	Section amended	SF 2218.25	J
901.1	Section amended	HF 2124.71	J
901.2	Unnumbered paragraph 1 amended	HF 2325.1	J
904.201	New subsection 9	SF 2330.51	VETO
904.311	New unnumbered paragraphs	HF 2352.7	J
904.312A	New section	HF 2337.31	E
904.401	Unnumbered paragraph 2 stricken	HF 2352.8	J
904.602	Subsection 1, unnumbered paragraph 1 amended	HF 2352.9	J
904.602	Subsection 2, unnumbered paragraph 1 & para. a amended	HF 2352.10	J
904.603	Section amended	HF 2352.11	J
904.802	Subsection 2 amended	HF 2124.72	J
904.808	Subsection 3 amended	HF 2124.73	J
904.905	Subsections 1 through 4 amended	HF 2352.12	J
905.12	Subsections 2 & 3 amended	HF 2352.13	J
906.16	Section rewritten	HF 2270.1	J
908.10A	New section	HF 2270.2	J
909.6*	Section amended	HF 2352.14	J
910.1	Subsection 3 amended	HF 2352.15	J
910.2	Section amended	HF 2352.16	J
910.3	Section amended	HF 2352.17	J
910.9	Unnumbered paragraph 3 amended	HF 2352.18	J
910A.16*	Subsection 4 amended	HF 2124.123	J
911.1	Section amended	SF 413.17	J
911.3	Section repealed	SF 413.18	J
912.6*	Subscction 4 amended	HF 2352.19	J
914.6	Subsections 1 & 3 amended	SF 2223.63	1/1/95
914.7	New unnumbered paragraph	SF 2319.64	J

**1994 ACTS - Listed by Bill Number**

<u>Bill #/Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
SF 94.1	Subsection 1, paragraph a amended	SF 2314.41	J
SF 94.2	Subsection 1, paragraph a amended	SF 2314.42	J
SF 2080.3	Section rewritten	SF 2314.45	J
SF 2080.6	Section amended	SF 2330.78	J
SF 2080.7	Section amended	SF 2330.78	J
SF 2086.32	Subsection 2 stricken	SF 2330.64	E
SF 2086.34	Section repealed	SF 2330.73	E
SF 2086.36	Section repealed	SF 2330.73	E
SF 2217.3	Subsection 2, new unnumbered paragraph	SF 2330.91	E
SF 2218.6	Subsection 2 amended	SF 2330.43	J
SF 2229.24	Section repealed	SF 2330.4	E
SF 2313.5	New unnumbered paragraph	SF 2330.40	J
SF 2313.11	New subsection 5	SF 2330.41	J
SF 2313.13	Subsection 2 amended	SF 2330.42	VETO
SF 2313.19	Subsection 1, unnumbered paragraph 1 amended	SF 2330.69	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
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- J - Effective July 1, 1994
- R - Retroactive applicability
- VETO - Entire bill section vetoed
- IV - Part of bill section vetoed
- 00-00-00 - Specified effective date
- \* - Code Supplement 1993
- \*\* - Section amended by subsequent bill
- \*\*\* - Bill section repealed by subsequent bill

<u>Bill #/Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
SF 2313.19	Subsection 6, paragraph a amended	SF 2330.70	J
SF 2318.6	Section amended	SF 2330.44	J
HF 181.4	Section amended	SF 2330.52	J
HF 307.2	Section amended	SF 2330.67	J
HF 582.1	Subsection 2 amended	SF 2330.71	J
HF 2179.26	Section repealed	SF 2330.75	R 3/31/94
HF 2180.9	Subsection 2 amended	SF 2057.43	J
HF 2180.12	Section amended	SF 2057.44	J
HF 2230	Act repealed	SF 2330.68	2/15/95
HF 2230.3	Section amended	SF 2330.68	J
HF 2337.26	Section amended	SF 2330.65	J
HF 2383.7	Section amended	SF 2330.66	J
HF 2403.6	Section repealed	SF 2330.74	J
HF 2411.7	Subsection 4 stricken	SF 2330.72	J

### 1993 ACTS AMENDED

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
28.2	Section amended	HF 2110.1	J
29.4	Section repealed	SF 2066.2	J
55.1	Subsection 2 amended	HF 2145.8	J
131.29	Section amended	HF 2124.124	J
144.6	Section repealed	SF 2330.3	R 1/1/93
167.3	Subsection 3 amended	HF 2415.10	J
169.8	Subsection 1, paragraph a amended	SF 2330.21	E
170.6	Subsection 3, unnumbered paragraph 1 amended	SF 2330.22	E
171.11	Subsection 4 amended	HF 2350.23	E
171.23	Section repealed	SF 2066.2	J
172.3	Unnumbered paragraph 2 amended	SF 2330.23	E
172.32	Section repealed	HF 2261.7	E
172.33	Section repealed	HF 2261.7	E
172.38	Section repealed	HF 2261.7	E
172.39	Section repealed	HF 2261.7	E
173.1	New unnumbered paragraph	SF 2091.2	J
173.2	Section amended	SF 2091.3	J
175.26	Section repealed	HF 2124.125	J
176.25	Subsection 2 amended	SF 2314.31	E
179.1	Subsection 5, unnumbered paragraph 2 amended	HF 2411.5	E
179.8	Subsection 1, paragraph b amended	SF 2330.24	E
180.19	Section amended	SF 2330.25	E
180.46	Section amended	HF 2415.29	J
180.62	Section amended	HF 2411.6	E

### 1992 ACTS AMENDED

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1056.3	Section repealed	SF 2261.9	J
1099.11	Section repealed	HF 2337.37	E
1117.40	Section repealed	HF 2124.125	J

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1117.43	Section repealed	HF 2124.125	J
1161.7	Section amended	HF 2110.1	J
1233.4	Section amended	SF 2091.3	J
1234.6	New subsection 3	HF 2323.56	R 10/1/92
1238.10	Section repealed	HF 2124.124	J
1244.1	Subsection 2, paragraph e amended	HF 2415.29	J

**1991 ACTS AMENDED**

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
127.1	Section repealed	SF 2080.14	7/1/96
127.2	Section amended	SF 2080.14	J
220.7	Section amended	HF 2110.1	J
270.3	Section amended	SF 2091.3	J

**1990 ACTS AMENDED**

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1143.28	Section repealed	SF 2066.2	J
1143.29	Section repealed	SF 2066.2	J
1143.32	Subsection 2 stricken	SF 2066.3	J
1260.20	Section amended	SF 2314.30	E
1265.3	Section amended	SF 2091.3	J
1274.	Unnumbered paragraph 1 after the enacting clause amended	HF 2110.1	J

**1989 ACTS AMENDED**

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
311.21	Section amended	SF 2314.30	E
312.6	Section amended	SF 2091.3	J

**1988 ACTS AMENDED**

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1281.6	Section amended	SF 2091.3	J

**1987 ACTS AMENDED**

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
230.8	Section amended	SF 2091.3	J

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- |                                |                                     |  |
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| J - Effective July 1, 1994     | 00-00-00 - Specified effective date |  |

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
233.204	Subsection 5 amended	SF 2314.30	E

### 1986 ACTS AMENDED

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1249.4	Unnumbered paragraph 1 amended	SF 2091.3	J

## 1994 Senate Committees

### STANDING COMMITTEES

#### AGRICULTURE

Priebe, Chair  
 Riordan, Vice Chair  
 Bartz, Ranking Member  
 Banks  
 Boswell  
 Fraise  
 Giannetto  
 Hedge  
 Hester  
 Husak  
 Judge  
 McLaren  
 Palmer  
 Sorensen  
 Zieman

#### APPROPRIATIONS

Murphy, Chair  
 Boswell, Vice Chair  
 McLaren, Ranking Member  
 Banks  
 Bisignano  
 Borlaug  
 Buhr  
 Connolly  
 Deluhery  
 Dvorsky  
 Fraise  
 Gronstal  
 Husak  
 Judge  
 Kersten  
 Kibbie  
 Kramer  
 Lind  
 Palmer  
 Pate  
 Redfern  
 Rensink  
 Rosenberg  
 Tinsman  
 Vilsack

#### BUSINESS & LABOR RELATIONS

Gettings, Chair  
 Sturgeon, Vice Chair  
 Redfern, Ranking Member  
 Buhr  
 Connolly  
 Freeman  
 Giannetto  
 Maddox  
 Murphy  
 Taylor

#### COMMERCE

Deluhery, Chair  
 Palmer, Vice Chair

Jensen, Ranking Member  
 Bisignano  
 Dvorsky  
 Freeman  
 Gettings  
 Gronstal  
 Kersten  
 Lind  
 Pate  
 Priebe  
 Redfern  
 Sturgeon  
 Welsh

#### COMMUNICATIONS & INFORMATION POLICY

Welsh, Chair  
 Dvorsky, Vice Chair  
 Kersten, Ranking Member  
 Deluhery  
 Fraise  
 Jensen  
 McLaren

#### EDUCATION

Connolly, Chair  
 Kibbie, Vice Chair  
 Kramer, Ranking Member  
 Deluhery  
 Dieleman  
 Dvorsky  
 Fink  
 Lind  
 Murphy  
 Redfern  
 Rensink  
 Szymoniak  
 Taylor  
 Tinsman  
 Vilsack

#### ENVIRONMENT & ENERGY UTILITIES

Rosenberg, Chair  
 Fink, Vice Chair  
 Kersten, Ranking Member  
 Banks  
 Borlaug  
 Gronstal  
 Hedge  
 Horn  
 Sorensen  
 Welsh

#### ETHICS

Gettings, Chair  
 Rosenberg, Vice Chair  
 Hedge, Ranking Member  
 Drake  
 Husak  
 McKean

#### HUMAN RESOURCES

Szymoniak, Chair  
 Lloyd-Jones, Vice Chair  
 Tinsman, Ranking Member  
 Bartz  
 Bennett  
 Buhr  
 Dvorsky  
 Judge  
 Kramer  
 Riordan  
 Rittmer  
 Sturgeon

#### JUDICIARY

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 Rosenberg, Vice Chair  
 McKean, Ranking Member  
 Bisignano  
 Connolly  
 Drake  
 Giannetto  
 Lloyd-Jones  
 Maddox  
 Pate  
 Redfern  
 Szymoniak  
 Taylor  
 Vilsack  
 Welsh

#### LOCAL GOVERNMENT

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 Buhr, Vice Chair  
 Maddox, Ranking Member  
 Fraise  
 Jensen  
 Priebe  
 Rittmer  
 Szymoniak  
 Vilsack  
 Zieman

#### NATURAL RESOURCES

Fink, Chair  
 Dieleman, Vice Chair  
 Hester, Ranking Member  
 Banks  
 Hedge  
 Judge  
 Kibbie  
 McKean  
 Priebe  
 Rensink  
 Riordan  
 Sturgeon

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Horn, Chair

Boswell, Vice Chair  
 Rife, Ranking Member  
 Gettings  
 Gronstal  
 Husak  
 Kramer  
 Lind  
 Palmer

#### SMALL BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

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 Vilsack, Vice Chair  
 Zieman, Ranking Member  
 Bartz  
 Bennett  
 Bisignano  
 Borlaug  
 Giannetto  
 Judge  
 Kibbie  
 Lloyd-Jones  
 Maddox  
 Sorensen

#### STATE GOVERNMENT

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 Kibbie, Vice Chair  
 Rittmer, Ranking Member  
 Bisignano  
 Buhr  
 Dieleman  
 Drake  
 Fink  
 Giannetto  
 Kramer  
 Lind  
 McKean  
 McLaren  
 Pate  
 Priebe  
 Sorensen  
 Welsh

#### TRANSPORTATION

Lloyd-Jones, Chair  
 Fraise, Vice Chair  
 Drake, Ranking Member  
 Connolly  
 Dieleman  
 Fink  
 Gettings  
 Jensen  
 Kersten  
 Pate

**WAYS & MEANS**

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 Husak, Vice Chair  
 Bennett, Ranking Member  
 Deluhery  
 Drake  
 Freeman  
 Hedge  
 Hester  
 Lloyd Jones  
 McLaren  
 Murphy  
 Palmer  
 Riordan  
 Rosenberg  
 Szymoniak

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 Dieleman, Vice Chair  
 Redfern, Ranking Member  
 Horn  
 Zieman

**AGRICULTURE & NATURAL RESOURCES**

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 Priebe, Vice Chair  
 Banks, Ranking Member  
 Fink  
 Hester

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 Palmer, Vice Chair

Taylor, Ranking Member  
 Drake  
 Murphy

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 Riordan, Vice Chair  
 Borlaug, Ranking Member  
 Boswell  
 Maddox

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 Welsh, Vice Chair  
 Lind, Ranking Member  
 Bartz  
 Connolly

**HEALTH & HUMAN RIGHTS**

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 Giannetto, Vice Chair  
 Tinsman, Ranking Member  
 Bennett  
 Sturgeon

**HUMAN SERVICES**

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 Szymoniak, Vice Chair  
 Kramer, Ranking Member  
 Dvorsky  
 Rittner

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 Rosenberg, Vice Chair

Patc, Ranking Member  
 Murphy  
 Taylor

**REGULATION**

Vilsack, Chair  
 Sorensen, Vice Chair  
 Rensink, Ranking Member  
 Hedge  
 Palmer

**TRANSPORTATION & SAFETY**

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 Gettings, Vice Chair  
 Kersten, Ranking Member  
 Jensen  
 Lloyd-Jones

## 1994 House of Representatives Committees

### STANDING COMMITTEES

#### ADMINISTRATION

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Holveck, Ranking Member  
Connors  
Doderer  
Halvorson, Roger  
Hammond  
Hansen, Steve  
Hester  
Joehum  
Larson  
Meyer  
Tyrrell

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Meyer, Vice Chair  
Fogarty, Ranking Member  
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Branstad  
Brauns  
Dinkla  
Greig  
Greiner  
Hahn  
Henderson  
Houser  
Klemme  
Koenigs  
May  
Mertz  
Mundie  
Osterberg  
Vande Hoef  
Weigel  
Welter

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Miller, Vice Chair  
Murphy, Ranking Member  
Beaman  
Beatty  
Brammer  
Brand  
Branstad  
Brunkhorst  
Daggett  
Gipp  
Hahn  
Hammond  
Hanson, Donald  
Hester  
Koenigs  
McKinney  
McNeal  
Metcalf  
Ollie  
Running

Shoultz  
Vande Hoef  
Weidman  
Wise

#### COMMERCE

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Dinkla, Vice Chair  
Hansen, Steve, Ranking Member  
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Cataldo  
Churchill  
Corbett  
Doderer  
Erd  
Gill  
Halvorson, Rod  
Halvorson, Roger  
Hanson, Darrell  
Holveck  
Larson  
Lundby  
McCoy  
Metcalf  
Millage  
Miller  
Rafferty  
Renaud  
Weigel

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Boddicker  
Brunkhorst  
Daggett  
Dickinson  
Garman  
Grundberg  
Hanson, Donald  
Hurley  
Iverson  
Kistler  
Kreiman  
Nelson  
Neuhauser  
Ollie  
Rants  
Shoultz  
Wise

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Greiner, Vice Chair  
Osterberg, Ranking Member  
Bernau

Drake  
Fallon  
Gipp  
Greig  
Gries  
Grubbs  
Hahn  
Henderson  
Holveck  
Lundby  
Martin  
Meyer  
Myers  
Rants  
Schrader  
Shoultz  
Witt

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Neuhauser, Ranking Member  
Beatty  
Hurley  
Peterson

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Haverland, Ranking Member  
Blodgett  
Boddicker  
Brammer  
Burke  
Daggett  
Grubbs  
Hammond  
Harper  
Hester  
Houser  
Hurley  
Martin  
McNeal  
Meyer  
Moreland  
Ollie  
Osterberg  
Witt

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Hurley, Vice Chair  
Brammer, Ranking Member  
Boddicker  
Beatty  
Brand  
Dinkla  
Doderer  
Grubbs

Grundberg  
Hansen, Steve  
Kreiman  
Larson  
Martin  
McKinney  
Millage  
Neuhauser  
Peterson  
Rafferty  
Spenner  
Weidman

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Garman, Vice Chair  
McKinney, Ranking Member  
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Boddicker  
Branstad  
Brunkhorst  
Connors  
Daggett  
Gill  
Hanson, Donald  
Harper  
Kistler  
McNeal  
Millage  
Moreland  
Murphy  
O'Brien  
Plasier  
Running  
Vande Hoef

#### LOCAL GOVERNMENT

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Houser, Vice Chair  
Burke, Ranking Member  
Black  
Brauns  
Connors  
Corbett  
Eddie  
Gipp  
Greiner  
Hahn  
Hanson, Darrell  
Haverland  
Larkin  
Mertz  
Mundie  
Myers  
Renaud  
Royer  
Vande Hoef  
Welter

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 Klemme, Vice Chair  
 Black, Ranking Member  
 Beaman  
 Bell  
 Brauns  
 Brunkhorst  
 Dickinson  
 Eddie  
 Fogarty  
 Garman  
 Greig  
 May  
 Mertz  
 Mundie  
 O'Brien  
 Royer  
 Schrader  
 Tyrrell  
 Vande Hoef  
 Weidman

**RULES**

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 Millage, Vice Chair  
 Mertz, Ranking Member  
 Carpenter  
 Greiner  
 Running  
 Schrader

**SMALL BUSINESS, ECONOMIC DEVELOPMENT & TRADE**

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 Rants, Vice Chair  
 Baker, Ranking Member  
 Bell  
 Blodgett  
 Branstad  
 Brunkhorst  
 Cohoon  
 Drake  
 Ertl  
 Gries  
 Hanson, Donald  
 Harper  
 Klemme  
 McCoy  
 Metcalf  
 Miller  
 Moreland  
 Nelson  
 O'Brien  
 Shoultz

**STATE GOVERNMENT**

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 Martin, Vice Chair  
 Beatty, Ranking Member  
 Cataldo  
 Churchill

Drake  
 Ertl  
 Fallon  
 Gipp  
 Halvorson, Rod  
 Hanson, Darrell  
 Hester  
 Jochum  
 Larkin  
 Lundby  
 Peterson  
 Renaud  
 Renken  
 Running  
 Spinner  
 Tyrrell

**TRANSPORTATION**

Spinner, Chair  
 Churchill, Vice Chair  
 Koenigs, Ranking Member  
 Beaman  
 Black  
 Blodgett  
 Brauns  
 Cohoon  
 Corbett  
 Eddie  
 Fogarty  
 Halvorson, Rod  
 Houser  
 Jochum  
 Larkin

May  
 Ollie  
 Renken  
 Royer  
 Weidman  
 Welter

**WAYS & MEANS**

Hanson, Darrell, Chair  
 Ertl, Vice Chair  
 Bernau, Ranking Member  
 Blodgett  
 Burke  
 Carpenter  
 Churchill  
 Dickinson  
 Dinkla  
 Doderer  
 Drake  
 Fogarty  
 Gill  
 Greig  
 Gries  
 Halvorson, Roger  
 Holveck  
 Iverson  
 Larson  
 Neuhauser  
 Osterberg  
 Plasier  
 Renken  
 Schrader  
 Weigel

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Beaman, Chair  
 Gipp, Vice Chair  
 Halvorson, Rod, Ranking Member  
 Cataldo  
 Lundby  
 O'Brien  
 Tyrrell

**AGRICULTURE & NATURAL RESOURCES**

Hahn, Chair  
 Drake, Vice Chair  
 Shoultz, Ranking Member  
 Greiner  
 Henderson  
 Kistler  
 May  
 Renken  
 Schrader

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 Lundby, Vice Chair  
 Larkin, Ranking Member

**ECONOMIC DEVELOPMENT**

Metcalf, Chair  
 Larson, Vice Chair  
 Gill, Ranking Member  
 Baker  
 Branstad  
 Churchill  
 Kreiman  
 Moreland  
 Rants

**EDUCATION**

Daggett, Chair  
 Greig, Vice Chair  
 Brand, Ranking Member  
 Grundberg  
 Iverson  
 Millage  
 Nelson  
 Ollie  
 Witt

**HEALTH & HUMAN RIGHTS**

Brunkhorst, Chair

Hurley, Vice Chair  
 Harper, Ranking Member  
 Burke  
 Carpenter  
 Gries  
 Martin  
 Murphy  
 Weigel

**HUMAN SERVICES**

Hester, Chair  
 Blodgett, Vice Chair  
 Hammond, Ranking Member  
 Dinkla  
 Fallon  
 Haverland  
 Houser  
 Jochum  
 Plasier

**JUSTICE SYSTEM**

Vande Hoef, Chair  
 Welter, Vice Chair  
 Bell, Ranking Member  
 Brammer  
 Eddie  
 Garman

Larkin  
 Myers  
 Rafferty

**REGULATION**

Hanson, Donald, Chair  
 Boddicker, Vice Chair  
 Dickinson, Ranking Member  
 Connors  
 Ertl  
 Meyer  
 McCoy

**TRANSPORTATION & SAFETY**

Weidman, Chair  
 Brauns, Vice Chair  
 Renaud, Ranking Member  
 Cohoon  
 Klemme  
 Koenigs  
 Mundie  
 Royer  
 Spinner