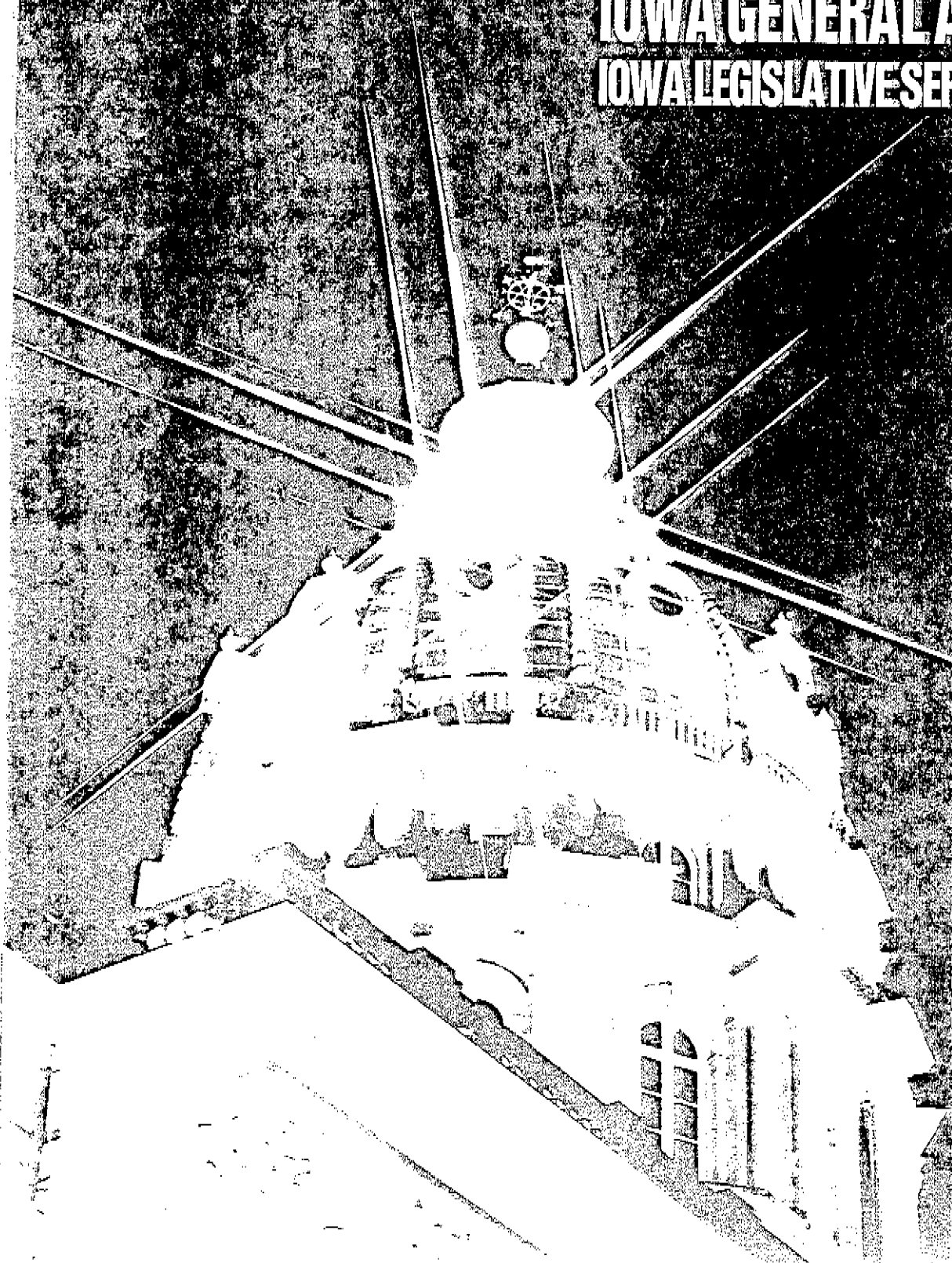


1996 SUMMARY OF LEGISLATION

IOWA GENERAL ASSEMBLY
IOWA LEGISLATIVE SERVICE BUREAU



**SUMMARY OF LEGISLATION ENACTED IN THE YEAR 1996 BY THE SECOND
REGULAR SESSION OF THE SEVENTY-SIXTH GENERAL ASSEMBLY AND
SIGNED BY THE GOVERNOR**

Prepared by the Legislative Service Bureau

PURPOSE

This summary of legislation enacted by the 1996 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 1996 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, 1996, unless otherwise specified in an individual summary.

FISCAL YEAR

For purposes of this summary of legislation, "fiscal year 1996-1997," and "FY 1997," for example, both describe the fiscal year beginning July 1, 1996, and ending June 30, 1997.

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.

**Legislative Service Bureau
State Capitol Building
Des Moines, Iowa 50319
(515) 281-3566
<http://www.legis.state.ia.us>**



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LOCATION OF SUMMARIES BY FILE NUMBER

Senate Files

Number	Major Subject	Number	Major Subject
SF 13	Courts, Civil Law & Procedure, & Probate	SF 2212	Natural Resources & Outdoor Recreation
SF 73	State Government	SF 2213	Human Services
SF 259	State Government	SF 2218	Health & Safety
SF 284	Corrections, Criminal Law & Procedure	SF 2219	Environmental Protection
SF 376	Business, Banking & Insurance	SF 2235	Health & Safety
SF 454	Human Services	SF 2245	State Government
SF 482	Courts, Civil Law & Procedure, & Probate	SF 2252	Courts, Civil Law & Procedure, & Probate
SF 2012	Gaming	SF 2259	Natural Resources & Outdoor Recreation
SF 2013	State Government	SF 2260	Agriculture
SF 2030	Local Government	SF 2265	Courts, Civil Law & Procedure, & Probate
SF 2035	Environmental Protection	SF 2266	Transportation
SF 2062	State Government	SF 2269	Corrections, Criminal Law & Procedure
SF 2063	Education	SF 2270	Business, Banking & Insurance
SF 2066	Corrections, Criminal Law & Procedure	SF 2278	Natural Resources & Outdoor Recreation
SF 2071	Local Government	SF 2282	Business, Banking & Insurance
SF 2072	Transportation	SF 2283	Business, Banking & Insurance
SF 2074	Local Government	SF 2287	Environmental Protection
SF 2080	State Government	SF 2289	Corrections, Criminal Law & Procedure
SF 2082	Education	SF 2294	Human Services
SF 2083	Education	SF 2299	Local Government
SF 2085	Transportation	SF 2301	Health & Safety
SF 2087	Corrections, Criminal Law & Procedure	SF 2303	Human Services
SF 2088	Corrections, Criminal Law & Procedure	SF 2305	Courts, Civil Law & Procedure, & Probate
SF 2097	Taxation	SF 2307	Children & Youth
SF 2101	Human Services	SF 2321	Human Services
SF 2110	Health & Safety	SF 2323	Human Services
SF 2114	Corrections, Criminal Law & Procedure	SF 2324	Human Services
SF 2121	State Government	SF 2331	Corrections, Criminal Law & Procedure
SF 2122	State Government	SF 2336	Agriculture
SF 2123	Business, Banking & Insurance	SF 2337	Agriculture
SF 2127	State Government	SF 2344	Human Services
SF 2130	Agriculture	SF 2348	Agriculture
SF 2131	Local Government	SF 2351	Economic Development
SF 2135	Business, Banking & Insurance	SF 2352	Local Government
SF 2140	Transportation	SF 2353	Business, Banking & Insurance
SF 2147	State Government	SF 2357	Education
SF 2153	Business, Banking & Insurance	SF 2359	Local Government
SF 2154	Corrections, Criminal Law & Procedure	SF 2363	Business, Banking & Insurance
SF 2155	Courts, Civil Law & Procedure, & Probate	SF 2366	State Government
SF 2157	Education	SF 2367	State Government
SF 2158	Education	SF 2368	Business, Banking & Insurance
SF 2159	Education	SF 2370	Energy & Public Utilities
SF 2165	Natural Resources & Outdoor Recreation	SF 2372	Courts, Civil Law & Procedure, & Probate
SF 2167	Corrections, Criminal Law & Procedure	SF 2375	Courts, Civil Law & Procedure, & Probate
SF 2168	Taxation	SF 2381	Human Services
SF 2171	Health & Safety	SF 2385	Courts, Civil Law & Procedure, & Probate
SF 2186	Transportation	SF 2387	State Government
SF 2195	Appropriations	SF 2395	Business, Banking & Insurance
SF 2201	Education	SF 2396	Courts, Civil Law & Procedure, & Probate
SF 2204	Education	SF 2399	Children & Youth
SF 2207	Courts, Civil Law & Procedure, & Probate	SF 2405	Courts, Civil Law & Procedure, & Probate
SF 2208	Corrections, Criminal Law & Procedure	SF 2408	Business, Banking & Insurance
SF 2211	Corrections, Criminal Law & Procedure	SF 2409	Labor & Employment

Number	Major Subject	Number	Major Subject
SF 2410	Children & Youth	SF 2446	Appropriations
SF 2413	Courts, Civil Law & Procedure, & Probate	SF 2448	Appropriations
SF 2420	Children & Youth	SF 2449	Taxation
SF 2422	Business, Banking & Insurance	SF 2453	Labor & Employment
SF 2423	Corrections, Criminal Law & Procedure	SF 2455	Taxation
SF 2430	Children & Youth	SF 2464	Economic Development
SF 2438	Human Services	SF 2467	Taxation
SF 2442	Appropriations	SF 2470	Appropriations

LOCATION OF SUMMARIES BY FILE NUMBER

House Files

Number	Major Subject	Number	Major Subject
HF 111	Health & Safety	HF 2297	Natural Resources & Outdoor Recreation
HF 121	Education	HF 2299	Local Government
HF 210	Corrections, Criminal Law & Procedure	HF 2303	Transportation
HF 230	Business, Banking & Insurance	HF 2306	Natural Resources & Outdoor Recreation
HF 308	Labor & Employment	HF 2308	Environmental Protection
HF 334	Education	HF 2310	Business, Banking & Insurance
HF 400	Local Government	HF 2315	Alcohol Regulation & Substance Abuse
HF 419	Transportation	HF 2316	Corrections, Criminal Law & Procedure
HF 455	Education	HF 2318	State Government
HF 476	State Government	HF 2324	State Government
HF 511	Business, Banking & Insurance	HF 2331	Transportation
HF 514	Transportation	HF 2350	Transportation
HF 523	Health & Safety	HF 2363	Business, Banking & Insurance
HF 560	Taxation	HF 2365	Courts, Civil Law & Procedure, & Probate
HF 569	Taxation	HF 2369	Business, Banking & Insurance
HF 570	Education	HF 2370	Business, Banking & Insurance
HF 2001	Transportation	HF 2383	Natural Resources & Outdoor Recreation
HF 2036	Business, Banking & Insurance	HF 2390	Agriculture
HF 2050	Children & Youth	HF 2397	Business, Banking & Insurance
HF 2061	State Government	HF 2399	Local Government
HF 2065	Appropriations	HF 2400	Health & Safety
HF 2066	Transportation	HF 2407	State Government
HF 2081	Courts, Civil Law & Procedure, & Probate	HF 2408	Natural Resources & Outdoor Recreation
HF 2107	Health & Safety	HF 2409	Business, Banking & Insurance
HF 2109	Corrections, Criminal Law & Procedure	HF 2416	Appropriations
HF 2113	Transportation	HF 2419	Transportation
HF 2114	Appropriations	HF 2421	Appropriations
HF 2127	Business, Banking & Insurance	HF 2422	Taxation
HF 2140	Taxation	HF 2426	Local Government
HF 2144	Health & Safety	HF 2427	Local Government
HF 2150	Courts, Civil Law & Procedure, & Probate	HF 2429	Courts, Civil Law & Procedure, & Probate
HF 2152	Business, Banking & Insurance	HF 2432	Taxation
HF 2153	State Government	HF 2433	Environmental Protection
HF 2165	Taxation	HF 2444	Appropriations
HF 2166	Taxation	HF 2448	Health & Safety
HF 2177	Local Government	HF 2453	Business, Banking & Insurance
HF 2187	Local Government	HF 2456	Corrections, Criminal Law & Procedure
HF 2190	State Government	HF 2458	Courts, Civil Law & Procedure, & Probate
HF 2201	Health & Safety	HF 2462	Transportation
HF 2202	Business, Banking & Insurance	HF 2472	Appropriations
HF 2207	Transportation	HF 2477	Appropriations
HF 2211	Business, Banking & Insurance	HF 2481	Economic Development
HF 2225	Transportation	HF 2486	Appropriations
HF 2229	Labor & Employment	HF 2488	Local Government
HF 2230	State Government	HF 2491	Local Government
HF 2234	Economic Development	HF 2497	Appropriations
HF 2247	Business, Banking & Insurance	HF 2498	Business, Banking & Insurance
HF 2256	Local Government	HF 2499	Business, Banking & Insurance
HF 2258	Local Government	HF 2500	Courts, Civil Law & Procedure, & Probate
HF 2259	Local Government		

House Joint Resolution

Number	Major Subject
HJR 11	Corrections, Criminal Law & Procedure

AGRICULTURE

- SENATE FILE 2130** - Gypsy Moth Litigation
- SENATE FILE 2260** - Soil and Water Conservation
- SENATE FILE 2336** - Agricultural Development Authority Executive Director
- SENATE FILE 2337** - Regulation of Grain Dealers — Receivership
- SENATE FILE 2348** - Agricultural Liming Material
- HOUSE FILE 2390** - Branding of Livestock

RELATED LEGISLATION

- SENATE FILE 2072** - Implements of Husbandry
SEE TRANSPORTATION. This Act provides that machinery towed by a motor vehicle or farm tractor is considered self-propelled machinery for purposes of Chapter 321, which regulates motor vehicles.
- SENATE FILE 2121** - Iowa State Fair Board — Auditing Practices
SEE STATE GOVERNMENT. This Act eliminates the requirement that an audit of the Iowa State Fair must be prepared prior to and submitted at an annual convention which meets to elect members to the Iowa State Fair Board.
- SENATE FILE 2135** - Cooperative Corporations
SEE BUSINESS, BANKING & INSURANCE. This Act provides for the organization of cooperative corporations eligible to hold agricultural land. The Act provides for the organization of cooperative corporations based in part on provisions contained in Chapter 499, the chapter providing for the organization of cooperative associations, and Chapter 490, the chapter providing for the organization of corporations.
- SENATE FILE 2375** - Confinement Feeding Operations — Nuisance Defense
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. The Act provides that the rebuttable presumption applying to nuisance suits involving animal feeding operations does not apply to a chronic violator of specified offenses involving confinement feeding operations.
- SENATE FILE 2446** - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by providing appropriations to support related entities, including the Department of Agriculture and Land Stewardship and the Department of Natural Resources. The Act also provides direction to a number of agencies and makes statutory changes relating to agriculture and natural resources.
- SENATE FILE 2449** - Tax Revisions and Related Matters
SEE TAXATION. Division V of this Act appropriates \$2 million annually to fund a livestock production tax credit for certain hog, beef, dairy, sheep, and poultry production operations. For the tax year beginning on or after January 1, 1996, the amount appropriated shall only be used to pay livestock production credit claims for cow-calf operations. The Division applies to tax years beginning on or after January 1, 1996.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes authorization for funding a state-of-the-art beef processing plant, funding for testing of animal agriculture feeding operations, and other economic development and appropriations provisions associated with agriculture.

- HOUSE FILE 308** - Workers' Compensation — Limited Liability Company Members
SEE LABOR & EMPLOYMENT. This Act provides that if a limited liability company is primarily involved in farming, members of the company, as well as certain relatives of the members, are exempted from the provisions of the workers' compensation law.
- HOUSE FILE 560** - Family Farm Tax Credit
SEE TAXATION. This Act amends the definition of "designated person" for purposes of the family farm tax credit to include relatives of the owner within the third degree of consanguinity and those relatives' spouses, and includes certain farm corporations and partnerships.
- HOUSE FILE 2177** - Urban Renewal — Century Farm Exclusion
SEE LOCAL GOVERNMENT. This Act provides that areas designated as economic development areas for purposes of urban renewal shall not contain land which is part of a century farm unless the owner agrees to include the farm in the urban renewal area. The Act applies to economic development areas designated before, on or after July 1, 1996.
- HOUSE FILE 2187** - Rural Water Districts — Attachment
SEE LOCAL GOVERNMENT. This Act provides that 30 percent of the owners of land within a proposed addition to a rural water district may petition the board of supervisors to attach all of the real property in the proposed addition to the district.
- HOUSE FILE 2234** - Exemption From Land Ownership Restrictions
SEE ECONOMIC DEVELOPMENT. This Act allows the Department of Economic Development to exempt a nonresident business from the restrictions on ownership of agricultural land for the purposes of the New Jobs and Income Program. The business must otherwise be an eligible business under the program, must apply to be an exempt business before July 1, 1998, and must not be actively engaged in farming within the economic development area in which the business seeks to locate.
- HOUSE FILE 2422** - Sales, Services, and Use Tax Exemption — State and County Fairs
SEE TAXATION. This Act exempts from the state sales and use taxes the gross receipts from sales or services rendered, furnished or performed by the State Fair or a local district or county fair.

AGRICULTURE

SENATE FILE 2130 - Gypsy Moth Litigation

BY COMMITTEE ON AGRICULTURE. This Act repeals a provision enacted by the General Assembly in 1995 in H.F. 553, which required the Department of Agriculture and Land Stewardship and the Attorney General to cooperate in bringing legal action against parties liable for damages caused by the shipment from Michigan of trees or other plants infested with gypsy moths.

The Act takes effect March 1, 1996.

SENATE FILE 2260 - Soil and Water Conservation

BY COMMITTEE ON AGRICULTURE. This Act relates to soil and water conservation.

The Act provides that soil and water district commissioners elected or appointed after July 1, 1996, are eligible to serve for four-year rather than six-year terms. The Act provides that if a commissioner is absent for 60 or more percent of monthly meetings, the other commissioners may declare the member's office vacant. The Act provides that a commissioner is entitled to receive travel expenses at the same rate as persons other than public officers or employees.

The Act provides that only agricultural land is affected by a provision which states that a permanent soil and water conservation practice is not required to be established unless public moneys are used to support it. The Act provides that prior to removing a permanent soil and water conservation practice, a person who seeks to convert the land to a nonagricultural purpose must repay a portion of the amount received in public moneys used to establish the practice.

Finally, the Act provides that the Department of Agriculture and Land Stewardship may award cost-share moneys as part of its voluntary Financial Incentive Program to support the same purposes that are supported from the Soil and Water Enhancement Account of the Resources Enhancement and Protection Fund.

SENATE FILE 2336 - Agricultural Development Authority Executive Director

BY COMMITTEE ON AGRICULTURE. This Act amends Section 175.7, which provides for the appointment of the Executive Director of the Agricultural Development Authority. The Act eliminates the Secretary of Agriculture's power to appoint and remove the Executive Director. The Act provides that the appointment and removal of the Executive Director is performed by a Selection and Tenure Committee consisting of the Secretary of Agriculture and the Chairperson and Vice Chairperson of the Agricultural Development Board or their designees.

SENATE FILE 2337 - Regulation of Grain Dealers — Receivership

BY COMMITTEE ON AGRICULTURE. This Act amends Chapter 203, which provides for the regulation of grain dealers by the Department of Agriculture and Land Stewardship. Generally, a grain dealer is a person who buys, during any calendar month, 500 bushels of grain or more from producers of the grain for purposes of resale, milling or processing. This Act provides that the department may file a petition in district court requesting to be appointed as a receiver of grain and grain-related assets of a grain dealer. The provisions are similar to receivership procedures and powers provided under Chapter 203C for grain warehouses. The Act provides procedures for filing a petition and providing notice to persons interested in the disposition of the grain dealer assets. The Act provides that a petition by the department must be accompanied by a plan for the distribution of the grain dealer assets. The plan may provide for the operation of all or any part of the business of the grain dealer on a temporary basis.

The Act also provides for the powers and duties of the department acting as receiver, including for the payment of claims. The Act provides for the appointment of a merchandiser to accomplish the sale of grain. The Act provides that the department is entitled to reimbursement for expenses out of grain dealer assets. The Act requires the department to receive court approval of any disposition of cash proceeds. When the plan is approved by the court and executed by the department, the receivership is terminated. At termination, the department is required to file a final report with the court.

Section 203.8 required a grain dealer to pay an owner of grain within 30 days of demand, unless the purchase is pursuant to a credit sale contract. The Act amends Section 203.8 to provide that the 30-day requirement applies to persons required to be licensed as grain dealers.

SENATE FILE 2348 - Agricultural Liming Material

BY COMMITTEE ON AGRICULTURE. This Act replaces Chapter 201, which regulates the sale of limestone for agricultural purposes, with Chapter 201A, a new chapter referred to as the "Iowa Agricultural Liming Material Act." The Act defines "agricultural liming material" as a product having calcium and magnesium compounds capable of neutralizing soil acidity. The Department of Agriculture and Land Stewardship regulates the sale of limestone for agricultural purposes. The Act regulates the sale of agricultural liming material in a bulk and packaged form. It requires the manufacturer of agricultural liming material to receive a license by the department for each facility manufacturing the agricultural liming material. A license fee of up to \$40 is imposed on the manufacturer. The license expires on January 1 of each year. The Act requires that agricultural liming material be labeled. The label must identify the manufacturer or distributor and include the name of the material, its type, undried net weight, and the effective calcium carbonate equivalent.

The Act requires the department to inspect agricultural liming material distributed in this state and investigate persons engaged in the business of manufacturing, distributing or selling agricultural liming material. The Act requires the department to certify the effective calcium carbonate equivalent for agricultural liming material.

The Act prohibits the sale of agricultural liming material which includes toxic materials. The Act provides for enforcement actions if the department finds a violation of the chapter. The department is authorized to issue and enforce a stop order or to obtain a court order for the seizure of the agricultural liming material, or for a temporary or permanent injunction.

A person violating the Act's provisions is guilty of a simple misdemeanor. The department is authorized to refer a violation to a county attorney for prosecution. The Act provides for the deposit of fees into the General Fund of the State for the use by the department in administering and enforcing the Act's provisions.

The Act takes effect January 1, 1997.

HOUSE FILE 2390 - Branding of Livestock

BY COMMITTEE ON AGRICULTURE. This Act amends Chapter 169A, which provides for the marking and branding of livestock and for the registration of brands. Specifically, the Act repeals a provision requiring the Department of Agriculture and Land Stewardship to eliminate duplicate brands on and after July 1, 1996. The Act requires that the department renew a conflicting brand if the brand was originally recorded prior to July 1, 1996, and the brand is renewed as provided in the chapter.

ALCOHOL REGULATION AND SUBSTANCE ABUSE

HOUSE FILE 2315 - Reciprocal Shipment of Wines

RELATED LEGISLATION

- SENATE FILE 2154** - Controlled Substances
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act relates to drug offenses and penalties by increasing the penalties for certain offenses involving methamphetamine, creating new offenses involving ephedrine, and expanding the types of real property within 1,000 feet of which a person who unlawfully possesses a substance is subject to an increased penalty.
- SENATE FILE 2186** - Miscellaneous Transportation-Related Sanctions
SEE TRANSPORTATION. This Act amends provisions relating to the issuance of a temporary restricted license for a person whose motor vehicle license has been revoked or suspended for operating while intoxicated under Chapter 321J, to provide that if a defendant is under the age of 21 and has been convicted of or has received a deferred judgment for operating while intoxicated at an alcohol concentration level of 0.1 or greater, the defendant will be eligible for a temporary restricted license no sooner than 60 days from the date of revocation.
- SENATE FILE 2410** - Illegal Drugs in Parents and Children
SEE CHILDREN & YOUTH. This Act amends juvenile justice Code provisions involving the presence of illegal drugs in a child or a parent.
- SENATE FILE 2448** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act appropriates funds to the Governor's Alliance on Substance Abuse, the Iowa Substance Abuse Clearinghouse in Cedar Rapids, and to the Division of Substance Abuse and Health Promotion. The Act also allocates up to \$400,000 of moneys remaining in the Gambling Treatment Fund at the close of the fiscal year, which otherwise remain unexpended or unobligated, to the Iowa Department of Public Health for substance abuse program grants.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations and includes authority for counties to levy for alcohol and substance abuse treatment under the supplemental levy and a provision vetoed by the Governor which would have provided funding to the State Hygienic Laboratory for drug testing.
- HOUSE FILE 2416** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act relates to and appropriates \$84.1 million to various state departments, agencies, funds, and certain other interstate and national entities for the fiscal year beginning July 1, 1996, and ending June 30, 1997.

ALCOHOL REGULATION AND SUBSTANCE ABUSE

HOUSE FILE 2315 - Reciprocal Shipment of Wines

BY TYRRELL. This Act provides that a winery licensed or permitted pursuant to laws regulating alcoholic beverages in a state which affords the state of Iowa an equal reciprocal shipping privilege may ship into the state of Iowa by private common carrier, to a person 21 years of age or older, not more than 18 liters of wine per month for consumption or use by the person. The wine shall not be resold. Shipment of wine pursuant to this Act is not subject to state of Iowa sales tax, use tax, or the wine gallonage tax and does not require a refund value for beverage container control purposes.

The Act provides that the holder of a class "A" or "B" wine permit in the state of Iowa may ship out of the state of Iowa by private common carrier, to a person 21 years of age or older, not more than 18 liters of wine per month for consumption or use by the person.

An equal reciprocal shipping privilege means allowing wineries located in the state of Iowa to ship wine into another state, not for resale but for consumption or use by a person 21 years of age or older.

The Act provides that a private common carrier be used in shipping wine into or out of the state of Iowa. The United States Criminal Code, 18 U.S.C. § 1716, prohibits alcoholic beverages from being shipped via the United States Postal Service.

APPROPRIATIONS

- SENATE FILE 2195 - Iowa Communications Network Appropriations
- SENATE FILE 2442 - Appropriations — Human Services
- SENATE FILE 2446 - Appropriations — Agriculture and Natural Resources
- SENATE FILE 2448 - Appropriations — Health and Human Rights
- SENATE FILE 2470 - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
- HOUSE FILE 2065 - Supplemental Appropriations — Judicial Department Planning
- HOUSE FILE 2114 - Miscellaneous Supplemental Appropriations
- HOUSE FILE 2416 - Appropriations — Administration and Regulation
- HOUSE FILE 2421 - Appropriations — Transportation, Infrastructure, and Capital Projects
- HOUSE FILE 2444 - Appropriations — Energy Conservation — Petroleum Overcharge Funds
- HOUSE FILE 2472 - Appropriations — Justice System
- HOUSE FILE 2477 - Appropriations — Education
- HOUSE FILE 2486 - Federal Block Grant Appropriations
- HOUSE FILE 2497 - Compensation for Public Employees

RELATED LEGISLATION

- SENATE FILE 2030 - Mental Health and Developmental Disability Funding and Related Provisions
SEE LOCAL GOVERNMENT. This Act relates to state and county mental health and developmental disability funding provisions by amending provisions associated with the base year used for determining maximum county expenditures and state funding levels. The Act amends provisions initially enacted in 1995 Iowa Acts, Chapter 206, S. F. 69, and includes a state appropriation for Medical Assistance services provided to minors with mental retardation.
- SENATE FILE 2063 - School Improvement Technology Program
SEE EDUCATION. This Act establishes the School Improvement Technology Program for the allocation of funds to elementary and secondary education entities for the acquisition of instructional technology. The Act appropriates \$15 million to the Department of Education from the Rebuild Iowa Infrastructure Account and \$15 million from the General Fund of the State for FY 1997, and creates a standing limited appropriation of \$30 million from the General Fund of the State for each of the next four fiscal years, FY 1998 through FY 2001.
- SENATE FILE 2449 - Tax Revisions and Related Matters - ITEM VETOED BY THE GOVERNOR
SEE TAXATION. Division III of this Act would have fully funded the amounts of the homestead tax credit, military service tax credit, and the elderly or disabled tax credit and rent reimbursement for FY 1997 and appropriated these amounts annually thereafter. Currently, these credits are funded only to the extent funded in FY 1993.

The Division would have taken effect July 1, 1996, and applied to homestead, military service, and elderly and disabled homestead tax credit and rent reimbursement claims payable in fiscal years beginning on or after July 1, 1996.
- HOUSE FILE 570 - Center for Gifted and Talented Education and Related Funding Provisions
SEE EDUCATION. This Act relates to the name of the International Center for Talented and Gifted Education and to the allocation of a portion of the interest from the Permanent School Fund to the endowment fund of the international center until such time as an appropriation is made by the General Assembly to the endowment fund of the international center.

HOUSE FILE 2256 - Implementation of New or Revised Federal Block Grants
SEE LOCAL GOVERNMENT. This Act provides requirements for state agencies involving implementation of new or revised federal block grant provisions which affect local governments.

APPROPRIATIONS

SENATE FILE 2195 - Iowa Communications Network Appropriations

BY COMMITTEE ON COMMUNICATIONS AND INFORMATION POLICY. This Act appropriates moneys from the General Fund of the State and the Rebuild Iowa Infrastructure Fund to the Iowa Communications Network Fund for FY 1996-1997 for debt service, the connection of a minimum of 110 Part III authorized users, the subsidization of video rates for certain authorized users, maintenance and lease costs, and support services. The Act also appropriates moneys to the State Board of Regents for the Center for Educational Technology at the University of Northern Iowa to coordinate staff development for educators using educational technology in Iowa.

The Act provides that the Iowa Communications and Technology Commission must lease DS-1 or T-1 circuits for Part III connections currently using analog technology. The Act also directs the commission to develop recommendations concerning the expenses that should be recovered in the rates established by the commission for use of the network. The Act also provides that the Education Telecommunications Council and regional telecommunications councils must give priority to network video usage during normal school hours for grades prekindergarten through 12 at those video sites located within school district facilities. The Act authorizes the commission to negotiate a contract with Sooland Cable involving the connection of five Part III sites and providing for a single lump-sum payment that will result in savings associated with making those connections.

The Act also provides for the connection of five additional Part III sites not identified in the original Part III request for proposals, and for construction and state ownership of a connection to the network for Lewis Central High School in Council Bluffs. The provision authorizing construction and state ownership of a connection to the network for Lewis Central High School takes effect May 10, 1996.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. An appropriation of \$220,000 to the Iowa Communications Network Fund for establishing and maintaining a spare parts depot related to the network.
2. An appropriation of \$110,000 to the Iowa Communications Network Fund for the purchase of computer equipment to be used in connection with the network, providing for connections to the Internet through the use of the network, and maintaining the regional scheduling system.

SENATE FILE 2442 - 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 1996-1997, and includes provisions relating to human services and health.

FAMILY INVESTMENT PROGRAM. The appropriation for the Family Investment Program (FIP), formerly known as Aid to Families with Dependent Children or AFDC, is approximately 10 percent less than the amount for the previous fiscal year. Other appropriations in the Act directly connected with FIP include transitional child care, the JOBS Program, and Medical Assistance. The Act includes language in the general administration appropriation authorizing DHS to change participant reporting requirements for food stamps, FIP and Medical Assistance if the change would reduce paperwork for participants and DHS staff. See the summaries of H.F. 2486 and S.F. 2324 (see Children & Youth for this and other FIP-related legislation).

EMERGENCY ASSISTANCE. This appropriation increases the level of assistance to recipients to prevent homelessness compared with the adjusted FY 1995-1996 level appropriation. The Act establishes a maximum grant level of \$500 per family in any 12-month period. The Act also requires DHS to continue the process of receiving refunds of rental deposits for recipients of emergency assistance paid by persons other than the state. The moneys received as refunds of rental deposits are not to revert to the General Fund of the State at the end of the fiscal year, but are to remain available for expenditure in the next fiscal year. Additionally, the appropriation allocates \$10,000 to the Community Voice Mail Program to continue the existing program.

MEDICAL ASSISTANCE (Medicaid). The appropriation for Medical Assistance (MA) is an increase over the FY 1995-1996 appropriation. The Act also does all of the following:

- 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

disabilities services which are jointly funded by the state and county, pending final settlement of the expenditures.

- Specifies that the county of legal settlement of a recipient of MA, who is older than 17 years of age and who is receiving various types of services, is to reimburse DHS for the nonfederal share of the costs of these services.
- Allows DHS to adopt and implement rules regarding the prepaid mental health services plan for MA recipients and requires the state to pay 100 percent of the nonfederal share of any services included in the plan implemented.
- Provides for expenditure of not more than \$60,000 to continue the previously established AIDS/HIV Health Insurance Premium Payment Program.
- Transfers \$950,000 from the Iowa Department of Public Health to the MA program for continuation of the Integrated Substance Abuse Managed Care System.
- Directs DHS to implement a new MA home and community-based waiver for persons with physical disabilities as a means to further develop the Personal Assistance Services Program. The program is to be implemented in a manner that does not require additional county or state funding for assistance provided under the waiver.
- Allows DHS to expand the Drug Prior Authorization Program to include proton pump inhibitors, but prohibits DHS from expanding the prior authorization requirement without prior approval of the General Assembly, except to require prior authorization of an equivalent of a prescription drug which is subject to prior authorization as of June 30, 1996.
- Directs DHS, in consultation with the Iowa Department of Public Health and the Department of Education, to develop and implement a proposal to utilize the early and periodic screening, diagnosis and treatment (EPSDT) funding under MA, to the extent possible, to implement the screening component through the school system utilizing maternal and child health centers, the Public Health Nursing Program, or school nurses.
- Directs DHS to implement the case study for outcome-based performance standards for programs serving persons with mental retardation or other developmental disabilities.
- Directs DHS to submit a report to the General Assembly on or before January 1, 1997, regarding reimbursement for teleconsultive services provided by health care providers to MA recipients.
- Provides that a member of the Joint Appropriations Subcommittee on Human Services is entitled to per diem and expenses for participation in a planning process for long-term care which takes place during the 1996 Legislative Interim.

MEDICAL CONTRACTS. This appropriation is increased compared with the FY 1995-1996 appropriation. The Act authorizes DHS to continue contracting for drug utilization review under the MA program, and directs DHS to negotiate with the DHS contractor for mental health managed care under the MA program to establish performance standards for successful outcomes for persons receiving services under the contract, requires the standards to be incorporated into the contract or made an addendum to the contract in effect on the effective date of the requirement, requires that attainment of the standards is a factor in determining whether the contract will be extended, and requires that future contracts contain sanctions for failure to attain the standards.

STATE SUPPLEMENTARY ASSISTANCE (SSA). This appropriation is increased compared with the estimated FY 1995-1996 appropriation and requires DHS 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. The Act also provides that DHS may take certain actions to ensure that federal requirements are met if DHS projects that SSA expenditures for a calendar year will not meet the federal pass-along requirements. The Act also allows DHS to use up to \$75,000 for a rent subsidy program for adult persons who, among other conditions, are discharged from an intermediate care facility for the mentally retarded, in order to allow these persons to move into a community living arrangement.

CHILD DAY CARE ASSISTANCE. The Act provides for an increased appropriation compared with the appropriation for the previous fiscal year. The appropriation provides funding for protective child day care

assistance, state child day care assistance, child day care resources and referral services, and transitional child care assistance. The Act establishes a prioritized waiting list for state child care assistance. The Act also specifies that migrant seasonal farm workers are eligible for state child care assistance if the family income is less than or equal to 100 percent of the federal poverty guidelines, defines a migrant seasonal farm worker for the purposes of state child care assistance, and provides a calculation for determining eligibility. The Act provides that if the first three priorities for funding of state child care assistance are funded, DHS may transfer not more than \$200,000 to the appropriation for the Division of Child and Family Services to provide additional funding for family-centered services. The Act also allocates \$35,000 of the funds appropriated for child day care assistance to the United Mexican-American Center in Des Moines for the center's child day care program.

JOBS PROGRAM. The Act provides for an increased appropriation compared with the appropriation for the previous fiscal year for the Job Opportunities and Basic Skills Program and maintains the level of funding for the Family Development and Self-Sufficiency (FaDSS) Program.

CHILD SUPPORT RECOVERY. The Act provides an increased appropriation in comparison with the appropriation for the previous fiscal year. The Act provides for the replacement of some fees previously charged nonpublic assistance clients with an appropriation from the General Fund of the State. The Act provides for the continuation of the pilot project utilizing a court-appointed referee for judicial determinations on child support matters, provides for continuation of a child support public awareness campaign in cooperation with the Office of the Attorney General, provides for the continuation of the community service pilot project for absent parents who are ordered to perform community service for failure to pay child support, provides for continuation of contracting with private collection agencies to collect support payments in difficult collection cases, requires DHS to employ on or before July 2, 1996, at least one position or employee to respond to telephone inquiries during all weekly business hours, and requires DHS to develop guidelines to be used in place of the child support guidelines for establishing a support obligation and the amount of the support debt for the costs of foster care services.

JUVENILE INSTITUTIONS. The Act provides funding for juvenile institutions at Eldora and Toledo at an increased level compared with the appropriation for the previous fiscal year, limits the population levels to the population guidelines established in 1990, and provides for use of funds appropriated for grants for adolescent pregnancy prevention activities.

CHILD AND FAMILY SERVICES. The appropriation for the Division of Child and Family Services of DHS represents a small increase over the amount appropriated in the previous fiscal year. The cap on the number of beds for group foster care is changed to a funding cap with an increased funding level over the amount in the previous fiscal year. DHS is authorized to transfer funding for psychiatric medical institutions for children (PMICs) as that program may be incorporated into the Medical Assistance contract for managed mental health care.

Child and family services appropriation provisions continue or modify intent language that has appeared in previous years which directs DHS to establish a goal that not more than 15 percent of children placed in foster care which is federally funded be placed for more than 24 months; continue the program to decategorize child welfare funding; allocate funding for continued foster care for children age 18 or older under a signed agreement; specify the amount of state assistance for county or multicounty juvenile detention homes; authorize DHS to continue contracting for efforts to expand the number of children in foster care who are eligible for federal Supplemental Security Income (SSI); authorize a portion of the appropriation for emergency family assistance for a family participating in a family preservation or reunification project; authorize funding and transfers of other funding for the department's development of a computer system for adoption and foster care information; continue funding for improving DHS staffing of foster care and adoption services; continue language authorizing development of a performance-based monitoring program to improve outcomes for children and families; authorize development of a subsidized guardianship program for guardians of certain children placed outside of their homes; and require a study of the feasibility of expanding confidentiality provisions to permit teams of local social services providers to discuss individual cases.

New intent language in this appropriation directs DHS to stop using clinical assessment and consultation teams (CACT) if the federal government repeals Title XIX of the federal Social Security Act prior to the convening of the next General Assembly; allows DHS to expend, through June 1998, federal moneys received as a result of state child and family expenditures in previous fiscal years; authorizes DHS to adopt emergency rules as necessary to comply with federal funding requirements; requires DHS to work with the Department of Education in collecting data to determine the number of children with disabilities who will require sheltered workshop and supported

employment services in the future; and limits the state funding for shelter care while authorizing DHS to distribute this funding regionally. The appropriation for general administration authorizes DHS to request that federal Title IV-E funding be provided to the state in a fixed amount, provided certain requirements are met.

COMMUNITY-BASED PROGRAMS — ADOLESCENT PREGNANCY PREVENTION. The Act maintains the level of the appropriation compared with the estimated appropriation of the previous fiscal year. The Act specifies that a portion of the appropriation is to be used for prevention of pregnancies during the adolescent years and to provide support services for pregnant or parenting adolescents and a portion is to be used for grants to community or regional groups for pregnancy prevention efforts. The Act requires DHS in cooperation with the Iowa Department of Public Health to determine the criteria to be used in measuring the results of all pregnancy prevention programs for which funds are allocated and the criteria are to be made available to a legislative interim committee, which is requested to be appointed by the Legislative Council for the 1996 Interim to evaluate the effectiveness of current and proposed adolescent pregnancy prevention programs. The Act also appropriates funds for child abuse prevention grants.

COURT-ORDERED SERVICES PROVIDED TO JUVENILES. The Act maintains the level of funding as compared with the appropriation for the previous fiscal year. 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 Appropriations Subcommittee on Human Services and the Legislative Fiscal Bureau, requires that the funds appropriated 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 not more than \$400,000 to the appropriation for child and family services to be used to provide school-based supervision of children adjudicated delinquent.

MENTAL HEALTH INSTITUTES. The Act provides for a decrease in the appropriation in comparison with the previous fiscal year, provides that DHS may reallocate funds as necessary to best fulfill the needs of the institutions provided for in the appropriation, and requires DHS to provide persons being discharged from an institute with assistance in obtaining federal benefits under federal Supplemental Security Income (SSI).

STATE HOSPITAL-SCHOOLS. The Act provides for a decreased appropriation in comparison with the previous fiscal year. The Act also provides that funds may be reallocated as necessary to best fulfill the needs of the institutions under the appropriation.

STATE MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES. The appropriation for special services maintains the appropriation of the previous fiscal year, the appropriation for the Family Support Subsidy Program is an increase over the previous fiscal year to allow implementation of a pilot project of the children-at-home component of the Family Support Program enacted in S.F. 2307 (see Children & Youth), the appropriation for special needs grants maintains the appropriation for the previous fiscal year, and the appropriation for state cases is slightly decreased in comparison with the previous fiscal year.

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES COMMUNITY SERVICES — COMMUNITY SERVICES FUND. The appropriation to the Mental Health and Developmental Disabilities Community Services Fund is distributed to counties for local services. Approximately, \$16 million is state funding and is the same amount as in the previous fiscal years. Funding from the federal Social Services Block Grant, approximately \$13 million, is also distributed in this appropriation. The federal government reduced the amount of this block grant by 15 percent for FY 1995-1996 just prior to adjournment of the General Assembly. A state supplemental appropriation of \$1.6 million is included in S.F. 2470 to replace the funding cut for FY 1995-1996.

Intent language included under this appropriation is similar to the language in recent years. Moneys are distributed to counties according to a population and poverty formula, 50 percent of the moneys from the fund must be used for contemporary services according to rules adopted by the Mental Health and Developmental Disabilities Commission, funding continues for the Iowa Compass Disability Services Information and Referral Program, regional planning councils must submit services plans and counties must submit expenditure reports, funding is allocated for certain counties having supplemental per diem contracts in effect, block grant funds must be used with case management and are subject to DHS purchase of service requirements, and plans must be submitted for block

grant services. The Act provides that counties with an approved county management plan in place are considered to have met many of the planning and reporting requirements.

PERSONAL ASSISTANCE. The Act provides \$364,000 to continue the pilot project for the Personal Assistance Services Program in an urban and a rural area. A portion of the funds may be used to develop a federal home and community-based waiver under the Medical Assistance (Medicaid) Program for persons with physical disabilities. The project is to be implemented in a manner which does not require additional county or state costs for assistance provided under the pilot project or the waiver.

FIELD OPERATIONS -- GENERAL ADMINISTRATION AND VOLUNTEERS -- APPROPRIATION REDUCTION. The appropriation for field operations is an increase from the estimated appropriation for the previous fiscal year. The appropriation for general administration is an increase from the appropriation for the previous fiscal year. The appropriation for development and coordination of volunteer services maintains the level of services provided in the previous fiscal year and includes an increase to offset costs associated with coordinating volunteer programs. However, the Act provides for the reduction of \$1.56 million of specified appropriations in the Act and instructs DHS to submit a proposal related to the reductions to the chairperson and ranking members of the Joint Appropriations Subcommittee on Human Services, the Department of Management, and the Legislative Fiscal Bureau on or before June 15, 1996.

DHS RESTRUCTURING TASK FORCE. The Act directs the Legislative Council to create a legislative restructuring task force to assess the structure and functions of DHS and the department's programs. The Act permits the Governor to recommend up to five individuals. The task force is to make recommendations to achieve better results, improve service quality, and increase the quality of the department's interaction with the public. In addition, the task force is to provide for public input into the modification proposals developed by DHS in response to potential federal restructuring in the following areas: child welfare, Mental Health and Developmental Disabilities, Family Investment Program, and Medical Assistance. If federal law requires state changes directed to the populations addressed by the modification proposals and the changes can be made without state legislation, DHS must adopt rules to implement the changes. The proposed rules must be submitted to the task force for review and comment prior to submission to the Administrative Rules Review Committee.

REIMBURSEMENTS FOR MEDICAL ASSISTANCE (MA), STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICES PROVIDERS. With the following exceptions, no increases are made to the reimbursement rates paid to MA providers: home health providers, rural health providers, nursing facilities, dental services, and drug product cost reimbursements. The Act also requires continuation of an outpatient hospital reimbursement system based upon ambulatory patient groups, provides that reimbursements made between July 1, 1996, and June 30, 1997, under the outpatient hospital reimbursement system are to be retrospectively adjusted to provide reimbursement to within a 10 percent deviation of the lower of the cost or the charges for the services provided during the previous fiscal year, and also requires DHS to continue the revised MA payment policy for reimbursement for costs of screening and treatment provided in the hospital emergency room pursuant to the prospective payment methodology developed by DHS for payment of outpatient services provided under the MA program. Rural health clinics may receive an increase in reimbursement in accordance with any increase under the federal requirements and certain home health agencies, hospice services, and acute care mental hospitals are to be reimbursed for their current federal Medicare audited costs.

The rate of reimbursement of nursing facilities is established at the 70th percentile based upon the June 30, 1996, unaudited compilation of costs and statistical data, with the provision that the reimbursement may be again increased to the 70th percentile based upon the December 31, 1996, unaudited compilation of costs. The Act authorizes DHS to modify the reimbursement methodology for skilled nursing facilities that participated in the MA program on or before May 31, 1993, and which meet the DHS disproportionate share payment provisions of May 31, 1993, if it is possible to demonstrate that the modification would result in a cost savings to the MA program. The Act also authorizes DHS to revise the fee schedule used for physician reimbursement and requires DHS to reimburse federally qualified health centers at 100 percent of reasonable costs. The Act also provides that DHS may allocate increases among items and procedures for dental procedures as deemed appropriate in cooperation with dentists, and establishes the maximum cost reimbursement rate for residential care facilities at \$21.34 per day and the rate for facilities not filing cost reports at \$15.41 per day. The Act establishes a foster family basic daily maintenance rate and a maximum adoption subsidy rate for children based upon the age of the child.

The Act provides that the reimbursement for social services providers is the same as the rate for the previous fiscal year unless a new service was added, the social services provider loses a source of income which was used to determine the reimbursement rate, DHS revises the reimbursement rate to comply with requirements established in the previous year, or if the change is necessary to implement a change required by the increased reimbursement rate for residential care facilities. The Act provides that the group foster care reimbursement rate for children placed outside of the state is to be calculated in the same manner as used for in-state providers unless otherwise determined by the Director of Human Services.

The Act provides that the rate for shelter care providers is to be based upon the cost report submitted to DHS and that the maximum reimbursement rate is \$76.61 per day; authorizes DHS to adjust the rate paid to a shelter care provider up to the maximum rate under certain circumstances; requires DHS to review expenditures for and usage of shelter care services in January 1997; and authorizes DHS to utilize moneys, if usage is less than anticipated and the existing contracts for provision of shelter care do not obligate the total amount of funds, for wrap-around services or support to prevent group foster care placement or to reduce the length of stay.

The Act requires DHS to utilize the Drug Utilization Review Commission to propose a pilot project for an alternative payment system, recommended in the study completed by the Drug Utilization Review Commission, for compensation of pharmacists for pharmaceutical care services under the MA program at no cost to the state and requires the submission of a proposal on or before November 30, 1996.

The Act provides that the reimbursement rate for intermediate care facilities for the mentally retarded is to be calculated at the 80th percentile and DHS is to address any proposals for containment of ICFMR costs in the restructuring task force established in the Act.

The Act directs DHS to adopt rules applicable to agencies providing services under the MA rehabilitative treatment program for children and their families to eliminate reimbursement rate limits on services components, which are within a category of cost which itself has a limit, and to implement the change in a cost-neutral manner.

The Act directs DHS to consult with representatives of nursing facilities, consumers, legislators, a designee of the Governor, and other interested entities to perform certain duties to improve quality of care and improve the recruitment and retention of qualified direct health care providers in nursing facilities.

RESIDENTIAL SERVICES — PURCHASE OF SERVICES REIMBURSEMENT RATES. The Act provides for an increase in the purchase of services reimbursement rate for adult residential services provided to persons residing in any category of licensed residential care facility, for maximum rates, for allocation of moneys to the counties for purchase of services, and for a transfer of a portion of the appropriation for payment of the increased reimbursement rate to residential care facilities providing services through local purchase of services for persons under the state cases program.

STATE INSTITUTIONS CLOSINGS AND REDUCTIONS AND BILLING PRACTICES. The Act requires DHS to coordinate efforts in cooperation with the Iowa Department of Economic Development to develop new jobs in the area in which a state institution is located if a state institution is to be closed or reduced in size. Additionally, DHS is instructed to take other actions to utilize any closed unit or other facilities and services of an institution.

The Act includes the following provisions affecting state institutions:

- If excess capacity exists at a state institution administered by DHS, the department may contract with a managed care or organized delivery system for health care to provide services at the institution.
- DHS is to work with institution administrators, the Department of Management, and the Legislative Fiscal Bureau in reviewing fiscal information to develop a proposal for revising the manner of making appropriations for institutions to reflect the net amount of state funds needed. Currently, the amount of state funding appropriated does not reflect reimbursements from federal and county governments and other revenues offsetting the appropriations that are deposited into the General Fund of the State.
- The superintendents of the state hospital-schools are to work with DHS administration to consider the manner by which services and costs are combined for purposes of billing for Medical Assistance reimbursement at the hospital-schools. A report is to be submitted to the General Assembly in December 1996.

- In addition, the same individuals are to develop methodologies for billing services, consultation and other assistance provided by the hospital-schools in support of community-based services. The methodologies may be implemented in FY 1996-1997.
- The activities required in this section of the Act are to be coordinated with the efforts of the restructuring task force, to the extent possible.

REPORTS. The Act requires that any reports or information required to be compiled or submitted under the Act are to be submitted to the chairpersons and ranking members of the Joint Appropriations Subcommittee on Human Services, the Legislative Fiscal Bureau, the Legislative Service Bureau, and the caucus staffs on or before the dates specified.

MISCELLANEOUS AND STATUTORY PROVISIONS.

- Chapter 135H, providing for psychiatric medical institutions for children (PMICs), is amended. Beds approved for substance abuse treatment may be converted to general PMIC purposes without obtaining a certificate of need from the Health Facilities Council. The number of PMIC beds is limited to a statutory maximum of 430. The Act allows additional beds to be established without a certificate of need or DHS approval provided the beds do not receive any reimbursement from the state Medical Assistance program.
- Chapter 228, relating to disclosure of mental health and psychological information, is amended to authorize disclosure of mental health information to providers of professional services and their employers and agents as necessary to facilitate administrative and professional services to an individual.
- As previously noted, Chapter 232, the Juvenile Justice Code, is amended to change the group foster care cap from a bed cap to an expenditure cap.
- The Act amends Chapter 234, by establishing a requirement that DHS notify an individual's parents or guardians at the time of the placement of an individual in foster care of the responsibility for paying the cost of care and a provision which limits the collection of an accrued support debt under the foster care program to three months preceding the earlier of either the initial notice to the parent or guardian of the amount of the support debt or the date the written request for a court hearing is received by the Child Support Recovery Unit.
- The Act amends Chapter 252B, relating to child support recovery, to provide for elimination of certain fees for child support recovery services provided to nonpublic assistance clients.
- New Chapter 541J creates an Iowa Healthy Kids Program to be implemented by the Insurance Division of the Department of Commerce. The program is to provide for health coverages for groupings of children organized by the program with coverage costs based upon ability to pay. An advisory council of school, health care providers and insurers, consumers, and others knowledgeable concerning health care is created. The Act includes an appropriation allocation of \$150,000 to be transferred to the Healthy Kids Trust Fund and used for implementation of the program.
- The Act provides for adoption of emergency rules if specifically authorized under the Act. Any emergency rules adopted under the Act do not take effect until they are reviewed by the Administrative Rules Review Committee. Rules adopted are to be published as notice of intended action.
- Portions of the Act relating to the mental health managed care program, relating to moneys appropriated for state child care assistance under the previous fiscal year appropriation, relating to expenditure of federal funds for child and family services, and relating to appropriations reductions take effect May 29, 1996.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. The provision directing DHS to expand the program to administratively pursue reimbursements for pharmacy services provided to recipients of Medical Assistance (Medicaid) who also have third-party coverage for these services.
2. The provision requiring that any future contract entered into by the department under the Medical Assistance program include a requirement that the contractor make public information relating to the amount of profit realized by the contractor and the amount of the funds expended by the contractor for administrative costs under the contract.

3. The provision allocating \$20,000 to the department to develop a system to utilize volunteer evaluation teams to review and inspect registered family day care homes on behalf of DHS and to review other issues related to child day care.
4. The provision allowing a family who was eligible for and received state child day care assistance during the previous fiscal year to continue to receive the assistance in the next fiscal year as long as the family remains eligible under the requirements of the previous fiscal year.
5. The provision that moneys remaining unexpended from an FY 1995-1996 supplemental appropriation for child day care in H.F. 2114 do not revert but remain available in the succeeding fiscal year for child day care. However, the Governor did not veto a similar nonreversion provision in S.F. 2470.
6. The provision allocating \$115,000 of the moneys appropriated for child abuse prevention to be transferred to the Iowa Department of Public Health for the Iowa Healthy Family Program.
7. The provision directing the Division of Children and Family Services to administer the pilot project for personal assistance services for persons with a disability. The project is administered by the Divisions of Mental Health and Developmental Disabilities.
8. Language prohibiting DHS from implementing any of the department's proposals for modifying the social service system in response to proposed federal changes or to take other actions in response to enacted federal changes unless the department is implementing a policy or actions authorized in law by the General Assembly.
9. The appropriation of \$75,000 to the Legislative Council for costs associated with the task force created in the Act to study restructuring of the Department of Human Services.
10. The provision requiring the department to negotiate with providers of services under the Medical Assistance Rehabilitative Treatment Program for children and families to revise the department's rules regarding reimbursement rates under the program.
11. Language requiring implementation of a proposal, if deemed feasible by the developers of the proposal, to revise the manner of appropriating for state institutions administered by DHS to reflect the net amount of state funds needed. Currently, the amount of state funding appropriated does not reflect reimbursements from federal and county governments and other revenues offsetting the appropriations deposited into the General Fund of the State. Language requiring development of the proposal was not vetoed.
12. The provision directing the department to work with various affected entities in developing a plan for community-based placements of persons residing at a state hospital-school or mental health institute if the department's budget plan for the subsequent fiscal year includes a proposal for reduction of capacity at the hospital-school or institute.
13. The provision directing the department to develop a plan for meeting national standards on caseloads for the department's social workers and to submit a report on or before January 8, 1997.
14. The provisions requiring the department to consult with providers of rehabilitation treatment services relating to the Medical Assistance Child Services Initiative (This initiative provides for the inclusion of various child welfare services as rehabilitative services under the MA program) in reviewing various provider reporting requirements and implement a simplified reporting process no later than January 1, 1997.
15. A statutory amendment to Chapter 239, the Family Investment Program chapter, establishing "host homes" licensed by DHS to provide a living arrangement and related services to minor parents, who have applied to participate in FIP, and other pregnant minors. An associated temporary provision was also vetoed which directed DHS to apply for a federal waiver to revise FIP requirements to incorporate the host homes.
16. The portion of the Act's amendment to Chapter 232 changing the group foster care bed cap to a budget target cap that would have authorized an exception to a regional target. The vetoed portion would have permitted a placement if the placement met the region's planning requirements except for a budget target restriction.

17. The codified provision changing the date on which mental health property tax relief payments are due from September and March to July 1 and January 1 of each year.

SENATE FILE 2446 - Appropriations — Agriculture and Natural Resources

BY COMMITTEE ON APPROPRIATIONS. This Act relates to agriculture and natural resources by providing appropriations to support related entities including the Department of Agriculture and Land Stewardship and the Department of Natural Resources. The Act also makes statutory changes relating to agriculture and natural resources.

The Act provides a number of appropriations from the General Fund of the State to the Department of Agriculture and Land Stewardship and the Department of Natural Resources for the administration of those departments and for specific programs, including the Farmers' Market Coupon Program, the Pseudorabies Eradication Program, and the inspection of Iowa-foaled horses and Iowa-whelped dogs and administration of a program to promote the horse and dog breeding industries in the state.

The Act provides an appropriation from the State Fish and Game Protection Fund to support the Division of Fish and Wildlife within the Department of Natural Resources, for the transfer of fees from all-terrain vehicle and snowmobile fees for snowmobile programs, and for the transfer of registration fees paid on vessels to be deposited in a special conservation fund. The Act notwithstanding Section 455A.18 of the Iowa Code to provide that in lieu of the standing appropriation of \$30,000,000 from the General Fund of the State required to be deposited in the Iowa Resources Enhancement and Protection Fund (REAP), \$9,000,000 is appropriated to the REAP Fund.

The Act provides an appropriation from the Organic Nutrient Management Fund to Iowa State University for supporting odor control applications of animal feeding operations.

The Act provides the following direction:

- The Department of Natural Resources must adopt administrative rules establishing a range of prices of plant materials grown at state forest nurseries to cover the expenses related to growing the plants.
- The Department of Natural Resources must conduct a study of the feasibility of locating a field office in the department's north-central district.
- The Department of Natural Resources may purchase lands upon which to locate a Native American war memorial.
- The Division of Soil Conservation of the Department of Agriculture and Land Stewardship must sponsor a conference regarding the protection of cropland soils in the state.
- The Department of Agriculture and Land Stewardship and the Department of Natural Resources must notify the chairpersons, vice chairpersons, and ranking members of the Joint Appropriations Subcommittee on Agriculture and Natural Resources for the previous fiscal quarter of any transfer of moneys or full-time equivalent positions made by either department which is not authorized in the Act.
- The Department of Natural Resources is prohibited from using moneys appropriated from the General Fund to support purposes related to the administration and enforcement of air quality regulations.
- The Natural Resource Commission of the Department of Natural Resources must develop and implement a land acquisition policy embodied in a strategic land acquisition plan administered by the department.
- The Department of Natural Resources must publish and make available for purchase by the general public gift certificates entitling the bearer of the certificate to free camping and other special privileges at state parks and recreation areas.

The Act temporarily eliminates the position of Deputy Secretary of Agriculture and temporarily establishes the position of Interim Assistant Secretary of Agriculture, who shall possess the same powers and perform the same duties as the former position of Deputy Secretary of Agriculture. The Act makes certain appropriations to the Department of Agriculture and Land Stewardship conditional upon the department completing all functions necessary to transfer the powers and duties of the Deputy Secretary of Agriculture to the Interim Assistant Secretary of Agriculture. The Act repeals, effective December 31, 1998, provisions of the Act relating to eliminating the position of Deputy Secretary of Agriculture and establishing the position of Interim Assistant Secretary of Agriculture.

The Act makes the following changes in statute:

- Provides that the Department of Agriculture and Land Stewardship and the Department of Natural Resources are to furnish financial information to the Legislative Fiscal Bureau, including all permanent positions added to or deleted from the departments' tables of organization.
- Provides that Department of Revenue and Finance, in cooperation with each appropriate agency, is to track receipts to the General Fund which under law were previously collected to be used for a specific purpose or required to be deposited in a specific account or fund.
- Provides that when employing persons to fill temporary positions in conservation and outdoor recreation, the Department of Natural Resources must give preference to persons meeting eligibility requirements for the Green Thumb Program and to persons working toward an advanced education in natural resources and conservation.
- Provides that feeder swine shall not be moved into this state from another state, except to slaughter, unless the feeder swine are vaccinated by a differentiable vaccine within 45 days of arrival in this state.
- Amends REAP provisions in the Code by extending the sunset date on the REAP Fund from 2001 to 2021, and reduces the permanent annual standing appropriation to the REAP Fund from \$30,000,000 to \$20,000,000. These REAP provisions take effect July 1, 1997.

Provisions of the Act taking effect May 29, 1996, provide for the nonreversion of moneys allocated to Iowa State University pursuant to 1995 Iowa Acts for purposes of supporting multiflora rose eradication research and projects and the Iowa Cooperative Extension Service in Agriculture and Home Economics in establishing and administering an Iowa grain quality initiative.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision directing that a portion of moneys appropriated to the Laboratory Division of the Department of Agriculture and Land Stewardship be used to support an additional regional entomologist for purposes of conducting laboratory and field inspection activities.
2. A provision directing that a portion of moneys appropriated to the Soil Conservation Division of the Department of Agriculture and Land Stewardship be used to support a position for oversight of financial incentive programs relating to soil conservation practices.
3. A provision making an appropriation from the Organic Nutrient Management Fund to the Soil Conservation Division of the Department of Agriculture and Land Stewardship to provide financial incentives for soil conservation practices.
4. A provision making an appropriation from the Organic Nutrient Management Fund to Iowa State University for supporting a person who engages in the control of animals, especially predators.
5. A provision making an appropriation from the Organic Nutrient Management Fund to the Soil Conservation Division of the Department of Agriculture and Land Stewardship for supporting soil and water conservation district development.
6. A provision making an appropriation from the Organic Nutrient Management Fund to the Interstate Agricultural Grain Marketing Commission for carrying out statutory duties relating to agricultural grain marketing.
7. A provision making an appropriation from the Organic Nutrient Management Fund to Iowa State University for supporting multiflora rose eradication research and projects.
8. A provision making an appropriation from the Organic Nutrient Management Fund to Iowa State University for sponsoring an Iowa Agriculture 2000 Conference for independent agricultural producers and other persons interested in the future of Iowa agriculture.

SENATE FILE 2448 - Appropriations — Health and Human Rights

BY COMMITTEE ON APPROPRIATIONS. This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Alliance on Substance

Abuse, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs.

CIVIL RIGHTS COMMISSION. The Act appropriates funds to the Iowa State Civil Rights Commission, and authorizes the commission to exceed its designated staffing level to hire additional professional staff to investigate employment and housing complaints if the anticipated amount of funding from the federal Equal Employment Opportunity Commission and the federal Department of Housing and Urban Development exceeds \$467,900 for FY 1997.

The Act provides that the questionnaire an employer is required to complete during a civil rights investigation, in response to a complaint, shall be revised and shortened.

DEPARTMENT OF ELDER AFFAIRS. The Act appropriates funds to the Department of Elder Affairs. Regarding appropriations for aging programs and services, the Act specifies authorized programs and directs that funds not be used by the department for administrative purposes.

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE. The Act appropriates funds to the Governor's Alliance on Substance Abuse and the Iowa Substance Abuse Clearinghouse in Cedar Rapids for FY 1997.

DEPARTMENT OF PUBLIC HEALTH. The Act appropriates funds to the Iowa Department of Public Health. Funds appropriated to the Planning and Administration Division include specific appropriations for the Chronic Renal Disease Program to be used for reimbursement of insurance premiums, travel and prescription and nonprescription drugs, for the regulatory oversight of accountable health plans, and for the purchase, verification, updating, and storage of health data information. The Act limits the budgets for professional licensure boards funded through the department to 85 percent of the average annual fees collected for the previous two fiscal years. The budget may be exceeded for unanticipated litigation costs approved by the Director of the Department of Management in an amount not in excess of 5 percent of the average annual fees collected for the previous two fiscal years. Funds are additionally appropriated for emergency medical services staff and training.

Funds appropriated to the Health Protection Division include specific appropriations for chlamydia testing and lead abatement testing.

The Division of Substance Abuse and Health Promotion is directed to continue coordination with substance abuse treatment and prevention providers regardless of funding source, and together with the Commission on Substance Abuse shall continue coordination of delivery of substance abuse services to uninsured and court-ordered substance abuse patients in all counties of the state. An allocation of \$15,000 shall support the surveillance and reporting of disabilities suffered by persons engaged in agriculture, with the department cooperating with the Department of Agriculture and Land Stewardship, Iowa State University of Science and Technology, and the College of Medicine at the University of Iowa. An appropriation of \$193,500 is made for aftercare services for persons completing substance abuse treatment. A minimum of \$950,000 is to be used by the department to continue an integrated substance abuse managed care system.

Programs receiving allocations from funds appropriated to the Family and Community Health Division include the Birth Defects and Genetics Counseling Program, mobile and regional child health specialty clinics, muscular dystrophy and related genetic disease programs, the Statewide Perinatal Care Program, maternal and child health services, and rural health care technical assistance, recruitment and retention. Funds are appropriated to reimburse counties for expenses resulting from sudden infant death syndrome autopsies, for grants to local boards of health for the Public Health Nursing Program, for grants to county boards of supervisors for the Home Care Aide Program, for the development and maintenance of well-elderly clinics, for the Physician Care for Children Program, for primary and preventive health care for children, for the Iowa Healthy Family Program, and for primary care provider recruitment and retention endeavors.

Appropriations are also made to the State Boards of Dental, Medical, Nursing, and Pharmacy Examiners. Consolidation of state funding sources for public health nursing, home care aid, and the Senior Health Program into a single contract for each county shall be available for implementation beginning July 1, 1996. The department shall submit a report to the General Assembly on or before January 2, 1997, including an evaluation of the first year of the voluntary demonstration project and a plan to expand statewide a single source contract for each county beginning July 1, 1997.

DEPARTMENT OF HUMAN RIGHTS. The Act appropriates funds to the divisions of the Department of Human Rights. A contingent appropriation is made to the Status of Women Division for the mentoring project for family investment program participants if a statute creating a Department of Workforce Development is not enacted with this responsibility.

Funds appropriated to the Community Grant Fund established under Section 232.190 shall be restricted to existing grants.

COMMISSION OF VETERANS AFFAIRS. The Act appropriates funds to the Commission of Veterans Affairs. If there is an increase in Medical Assistance reimbursements exceeding the amount budgeted for that purpose in the fiscal year beginning July 1, 1996, the Act authorizes the Iowa Veterans Home to expend the excess amounts to exceed the number of full-time equivalent positions authorized for meeting certification requirements or to provide additional beds, subject to approval by the Department of Management.

The Act provides for a direct purchase incentive if a department is able to demonstrate a 10 percent savings when equipment is purchased directly rather than pursuant to state contract. Fifty percent of the savings realized from a direct purchase may be retained by a department. The Act transfers administration of the Gambling Treatment Program from the Department of Human Services to the Department of Public Health, and allocates up to \$400,000 of moneys remaining in the Gambling Treatment Fund at the close of the fiscal year, which otherwise remain unexpended or unobligated, to the Department of Public Health for substance abuse program grants. Additionally, the Act includes an optometrist in the definition of a physician pursuant to Section 135.1, and indicates that this shall not be interpreted to expand an optometrist's scope of practice. The Act provides that not more than 5 percent of moneys appropriated to the Community Grant Fund shall be used for administrative purposes. Further, the Act contains provisions concerning the completion of the Vital Statistics Modernization Project and reversion of unencumbered funds appropriated thereto. Also, the Act contains a request for an interim study to evaluate the access to and quality of interpretive services provided for the deaf and hard-of-hearing.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision that the intent of random testing to detect civil rights violations shall be educational in nature, and that a first-time violation shall not result in the assessment of a fine exceeding \$500.
2. A provision appropriating from the unobligated and unencumbered balance of the Gamblers Assistance Fund for the fiscal year beginning July 1, 1995, and ending June 30, 1996, \$200,000 to the Community Grant Fund, and \$400,000 to the Iowa Department of Public Health for substance abuse program grants administered by the department. This provision would have been effective upon enactment.

SENATE FILE 2470 - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes penalties and various effective dates. The Act is organized into a number of divisions.

Division I - Reversions

The reversions division includes an amendment to Section 8.62, authorizing departments of state government to encumber 50 percent of the unused amount of operational appropriations remaining unexpended or unencumbered at the close of a fiscal year for use in the succeeding fiscal year for purposes of employee training and technology enhancement. Under prior law, the provision was to be repealed effective September 1, 1997. The Act extends the repeal to September 1, 1999.

The reversions division also provides that moneys from an FY 1995-1996 supplemental appropriation in 1996 Iowa Acts, H. F. 2114, to the Department of Human Services for child day care, remaining unexpended or unobligated at the close of the fiscal year, do not revert to the General Fund of the State.

Division II - Education — Related Provisions

The Act includes an education-related provisions division. Section 279.51, providing a standing appropriation to the Department of Education for allocation for early childhood education programs, school-based youth services education programs, and at-risk programs, is amended by increasing the amount of the standing appropriation by

approximately \$400,000 over the FY 1995-1996 amount with the increase allocated to the Child Development Coordinating Council. The Act also changes the formula by which administrative funds are determined. The section is updated to allocate for other at-risk program purposes in amounts provided in recent years.

This division authorizes the College Student Aid Commission to provide qualified full-time and part-time students with tuition grants for summer semesters, or the trimester equivalent. However, the amount of a tuition grant for the summer semester or trimester equivalent shall be one-half the amount of the tuition grant the student receives in the fall or spring.

Division III - State Claims

Division III provides for payment of certain claims against the state in FY 1995-1996. This division takes effect May 30, 1996.

Division IV - Lottery Transfer and Appropriations

Division IV appropriates lottery revenues collected during FY 1994-1995, which were not transferred from the Lottery Fund, for the purpose of the Local Arts Comprehensive Education Strategies (LACES) Program. All other appropriations in this section were vetoed by the Governor (see listing at the end of this summary). This appropriation takes effect May 30, 1996, and will not revert until June 30, 1997.

This division also transfers lottery revenues in excess of \$42,200,000 deposited into the General Fund of the State during FY 1995-1996 to various agencies for the following purposes in the following priorities: the World Food Prize; the Perry Creek Flood Control and Greenway Project in Sioux City; the Gothic House Visitors Center in Eldon; development of Riverview Natural Island Environmental Education Project; testing private wells and waters of the state for pollution caused by confinement feeding operations; trail development at Blood Run National Historic Landmark; curb construction on Highway 927 in Durant; North and South Gateway Welcome Centers on I-35; Heisermann Memorial Library in West Union; Mason City-Clear Lake Electric Trolley Railroad Historical Society; Martin Luther King Building at Hawkeye Community College; tourist information center at the National Heritage Orientation Center and Public Market; area science center in Iowa City; Iowa Fire Fighters Memorial; continuing the state Senior Health Insurance Information Program; Older Iowans' Legislature; and testing of animal feeding operations and their structures. These transfers take effect May 30, 1996, and do not revert until the end of FY 1997-1998.

This division also provides that lottery revenues collected during FY 1996-1997 shall, after payment of all expenses, be transferred to the General Fund of the State instead of the CLEAN Fund as prior law directed.

Division V - Conforming and Technical Corrections

This division makes various conforming and technical corrections associated with legislation enacted during the 1996 Legislative Session.

Division VI - FY 1995-1996 Supplemental Appropriations

Division VI makes supplemental appropriations for FY 1995-1996. Moneys are appropriated to the Department of Public Health for expenditures related to establishment of the Prospective Minor Parent Decision-Making Assistance Program under S.F. 13 (see Courts, Civil Law & Procedure & Probate); to the Statewide Fire and Police System to provide start-up funds for implementing voluntary benefit programs as provided in S.F. 2245 (see State Government); to the Department of General Services for relocation of offices and other costs associated with renovation of the Lucas State Office Building and the Old Historical Building; to the Office of the State Public Defender for attorney fees for indigent defense; and to the Department of Human Services (DHS) to replace federal Social Services Block Grant funding for local purchase of services for persons with mental illness or disabilities. The Division also authorizes DHS to utilize any appropriations remaining at the close of FY 1995-1996 for continuing adolescent tracking and monitoring programs and for upgrading computer hardware.

Division VII - FY 1996-1997 State Appropriations

Division VII makes state appropriations for FY 1996-1997. Moneys are appropriated from the Iowa Public Employees' Retirement Fund to the public retirement system for costs associated with studies and reports required in S.F. 2245 (see State Government), and for costs to develop a proposal for a defined contribution option under the

public retirement system. The Department of Economic Development is directed to allocated moneys from the Value-Added Agricultural Products and Processes Financial Assistance Fund for a beef processing project in southwest Iowa. Moneys are appropriated to the Department of Commerce for the Utilities Board to utilize for consulting services for communication regulation with the moneys to be recovered through regulatory charges. Moneys are appropriated to the Commissioner of Insurance for a study of physician utilization in health care coverages. Moneys are appropriated from the General Fund of the State to the Office of the Governor and to the Workforce Development Fund from the Workforce Development Account. Spending authority is provided to the Department of Agriculture and Land Stewardship to utilize moneys from an appropriation in S.F. 2446 for acquisition of certain laboratory equipment. If unanticipated federal moneys are received for child day care, the appropriation to DHS for child day care in S.F. 2442 is to be reduced in a like amount unless receipt of the federal moneys would be jeopardized. The amount of the allocation in the appropriation to DIIS in S.F. 2442 for group foster care is revised.

Division VIII - Other Statutory Provisions

Chapter 28E is amended to authorize fire departments and districts to enter into mutual aid emergency services contracts containing a 60-day cancellation provision so long as the contract is not for the purpose of reducing employees. Fire departments and districts are also authorized to provide assistance to other departments and districts during a significant emergency in accordance with established policy and procedures, provided the giver of aid maintains authority over their own personnel.

Chapter 34A, relating to enhanced 911 (E911) telephone systems, is amended to create an E911 communications council to coordinate system development and to mediate disputes. See the listing of Governor's vetoes in this summary for a vetoed provision involving joint E911 service boards.

Chapter 279, relating to powers and duties of school boards, is amended to authorize a school district board to make rules relating to the policing, control and regulation of traffic, and parking of vehicles and bicycles on school property. The rules may address use of roads and other school areas, vehicle registration, parking area designation and fees, traffic signs, and parking control devices. The legislation provides for the imposition of penalties, including reasonable monetary penalties and vehicle impoundment for rule violations. A school district board must establish procedures for dispute resolution regarding the imposition of penalties, including notice and the opportunity for an administrative hearing. Additionally, the board may contract with a city or county for enforcement of rules by ordinance, and shall consult with local government transportation officials to promote consistency with local traffic and parking ordinances.

Chapter 356, relating to jails and municipal holding facilities, is amended to provide for charging prisoners fees for room and board while in custody. Charges collected are to be credited to the county general fund. Under the Act, 60 percent of the moneys collected must be used for courthouse security costs, or jail and juvenile detention center infrastructure improvements. Chapter 904, relating to the Department of Corrections, is amended to authorize charging inmates a correctional fee for custodial expenses incurred while the inmate is in custody. Proceeds are to be deposited in the General Fund of the State. The fees can be collected as court costs.

New Section 8A.2 provides for creation of local innovation zones for local areas to develop community-based strategies to improve outcomes for children and their families. Initially, the innovation zones will have oversight from the Innovation Zone Board, created as a subgroup of the Council on Human Investment. The board provisions are repealed June 30, 1998.

This division also amends Section 476.1D, subsection 10, regarding the classification of a long distance telephone company as a competitive long distance telephone company. The amendment requires that the Iowa Utilities Board, at the request of a long distance telephone company, classify a long distance telephone company as a competitive long distance telephone company if more than half of the company's revenues from its Iowa intrastate telecommunications services and facilities are received from the company's intralata interexchange services and facilities. Under prior law, the classification could be made if more than half of the company's revenues from its Iowa intrastate telecommunications services and facilities are received from services and facilities the board has determined to be subject to effective competition. Upon applying the classification, the board is to promptly notify the Director of Revenue and Finance that the long distance telephone company has been classified as a competitive long distance company. Upon the notification by the board, the Director of Revenue and Finance is to assess the property of the competitive long distance telephone company, which property is first assessed for taxation in this

state on or after January 1, 1996, in the same manner as all other property assessed as commercial property by the local assessor.

Chapter 613, relating to causes of action and liability, is amended provide liability protection for a person who renders emergency assistance in an accident. The amendment adds liability protection for a person involved in a workplace rescue arising out of an emergency or accident.

Chapter 710, relating to kidnapping and related offenses, is amended to provide penalties for a person harboring a runaway child. The amendment makes it a crime to harbor a runaway child with the intent of allowing the child to remain away from home against the wishes of the child's parent. Shelter care homes licensed or approved by the Department of Human Services are exempt from the provision.

Division IX - Economic Development Provision

Division IX makes appropriations and transfers from the General Fund of the State and other funds to the Department of Economic Development, the Iowa Finance Authority, the Insurance Division of the Department of Commerce, the University of Iowa, Iowa State University, the Department of Employment Services (renamed the Department of Workforce Development in S.F. 2409, see Labor & Employment), and the Public Employment Relations Board.

The Act does not appropriate funding for the Wallace Technology Transfer Foundation. Administrative expenses of the foundation will be funded through moneys remaining in the Wallace Technology Transfer Foundation Fund.

The division appropriates \$6,707,638 to the Strategic Investment Fund, an increase of over \$1.1 million from the appropriation for FY 1995-1996. The Act requires the department to direct awards under the Community Economic Betterment Program to companies meeting certain wage requirements. If the average starting wage for businesses receiving awards under the program is below 100 percent of the statewide average wage, 10 percent of the funds allocated for the program are to be diverted to other programs within the Strategic Investment Fund.

The division also provides as follows:

- The Department of Economic Development is to provide data to the Legislative Fiscal Bureau regarding all assistance and benefits provided under the Community Economic Betterment Program, the New Jobs and Income Program, and the Iowa Industrial New Jobs Training Act (Chapter 260E).
- A microenterprise Rural Enterprise Assistance Program is established. The program is designed to provide assistance to rural small businesses of five or fewer employees.
- Two new programs are added to those which may be funded through the Strategic Investment Fund, the Entrepreneurs with Disabilities Program and the Job Opportunities for Persons with Disabilities Program.
- Any business seeking competitively awarded economic development financing assistance shall receive additional consideration if it enters into a good neighbor agreement regarding environmental, economic or other social and community standards.
- The federal Job Training Partnership Act, Iowa Conservation Corps, Americorps, mentoring for the Family Investment Program, Food Stamp Employment and Training, and the Labor/Management Co-op Programs are to be administered by the Department of Workforce Development.

Division X - Prisoner of War Registration Plates

Division X directs the State Department of Transportation to allow the surviving spouse of a deceased person, who was issued prisoner of war special plates, to continue using the special plates. The spouse must continue to use the deceased person's name on the registration and must return the plates upon remarriage.

Division XI - County Provisions

Division XI affects various county property tax provisions. The federal government-published price index, used to determine growth for counties under the property tax limitation in Chapter 444, is no longer published. The Act provides that for the fiscal year beginning July 1, 1997, the price index used will be the state and local government chain-type price index published by the Bureau of Economic Analysis of the U.S. Department of Commerce. The

Act also makes a corrective change to add the emergency management levy for hazardous material teams to the listing of levies against which the growth factor may not be applied in FY 1996-1997 and FY 1997-1998.

Chapter 426B, relating to state property tax relief to counties, is amended to provide a standing appropriation of \$6.6 million from the Property Tax Relief Fund for the nonfederal share under the Medical Assistance (Medicaid) program of the costs of certain services provided to minors. The amount of property tax relief moneys provided to counties is reduced by the amount of the appropriation.

This division includes a number of provisions to separate the overall property tax limitation on counties from the county Mental Health, Mental Retardation, and Developmental Disabilities (MH/MR/DD) Services Fund, which itself is subject to limitations. The Act provides that the amount of property tax relief paid to counties from the Property Tax Relief Fund is not subtracted from both the county general property tax limitation and the MH/MR/DD Fund levy authority.

Chapter 444 is also amended to provide that the provision allowing an inflation increase for certain property taxes levied by the county does not apply to the levy for the MH/MR/DD Fund. If a county did not levy the maximum amount authorized for the MH/MR/DD Services Fund in FY 1996-1997, the county may increase the levy to the maximum amount in FY 1997-1998 provided the increase is offset by a corresponding decrease in the county's levy for general services.

Chapter 331, relating to county home rule, is amended to authorize a county to levy for the costs of substance abuse services under the supplemental levy for county general services. Under prior law, amended in the 1995 Legislative Session, substance abuse treatment was interpreted to be part of the supplemental levy authority for mental health treatment. When the mental health services provisions of the supplemental levy were stricken in the 1995 Acts and moved to their own fund, the supplemental levy authority no longer explicitly provided for substance abuse services. The Act provides for explicit authority with an immediate effective date of May 31, 1996.

Chapter 331 provisions relating to the County Mental Health, Mental Retardation, and Developmental Disabilities (MH/MR/DD) Services Fund are amended to remove a clause stating that if otherwise provided by state law, the dollar limit for a levy under the fund may be exceeded. In addition, the Act provides that various statutes allowing a county to levy additional taxes for an unusual need or any other purpose do not apply to the MH/MR/DD Services Fund levy.

THE GOVERNOR VETOED THE FOLLOWING:

1. Various appropriations from lottery revenues remaining from FY 1994-1995, including the following:

Agri-entrepreneurship Education project; spillway at Hickory Grove Lake; summer youth program in Hawkeye Area Agency on Aging region; Louis Sullivan Building in Algona; support for the Iowa Cooperative Foundation; for costs of fixing sewage line, expanding phone system, and installing natural gas pipeline at Iowa Lakeside Laboratory; community grants for projects, including railroad projects, related to historical and cultural preservation and related to the Iowa Sesquicentennial; community grants for purchase or replacement of playground equipment; Boone County for paving of Arboretum Road; costs of dredging at Crystal Lake; for natural lake preservation efforts; to Southeast Polk Community School District to implement an interagency coalition strategy for addressing problems of children and families; for developing regional demonstration projects for youth between ages 13 and 17; for community grants to be used in the removal of waste tires; urban facility grant to provide shelter services for runaways ages 11 through 17; for the Heartland Discovery Center; restoration and development of Lake Ahquabi; and for completion of the Cherokee Area Rural Economic Development Center.

2. A provision setting a limit of \$1,500,000 on the amount of lottery revenues retained in the Lottery Fund when moneys are transferred.
3. A supplemental appropriation for FY 1995-1996 to the State Hygienic Laboratory for conducting analyses of test samples for alcohol or illegal controlled substances.
4. An appropriation for the E911 Communications Council created in the Act.
5. An amendment to Chapter 34A changing the membership composition of the county joint 911 service boards.

6. Amendments to Chapter 232, the Juvenile Justice Code, creating runaway assessment and treatment centers and local planning provisions. The Governor's message noted the final Act no longer included funding for the vetoed provisions.
7. The following provisions were vetoed in Division IX of the Act, relating to economic development:
 - A requirement that all projects approved under the Community Economic Betterment Program must pay starting wages of 90 percent or higher of the average county or regional wage.
 - A \$50,000 appropriation to be distributed on a per capita basis to each council of governments.
 - A \$100,000 allocation for a grant program for annual community agricultural heritage celebrations.
 - A provision authorizing five full-time equivalent positions for the Iowa Seed Capital Corporation and requiring the corporation to transfer its portfolio of investment as of June 30, 1997, to a private entity.
 - A provision requiring that the Departments of Workforce Development, Personnel, and Management ensure that all nonsupervisory full-time equivalent positions authorized and funded for the Department of Workforce Development will be utilized to reduce the backlog of cases.
 - An allocation of \$800,000 for a summer youth program for cities of over 150,000 in population.
 - A provision requiring the Department of Workforce Development to continue to provide services in all communities in which workforce centers were operating on July 1, 1993, and prohibiting the department from reducing the number of hearings or significantly altering the schedule for hearings.

HOUSE FILE 2065 - Supplemental Appropriations — Judicial Department Planning

BY COMMITTEE ON APPROPRIATIONS. This Act provides a \$50,000 supplemental appropriation to the Judicial Department for the fiscal year beginning July 1, 1995, to be used by the Iowa Supreme Court's Commission on Planning for the 21st Century, formed to provide long-range and strategic planning for the courts. Any moneys not expended by June 30, 1996, shall remain available to the department for use on this project during the subsequent fiscal year.

The Act takes effect February 12, 1996.

HOUSE FILE 2114 - Miscellaneous Supplemental Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act makes supplemental appropriations for fiscal year 1995-1996. A number of provisions were item vetoed by the Governor. These appropriations are made from the General Fund of the State unless otherwise noted.

Supplemental appropriations are made to the following entities for the following purposes:

- Department of Economic Development for the Strategic Investment Fund and for promotional efforts associated with the Iowa Sesquicentennial.
- Department of Human Services for state child day care assistance for low-income persons.
- Department of Education to provide assistance to school districts participating in a financial reporting pilot project.
- State School for the Deaf and the Iowa Braille and Sight Saving School for technology and other needs.
- Department of General Services for utility costs.
- Department of Inspections and Appeals for funding of an additional employee for racetrack regulation.
- Department of Personnel from the Iowa Public Employees' Retirement Fund for operational costs of the retirement system.
- Department of Revenue and Finance for internal resources management.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. An appropriation to the State Public Defender for court-appointed attorney fees for indigent persons.

2. An appropriation to the Department of Revenue and Finance and associated statutory provisions to pay income tax refunds to certain federal retirees who did not previously file a claim for a refund or who filed after the statute of limitations for filing refund claims had expired. The refund would have been for taxation of federal pensions benefits that was found to be unconstitutional by the United States Supreme Court in *Davis v. Michigan Department of Treasury*.

The Act takes effect March 19, 1996.

HOUSE FILE 2416 - Appropriations — Administration and Regulation

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and appropriates \$84.1 million from the General Fund of the State to various state departments, agencies, funds, and certain other interstate and national entities for the fiscal year beginning July 1, 1996, and ending June 30, 1997.

The state departments and agencies include the Auditor of State, Iowa Ethics and Campaign Disclosure Board, Department of Commerce, Department of General Services, Office of Governor including the Lieutenant Governor and Terrace Hill quarters, Department of Inspections and Appeals, Department of Management, Department of Personnel, Iowa Public Employees' Retirement System, Department of Revenue and Finance, Secretary of State, and Treasurer of State. The Act includes funding for the regulation of pari-mutuel racetracks and gaming and excursion gambling boats, and the operation of the state lottery.

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

The Act also authorizes the assessment of a surcharge on workers' compensation weekly benefits paid during the fiscal year commencing July 1, 1994, for the Second Injury Fund. The surcharge assessment is limited to a maximum of \$870,000. The Act creates a Second Injury Task Force under the direction of the Industrial Commissioner to study the basic role and purpose of the Second Injury Fund and to determine its needs for continuation and source of funding.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

A provision directing the Department of Management to state the number of staff authorized for a state agency in terms of full-time equivalent positions when addressing staffing targets for state agencies.

HOUSE FILE 2421 - Appropriations — Transportation, Infrastructure, and Capital Projects

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and makes appropriations to the State Department of Transportation, makes appropriations for capital projects from the Rebuild Iowa Infrastructure Fund, and makes other miscellaneous changes.

Division I - State Department of Transportation

Division I appropriates moneys from the General Fund of the State, the Road Use Tax Fund, and the Primary Road Fund to the State Department of Transportation for the fiscal year beginning July 1, 1996, and ending June 30, 1997. The department is directed to work with the Legislative Fiscal Bureau to develop a process to provide quarterly reports of the Highway Construction Program. The department is also required to report to the Transportation Appropriations Subcommittee on implementation of recommendations from the Governor's Blue Ribbon Road Use Task Force, and is directed to establish certain highway maintenance standards, to take into account the location of underground facilities when engineering projects, and to take affirmative action to resolve the school safety issues associated with access on Highway 218, located between Ainsworth and Riverside.

THE GOVERNOR ITEM VETOED THE FOLLOWING IN DIVISION I:

A provision allocating \$300,000,000 to the State Department of Transportation from the Primary Road Fund for construction, reconstruction and maintenance of the state highway system. These moneys are statutorily appropriated in Iowa Code Section 313.4.

Division II - Capital Projects

Division II appropriates \$66,140,000 from the Rebuild Iowa Infrastructure Fund of the State to the State Board of Regents over a three-year period for construction and renovation of the biological sciences complex at the University of Iowa, construction and renovation of the engineering building at the University of Iowa, for construction of the national advanced driving simulator building at the University of Iowa, for construction and renovation of the intensive livestock research facilities at Iowa State University, for Phase I construction of the engineering teaching and research complex at Iowa State University, and for construction of the School of Music classroom building/performing arts center at the University of Northern Iowa.

In addition, infrastructure moneys are appropriated to the Department of Corrections and the Department of Cultural Affairs for certain projects. Moneys in the amount of \$39,200,000 are appropriated to the Department of General Services for exterior State Capitol Building restoration, interior State Capitol Building restoration, renovation of the Old Historical Building, renovation of the Lucas tunnel, and renovation of the Lucas State Office Building. Division II also appropriates moneys to the Department of Human Services, the Department of Natural Resources for state park facilities, the Department of Public Defense, the Department of Public Safety, \$1,000,000 to the State Department of Transportation for recreational trails, the Commission of Veterans Affairs, \$5,000,000 to the Iowa State Fair Foundation, and to county fairs. The Division appropriates moneys from marine fuel tax receipts deposited in the General Fund of the State to the Department of Natural Resources.

THE GOVERNOR ITEM VETOED THE FOLLOWING IN DIVISION II:

1. An appropriation from the Rebuild Iowa Infrastructure Fund to the Department of Education for the following:
 - a. An appropriation of \$500,000 to construct a Rural Heritage Center at Southwestern Community College and intent language for the fiscal year beginning July 1, 1997, to appropriate an additional \$500,000.
 - b. An appropriation of \$600,000 for improvement and maintenance of institutional roads on community college campuses.
2. An appropriation of \$1,600,000 from the Rebuild Iowa Infrastructure Fund to the Department of General Services for the fiscal year beginning July 1, 1998, for renovation of the Old Historical Building.
3. A provision stating the intent of the General Assembly that the first and second floors of the Lucas State Office Building be used primarily by the General Assembly and other legislative agencies.

Division III - Statutory Changes - Miscellaneous

REBUILD IOWA INFRASTRUCTURE FUND. This Division requires the Revenue Estimating Conference to estimate the amount of revenue to be deposited in the Rebuild Iowa Infrastructure Fund from gambling revenues and from interest earned on the Cash Reserve Fund and the Economic Emergency Fund for future fiscal years. It limits appropriations from the Rebuild Iowa Infrastructure Fund to vertical infrastructure projects and defines "vertical infrastructure" to include only land acquisition and construction, major renovation and repair of buildings, appurtenant structures utilities, site development, and recreational trails. "Vertical infrastructure" does not include routine, recurring maintenance or operational expenses or leasing of a building, appurtenant structure or utility without a lease-purchase agreement. The provision allows appropriations to be made to fund the completion of Part III of the Iowa Communications Network (ICN). This provision takes effect July 1, 1997. Finally, the Act appropriates the first \$60,000,000 of gambling revenues to the General Fund of the State and the remainder to the Rebuild Iowa Infrastructure Fund.

ICN. The Division grants access to the ICN to the Department of Public Safety and the Department of Public Defense to operate a shared data network to provide emergency information.

STATE CAPITOL VIEW PRESERVATION. The Division requires the Department of General Services to develop a state capitol view preservation plan to ensure the most scenic views of the State Capitol Building remain unobstructed.

COMMISSION OF VETERANS AFFAIRS - CONSTRUCTION PROGRAM. The Division requires the Commission of Veterans Affairs to work with the Department of General Services to develop the commission's multiyear construction program.

COUNTY FAIRS. The Division requires a county fair society to file for state aid with the Treasurer of State, to publish financial statements, and specifies how funds will be allocated to county fair societies.

HIGHWAY SIGNS. The Division increases the fees for placing signs adjacent to highway rights-of-way.

RECREATIONAL TRAILS. The Division repeals the existing standing appropriation of \$1,000,000 from the Road Use Tax Fund for recreational trails. The Governor item vetoed a standing appropriation of \$1,000,000 from the Rebuild Iowa Infrastructure Fund, but left intact a \$1,000,000 appropriation for the fiscal year beginning July 1, 1996.

COMMERCIAL VEHICLE FINES. Provisions in the Division require that all fines and fees attributable to commercial vehicle violation citations be deposited in the Road Use Tax Fund and are effective July 1, 1997.

SOYDIESEL DEMONSTRATION PROJECT. The Division requires the State Department of Transportation to conduct a soydiesel demonstration project and allocates \$100,000 from the Value-Added Agricultural Products and Processes Financial Assistance Fund. The Act also provides for nonreversion of moneys currently being used for an existing soydiesel demonstration project.

ACCESS IOWA HIGHWAYS. The Division requires designation of those portions of the Commercial and Industrial Network essential for the support of intrastate transportation and commerce and essential for ensuring Iowans direct access to the nation's system of interstate highways and transportation services as Access Iowa Highways. The State Department of Transportation is required to expedite and accelerate development of Access Iowa Highways.

THE GOVERNOR ITEM VETOED THE FOLLOWING IN DIVISION III:

1. A provision appropriating additional excess gambling revenues to the Rebuild Iowa Infrastructure Fund in the following amounts: for the fiscal year beginning July 1, 1997, the first \$50,000,000 would be transferred to the General Fund of the State and the remainder to the Rebuild Iowa Infrastructure Fund; for the fiscal year beginning July 1, 1998, the first \$40,000,000 would be transferred to the General Fund of the State and the remainder to the Rebuild Iowa Infrastructure Fund; and for the fiscal year beginning July 1, 1999, and for each fiscal year thereafter, the first \$32,500,000 to the General Fund of the State and the remainder to the Rebuild Iowa Infrastructure Fund.
2. A requirement that the State Department of Transportation develop an updated transportation policy by January 15, 1997, and submit the plan to the General Assembly for approval, modification or rejection.
3. A \$1,000,000 standing appropriation from the Rebuild Iowa Infrastructure Fund for recreational trails. The Division contains a \$1,000,000 appropriation for the fiscal year beginning July 1, 1996, which was not item vetoed.
4. A provision requiring the Department of Personnel, the Auditor of State, the Attorney General's Office, the Department of Inspections and Appeals, the Department of Management, and the Department of Revenue and Finance to request appropriations from the General Fund of the State that are currently appropriated or reimbursed from the Road Use Tax Fund, Primary Road Fund, motor vehicle fuel tax receipts, or from motor fuel taxes.
5. A requirement that the Department of General Services coordinate a Vertical Infrastructure Definition Task Force.
6. Provisions requiring an infrastructure study; an interim study on local infrastructure, bonding, and state financial assistance needs; and a space allocation study.
7. A contingency appropriation from excess General Fund of the State moneys to the Rebuild Iowa Infrastructure Fund if the transfer of gambling revenues does not equal at least \$48,400,000.

Division IV - Physical Infrastructure Assistance Program

Division IV establishes the Physical Infrastructure Assistance Program within the Department of Economic Development to provide financial assistance for business or community physical infrastructure development or redevelopment projects. The Act appropriates \$2,000,000 from the Rebuild Iowa Infrastructure Fund to the Department of Economic Development to be deposited in the Physical Infrastructure Assistance Fund. For fiscal years beginning July 1, 1996, and July 1, 1997, an additional \$10,000,000 is appropriated to the Physical Infrastructure Assistance Fund to be used only for providing loan guarantees, irrevocable letters of credit, and indemnification for liability agreements entered into prior to October 15, 1996. In addition, Division IV directs the Department of Natural Resources to work with the Department of Economic Development to identify environmentally contaminated sites and to provide an assessment, emergency response, and any further action, including remediation of the site, that the department deems appropriate.

THE GOVERNOR ITEM VETOED THE FOLLOWING IN DIVISION IV:

1. A provision relating to reimbursement of costs to the Department of Economic Development from the Iowa Comprehensive Petroleum Underground Storage Tank Fund.
2. A requirement that distribution of certain moneys be distributed only if approved by the Legislative Fiscal Committee.
3. A \$200,000 allocation from the Hazardous Substance Remedial Fund to the Physical Infrastructure Assistance Fund.

Division V - Administrative Revocation of Driver's Licenses for Drug-Related Convictions

Division V establishes a revised procedure for the revocation of driver's licenses after certain drug-related convictions. The prior process of administrative revocation subsequent to the criminal conviction was held unconstitutional in the *Dressler v. Iowa Department of Transportation* case. This Division takes effect May 30, 1996.

HOUSE FILE 2444 - Appropriations — Energy Conservation — Petroleum Overcharge Funds

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for the fiscal year beginning July 1, 1996, and ending June 30, 1997, from the Energy Conservation Trust, which receives deposits of settlements from oil overcharge refunds, to the Division of Community Action Agencies of the Department of Human Rights for energy conservation programs for low-income persons and to the Department of Natural Resources for the state Energy Conservation Program and for administration of petroleum overcharge programs.

HOUSE FILE 2472 - Appropriations — Justice System

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for the fiscal year beginning July 1, 1996, and ending June 30, 1997, to the Department of Justice; Office of Consumer Advocate; Board of Parole; Department of Corrections, including correctional facilities and the judicial district departments of correctional services; Judicial Department; State Public Defender; Iowa Law Enforcement Academy; Department of Public Defense; and the Department of Public Safety; and contains related statutory provisions. Under the Act, the total appropriations to the justice system of \$333.3 million reflect an increase in appropriations from the General Fund of approximately \$33.1 million from the FY 1996 appropriation.

DEPARTMENT OF JUSTICE. The Act increases funding for the Department of Justice by \$1.4 million compared to the estimated FY 1996 appropriations. These appropriations include amounts for the Office of the Attorney General, the Prosecuting Attorneys Training Program, amounts for victim assistance grants to care providers of services to crime victims of domestic abuse or rape and sexual assault, and the Governor's Alliance on Substance Abuse Prosecuting Attorneys Program. The Act also provides an appropriation to the Office of the Attorney General to provide for Legal Services for persons in poverty grants. The Act establishes statutory authority for the Attorney General to contract with an eligible nonprofit organization to provide legal assistance to eligible individuals in poverty and provides criteria for the Attorney General in selecting the nonprofit organization eligible for the legal services grants. The Act also authorizes the Attorney General to expend moneys deposited in the Environmental Crime Fund of the department for use in the investigation and prosecution of environmental crimes. The Act also provides for the establishment of an anti-obscenity enforcement unit within the Office of the Attorney General. The Act also provides that the department may use moneys in the Victim Compensation Fund for the

purpose of awarding funds to programs that provide services and support to victims of domestic abuse or sexual assault.

DEPARTMENT OF CORRECTIONS. The Act increases the General Fund of the State appropriation to the Department of Corrections by \$11.5 million from the estimated FY 1996 appropriation.

The Act authorizes the construction of a 750-bed medium security prison and the renovation of Cellhouse 17 at Fort Madison with prison infrastructure revenue bonds. The Act increases, effective July 1, 1997, the annual amount of criminal fines and fees deposited to the Prison Infrastructure Fund from \$8 million to \$9.5 million. The Act also appropriates moneys for additional correctional officers and provides funding for the Criminal Justice Program at the University of Northern Iowa.

JUDICIAL DEPARTMENT. The Act provides for an additional \$1.7 million in funding compared to the estimated FY 1996 appropriation and provides for an additional three district court judges, four juvenile court officers, and expansion of the Court-Appointed Special Advocate Program. The Act also provides funds to increase the salaries of all associate juvenile judges and associate probate judges. The Act requires that \$468,800 from the Court Technology and Modernization Fund be used for a records management program utilizing CD-ROM technology. The Act also provides that moneys in the Enhanced Court Collections Fund shall be used by the department for purposes beyond the Iowa Court Information System, such as records management equipment and other technological improvements.

INDIGENT DEFENSE. The Act appropriates an additional \$7.2 million for indigent defense and the State Public Defender's Office compared to the FY 1996 appropriation.

IOWA LAW ENFORCEMENT ACADEMY. The Act appropriates an additional \$52,000 for the Iowa Law Enforcement Academy compared to the FY 1996 appropriation. The Act also creates an additional \$5 surcharge on fines for drug or alcohol offenses and provides that the surcharge shall be transferred to the academy for use in the Drug Abuse Resistance Education (D.A.R.E.) Program.

PUBLIC SAFETY. The Act appropriates an additional \$10.3 million to the Department of Public Safety compared to the estimated FY 1996 appropriation. The Act funds the state match to add 12 additional state troopers through the federal Community-Oriented Policing Services Program. The Act also provides for the establishment of the Office of the State Medical Examiner and requires that any autopsy fees collected be deposited in the General Fund of the State. The Act also provides \$875,000 for volunteer fire fighter training. The Act requests the Legislative Council to establish an interim study committee concerning the enforcement of gambling activities on excursion gambling boats.

MISCELLANEOUS. The Act amends Section 37.10 to provide that commissioners for memorial halls and monuments need only be a resident of the county where the hall or monument is located, and not a resident of the city where the hall or monument is located.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision authorizing the expenditure of \$50,000 from funds appropriated to the Department of Justice for the establishment of an Office of Veterans Advocate within the department. Statutory provisions establishing the veterans advocate and the advocate's duties were also vetoed.
2. A provision providing that the Department of Corrections continue to study the development of the concept of a super-maximum security facility for inmates.
3. A provision appropriating \$278,000 to the Department of Corrections for increased inmate costs at correctional institutions.
4. A provision appropriating \$100,000 to the Department of Corrections for the assistance and support of the judicial district departments of correctional services in implementing the requirements for inmate hard labor.
5. A provision requesting the Iowa League of Cities and the Iowa State Association of Counties to convene a summit to consider Iowa's current regulations concerning law enforcement training and requesting the Legislative Council to create an interim study committee to consider the results of the summit.

6. A provision establishing a state task force on local corrections infrastructure and crime prevention and appropriating \$150,000 to the Department of Justice for hiring an independent consultant to facilitate the establishment of the task force. The state task force would receive recommendations from local task forces established in each judicial district concerning proposals for local corrections infrastructure. The state task force would then forward its recommendations, and the recommendations of each local task force, to an interim study committee established by the Legislative Council to consider the recommendations and submit a report of its findings and recommendations to the General Assembly.

HOUSE FILE 2477 - Appropriations — Education

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys from the General Fund of the State to the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions. This year's Act appropriated a total of \$788.8 million and provided 17,507.68 full-time equivalent positions (FTEs), which exceeds the Governor's recommendations by \$500,000 and 6 FTEs and exceeds last year's education appropriations Act (S.F. 266) by \$14.2 million and 54.2 FTEs.

COLLEGE STUDENT AID COMMISSION. The Act appropriates moneys to the College Student Aid Commission for general administrative purposes, Iowa tuition and vocational-technical tuition grants, forgivable loans to Iowa students attending the University of Osteopathic Medicine and Health Sciences, an initiative directing primary care physicians to areas of the state experiencing physician shortages, student aid programs, and the Stafford Loan Program. Compared to FY 1996, the commission will receive an increase of \$3.2 million.

From the Scholarship and Tuition Grant Reserve Fund, the Act appropriates moneys remaining following transfer as provided by the Code for the fiscal year ending June 30, 1995, and divides the moneys equally for purposes of the Iowa Vocational Technical Tuition Grants and the Work-Study Program during FY 1997. This provision takes effect May 29, 1996.

The commission is directed to do the following, and to submit its proposals and results to the General Assembly by January 1, 1997:

- Study and consider the possible differentiations in the grants awarded based upon parental income and assets under the Iowa Tuition Grant Program.
- With the University of Osteopathic Medicine and Health Sciences and the Legislative Fiscal Bureau, cooperatively develop and propose uniform time periods of medical practice to be served in the state in return for an allocation of state funds for purposes of the university.

Funds remaining in the Scholarship and Tuition Grant Reserve Fund from FY 1995 and FY 1996 are transferred to the commission to be used for Iowa Vocational-Technical Tuition Grants.

The Act increases the maximum amount of a tuition grant to a qualified full-time student for the fall and spring semesters, or the trimester equivalent, from \$2,900 to \$3,150.

The Act creates a National Guard Tuition Aid Program subject to an appropriation of sufficient funds by the General Assembly. Funds transferred in the Act for purposes of this program were item vetoed by the Governor.

DEPARTMENT OF CULTURAL AFFAIRS. The Act funds the Arts, Historical and Administration Divisions of the Department of Cultural Affairs, historic sites, and community cultural grants. The department's total appropriation is increased by \$339,000 over FY 1996, and includes new moneys for the following: compliance with the federal Native American Graves Protection and Repatriation Act, a part-time archaeologist position, additional security for the State Historical Building, the Western Historic Trails Center, and the Statewide Caucus on Arts and Cultural Enhancement.

The Iowa Arts Council is directed to develop and implement a simplified, uniform grant application for use by all grant applicants and to prescribe a uniform grant application renewal period for all grant applicants by January 15, 1997.

DEPARTMENT OF EDUCATION. The Act appropriates moneys for purposes of the Department of Education's general administration, vocational education administration, the Board of Educational Examiners, the Division of Vocational Rehabilitation Services, independent living, the State Library, the regional library system, the Public Broadcasting Division, school food service, textbooks of nonpublic school pupils, the Vocational Agriculture Youth

Organization and other youth activities, family resource centers, the Center for Assessment, the Career Pathways Program, vocational education to secondary schools, and community colleges. From additional funds transferred from Phase I to Phase III in the Educational Excellence Program, the Act distributes funds to a geography alliance, for a management information system, to the New Iowa Schools Development Corporation, and for support of the Iowa Mathematics and Science Coalition.

The department is directed to conduct the following studies and report its findings to the General Assembly and the Legislative Fiscal Bureau by January 1, 1997:

- A study of the special education funding system. The goals of the study are set forth in the Act.
- A study of the trends in the number of students requiring services to become proficient in the English language and the current and projected costs related to providing such services by local school districts.
- A study of the funding for educational programs provided for each child living in child foster care facilities or in psychiatric hospitals or institutions.
- A study of the means by which student employability skills may be measured, including, but not limited to, the employability skills of students at various levels of their secondary education and students who have graduated, the businesses that employ them, and the institutions of higher learning that admit the graduates.

The Act provides that a student who has been expelled or suspended from school, and who has not met the conditions of the expulsion or suspension, shall not be permitted to enroll in a school district without the approval of a majority of the board members of the school district. The Act also permits a teacher, principal or superintendent who suspended a student to readmit the student only when the conditions of the suspension have been met.

The Act changes the tax certification filing date affecting the year in which a special annual levy is to begin from April 1 to May 1.

The Act directs the department to establish, by July 1, 1997, an accreditation process for area education agencies and describes the components of the process to be established. The Act also directs the State Board of Education to develop by July 1, 1997, standards and rules for the accreditation of area education agencies, and lists the specific standards to be adopted. The rules developed by the state board for the accreditation process shall include provisions for removal of accreditation. The Act also directs the board of directors of an area education agency to meet annually with the members of the boards of directors of the school districts located within its boundaries.

The department is directed to submit an annual report of funds expended and activities accomplished in the K-12 and community college management information system to the Legislative Fiscal Bureau and the General Assembly by January 1, 1997. The report shall include goals developed by the department for the system and a timeline for the accomplishment of the goals. The department is also directed to submit a report to the General Assembly by January 1, 1997, the amount of state funding it anticipates will be needed to fund the department's future participation with the Center for Assessment, and the number of years participation will be necessary.

The Act also prohibits the board of directors of a community college from authorizing the creation of a dental hygienist program until after the adjournment of the 1997 Legislative Session unless the board filed a dental hygiene program intent form with the department by December 1, 1995. This provision takes effect May 29, 1996.

The Act provides that funds appropriated and allocated for advanced placement remaining unencumbered and unobligated on June 30, 1996, shall not revert to the General Fund of the State but shall be distributed to the department for FY 1997 as follows: \$50,000 for participation by the department in the National Assessment of Education Progress to determine the academic achievement of Iowa students in math, reading, science, United States history, or geography; and \$19,000 for purposes of providing grants to support qualifying teams for a worldwide academic competition, the Odyssey of the Minds. If funds available are insufficient to fully fund the appropriations made in this provision, the amounts appropriated in the provision shall be reduced proportionately. This provision takes effect May 29, 1996.

The Act expresses the intent of the General Assembly that the chairpersons and ranking members of the Joint Appropriations Subcommittee on Education, the Legislative Fiscal Bureau, and the Legislative Service Bureau meet with representatives from the International Center for Gifted and Talented Education and the First in the Nation in Education Foundation during the 1996 legislative interim to determine and recommend a permanent funding source

and the amount of funding needed to support the center and the foundation. It is further the intent of the General Assembly that the International Center for Gifted and Talented Education fund the Gifted and Talented Summer Institute during FY 1997 from the center's FY 1997 standing appropriation.

The Act transfers 50 percent of any moneys remaining after statutory transfers in the Interest for Iowa Schools Fund in FY 1997 to the International Center Endowment Fund and transfers the other 50 percent to the First in the Nation in Education Foundation.

The Act increases the membership of the State Commission of Libraries with the addition of the Director of the Department of Education or the director's designee.

Chapter 260D, Funding for Community Colleges, is repealed under the Act effective May 29, 1996, and replaced by a provision requiring that state aid be allocated to each community college in the same proportions provided for in S.F. 266, the education appropriations Act enacted in 1995. The Code Editor is directed to repeal this new section effective July 1, 1997. The Act directs the department, in consultation with the Iowa Association of Community College Trustees, to submit to the General Assembly recommendations for a funding formula identifying and addressing community college needs by January 1, 1997. The Act moves language from repealed Chapter 260D, that is still appropriate for use in the Code, to Chapter 260C, Community Colleges, and makes conforming changes.

The Act pushes back the timelincs for the use and establishment of approval and accreditation processes relating to community colleges from 1994 to 1997, and from 1995 to 1998. These provisions take effect May 29, 1996, and apply retroactively to June 30, 1994.

Community colleges, under the Act, are permitted to contract with other community colleges to expand the availability of Career Opportunity Program services and increase the number of students served by the program, and to establish a separate account for purposes of the program. The Act provides that not less than 80 percent of the funds appropriated by the state for the program shall be used for assistance to students.

The School Budget Review Committee receives an additional duty under the Act with the establishment of a community college budget review procedure. Upon the committee's motion, or upon the request of a community college, the committee is directed to review unusual circumstances of community colleges and may grant supplemental state aid to the community college from funds appropriated to the department for community college budget review purposes. However, no appropriation was made for this purpose by the General Assembly during the 1996 Regular Session.

The Act permits the board of directors of a merged area that failed to certify for a cash reserve levy by March 15, 1982, and March 15, 1983, to certify for a cash reserve levy by April 15, 1997, and April 15, 1998.

The Board of Educational Examiners is required by the Act to adopt rules requiring specificity in written complaints filed by individuals with personal knowledge of an alleged violation, providing that the board's jurisdictional requirements are met on the face of the complaint before initiating an investigation of allegations, providing that any investigation be limited to the allegations contained on the face of the complaint, providing for an adequate interval between the receipt of a complaint and public notice of the complaint, permitting parties to mutually agree on a resolution, allowing the respondent the right to review any investigative report upon a finding of probable cause for further action by the board, requiring that the conduct providing the basis for the complaint occurred within three years of discovery of the event by the complainant, and requiring complaints to be resolved within 180 days unless good cause can be shown for an extension.

STATE BOARD OF REGENTS. The Act appropriates moneys to the State Board of Regents for board operations, tuition replacment, the Southwest Iowa Graduate Studies Center, the Tristate Graduate Center, the Quad-Cities Graduate Studies Center, and for the State University of Iowa, 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 the tuition and transportation costs for students residing in the Iowa Braille and Sight Saving School and the School for the Deaf.

The board is directed to report to the chairpersons and ranking members of the Joint Appropriations Subcommittee on Education any moneys reimbursed by the institutions under the control of the board that augment the moneys appropriated for the board office, and is further directed to quarterly prepare and submit to the General Assembly

and the Legislative Fiscal Bureau a report regarding the board office budget and the reimbursements provided to the board by the institutions of higher learning under the control of the board.

The Act strikes language relating to the purchase of garbage can liners by the board; to the publishing of pamphlets, bulletins and reports by the board; and to a requirement that the board produce an annual report listing plastic products regularly purchased by the board for which recycled content product alternatives are available, and containing information relating to soybean-based inks and plastic garbage can liners regularly purchased by the board.

STATE UNIVERSITY OF IOWA. The Act directs the University of Iowa Hospitals and Clinics to submit quarterly a report regarding the proportion of the appropriation received under the Act that is spent on medical education. The Act also expresses the General Assembly's intent that FY 1998 be the last fiscal year in which funds are appropriated for the planning and construction of the national advanced driving simulator.

IOWA STATE UNIVERSITY. The Act directs the university to submit a report concerning the population served and each service provided by the Iowa Cooperative Extension Service in Agriculture and Home Economics to the chairpersons and ranking members of the Joint Appropriations Subcommittee on Education and the Legislative Fiscal Bureau by January 1, 1997.

IOWA BRAILLE AND SIGHT SAVING SCHOOL/STATE SCHOOL FOR THE DEAF. The Act directs the Department of Revenue and Finance to pay the State School for the Deaf and the Iowa Braille and Sight Saving School the moneys collected from the counties during FY 1997 for expenses relating to prescription drug costs at those schools.

The Act repeals sections of the Code that provide a standing unlimited appropriation regarding embalming and transportation costs of a patient at the Psychiatric Hospital, relating to a Teacher Loan Payment Program under the Guaranteed Student Loan Program, relating to the Graduate Student Financial Assistance Program, and relating to a retirement allowance for teachers retiring before 1953.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision directing the College Student Aid Commission to use funds remaining from tuition grants awarded to affected students who do not transfer to an accredited private institution for FY 1997, for purposes of the National Guard Tuition Aid Program, enhanced forgivable loans, chiropractic graduate student forgivable loans, and for students enrolled in a licensed school of cosmetology arts and sciences or a licensed barber school.
2. A provision directing the Department of Education to review the reports required of the department by the General Assembly since 1980.
3. Provisions that would prohibit the First in the Nation in Education Foundation from using noncash contributions to satisfy the foundation's match requirement to receive funds from the Interest for Iowa Schools Fund.
4. A provision stating the intent of the General Assembly that the State Board of Regents explore options relating to locating the graduate centers under its control within the appropriate campuses of the community college system, and consider the benefits of fully utilizing the Iowa Communications Network to maximize efficiency.
5. A provision directing the State Board of Regents to use any increase it realizes from indirect cost reimbursements, refunds and reimbursements, interest, and other categories within the general operating budgets of the institutions of higher learning under its control during FY 1997, for building repair, deferred maintenance or fire safety at the respective institutions, and prohibiting the board from instead increasing budget ceilings.
6. A provision permitting community colleges to use cash reserve levy funds for the acquisition, lease, lease-purchase, installation, and maintenance of instructional technology equipment, and for staff development and training related to instructional technology.

7. A provision requiring the State Board of Regents to annually report to the General Assembly on the facilities overhead use allowance and the amount of building and equipment use allowances of the overall indirect cost recovery on federally sponsored research programs.
8. A provision denying to the State Board of Regents certain exceptions allowed to state departments and agencies from a requirement relating to the purchase of products made by Iowa State Industries, also known as "Prison Industries."
9. An appropriation of \$75,000 from additional funds transferred from Phase I to Phase III of the Educational Excellence Program for purposes of the Iowa Law and School Safety Project.

HOUSE FILE 2486 - Federal Block Grant Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys to various state agencies for the federal fiscal year beginning October 1, 1996, and ending September 30, 1997, from the following federal block grants: Substance Abuse Prevention and Treatment, Community Mental Health Services, Maternal and Child Health Services, Preventive Health and Health Services, Drug Control and System Improvement, Stop Violence Against Women, Community Services, Community Development, Low-Income Home Energy Assistance, and Social Services. The Act requires that moneys be distributed in accordance with the applicable federal requirements. The Act establishes a procedure if more or less federal funding is received than predicted.

The Act provides that if the Governor determines that federal low-income home energy assistance funds are insufficient, the Iowa Utilities Board may issue an order prohibiting disconnection of service from November 1 through April 1 if the household income falls at or below 150 percent of the federal poverty level. The Act allows for early implementation of the Welfare Reform Block Grant under certain conditions and requests that the Legislative Council review issues associated with federal funding and federal block grants.

HOUSE FILE 2497 - 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, 1996, the salary rates of justices, judges and judicial magistrates are increased by approximately 4 percent over the rate paid in the previous fiscal year. Senior judges receive a salary of \$5,200. Other state officers and state employees, except the officers and employees of the State Board of Regents, receive a 2.5 percent increase with the pay period beginning June 20, 1996. A state employee may also receive a merit step increase, or, if the employee is not eligible to receive a merit increase, a one-time cash bonus of \$300 for full-time employees and \$150 for part-time employees is authorized.

Salary ranges for appointed state officers are increased by approximately 2.5 percent, except salary range 6, which is increased by 13.1 percent.

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

The Act requests an interim legislative study of judicial compensation to focus on the ability to recruit and retain qualified candidates in the Judicial Department.

The Act also authorizes the Executive Council to use surplus funds in the health insurance reserve or terminal liability accounts to reduce health insurance premium costs for the fiscal period beginning August 1996 through August 1997.

The Legislative Fiscal Bureau is directed to prepare a report to the standing Committees on Appropriations that projects the total costs of all salary increases including the annualization of salaries for the next fiscal biennium.

The Act funds the salary adjustments for the fiscal year beginning July 1, 1996.

BUSINESS, BANKING & INSURANCE

- SENATE FILE 376 - Regulation of Credit Unions
- SENATE FILE 2123 - Insurance — Payment of Claims by Administrator
- SENATE FILE 2135 - Cooperative Corporations
- SENATE FILE 2270 - Letters of Credit — Uniform Commercial Code
- SENATE FILE 2282 - Open-End Credit Accounts — Disclosure Requirements
- SENATE FILE 2283 - Cooperative Associations — Miscellaneous Provisions
- SENATE FILE 2353 - Satellite Terminals
- SENATE FILE 2363 - Securities Regulation
- SENATE FILE 2368 - Investment Securities — Uniform Commercial Code
- SENATE FILE 2395 - Insurance Regulation — Risk-Based Capital Requirements
- SENATE FILE 2408 - Financial Institution Eligibility for State Public Funds
- SENATE FILE 2422 - Instruments Affecting Real Estate — Corporate Seal Requirement
- HOUSE FILE 230 - Music Licensing Fees
- HOUSE FILE 511 - Credit Cards — Miscellaneous Provisions
- HOUSE FILE 2036 - Reorganization of Telephone Companies as Cooperative Associations
- HOUSE FILE 2127 - Individual Property Management Accounts — Examination Exemption
- HOUSE FILE 2152 - Regulation of Multiple Employer Welfare Arrangements
- HOUSE FILE 2202 - Real Estate Brokers and Salespersons — Permissible Acts
- HOUSE FILE 2211 - Investments by Life Insurance Companies
- HOUSE FILE 2247 - Public Accounting Fees
- HOUSE FILE 2310 - Insurance Regulation — Miscellaneous Provisions
- HOUSE FILE 2363 - Mutual Insurance Holding Companies
- HOUSE FILE 2369 - Postdelivery Benefits and Care
- HOUSE FILE 2370 - Limited Liability Companies and Corporations — Miscellaneous Provisions
- HOUSE FILE 2397 - Linked Investments
- HOUSE FILE 2409 - Bank Regulation and Related Matters
- HOUSE FILE 2453 - Regulation of Industrial Loan Companies
- HOUSE FILE 2498 - Miscellaneous Insurance Division Regulatory Provisions
- HOUSE FILE 2499 - Unclaimed Property — Miscellaneous Provisions

RELATED LEGISLATION

- SENATE FILE 284 - Forgery and Related Matters
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act creates criminal and civil penalties for persons who possess, or employers who hire or continue to employ persons knowing that the persons possess, forged documents relating to the person's entry into or as evidence of authorized stay or employment in the United States.
- SENATE FILE 482 - Economic and Other Penalties for Criminal Activity
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act creates Chapter 706A, the Ongoing Criminal Conduct Act, which establishes violations for economic crimes or facilitation of economic crimes; Chapter 706B, the Iowa Money Laundering Act, which guides the application of financial remedies and allows reciprocal agreements

encouraging interstate cooperation and uniformity; Chapter 529, the Iowa Financial Transaction Reporting Act, which parallels federal financial transaction reporting requirements; and Chapter 809A, the Iowa Forfeiture Reform Act, which replaces the current forfeiture provisions in Chapter 809.

- SENATE FILE 2157** - Postsecondary Schools and Loan Programs
SEE EDUCATION. This Act augments the requirements for registration by a postsecondary school in Iowa and increases the registration fees.
- SENATE FILE 2212** - Timber Buyers
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act amends the definition of "timber buyer" to include a person who contracts to harvest timber on shares and revises the formula for determining the amount of surety bond required from a timber buyer to do business in this state.
- SENATE FILE 2218** - Community Health Management Information System
SEE HEALTH & SAFETY. This Act relates to the Community Health Management Information System (CHMIS), which is administered by a nonprofit organization and is under the regulatory authority of the Insurance Division of the Department of Commerce. This system provides for the collection and submission of health care billing information and other data.
- SENATE FILE 2305** - Purchase Money Mortgages
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act provides additional rights to holders of purchase money mortgages regarding notice and priority of the mortgage.
- SENATE FILE 2324** - Miscellaneous Public Assistance Provisions and Related Matters
SEE HUMAN SERVICES. This Act makes numerous changes to public assistance provisions and includes changes to individual development accounts available in financial institutions to certain persons with low income.
- SENATE FILE 2337** - Regulation of Grain Dealers — Receivership
SEE AGRICULTURE. This Act amends Chapter 203, which provides for the regulation of grain dealers by the Department of Agriculture and Land Stewardship. The Act provides in part that the department may administer grain and grain-related assets of a grain dealer as a receiver, if the grain dealer's license is revoked or suspended or there is evidence that the grain dealer has engaged in business without obtaining a license.
- SENATE FILE 2370** - Energy Efficiency and Public Utility Regulation
SEE ENERGY & PUBLIC UTILITIES. This Act repeals existing energy efficiency requirements for rate-regulated gas and electric utilities and instead requires implementation of cost-effective energy efficiency plans, requires maintenance of a principal office for Iowa operations within the state, creates an alternate energy revolving loan fund, and prohibits a rate-regulated utility from providing services that are recoverable in the regulated rates.
- SENATE FILE 2396** - Exemptions From Execution — Residential Deposits and Prepaid Rent
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act adds to the list of property that a debtor may hold exempt from execution, residential and utility security deposits and prepaid rent, not to exceed \$500 in the aggregate. However, the debtor cannot claim these exemptions against a landlord or utility company for sums held under a rental agreement or for utility services.
- SENATE FILE 2449** - Tax Revisions and Related Matters
SEE TAXATION. Division IV of this Act allows resident shareholders of value-added Subchapter S corporations that do business within and without the state to recompute their individual income tax and claim a refund of tax paid if the recomputation is a lower amount. The recomputation will allocate the resident shareholder's share of the Subchapter S corporation's income and expenses, as is done for corporate income tax purposes, rather than all the resident's share of the income and expenses being taxed.

There is a \$5 million limitation on the aggregate amount of refund claims for each tax year. If claims exceed \$5 million, each claim will be prorated and this prorated amount will be the amount of the taxpayer's refund.

The Division applies retroactively to January 1, 1996, for tax years beginning on or after that date.

- SENATE FILE 2455** - Tax Administration and Related Matters
SEE TAXATION. This Act allows the Director of Revenue and Finance to establish criteria allowing the use of electronic filing for any return, deposit or document required to be filed for tax administration purposes as well as for the payment of taxes, penalties and interest.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions regarding the classification of long distance telephone companies for certain tax purposes and provisions affecting E911 regulation.
- HOUSE FILE 569** - Motor Vehicle Lease Tax
SEE TAXATION. This Act imposes a 5 percent tax upon the use of a leased motor vehicle. The tax is based upon the value of the motor vehicle during the period of the lease rather than on the overall value of the motor vehicle. The Act applies to leases entered into on or after January 1, 1997.
- HOUSE FILE 2001** - Exemption From Motor Carrier Safety Rules
SEE TRANSPORTATION. This Act extends an exemption from federal motor carrier safety regulations relating to physical and medical qualifications for drivers of commercial vehicles engaged in intrastate commerce if the driver's physical or medical condition existed prior to July 29, 1996.
 This Act takes effect on April 4, 1996.
- HOUSE FILE 2066** - Operation of Motor Vehicles in Border Cities
SEE TRANSPORTATION. This Act allows an exemption from existing length and weight limitations for trucks using Interstate 29 between Sioux City, Iowa, and the border between Iowa and South Dakota and for trucks using Interstate 129 between Sioux City, Iowa, and the border between Iowa and Nebraska.
- HOUSE FILE 2144** - Third-Party Payment of Certain Health Care Providers
SEE HEALTH & SAFETY. This Act relates to the payment of physician assistants and licensed advanced registered nurse practitioners under third-party health policies or contracts.
- HOUSE FILE 2166** - Taxation of Foreign Corporations
SEE TAXATION. This Act lists activities that a foreign corporation may engage in and not be considered as doing business in Iowa for Iowa corporate tax purposes.
- HOUSE FILE 2229** - Employment Security
SEE LABOR & EMPLOYMENT. This Act makes several changes concerning unemployment insurance benefits.
- HOUSE FILE 2365** - Investments by Fiduciaries
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act permits fiduciaries to invest and reinvest in open-end and closed-end management investment companies and investment trusts registered under the federal Investment Company Act of 1940 so long as the portfolio of such investment company or investment trust consists substantially of investments not otherwise prohibited by the Model Prudent Person Investment Act or by the governing instrument.

- HOUSE FILE 2416** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act relates to and appropriates \$84.1 million from the General Fund of the State to various state departments, agencies, funds, and certain other interstate and national entities for FY 1997.
- HOUSE FILE 2432** - Taxation of Organized Health Care Delivery Systems
SEE TAXATION. This Act provides that payments received by an organized health care delivery system licensed by the Director of Public Health shall be taxed in the same manner as payments received by a health maintenance organization.
- HOUSE FILE 2433** - Waste Tires
SEE ENVIRONMENTAL PROTECTION. This Act relates to the management of waste tires by providing for the establishment of a Waste Tire Management Fund. The Act also encourages retail tire dealers who currently charge a fee for disposal of used tires to include the fee within the sales price of new tires.
- HOUSE FILE 2500** - Uneconomical Testamentary Trusts
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act adds a new section to the probate code, permitting a court to modify or terminate a testamentary trust upon petition by a beneficiary or a trustee, and after notice to all interested parties, when the value of the trust has become so low in comparison to the administration costs that it impairs the purpose of the trust.

BUSINESS, BANKING & INSURANCE

SENATE FILE 376 - Regulation of Credit Unions

BY COMMITTEE ON COMMERCE. This Act amends provisions relating to the regulation of credit unions and authorizes certain additional powers of credit unions.

The Act authorizes a credit union to receive payments on shares or as deposits from nonmembers, as prescribed by rule of the Superintendent of Credit Unions where the credit union is serving predominately low-income members, and from other credit unions, and federal, state, county, and city governments, in addition to payments from its members. Rules adopted relating to nonmember deposits are to be designed solely to meet the needs of the low-income members. A credit union designated as serving predominantly low-income members shall be reviewed during each examination to ensure that the credit union is continuing to meet established standards.

The Act authorizes credit unions to make deposits in state and federal savings banks or savings and loan associations, and state and federal credit unions insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund. The Act provides that data processing services and loan documentation recordkeeping functions may be performed at an authorized office or other location, subject to the approval of the superintendent.

The Act provides that the rates, terms and conditions of a loan or line of credit available to a director shall not be more favorable than the rates, terms or conditions of comparable loans or lines of credit available to the other members of the credit union. The Act increases the limit on the aggregate amount of all loans and lines of credit available to directors from 20 to 25 percent of the assets of the credit union. The Act also provides that a credit union which obtains a report or opinion by an attorney of another mortgage lender relating to defects in the title to real property is to provide a copy of the report or opinion to the mortgagor and the mortgagor's attorney.

The Act provides that at the end of each dividend period, but not less than quarterly, the gross income of a credit union is to be determined and an amount set aside as a legal reserve against losses on loans and other losses as specified by rules adopted by the Credit Union Division. The Act identifies additional assets of the credit union which are not to be considered risk assets for purposes of determining the amount of the required reserves. The Act eliminates requirements providing that shares which become fully payable during a dividend period and are outstanding at the close of the period are entitled to a proportional share of the dividend, and providing that dividend credit for a month may be accrued on shares which are or become fully paid up during the first 15 days of that month.

The Act authorizes credit unions to lease safe deposit boxes and establishes procedures related to the leasing of safe deposit boxes in a manner similar to the authority of and procedures for banks. The Act establishes procedures for searching a safe deposit box of a person who has died and for recognizing an adverse claim to property held in a safe deposit box or property held for safekeeping. The Act establishes the remedies available to a credit union for nonpayment of rent on a safe deposit box and authorizes a credit union to accept property for safekeeping.

The Act also defines the business relationship that can exist between a state-chartered credit union and the superintendent, deputy, or other employee of the Credit Union Division of the state Department of Commerce.

SENATE FILE 2123 - Insurance — Payment of Claims by Administrator

BY BARTZ. This Act provides that a claim to be paid by an administrator who collects charges or premiums from, or who adjusts or settles claims on, residents of this state in connection with life or health insurance, or certain annuities, may pay such claims on a draft, by check, or by electronic funds transfer as authorized by the insurer. Currently, such payments are to be made only on a draft and as authorized by the insurer.

SENATE FILE 2135 - Cooperative Corporations

BY COMMITTEE ON AGRICULTURE. This Act provides for the organization of cooperative corporations which are eligible to hold agricultural land. The Act provides for the organization of cooperative corporations based in part on provisions contained in Chapter 499, the chapter providing for the organization of cooperative associations, and Chapter 490, the chapter providing for the organization of corporations.

The Act amends Chapter 203, the grain dealers law, to exclude a cooperative corporation organized under Chapter 501 from regulation as a grain dealer if the cooperative buys grain from producers who are members or licensed grain dealers and does not resell that grain.

The Act creates new Chapter 501 establishing cooperative corporations. Subchapter I of the new chapter provides general provisions. The Act provides definitions, including for "authorized person," which means a farming entity, an individual or general partnership that owns land and receives as rent a share of the crops or the animals, or an employee of the cooperative who performs at least 1,000 hours of service for the cooperative in a calendar year. The Act defines "farming entity" to mean a natural person or a fiduciary for a natural person who regularly participates in physical labor or management in a farming operation; or a family farm corporation, family farm limited liability company, family farm limited partnership, or family trust, as defined in Iowa's corporate farming law (Chapter 9H).

Subchapter I includes provisions including allowable purposes, duration and the powers of the cooperative corporation. The Act provides that, notwithstanding restrictions regarding corporate ownership of agricultural land contained in Section 9H.4, a cooperative corporation may, directly or indirectly, acquire or otherwise obtain or lease agricultural land in this state for as long as farming entities own 60 percent of the stock and are eligible to cast at least 60 percent of the votes at member meetings, and authorized persons own at least 75 percent of the stock and are eligible to cast at least 75 percent of the votes at member meetings. In addition, a cooperative corporation cannot either directly or indirectly acquire or otherwise obtain agricultural land if the total agricultural land directly or indirectly owned or leased by the cooperative corporation would exceed 640 acres. A cooperative corporation claiming that it is exempt from the restrictions of Section 9H.4 must file an annual report with the Secretary of State which includes information relating to the cooperative and its land holdings. The Act provides that an officer who falsifies a report is guilty of perjury, which is punishable as a class "D" felony.

Other general provisions of the subchapter include naming the cooperative corporation, executing and filing documents, paying filing fees, maintaining a registered office and an agent in the state, and keeping records and reports. The Act authorizes the Attorney General to bring an action to wind up the affairs of a cooperative not functioning as provided in the Act.

Subchapter II provides for the articles of incorporation and bylaws of a cooperative corporation. It provides for incorporation by three or more individuals, filing the initial articles of incorporation, amending and restating the articles of incorporation, and adopting bylaws. The Act provides that an amendment or restatement must be adopted by a vote of two-thirds of its membership. The board may adopt or amend the cooperative corporation's bylaws by a vote of three-fourths of the board.

Subchapter III provides for members. The Act limits liability of members, and establishes procedures for calling and holding meetings, providing notice to members, conducting meetings, voting, distributing information to members regarding the names of other members, and distributing information to members upon a member's request. The Act provides that a person who is a member owning 15 percent or more of a cooperative corporation is ineligible to be a member of any other cooperative corporation. The Act restricts a person who is a member or shareholder from owning more than one membership or share of voting stock. It provides that a person is prohibited from casting more than one vote. It requires a cooperative corporation to make available financial information to its membership.

Subchapter IV provides for the management of a cooperative corporation by a board of directors and officers. Specifically, the Act provides for the election of directors, vacancies and the filling of vacancies, and for board action, including providing for quorum requirements, regular board meetings, special board meetings, the establishment of committees, the conduct of meetings, and action that may be taken without a meeting. The Act also prohibits conflicts of interests and provides for their resolution. The Act provides for the appointment of officers and their powers and duties. It provides standards of conduct for a director or officer based upon a standard of good faith and reasonable prudence. The Act limits the personal liability of directors and officers, and provides for the indemnification of former directors, officers, employees, and agents.

Subchapter V provides for the capital structure of the cooperative corporation. The Act provides for the issuance and transfer of classes of stock or fractional shares. It limits a member's right to sell or otherwise transfer stock to any person who has not been approved by the board. The Act provides for the termination of membership by the articles of incorporation or bylaws, and the redemption of the terminated member's stock. The Act provides for the distribution of the cooperative's net earnings, and requires the board to annually dispose of the cooperative's earnings in excess of its operating expenses, including by the payment of dividends, providing a reserve for depreciation, and increasing the cooperative's retained savings.

Subchapter VI provides for conversion, merger, sale, and dissolution of the cooperative corporation. The Act provides procedures for accomplishing a conversion from the provisions of another chapter. Members must approve the plan of conversion by a two-thirds vote, and dissenting members may demand payment of their interest. The Act provides that a cooperative corporation may merge or consolidate with other entities under the chapter. It provides that the cooperative corporation may provide for the sale of a cooperative corporation's assets, or mortgage, pledge, encumber, sell, lease, exchange, or otherwise dispose of its property. Under the Act, disposal of all of a cooperative corporation's property requires the approval of two-thirds of the members. The Act provides for the dissolution of the cooperative corporation in the same manner as provided for a corporation in Sections 490.1401 through 490.1440.

SENATE FILE 2270 - Letters of Credit — Uniform Commercial Code

BY COMMITTEE ON COMMERCE. This Act relates to letters of credit, by rewriting Article 5 of the Uniform Commercial Code, as recommended by the American Law Institute and the National Conference of Commissioners on Uniform State Laws. According to the Prefatory Note to the Model Act, the primary goals of rewriting Article 5 include conforming the Article to current customs and practices, accommodating new forms of such letters, maintaining the inexpensiveness and efficiency of such instruments, and resolving conflicting court decisions.

The Act applies to letters of credit and to certain rights and obligations arising out of transactions involving letters of credit. The Act governs the effect of the issuance of, amendment to, cancellation of, and duration of a letter of credit. A letter of credit which states that it is perpetual expires five years after its stated date of issuance, or after the date on which it is issued, if there is no stated date of issuance. The Act establishes the rights, duties and obligations of the parties to the letter of credit. The Act sets forth options for honoring or dishonoring the letter of credit for an issuer and an applicant when either of the parties claims that a required document is fraudulent or forged.

The Act establishes warranties of the beneficiary in addition to those warranties contained in other articles of the Uniform Commercial Code, and establishes the remedies of the parties associated with the wrongful dishonor of a letter of credit or a breach of an obligation associated with the letter of credit. The Act provides for the transfer and assignment of a letter of credit. The Act also provides for procedural aspects under the Article including the statute of limitations for bringing a cause of action associated with a letter of credit, the choice of law and the forum for such action, and for the subrogation of rights.

The Act also makes conforming amendments to existing Code provisions which are necessary as a result of the enactment of this Act.

SENATE FILE 2282 - Open-End Credit Accounts — Disclosure Requirements

BY COMMITTEE ON COMMERCE. This Act provides that a creditor is not required to deliver or mail to the consumer a written disclosure of a change in the terms of an open-end credit account if the change involves a decrease in the rate of the finance charge, a decrease in a delinquency charge, or a decrease in an over-limit charge. Section 537.3205 currently provides that a creditor may make a change in the terms of an open-end credit account applying to any balance incurred after the effective date of the change only if the creditor delivers or mails to the consumer a written disclosure of the change at least 60 days before the effective date of the change, whether or not such change is authorized by a prior agreement.

SENATE FILE 2283 - Cooperative Associations — Miscellaneous Provisions

BY COMMITTEE ON COMMERCE. This Act relates to member voting, the distribution of earnings, and the bylaws of a cooperative association. The Act eliminates the provision requiring a member's vote, made in writing in advance of a membership meeting, to be signed by the member and accompanied by a copy of the notice of the proposition being voted on. This change allows a member to cast a secret absentee vote on issues that come before a membership meeting of a cooperative association and then attend the membership meeting without invalidating the absentee ballot.

The Act amends the provision prohibiting additional earnings from being added to the surplus of a cooperative association when the surplus exceeds either 50 percent of the total of all capital paid in for stock or membership, or \$1,000, whichever is greater, by authorizing the membership, by a majority of votes cast, to approve such an addition.

The Act provides that the members of a cooperative association may adopt, alter, amend, or repeal the bylaws of the cooperative association provided that 10 days' prior written notice of the impending membership vote is mailed to

all members of the association with a copy or summary of the proposed change. The Act provides that proposals by members to change the bylaws of the cooperative association by vote of the membership must be presented to the cooperative association's registered office for mailing to the membership by the association at least 20 days prior to the meeting at which the proposed change is to be considered.

SENATE FILE 2353 - Satellite Terminals

BY COMMITTEE ON COMMERCE. This Act amends provisions relating to the requirements for satellite terminals. Section 527.5 provides that a satellite terminal is to be available for use on a nondiscriminatory basis by any other financial institution which has its principal place of business within this state, and by all customers who have been designated by a financial institution using the satellite terminal and who have been provided with an access device, approved by the administrator, by which to engage in electronic transactions by means of the satellite terminal.

The Act provides that the nondiscriminatory access provision of Section 527.5 applies to a financial institution whose licensed or principal place of business is located in a state other than Iowa, whether or not the financial institution has a business location in this state, if all satellite or other similar-type terminals of such financial institution are available on a reciprocal basis to each financial institution with a principal place of business in this state and to each financial institution with a business location in this state which complies with this provision and allows such access.

The Act also strikes the prohibition on the operation of a satellite terminal in a manner to permit a person to deposit funds into any account representing a liability of a financial institution or an industrial loan company if the business location of the institution or company where the original records pertaining to such account are maintained is located outside of this state.

SENATE FILE 2363 - Securities Regulation

BY COMMITTEE ON COMMERCE. This Act amends various provisions in Chapter 502, which is referred to as the "Iowa Uniform Securities Act." The chapter is under the supervision of the Administrator of the Securities Bureau of the Insurance Division of the Department of Commerce.

The Act expands the definition of "security" regulated under the chapter to include an interest in a limited liability company. The Act expands exemptions from registration and filing requirements to include an issuer whose securities are exempt because they are listed on the National Association of Securities Dealers Automated Quotations National Market System (NASDAQ/NMS). The Act eliminates an automatic exemption for securities listed on the Midwest Stock Exchange and the Pacific Coast Stock Exchange. The Act adds a requirement that a security must be subject to certain reporting requirements if the security is to be exempt from registration and filing requirements because the security was issued by an issuer which has a class of securities currently registered under the Securities Exchange Act of 1934. The Act provides that the Administrator of the Securities Bureau may exempt other securities or transactions from the registration and filing requirements of the chapter.

The Act expands the methods by which a registrant may notify the Securities Bureau of a federal registration statement to include electronic transmissions. The Act eliminates institutional buyers from the list of persons with whom an out-of-state broker-dealer may do business in this state without being required to be licensed.

The Act extends the time for review of an application for a license as a broker-dealer or agent from 30 to 60 days before a license must be granted, unless a denial order is in effect or a denial, revocation or suspension proceeding is pending.

The Act provides that disciplinary sanctions, including suspension or revocation of a registration, censure or the imposition of civil penalties, may be imposed upon a person who impedes the Securities Bureau from conducting an audit, examination, inspection, or investigation or who refuses the Securities Bureau access to any office or location within an office to conduct an audit, examination, inspection, or investigation.

The Act provides that if an applicant or registrant has abandoned an application or registration, the Administrator of the Securities Bureau may enter an order of abandonment and limit or eliminate further consideration of the application or registration. The Act provides procedures for notifying the applicant or registrant prior to issuing the order.

The Act provides that the withdrawal from registration of a broker-dealer or agent becomes effective prior to the standard 30-day period following an application to withdraw, as determined by the Administrator of the Securities Bureau if a proceeding to deny the registration is instituted, in the same manner as a proceeding to suspend or revoke a registration.

The Act provides that in cases where there is a civil remedy for a person aggrieved by a fraudulent practice under the chapter, a copy of the legal action or arbitration action must be served upon the Administrator of the Securities Bureau within 20 days of the filing of such action. The Act also provides that a failure to comply with this provision does not invalidate the action.

The Act provides that the Securities Bureau may be awarded both pre-judgment and post-judgment interest if a person fails or refuses to file a statement or report or to produce materials as ordered by the administrator, or to obey a subpoena issued by the administrator, and the administrator or Attorney General applies to district court to enforce compliance.

SENATE FILE 2368 - Investment Securities — Uniform Commercial Code

BY COMMITTEE ON COMMERCE. This Act provides for investment securities by rewriting Article 8 of the Uniform Commercial Code, as recommended by the American Law Institute and the National Conference of Commissioners on Uniform State Laws. The Act provides commercial law rules applicable to investment securities, including the holding of investment securities directly by investors or by persons on behalf of investor clients. The Article is divided into multiple parts.

Part 1 deals with definitions and general matters affecting the Article. This includes provisions for determining whether certain obligations and interests are securities; the acquisition of security or financial assets; procedures for notice of an adverse claim; control; indorsements, instructions and entitlement orders; warranties involving direct holding; warranties in indirect holding; applicability and choice of law; clearing corporations; a creditor's legal processes; statutes of frauds; evidentiary rules concerning certificated securities; securities intermediaries; and securities intermediaries as purchasers for value.

Parts 2 through 4 deal with the rights of persons who hold securities directly. Under the Act, a person who holds a security through a broker or securities custodian has a security entitlement governed by Part 5, and is not considered the direct holder of the security. Part 2 is largely unchanged from current Iowa law. It deals with certain obligations of issuers. According to the Prefatory Note to the Model Act, the primary purpose of the provisions of Part 2 is to apply to investment securities the principles of negotiable instruments law that preclude the issuers of negotiable instruments from asserting defenses against subsequent purchasers. Part 2 provides for issuers; an issuer's responsibility and defenses; notice of defect or defense based on staleness; the effect of an issuer's restriction on a transfer; the effect of an unauthorized signature on a security certificate; completion or alteration of a security certificate; the rights and duties of an issuer; the effect of a signature of an authenticating trustee, registrar or transfer agent; an issuer's lien; and overissue.

Part 3 deals with a transfer for securities held directly. This part applies to investment securities provisions regulating negotiable instruments that protect purchasers of negotiable instruments against adverse claims. The part provides for delivery; the rights of purchasers; protected purchasers; indorsement; instructions; the effect of guaranteeing a signature, indorsement or instruction; and a purchaser's rights.

Part 4 deals with the process of registration of transfer by the issuer or transfer agent. The part provides for the duty of an issuer to register a transfer; an assurance that an indorsement or instruction is effective; a demand that an issuer is not registering a transfer; wrongful registration; the replacement of a lost, destroyed or wrongfully taken security certificate; an obligation to notify an issuer of a lost, destroyed or wrongfully taken security certificate; and an authenticating trustee, transfer agency or registrar.

Part 5 applies specifically to the indirect holding of securities, when one person holds securities on behalf of another. Part 5 provides for the rights and property interest associated with a security entitlement. The Act provides that a person acquires a security entitlement when a securities intermediary credits the financial asset to the person's account. A securities intermediary is a clearing corporation or a person, including a bank or broker, that in the ordinary course of its business maintains securities accounts for others. A "clearing agency" includes a Federal Reserve bank or any other person that provides clearance settlement services with respect to financial assets and is required to register as such under the federal securities laws. Specifically, the part provides for securities accounts and the acquisition of a security entitlement from a securities intermediary; the assertion of an adverse claim against

an entitlement holder; the property interest of an entitlement holder in a financial asset held by a securities intermediary; the duties of a securities intermediary to maintain financial assets, regarding payments and distributions, to exercise rights as directed by an entitlement holder, to comply with an entitlement order, and to change an entitlement holder's position to another form of security holder; securities intermediaries and others; the rights of a purchaser of securities entitlements from entitlement holders; and priority among security interests and entitlement holders.

Along with the revision of Article 8, the Act provides related changes in Articles 1, 4, 5, 9, and 10, including a number of changes concerning security interests in Article 9. Conforming amendments to Articles other than Article 9 include amendments to Article 1 providing general provisions applicable to the entire chapter, and specifically to provisions relating to the territorial application of the chapter, and provisions relating to the statute of frauds for kinds of personal property; amendments to Article 4 providing for bank deposits and collections; amendments to Article 5 providing for letters of credit, and specifically provisions relating to an issuer's duties and rights; and amendments to Article 10 providing for the chapter's effective date and repealer, and specifically for the application of Article 8. Article 9 provides for secured transactions and specifically amends provisions relating to the perfection of security interests in multiple state transactions; provisions relating to definitions; specific definitions for accounts and general intangibles; provisions relating to investment property; provisions relating to security interests arising in purchase or delivery of financial assets; provisions relating to attachments and enforceability of security interests; provisions relating to persons who take priority over unperfected security interests; provisions relating to requirements when filing is required to perfect a security interest; provisions relating to the perfection of security interests; provisions relating to the perfection of security interests in documents and goods covered by documents; provisions relating to possession by a secured party perfecting a security interest without filing; provisions relating to a secured party's right of disposition of collateral; provisions relating to the protection of purchasers of instruments, documents and securities; and provisions relating to priorities among conflicting security interests in the same collateral.

The Act makes conforming changes to other Code provisions, including Chapters 511 and 518A regulating life insurance companies, and Chapter 633, the Iowa Probate Code.

The Act takes effect July 1, 1997.

SENATE FILE 2395 - Insurance Regulation — Risk-Based Capital Requirements

BY COMMITTEE ON COMMERCE. This Act amends provisions relating to capital and surplus requirements for insurance companies and establishes measures of risk-based capital for purposes of regulating insurance companies in this state.

The Act establishes a new Chapter 521E relating to standards and measurements of risk-based capital. The chapter requires a domestic insurer to annually file with the Commissioner of Insurance a report of the insurer's risk-based capital level as of the end of a calendar year. In addition to the commissioner, the report must be filed with the National Association of Insurance Commissioners and with the insurance commissioner in each state in which the insurance company is authorized to do business. The chapter defines how the risk-based capital is determined for a life and health insurer and for a property and casualty insurer. The chapter defines a company-action-level event and a regulatory-control-level event and establishes steps the insurer must take as a result of the event. The chapter defines an authorized-control-level event, upon the occurrence of which the commissioner may take action in the same manner as if a regulatory-control-level event has occurred, or may take action to place the insurer under supervision or other regulatory control. The chapter also defines a mandatory-control-level event, upon the occurrence of which the commissioner is to take the necessary action to place the insurer under supervision or other regulatory control. The chapter exempts a domestic property and casualty insurer from the application of the chapter if the insurer writes direct business only in this state, writes direct annual premiums of not more than \$1 million, and does not assume reinsurance in an amount in excess of 5 percent of the insurer's direct written premium.

The Act also provides that the capital and surplus requirements for stock life insurance companies, mutual life insurance companies, insurance companies other than life insurance companies, mutual insurance companies other than life insurance companies, foreign stock insurance companies other than life insurance companies, foreign mutual insurance companies other than life insurance companies, and reciprocals are the greater of the capital and surplus requirements applicable to such insurers as established in existing Code sections prior to the Act or the applicable capital and surplus requirements under new Chapter 521E.

SENATE FILE 2408 - Financial Institution Eligibility for State Public Funds

BY COMMITTEE ON COMMERCE. This Act amends Chapter 12C, which relates to the deposit of public funds by striking references to the annual community reinvestment report filed pursuant to federal law, as that statement is no longer required. A financial institution seeking to qualify for the deposit of state public funds is to provide annually a written statement to the committee that develops the list of eligible institutions, indicating that the financial institution has a commitment to community reinvestment consistent with the safe and sound operation of a financial institution, unless the financial institution has received a rating of satisfactory or higher pursuant to the federal Community Reinvestment Act. The rating is to be certified to the committee by the Superintendent of Banking. Currently, all financial institutions must provide the statement in order to qualify for the deposit of state public funds. Language relating to the availability of the financial institution's annual community reinvestment disclosure statement to the public is also stricken.

Under Section 12C.6A, the committee receives challenges to a financial institution's continued eligibility to receive state public funds. Two of the factors considered by the committee are amended by the Act. First, the committee is to look at practices of the financial institution intended to discourage application for home mortgages, small business loans, small farm loans, community development loans and, if consumer lending is a substantial majority of the financial institution's business, consumer loans. Currently, the committee is to look at practices intended to discourage application for types of credit set forth in the Community Reinvestment Act statement, which will no longer be required. Language is also stricken that grants the committee the authority to specify which state and federal business and economic development programs participated in by the financial institution are to be included in an annual statement.

The Act also amends Section 12C.6 by adding the Superintendent of Credit Unions to the committee that develops the list of financial institutions eligible to accept state public funds deposits and which also establishes a minimum rate to be earned on such deposits. Currently, the committee is composed of the Superintendent of Banking, the Auditor of State or a designee, and the Treasurer of State.

SENATE FILE 2422 - Instruments Affecting Real Estate — Corporate Seal Requirement

BY COMMITTEE ON JUDICIARY. This Act removes the requirement that a corporation which has adopted a corporate seal affix it to all documents it executes affecting real estate. The Act also deletes from the acknowledgment form the requirement of including an indication of whether the corporation has adopted a seal. The Act legalizes instruments, executed before the effective date of this Act, July 1, 1996, that are more than one year old and do not have a corporate seal affixed.

HOUSE FILE 230 - Music Licensing Fees

BY HEATON AND BRUNKHORST. This Act regulates the relationship between businesses and performing rights societies that license the public performance of a nondramatic musical work on behalf of a copyright owner, including the American Society of Composers, Authors and Publishers; Broadcast Music, Inc.; and the Society of European Stage Authors and Composers, Inc.

The Act prohibits a performing rights society from entering onto the business premises for the purpose of discussing a contract for the payment of royalties, unless the society identifies itself.

The society must provide the proprietor of the business with a schedule of the rates and terms of royalties under the contract. The proprietor may review a list of the members or affiliates represented by the society and a listing of the copyrighted nondramatic musical or similar works in the performing rights society's repertory. The Act provides that a contract involving the payment of royalties must be in writing, be signed by the parties, and contain information regarding the proprietor and the society, the terms of the contract, including the contract's duration, and a schedule of rates and terms of the royalties to be collected under the contract. A person who suffers from a violation of the Act may bring an action to recover actual damages and reasonable attorney's fees and to seek an injunction or any other available remedy.

HOUSE FILE 511 - Credit Cards — Miscellaneous Provisions

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends provisions of the Consumer Credit Code relating to open-end credit obtained pursuant to a credit card issued by a creditor entitling the cardholder to purchase or lease goods or services from at least 100 persons not related to the card issuer.

The Act provides that a creditor and a cardholder may contract for an over-limit charge up to \$15. Currently, that charge is limited to \$10. The Act strikes language prohibiting credit unemployment insurance from being sold in conjunction with an application for, or renewal of, a credit card.

The Act also provides that the creditor and the cardholder may contract for a delinquency charge on any payment which is not paid in full when due in an amount up to \$15. Currently, payment must be made within 10 days after the due date and the charge is limited to \$10. The Act further provides that a delinquency charge with respect to a deferred payment shall not be collected unless the payment is not paid in full on or before its deferred due date. Currently, such payment must be made within 10 days after its deferred due date to avoid the delinquency charge.

HOUSE FILE 2036 - Reorganization of Telephone Companies as Cooperative Associations

BY KREMER. This Act provides that a telephone company organized as a corporation under Chapter 491 and qualifying, pursuant to an Internal Revenue Service letter ruling under I.R.C. § 501(c)(12), as a nonprofit corporation entitled to distribute profits in a manner similar to a Chapter 499 cooperative association may reorganize as a cooperative association under Chapter 499 upon the affirmative vote of two-thirds of the votes cast by a majority of all shares entitled to vote.

HOUSE FILE 2127 - Individual Property Management Accounts — Examination Exemption

BY DODERER. This Act exempts an individual property management account, which is maintained in the name of the owner or owners and used for conducting ongoing property management, from the requirement that each real estate broker authorize the Iowa Real Estate Commission to examine each trust account maintained by the broker and obtain the certification of the financial institution attesting to the trust account and consenting to the examination. The exemption applies to these accounts whether the property management is conducted by the property owner or by an agent or manager when the account is part of a property management agreement between the property owner and the agent or manager.

HOUSE FILE 2152 - Regulation of Multiple Employer Welfare Arrangements

BY COMMITTEE ON COMMERCE AND REGULATION. This Act extends the repeal date for the exemption of certain multiple employer welfare arrangements from regulation by the Insurance Division of the Department of Commerce, when specified requirements are met, from July 1, 1996, to July 1, 1997.

The Act takes effect April 1, 1996.

HOUSE FILE 2202 - Real Estate Brokers and Salespersons — Permissible Acts

BY COMMITTEE ON STATE GOVERNMENT. This Act exempts from the provisions of Chapter 543B the actions of a nonlicensed employee of a licensed real estate broker or salesperson who provides information to another licensee concerning the sale, exchange, purchase, rental, lease, or advertising of real estate, when the information has been provided to the employee by the employer licensee either verbally or in writing.

The Act also provides that a licensed real estate broker or salesperson is prohibited from acting in a transaction on the licensee's own behalf, on behalf of the licensee's immediate family or brokerage, or on behalf of an organization or business entity in which the licensee has an interest, unless the licensee has provided written disclosure of the interest to all parties to the transaction. Previously, the licensee had to have the consent of all parties to the transaction before acting in the transaction.

HOUSE FILE 2211 - Investments by Life Insurance Companies

BY COMMITTEE ON COMMERCE AND REGULATION. This Act increases the percentage of the legal reserve of a life insurance company that may be invested in certain corporate obligations from 50 to 75 percent. Corporate obligations to which this limitation applies include obligations of corporations incorporated in the United States and Canada which meet certain statutory requirements and are not issued by public utility corporations.

HOUSE FILE 2247 - Public Accounting Fees

BY COMMITTEE ON STATE GOVERNMENT. This Act establishes limitations on when a commission or a contingent fee may be paid to a certified public accountant or an accounting practitioner.

The Act amends Section 542C.3 by striking contingent fees from the list of items concerning which the Accountancy Examining Board is to adopt rules. The section is also amended by striking language prohibiting the acceptance of a commission, brokerage or other participation in the fees, charges or profits of work recommended or turned over to the laity as incident to services for clients.

The Act also amends Section 542C.3 by creating a new subsection that relates to the fees and commissions which a certified public accountant or accounting practitioner may accept. The new subsection provides that a certified public accountant or accounting practitioner shall not for a commission recommend or refer to a client any product or service, shall not for a commission recommend or refer any product or service to be supplied by a client, and shall not receive a commission from a client, when the certified public accountant or accounting practitioner, or a person associated with the certified public accountant or accounting practitioner in the practice of public accounting, also performs certain other identified services for that client. The new subsection also prohibits a certified public accountant or accounting practitioner from accepting a contingent fee from a client if certain other identified services are performed for the client, and prohibits the acceptance of a contingent fee for the preparation of an original or amended tax return or claim for a tax refund.

HOUSE FILE 2310 - Insurance Regulation -- Miscellaneous Provisions

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends several provisions regarding insurance regulation and related to setoff of premium, fraudulent submissions to insurers, availability of certain information to insurers, length of term of the board of directors of an insurer, and notice of cancellation with respect to automobile liability insurance.

The Act amends Section 507C.30 to provide that a person has a right to set off premium due to or from an insurer pursuant to a reinsurance contract.

The Act amends Section 507E.3 to provide that it is a class "D" felony for a person, with the intent to defraud an insurer, to present or cause to be presented to an insurer a written document or oral statement as part of an application for insurance coverage, knowing that the document or statement contains false information regarding a material fact. The Act amends Section 507E.7 to provide that a person is not liable civilly as a result of filing a report or furnishing other information concerning alleged acts violating Chapter 507E, Insurance Fraud, if the report or other information is filed or furnished without malice, fraudulent intent or bad faith to an authorized representative of an insurer. Currently, this immunity applies to a report or other information filed or furnished to law enforcement officials, the National Association of Insurance Commissioners, the Insurance Division of the Department of Commerce, a federal or state governmental agency or bureau established to detect and prevent fraudulent insurance acts, or any other organization established for such purpose.

The Act amends Section 515.29 to extend the term of a class of a board of directors of an insurance company from three to five years. The Act amends Section 515.51 to provide that a policy or contract of insurance authorized under Chapter 515, Insurance Other Than Life Insurance, delivered in this state must be an individual policy or contract form.

The Act also amends Section 515D.4 to provide that coverage under a policy of automobile liability insurance may be canceled if the named insured or another operator who either resides in the same household or customarily operates an automobile insured under the policy engaged in a speed contest during the term of the policy while operating an automobile insured under the policy; or during the 36 months immediately preceding the notice of cancellation or nonrenewal was convicted of or forfeited bail for criminal negligence resulting in a death, homicide or assault which arose out of the operation of a motor vehicle; for operating a motor vehicle while intoxicated or while under the influence of a drug; or for leaving the scene of a motor vehicle accident without stopping to report the accident.

HOUSE FILE 2363 - Mutual Insurance Holding Companies

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends Section 521A.14, which relates to the reorganization of a domestic mutual insurance company into a mutual insurance holding company and continuing the corporate existence of the reorganizing insurance company as a stock insurance company.

The Act authorizes foreign mutual insurance companies or certain foreign health service corporations to reorganize by merging the policyholders' or subscribers' membership interests, as applicable, into a mutual insurance holding company in the same manner as a domestic mutual insurance company may reorganize.

The Act provides that a majority of the voting shares of the capital stock of the reorganized insurance company, which is required to be owned by a mutual insurance holding company, shall not be conveyed, transferred, assigned, pledged, subjected to a security interest or lien, encumbered, or otherwise hypothecated or alienated by the mutual insurance holding company or intermediate holding company. Any such transaction in or on the majority of the voting shares of the reorganized insurance company, which is required to be owned by the mutual insurance holding

company, is void in inverse chronological order of the date of such transaction as to the shares necessary to constitute a majority of such voting shares. The Act provides that the ownership of a majority of the voting shares of the capital stock of the reorganized insurance company, which are required to be owned by a parent mutual insurance holding company, includes indirect ownership through one or more intermediate holding companies in a corporate structure approved by the commissioner.

HOUSE FILE 2369 - Postdelivery Benefits and Care

BY COMMITTEE ON COMMERCE AND REGULATION. This Act establishes postdelivery care requirements under third-party health policies and contracts for mothers and newborns. The Act prohibits an individual or group policy of accident or health insurance, an individual or group hospital or health care service contract, or an individual or group health maintenance organization contract which is delivered, amended or renewed on or after July 1, 1996, which provides maternity benefits which are not limited to complications of pregnancy, or newborn care benefits, from terminating inpatient benefits or requiring discharge of a mother or newborn from a hospital following delivery earlier than determined to be medically appropriate by the attending physician after consultation with the mother and in accordance with guidelines which are adopted as rules by the Commissioner of Insurance. The guidelines are to be consistent with or are to adopt by reference the guidelines for perinatal care established by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists. These guidelines provide for a minimum postdelivery stay, exclusive of the day of delivery, of 48 hours for a vaginal birth and 96 hours for a cesarean birth.

Additionally, if a discharge is made prior to the minimum postdelivery stay, a postdischarge visit is to be provided to the mother and newborn if determined medically appropriate by the attending physician and in accordance with the guidelines. The Act also requires those specified policy or contract providers to use the guidelines in performing utilization review of inpatient hospital services related to maternity and newborn care, and prohibits deselection, required additional documentation, required additional utilization review, termination of services to, reduction in payment to, or any other manner of disincentive to an attending physician based solely on the attending physician's compliance with the guidelines. Finally, the Act prohibits the requiring of preauthorization or precertification for a hospital stay or for a postdischarge follow-up visit in accordance with the guidelines.

HOUSE FILE 2370 - Limited Liability Companies and Corporations — Miscellaneous Provisions

BY COMMITTEE ON JUDICIARY. This Act amends provisions applicable to limited liability companies and corporations.

The Act provides that transfers of real estate in connection with a merger, consolidation or reorganization of a limited liability company are exempt from the real estate transfer tax.

The Act provides that after the occurrence of an event requiring dissolution of a limited liability company, the approval of the remaining members of the company to continue the company must occur within 90 days of the event. A dissolution event includes the loss of a member due to death, retirement or expulsion.

The Act provides that corporations and limited liability companies operating under trade names are exempt from the requirement that the trade names be registered with the county recorder in each county in which business is to be conducted by the corporation or limited liability company.

The Act also amends provisions relating to business corporations and the duties of the Secretary of State.

The Act strikes the application for a certificate of existence from the list of forms the Secretary of State may prescribe and furnish. The Act also strikes the requirement that the Secretary of State return a document which the secretary refuses to file within 10 days after the document was received.

The Act requires that a domestic or foreign corporation which intends to use the name of another domestic or foreign corporation must submit documentation to the satisfaction of the Secretary of State establishing one of the existing conditions under the section.

The Act strikes the requirements that a change of registered office or registered agent filed by a domestic or foreign corporation include the street address of the corporation's current registered office or the name of its current registered agent.

The Act strikes the requirement that a registered agent of a domestic or foreign corporation who resigns send two copies of the statement of resignation to the Secretary of State for the secretary to deliver to the registered office and principal office of the corporation, and requires the registered agent to send a copy of the statement by certified mail to the principal office of the corporation. The Act provides that the agency appointment is terminated on the date the statement is filed with the Secretary of State, rather than 31 days after that date, as currently provided.

The Act provides that a corporation may be served pursuant to Section 490.504, as provided in other sections of Chapter 490, Business Corporations, or as provided in Sections 617.3 through 617.6, unless the manner of service is otherwise specifically provided by statute.

The Act strikes the reference to "certificate of incorporation" and inserts "acknowledgment of receipt of document." The Act strikes the requirement that the Secretary of State forward the articles of incorporation to the county recorder where the principal place of business of the corporation is to be located.

The Act provides that the Secretary of State may proceed to administratively dissolve a corporation if the corporation does not pay the filing fee for an annual report within 60 days after the fee is due. The Act strikes from the lists of items which may result in the Secretary of State commencing a proceeding to administratively revoke the certificate of authority of a foreign or domestic corporation, the failure of the corporation to pay any franchise taxes or penalties within 60 days after they are due.

The Act provides that the Secretary of State's administrative dissolution of a corporation appoints the secretary to be the corporation's agent for service of process in any proceeding based on a cause of action which arose during the time the corporation was authorized to transact business in this state. The Act does not preclude service on the registered agent of the dissolved corporation.

The Act strikes language which permits the corporation to state in the reinstatement application that the ground or grounds for administrative dissolution did not exist, and strikes the requirement that the corporation include in the application the corporation's state tax identification number and provides that the corporation include the corporation's federal tax identification number.

The Act requires the certificate of existence, which is to be filed by a foreign corporation applying for a certificate of authority to transact business in this state, to be filed within 90 days of the date of the filing of the completed application.

The Act deletes the requirement that a foreign corporation seeking to withdraw from the state include in the application for withdrawal a commitment to notify the Secretary of State in the future of any change in the corporation's mailing address.

The Act specifically delineates the officers whose names and addresses must appear in the annual report. The Act strikes items currently required to be included in the annual report, including the total number of authorized shares, itemized by class and series, if any, within each class; the total number of issued and outstanding shares, itemized by class and series, if any, within each class; a statement of the amount of agricultural land in this state owned by the corporation; and a statement that the corporation is or is not a family farm corporation as defined in Section 9H.1.

HOUSE FILE 2397 - Linked Investments

BY COMMITTEE ON COMMERCE AND REGULATION. This Act makes changes to the Linked Investments Program in the Office of the Treasurer of State. The Act provides that an eligible borrower under the Linked Investments Program includes any person, corporation, cooperative, partnership, or municipality qualified to participate in a linked investments program. Previously, only persons who were in the business or entering the business of producing, processing or marketing horticultural crops or nontraditional crops were eligible borrowers. The Act, though, establishes a separate linked investment loan program for horticultural and nontraditional crops.

The Act permits the Treasurer to renew certificates of deposit under the program for up to eight one-year periods after the initial one-year period. In addition, the Act authorizes the Treasurer to reject a linked investment package due to the unavailability of state funds or a lack of compliance with program requirements by an eligible borrower or eligible lending institution.

The Act places a moratorium on new linked investments starting April 4, 1996, and ending June 30, 1997, for the Targeted Small Business Linked Investments Program and repeals the Main Street Linked Investments Loan Program. Current linked investments may be renewed, however.

The Act takes effect April 4, 1996.

HOUSE FILE 2409 - Bank Regulation and Related Matters

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends Chapter 524, relating to the regulation and operation of banks. The Act addresses additional changes relating to major changes and clarifications made during the 1995 Session and addresses issues relating to federal legislation concerning interstate branch banking, which becomes effective June 1, 1997.

The Act amends the definition of "bank" to exclude federally chartered entities other than a national bank. The Act eliminates the \$20 maximum on receipts that may be accepted by an educational bank and clarifies that an accredited school which is permitted to participate in an educational bank must be an elementary or secondary school.

The Act prohibits certain personnel of the Banking Division of the Department of Commerce from obtaining a loan from affiliates of certain entities regulated by the division. The Act prohibits certain banking personnel from participating in decisions or other regulatory actions related to an affiliate of a regulated entity if such personnel have credit relations with the affiliate. The Act also prohibits the general counsel of the division from borrowing from certain regulated entities and their affiliates. The Act provides that records of the division and certain personnel of the division may be examined or subpoenaed, where relevant, in an action brought to recover moneys for a loss in connection with an indemnity bond, which was the result of embezzlement, misappropriation or misuse of state bank funds by a director, officer or employee of the bank. The Act also provides that the annual statement to be provided to the Superintendent of Banking concerning the bank's condition must be submitted in the format prescribed by the superintendent, rather than on forms to be supplied by the superintendent.

The Act strikes the requirement that the articles of incorporation of a state bank be acknowledged. The Act provides that the minimum capital requirements of a state bank apply to the total capital structure of the bank. The Act provides that a state bank incorporated on or after July 1, 1995, is to establish paid-in surplus and undivided profits as required by the superintendent. The Act provides that the board of a state bank is to require additional auditing procedures deemed necessary by the board not less than once each calendar year.

The Act permits an executive officer of a state bank to obtain loans and extensions of credit for amounts secured by bonds, notes, certificates of indebtedness, or treasury bills of the United States or by other such obligations fully guaranteed by the United States as to principal and interest, and for amounts secured by unconditional takeout commitments or guarantees of the federal government or a corporation wholly owned by the federal government. The Act provides that a loan or extension of credit to a corporate group must comply with additional existing requirements, which currently apply to single individual borrowers, in addition to aggregate capital maximums.

The Act includes a trust company subsidiary in the definition of a state bank's "affiliates" for purposes of the succession of fiduciary accounts and to permit the succession of those accounts to such trust company affiliates. The Act permits original loan documentation recordkeeping functions to be located at a location other than a state bank's authorized bank office with the approval of the superintendent.

The Act provides that a state bank may acquire, establish, maintain, operate, retain, or relocate a branch or an office in a state other than Iowa upon application to and approval by the superintendent. The superintendent is to supervise and regulate all out-of-state branches and offices of a state bank. However, the provision does not authorize or permit a state-chartered bank located outside this state or a national bank located outside this state to establish a de novo branch or office in this state. This provision also does not authorize or permit an interstate merger transaction as defined in federal statute before June 1, 1997.

The Act provides, with respect to united community bank offices, that a bank which results from the conversion of a state or federal savings association, or which is chartered solely for the purpose of acquiring control of a bank located in this state, is deemed to have been in existence and operation as a bank for the combined periods of existence and operation of the bank and the association from which it was converted or for the same period of time as the bank acquired.

The Act amends several provisions relating to bank holding companies. The Act requires a bank holding company that proposes to acquire a state or federal bank to provide a copy of the application submitted to the Federal Reserve Board for permission to take such action to the Superintendent of Banking. The Act provides that an out-of-state bank or out-of-state bank holding company is prohibited from acquiring control of, or acquiring all or substantially all of the assets of, a bank located in this state unless the bank has been in continuous existence and operation for at least five years. The Act provides that an authorization for a state bank to engage in insurance sales does not grant an out-of-state bank holding company that acquires a state bank the authority to engage in the sale of insurance outside of this state.

The Act exempts a nonprofit organization qualifying for tax-exempt status under the Internal Revenue Code and offering housing services to low and moderate income families from the provisions of Chapter 535B, which pertains to the regulation of mortgage bankers and brokers.

The Act also repeals provisions related to regional banking.

HOUSE FILE 2453 - Regulation of Industrial Loan Companies

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends provisions relating to industrial loan companies regulated under Chapter 536A. The Act requires a person who proposes to purchase or otherwise acquire, directly or indirectly, any of the outstanding shares of an industrial loan company which would result in a change of control, to first apply to the Superintendent of Banking for a certificate of approval.

The Act provides for the appointment of the Superintendent of the Federal Deposit Insurance Corporation (FDIC) as receiver of an industrial loan company for purposes of liquidating the assets of the industrial loan company. If the FDIC pays or makes available for payment the insured deposit liabilities of such company, the FDIC is subrogated to the rights of the owners of such deposits.

The Act also requires that an industrial loan company which sells senior debt to the general public in the form of thrift certificates, installment thrift certificates, certificates of indebtedness, promissory notes, or similar evidences of indebtedness obtain insurance on the debt instruments from a federal deposit insurance agency. An industrial loan company selling such debt instruments on January 1, 1996, may continue to do so without obtaining such insurance until there is a change in control of the industrial loan company that occurs on or after that date. The Act provides that if there is a change in control after January 1, 1996, and the industrial loan company has sold senior debt instruments which are not insured by a federal deposit insurance agency, the instruments which do not have a stated maturity date must be redeemed within six months of the date of the change of control and the instruments with stated maturity dates must be redeemed on their stated maturity dates.

A person who violates a provision of this Act is guilty of a serious misdemeanor as provided in Section 536A.27.

HOUSE FILE 2498 - Miscellaneous Insurance Division Regulatory Provisions

BY COMMITTEE ON WAYS AND MEANS. This Act amends provisions relating to the regulatory authority of the Division of Insurance over prearranged funeral contracts, cemeteries and business opportunities.

The Act grants the Commissioner of Insurance the authority to adopt a shorter form of annual report and waive the receipt of any or all of the information currently required to be included in the annual report of a person entering into an agreement for the sale of funeral services or funeral merchandise, or cemetery merchandise. The shorter form may be used for all establishments or for establishments meeting specified criteria, as determined by the commissioner. The Act provides that the annual report of such persons and the annual report of a financial institution which accepts funds under a trust agreement related to such sales may be made in an electronic format.

The Act provides a time period of one year for an initial sales permit required for a person to enter into an agreement to furnish upon the death of a person funeral services or merchandise, or for an initial sales permit required for a person to enter into an agreement to furnish upon the death of a person cemetery merchandise. Such permits may be renewed for a period of four years for a renewal fee of \$20.

The Act provides that the Attorney General or the commissioner may keep confidential the information obtained in the course of an investigation under Chapter 523A (Funeral Services and Merchandise) or 523E (Cemetery Merchandise). The commissioner may share such information with other regulatory authorities or governmental agencies, or publish such information if the commissioner determines that disclosure is in the public interest.

The Act provides that a permit issued under either Chapter 523A or 523E is revoked 30 days following a sale of the establishment to which the permit is issued if prior notice of the sale is not filed with the commissioner. The Act authorizes the commissioner to seek an injunction or subpoena under Chapter 523A or 523E in the same manner as the Attorney General is currently authorized. The commissioner is also authorized to apply to the district court for a receivership, as appropriate under each chapter.

The Act repeals provisions in Chapters 523A and 523E which require that a seller of funeral services and merchandise and a seller of cemetery merchandise are to maintain a fidelity bond or insurance policy covering losses resulting from a dishonest or fraudulent act committed by an employee of the seller which causes a loss, theft or misappropriation of cash, property or a negotiable instrument submitted to the seller pursuant to an agreement for the purchase of such services and merchandise.

The Act amends the powers of the administrator under Chapter 523B with respect to business opportunity promotions, to permit a person receiving a cease and desist order from the administrator to file a written request for a hearing within 14 days of the date of the order rather than 14 days after receipt of the order. The administrator is authorized to bring an action in district court and seek an order of rescission, or disgorgement, including prejudgment and postjudgment interest, against a person violating a provision of Chapter 523B or a rule adopted under this chapter. The Act provides that the Attorney General or the commissioner may keep confidential the information obtained in the course of an investigation under Chapter 523B. However, the commissioner may share such information with other regulatory authorities or governmental agencies, or publish information if the commissioner determines that such disclosure is in the public interest.

The Act excludes a service contract, guarantee or warranty issued by a manufacturer, third party or retail company, covering the repair, maintenance or replacement of individual appliances or items of merchandise and sold by a retail company, in the ordinary course of business, from the provisions of Chapter 523C, relating to the regulation of residential service contracts.

The Act strikes the filing fee of \$20 for a person making application for a permit to operate as a perpetual care cemetery and to sell or offer interment rights to the public. The Act also extends the period of validity of such permits from one to four years.

The Act also exempts political subdivisions operating perpetual care cemeteries from the requirement of establishing a minimum perpetual care and maintenance guarantee fund of \$25,000. The Act also provides that an entity which must maintain a perpetual care and maintenance guarantee fund need not file an annual report unless specifically required by the district court.

HOUSE FILE 2499 - Unclaimed Property — Miscellaneous Provisions

BY SIEGRIST AND SCHIRADER. This Act provides for changes in the definitions, reporting and remittance guidelines in Chapter 556 relating to the disposition of unclaimed property.

The Act broadens the definition of "business association" to include mutual funds, investment companies, limited liability companies, trust companies, and not-for-profit organizations. "Property" is defined in the Act as a fixed and certain interest or right in an intangible that is held, issued or owned in the course of business, or by a government or governmental entity, including income or increment therefrom. A list of types of interests evidencing property ownership or rights is provided.

The Act provides reporting guidelines for holders of traveler's checks, money orders, banking and financial organization instruments, stocks, and other intangible interests in business associations. The duration that unclaimed amounts due or payable may remain outstanding before being considered abandoned are specified, together with the required form of communication for maintaining an interest during that time, and the circumstances under which service charges may be imposed.

The Act additionally provides for the remittance of unclaimed property by the holder of the property upon filing a report of abandoned property with the State Treasurer, as currently required. Securities or security entitlements under Article 8 of the Uniform Commercial Code can be ordered transferred, remitted or disposed of by the Treasurer of State on behalf of the apparent owner. An issuer, holder or any transfer agent, or individuals acting on their instructions, shall not be liable to the apparent owner of the property and shall be indemnified against claims in accordance with Section 556.14.

CHILDREN AND YOUTH

- SENATE FILE 2307** - Programs for Persons With Disabilities
- SENATE FILE 2399** - Child Protection System Provisions
- SENATE FILE 2410** - Illegal Drugs in Parents and Children
- SENATE FILE 2420** - Juvenile and Criminal Justice — Miscellaneous Provisions
- SENATE FILE 2430** - Rights of Victims of Delinquent Acts
- HOUSE FILE 2050** - Adoption

RELATED LEGISLATION

- SENATE FILE 13** - Notification Requirements and Decision-Making Assistance Program Regarding Pregnant Minors
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act establishes a Prospective Minor Parents Decision-Making Assistance Program and includes requirements relating to the notification of a parent of a pregnant minor prior to the performance of an abortion on a pregnant minor. The Act specifies the components of the program, establishes an advisory committee for the program, specifies the procedure for notification of a parent and the alternative and exemptions to notification, establishes penalties for various violations of the Act, and provides effective dates for the various provisions of the Act. The Act was amended by H. F. 2050 with regard to termination of parental rights of a pregnant minor and placement of a child for adoption.
- SENATE FILE 2030** - Mental Health and Developmental Disability Funding and Related Provisions
SEE LOCAL GOVERNMENT. This Act relates to state and county mental health and developmental disability funding provisions by amending provisions associated with the base year used for determining maximum county expenditures and state funding levels. The Act amends provisions initially enacted in 1995 Iowa Acts, Chapter 206, S. F. 69, and includes a state appropriation for Medical Assistance services provided to minors with mental retardation.
- SENATE FILE 2186** - Miscellaneous Transportation-Related Sanctions
SEE TRANSPORTATION. This Act amends provisions relating to the issuance of a temporary restricted license for a person under the age of 21, whose motor vehicle license has been revoked or suspended for operating while intoxicated. The Act provides that if a defendant has been convicted of or has received a deferred judgment for operating while intoxicated at an alcohol concentration level of 0.1 or greater, the defendant will be eligible for a temporary restricted license no sooner than 60 days from the date of revocation.
- SENATE FILE 2265** - Domestic Relations — Miscellaneous Provisions
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act provides for a determination by the court in every domestic relations proceeding as to the participation of the parties in mediation to resolve differences between the parties and for the mandatory participation of the parties, to any action involving the issues of child custody or visitation in a court-approved course to educate and sensitize the parties to the needs of any child or party to the action.
- SENATE FILE 2294** - Multidisciplinary Community Services Teams
SEE HUMAN SERVICES. This Act creates multidisciplinary community services teams in the county home rule chapter of the Iowa Code, Chapter 331. The members of a team are expressly authorized to disclose confidential information to one another concerning an individual or a family.
- SENATE FILE 2324** - Miscellaneous Public Assistance Provisions and Related Matters
SEE HUMAN SERVICES. This Act relates to public assistance and includes associated state tax provisions involving the Family Investment Program, Family Development and

- Self-Sufficiency Council, individual development accounts, fraudulent practices involving the food stamp program, immunization requirements, and child support.
- SENATE FILE 2344** - Child Support Enforcement
SEE HUMAN SERVICES. This Act includes a number of provisions relating to child support enforcement, including those relating to administrative review and adjustment proceedings, suspension of a child support order based upon reconciliation of the parents, the test used in administrative determination of paternity, disestablishment of paternity, notice provisions for income withholding, full faith and credit of child support orders, and accrual of interest on late payment of orders.
- SENATE FILE 2423** - Lascivious Acts With a Child — Solicitation
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act prohibits a person from soliciting another person to arrange a sex act with a child. A person violating this prohibition commits a class "D" felony.
- SENATE FILE 2442** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services (DHS) and to the Prevention of Disabilities Policy Council for FY 1997, and includes provisions relating to human services and health.
- SENATE FILE 2448** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act appropriates funds for a number of programs and purposes in the Family and Community Health Division of the Iowa Department of Public Health, including the Birth Defects and Genetics Counseling Program, mobile and regional child health specialty clinics, muscular dystrophy and related genetic disease programs, the Statewide Perinatal Care Program, maternal and child health services, sudden infant death syndrome autopsies, the Physician Care for Children Program, and for primary and preventive health care for children.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions relating to creation of innovation zones in local areas to improve outcomes for children and families, applying a penalty against a person who harbors a runaway child, and providing for nonreversion of an FY 1996 supplemental appropriation for child day care.
- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes an FY 1996 supplemental appropriation from the General Fund of the State to the Department of Human Services for state child care assistance for low-income persons.
- HOUSE FILE 2150** - Grandparent Visitation Rights
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act provides for the granting of visitation to the grandparents of a child for whom a parent of the child unreasonably refuses to allow visitation or who unreasonably restricts visitation by the grandparent.
- HOUSE FILE 2316** - Sexually Predatory Offenses — Enticing Away a Child
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act establishes enhanced sentences for persons who commit multiple sexually predatory offenses; repeals Chapter 709C, which addresses certain sexual predators; provides that a conviction for a sexually predatory offense is to be reported to the Department of Public Safety for inclusion in the criminal history records maintained by the department; and allows a court or jury to infer intent to commit an illegal act upon a child when the individual attempts to entice away the child and the individual does not have permission to contact the child.

- HOUSE FILE 2399** - Eligibility for County General Assistance
SEE LOCAL GOVERNMENT. This Act amends Chapter 252 provisions relating to eligibility for county general assistance by requiring a person to be in the county, lawfully, as a condition of eligibility for the assistance.
- HOUSE FILE 2427** - Mental Health, Mental Retardation, and Developmental Disability Services
SEE LOCAL GOVERNMENT. This Act amends numerous provisions involving voluntary and involuntary placements of individuals for mental health or mental retardation evaluation, care and treatment services, and provides for child abuse registry checks of employees of service providers operating under a county management plan.

CHILDREN AND YOUTH

SENATE FILE 2307 - Programs for Persons With Disabilities

BY SZYMONIAK. This Act relates to the Comprehensive Family Support Program for individuals with a disability and their families and provides for coordination of programs available to individuals with disabilities with other programs administered by the Department of Human Services.

The changes to the Comprehensive Family Support Program include the addition of a definition of the term "family" to include the immediate family members of the person with a disability and persons providing noninstitutional placements of the person. The Act requires statewide implementation of the support program in a manner which enables individual choice of services and other provisions to individualize the manner in which the program is implemented.

The Act also requires that the application process be coordinated with the eligibility processes used by other programs, requires services and support to be provided in a timely manner with provision for emergency services, and requires the department to assist eligible families in locating services and in identifying the components of service plans.

The Act includes provisions for a children-at-home component of the program. Under this component, the department assists a family member of an eligible family in identifying services and support needed. The Act directs the department to develop a contract for direct payment utilizing vouchers for the services and other support provided to the family.

The Act amends the codified provisions of the Personal Assistance and Family Support Services Council to specify additional duties for the council under the Personal Assistance Services and Comprehensive Family Support Programs. The council is directed to consult with the department in overseeing the operations of the programs, coordinate with the Department of Education programs for individuals with a disability, work with the Department of Human Services and the counties in advocating the inclusion of the programs as services available under managed care provisions, and oversee evaluation, training and publicity efforts.

The Act directs the Department of Human Services to coordinate its juvenile justice and child welfare programs applicable to individuals with a disability. The department is to propose changes to policymakers to revise program eligibility requirements and time restrictions to accommodate the needs of individuals with a disability. In addition, the department is to coordinate its programs and funding with other state and local programs and funding applicable to individuals with a disability. The coordination requirement includes specific provision for compiling information and for training staff and eligible individuals and families. The department is also required to designate an individual to act as central coordinator of the Personal Assistance Services and Comprehensive Family Support Programs and to work with the council.

SENATE FILE 2399 - Child Protection System Provisions

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to child protection system provisions involving child abuse assessment pilot projects administered by the Department of Human Services and to other child protection provisions.

Under the Act, a report of child abuse in pilot project counties is responded to differently than in other counties. In the other counties, when a report is received, the department performs a child abuse investigation to determine whether child abuse occurred and to ensure the safety of the child. If the department determines child abuse occurred, the names of the alleged perpetrator and the child are placed on a central computerized child abuse registry. The registry is used as a tool for employment screening in child day care positions and other jobs involving dependent children and adults.

A statute enacted in 1995, implementing recommendations of a legislative interim committee on child protection, provided for testing of a different approach in five areas of the state. In the 19 pilot project counties, the focus of the response to a report is to perform an assessment of the child's safety and the functioning of the child's family. Only cases of significant abuse are placed on the registry.

The 1995 legislation included a statement of legislative intent to initiate the assessment-based approach statewide beginning July 1, 1996. This Act modifies this intent statement to instead consider statewide implementation beginning February 10, 1997.

In addition, the Act modifies the assessment-based pilot project statute as follows:

- The county attorney is to be notified of the receipt of a report of child abuse as is the practice in the investigation-based system.
- The department must commence the assessment within 24 hours instead of the 72 hours originally required.
- The written assessment must be completed within 20 business days instead of the 21 calendar days originally required.
- A copy of the written assessment pertaining to the child abuse report is to be provided to the county attorney and the juvenile court. Under the original enactment, the assessment was only provided if the assessment included a recommendation for a court action or petition.
- The department is required to work with representatives of local enforcement to develop a protocol for joint investigative processes.
- The criteria for placement on the child abuse registry is expanded to include sexual abuse by perpetrators who are ages 14 and older. The juvenile court is authorized to remove perpetrators from the registry who are ages 14 through 17 upon a finding of good cause. In addition, placement on the registry is directed if the department determines that the alleged perpetrator will continue to pose a danger to the child in the report or to any other child.
- A report concerning the assessment-based projects is to be submitted by the department in December 1996. The report is to include analysis of outcomes and other performance measures concerning the two methods of responding to a child abuse report.

The Act includes additional provisions relating to child protection. Access to child abuse registry information is provided for a person to determine whether an individual is named in a founded child abuse report as having abused a child, if the individual provides written authorization for the access. Provisions allowing multidisciplinary prosecution teams in child abuse cases are expanded to permit consultation with a variety of professionals. The Department of Human Services is directed to convene a group of legislators, persons involved with the child protection system, and others to consult with national experts in child protection.

The Act takes effect April 30, 1996.

SENATE FILE 2410 - Illegal Drugs in Parents and Children

BY COMMITTEE ON HUMAN RESOURCES. This Act amends Juvenile Justice Code provisions involving the presence of illegal drugs in a child or a parent.

Much of the Act reverses provisions enacted in 1995 Iowa Acts, Chapter 182. "Child in need of assistance" and "child abuse" definitions are changed to include the presence of an illegal drug in a child as a direct and foreseeable consequence of the acts or omissions of the child's parent, guardian or custodian. In 1995, the definition utilized a reasonable and prudent person standard in applying child in need of assistance and child abuse definitions to the presence of an illegal drug in a child.

The Act strikes provisions directing the Iowa Department of Public Health to adopt rules specifying minimum standards for reliable results for medically relevant tests to minimize the incidence of false positive tests and to identify qualified laboratories. The Act includes a provision voiding the adopted rules.

The Act amends Juvenile Justice Code language containing requirements for medically relevant tests of parents, guardians or custodians. The amendment strikes language authorizing a parent to select the laboratory to perform a medically relevant test from among laboratories identified in rules adopted by the Iowa Department of Public Health. The Act also strikes language that prohibits the use of a positive test result in the criminal prosecution of the parent.

The Act modifies a provision in law prior to the 1995 Legislative Session that prohibits the use of a positive medically relevant test in the criminal prosecution of a parent for acts and omissions resulting in intrauterine exposure of a child to an illegal drug. The modification limits the prosecution prohibition to tests obtained prior to the birth of the child.

The Act provides that if a child is removed from the child's home under a court order due to the presence of an illegal drug in the child's body, the court is to allow reasonable or supervised visitation with the child's parent unless the court determines the visitation would cause an imminent risk to the child's life or health.

The Director of Public Health is directed to utilize the Commission on Substance Abuse to study the effects of fetal alcohol syndrome on children and the issues associated with removal of a child based on the parent's substance abuse. The study process is to utilize statewide hearings and consultation with various public officials. The study findings are to be submitted to the Legislative Council and to the General Assembly.

The Act takes effect April 15, 1996.

SENATE FILE 2420 - Juvenile and Criminal Justice — Miscellaneous Provisions

BY COMMITTEE ON JUDICIARY. This Act contains several provisions relating to juvenile justice, including new dispositional alternatives for juveniles adjudicated delinquent, requirements for registering with the sex offender registry, associate juvenile judge jurisdiction, and criminal gang offenses.

The Act provides that, with regard to a child age 16 or older who is charged with an offense excluded from the jurisdiction of the juvenile court under Section 232.8, the court may accept a plea to a lesser included offense or may provide jury instructions to a lesser included offense. The Act also provides that the chief juvenile court officer or the officer's designee may order a child placed in a community treatment program to be placed in group foster care for failure to comply with the conditions of placement in the community treatment program. The placement shall be for not more than 72 hours unless the court is notified and a hearing on the placement is held within 10 days of the placement.

The Act provides that a person who is otherwise required to register with the sex offender registry shall register when released from foster care or residential treatment.

The Act provides that associate juvenile judges may issue warrants and certain other orders in juvenile court proceedings to the same extent as a district court judge sitting in juvenile court. The Act also makes the penalty for contempt of court before an associate juvenile court judge the same as the penalty for contempt before a district associate judge. In addition, the Act requires juvenile court protective orders to be enforced in the same manner as domestic abuse protective orders, and provides that violation of such an order may be punished as a simple misdemeanor or as an act of contempt.

The Act makes brandishing a dangerous weapon with the intent to use, intimidate or threaten another person without justification, or the use, without justification, of a dangerous weapon in a manner which is intended to or does cause injury or death, a criminal law offense under Section 723A.1. The Act also defines what constitutes a "dangerous weapon" for purposes of the new "brandishing" offense.

SENATE FILE 2430 - Rights of Victims of Delinquent Acts

BY COMMITTEE ON JUDICIARY. This Act requires the juvenile court to provide a victim of a delinquent act with notification of various rights and services connected with the delinquent act.

The Juvenile Justice Code and the Victim and Witness Protection Act are amended to allow a victim of an alleged delinquent act for which a complaint is filed to file a victim impact statement with the juvenile court. The statement is to be considered by the court and the juvenile court officer handling the complaint in any proceeding or informal adjustment associated with the complaint.

The Act provides that if a complaint is filed alleging that a child has committed a delinquent act, the victim of the delinquent act has a right to be notified of the following information: the names and addresses of the child and the child's custodial parent, the charges filed in any petition resulting from the complaint, the informal or formal disposition of the complaint, the person's right to restitution, the person's right to offer a victim impact statement, and assistance available to the victim under Chapter 912, the Crime Victim Compensation chapter. Notification of the person shall be made by a juvenile court officer. The juvenile court and the county attorney are to coordinate efforts to prevent duplication with the county attorney's notification of a victim of certain information under Chapter 910A, the Victim and Witness Protection chapter.

The provision relating to the confidentiality of juvenile court records is amended to provide for the release of information in juvenile court records to the victim of a delinquent act as provided in the Act.

HOUSE FILE 2050 - Adoption

BY DODERER AND BODDICKER. This Act includes provisions relating to adoption. The Act requires the Department of Human Services to adopt rules to establish that the overriding factor in the selection of an adoptive parent for placement of a child through the department is that the child be placed in a stable family environment as expeditiously as possible.

The Act also amends provisions enacted in S.F. 13 (see Courts, Civil & Procedure, & Probate) to remove the required notification of a parent of a pregnant minor prior to the adoption of the minor's child. The Act replaces the notification requirement with a requirement that following the filing of a petition for the termination of parental rights of a pregnant minor or a minor who has given birth, a custodial parent or legal guardian or custodian of the pregnant minor or minor who has given birth is to be served with notice of the filing of the petition. The requirement may be waived by the court if it determines that the minor is capable of providing consent to the termination of parental rights, if the provision of notice is not in the best interest of the minor or of the minor child, or for other good cause. The Act provides that failure to provide the notice does not constitute good cause for revocation of a release of custody and is not grounds for denial, modification, vacation, or appeal of a termination of parental rights order or of an interlocutory or final adoption decree.

CORRECTIONS, CRIMINAL LAW & PROCEDURE

- SENATE FILE 284 - Forgery and Related Matters
- SENATE FILE 2066 - Assisted Suicide
- SENATE FILE 2087 - Postconviction Proceedings — Appeals
- SENATE FILE 2088 - Abuse of a Human Corpse
- SENATE FILE 2114 - Minimum Sentence for Certain Forcible Felons and Related Matters
- SENATE FILE 2153 - Law Enforcement Officer Certification
- SENATE FILE 2154 - Controlled Substances
- SENATE FILE 2167 - Assaults Against Health Care Providers
- SENATE FILE 2208 - Sex Offender Registry — Study of Access to Various Registries
- SENATE FILE 2211 - Fingerprinting Requirements
- SENATE FILE 2269 - Domestic Abuse
- SENATE FILE 2289 - Department of Corrections — Miscellaneous Provisions
- SENATE FILE 2331 - False Academic Records
- SENATE FILE 2423 - Lascivious Acts With a Child — Solicitation
- HOUSE FILE 210 - Restitution — Contributions to Local Anticrime Organizations
- HOUSE FILE 2109 - Nonconsensual Termination of or Serious Injury to a Pregnancy
- HOUSE FILE 2316 - Sexually Predatory Offenses — Enticing Away a Child
- HOUSE FILE 2456 - Rights of Victims of Criminal Acts and Related Matters
- H.J.R. 11 - Proposed Constitutional Amendment — Offenses Tried Without Indictment

RELATED LEGISLATION

- SENATE FILE 13 - Notification Requirements and Decision-Making Assistance Program Regarding Pregnant Minors
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act, which relates to the establishment of a Prospective Minor Parents Decision-Making Assistance Program and notification requirements relating to the performance of an abortion on a pregnant minor, also establishes that a person who performs an abortion on a pregnant minor in violation of the Act is guilty of a serious misdemeanor, and establishes the tendering of certain false documents as a fraudulent practice in the fourth degree, which is a serious misdemeanor.
- SENATE FILE 482 - Economic and Other Penalties for Criminal Activity
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act creates Chapter 706A, the Ongoing Criminal Conduct Act, which establishes violations for economic crimes or facilitation of economic crimes; Chapter 706B, the Iowa Money Laundering Act, which guides the application of financial remedies and allows reciprocal agreements encouraging interstate cooperation and uniformity; Chapter 529, the Iowa Financial Transaction Reporting Act, which parallels federal financial transaction reporting requirements; and Chapter 809A, the Iowa Forfeiture Reform Act, which replaces the current forfeiture provisions in Chapter 809.
- SENATE FILE 2035 - Eurasian Water Milfoil
SEE ENVIRONMENTAL PROTECTION. This Act requires the Natural Resource Commission of the Department of Natural Resources to prepare a long-term statewide management plan for the control and eradication of Eurasian water milfoil. The Act also confers rulemaking authority and establishes a scheduled fine relating to Eurasian water milfoil.

- SENATE FILE 2122** - Unclaimed Property — Outdated Warrant Recovery — Fraudulent Practices
SEE STATE GOVERNMENT. This Act relates to limitations placed upon contracts to provide assistance in the recovery of outdated warrants held by the Department of Revenue and Finance. The Act also expands the definition of acts constituting fraudulent practices.
- SENATE FILE 2186** - Miscellaneous Transportation-Related Sanctions
SEE TRANSPORTATION. This Act increases penalties and scheduled violations for various transportation-related actions, including making it a serious misdemeanor to operate a motor vehicle with a motor vehicle license that has been suspended or revoked for failure to pay child support or to operate a commercial motor vehicle if a person has been disqualified from operating a commercial motor vehicle, and increasing the penalty from a simple to a serious misdemeanor for falsifying a motor vehicle license or nonoperator's identification card and form.
- SENATE FILE 2294** - Multidisciplinary Community Services Teams
SEE HUMAN SERVICES. This Act creates multidisciplinary community services teams in the county home rule chapter of the Iowa Code, Chapter 331. The members of a team are expressly authorized to disclose confidential information to one another concerning an individual or a family. Teams may include agencies providing law enforcement services.
- SENATE FILE 2324** - Miscellaneous Public Assistance Provisions and Related Matters
SEE HUMAN SERVICES. This Act relates to public assistance provisions and includes provisions establishing fraudulent practices involving the Food Stamp Program.
- SENATE FILE 2352** - Room and Board Reimbursement by County Prisoners
SEE LOCAL GOVERNMENT. This Act authorizes the county sheriff to charge prisoners who are 18 years of age or older for the room and board provided to them while the prisoners are in the sheriff's custody.
- SENATE FILE 2359** - County Recovery of Costs Related to Homicide Victims
SEE LOCAL GOVERNMENT. This Act provides for payment, by the county of residence of the deceased person, of the fee and expenses of the county medical examiner for the preliminary investigation and preparation of required reports relating to a person's death if the person is a victim of murder, manslaughter or vehicular homicide, and the person's death affects the public interest.
- SENATE FILE 2381** - Dependent Adult Abuse
SEE HUMAN SERVICES. This Act makes several changes in the dependent adult abuse law, including changes in definitions relative to the dependent adult abuse laws and implementing measures to prevent additional abuse by involving a peace officer at the scene of a case of dependent adult abuse which is criminal in nature, providing protective services to a dependent adult, and applying penalties ranging from a class "C" felony to a simple misdemeanor for various criminal charges of dependent adult abuse.
- SENATE FILE 2399** - Child Protection System Provisions
SEE CHILDREN & YOUTH. This Act relates to child protection system provisions involving child abuse assessment pilot projects administered by the Department of Human Services and other child protection provisions. The Act includes provisions regarding information provided to county attorneys and the court and regarding multidisciplinary teams for investigation and prosecution of crimes against children.
- SENATE FILE 2420** - Juvenile and Criminal Justice — Miscellaneous Provisions
SEE CHILDREN & YOUTH. This Act contains several provisions relating to juvenile justice, including adding brandishing a dangerous weapon to the list of criminal gang offenses, dispositional alternatives for juveniles adjudicated delinquent, requirements for registering with the sex offender registry, and associate juvenile judge jurisdiction.

- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions authorizing state and local governments to charge fees to inmates for room, board and other costs of incarcerating inmates.
- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes a provision vetoed by the Governor that would have provided from the State General Fund an FY 1996 supplemental appropriation for indigent defense.
- HOUSE FILE 2448** - Access to Criminal History and Related Records
SEE HEALTH & SAFETY. This Act provides for public access to criminal history data maintained by the Department of Public Safety and access by the Division of Criminal and Juvenile Justice Planning to records of criminal and juvenile justice agencies.
- HOUSE FILE 2458** - Indigent Defense, Criminal Sanctions, and Related Matters
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act concerns various aspects of criminal and juvenile justice, including criminal corrections sanctions, the right to appointed counsel or a public defender, and the recovery of certain defense costs, and provides for a study on the legal representation of indigents.
- HOUSE FILE 2472** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act appropriates moneys for FY 1997 to the Department of Justice; Office of Consumer Advocate; Board of Parole; Department of Corrections, including correctional facilities and the judicial district departments of correctional services; Judicial Department; State Public Defender; Iowa Law Enforcement Academy; Department of Public Defense; and the Department of Public Safety; and contains related statutory provisions. Under the Act, the total appropriations to the justice system of \$333.3 million reflect an increase in appropriations from the General Fund of approximately \$33.1 million from the FY 1996 appropriation. The Act also creates an additional \$5 surcharge on fines for drug or alcohol offenses and provides that the surcharge shall be transferred to the Iowa Law Enforcement Academy for use in the Drug Abuse Resistance Education (D.A.R.E.) Program.

CORRECTIONS, CRIMINAL LAW & PROCEDURE

SENATE FILE 284 - Forgery and Related Matters

BY HANSEN. This Act creates criminal and civil penalties for persons who possess, or employers who hire or continue to employ persons knowing that the persons possess, forged documents relating to the person's entry into or as evidence of authorized stay or employment in the United States.

The Act adds the knowing possession of a writing that has been forged with the intent to defraud to the grounds upon which the crime of forgery can be charged. The Act also adds documents prescribed by statute, rule or regulation for entry into or as evidence of authorized stay or employment in the United States to the kinds of forged writings for which a class "D" felony is applicable.

The Act requires an employer who recruits non-English-speaking persons for employment to provide those persons with notice that the possession of forged documentation authorizing the person to stay or be employed in the United States is a class "D" felony.

The Act provides that an employer is subject to a civil penalty if the employer or an agent or employee of the employer either hires a person or continues to employ a person when the employer knows that the document evidencing the person's authorized stay or employment in the United States is forged, or knows that the person is not authorized to be employed in the United States. An employer who complies in good faith with federal requirements regarding the hiring or employment of an alien establishes an affirmative defense to a charge of violating this provision.

An employer who hires persons knowing their employment documents are forged shall pay a penalty of \$200 to \$2,000 for each unauthorized alien hired or employed for a first offense, pay a penalty of \$2,000 to \$5,000 for each unauthorized alien hired or employed for a second offense, and pay a penalty of \$3,000 to \$10,000 for each unauthorized alien hired or employed for a third or subsequent offense. The civil action to enforce this provision may be instituted by the Attorney General or a county attorney. Penalties under this provision shall be deposited in the General Fund of the State.

SENATE FILE 2066 - Assisted Suicide

BY COMMITTEE ON JUDICIARY. This Act establishes a penalty of a class "C" felony for intentionally or knowingly assisting, soliciting or inciting another person to commit or attempt to commit suicide, or participating in a physical act by which another person commits or attempts to commit suicide. The Act specifies that prescribing or dispensing medications or procedures to relieve pain or discomfort, even if the medications or procedures may hasten or increase the risk of death, does not constitute assisting suicide unless the medications or procedures are intentionally and knowingly administered, prescribed or dispensed with the primary intention of causing death.

The Act also provides that if a licensed health care professional withholds or withdraws life-sustaining procedures in compliance with the Life-Sustaining Procedures Act or with a durable power of attorney for health care provisions, that action does not constitute assisting a suicide. The Act also requires that any mitigating circumstances relating to the offense and the defendant's potential as a candidate for deferred judgment, deferred sentencing, a suspended sentence, or probation be included in a presentence investigation report if the defendant is charged with or convicted of assisting suicide.

SENATE FILE 2087 - Postconviction Proceedings — Appeals

BY COMMITTEE ON JUDICIARY. This Act replaces a provision relating to appeals in postconviction proceedings. The replacement reenacts the current Code language, including a change made in 1992 providing that appeals of the forfeiture of a reduction in sentence must be made by writ of certiorari.

SENATE FILE 2088 - Abuse of a Human Corpse

BY COMMITTEE ON JUDICIARY. This Act establishes the crime of abuse of a human corpse, which is defined as knowingly and intentionally engaging in a sex act with a human corpse. Abuse of a human corpse is a class "D" felony for which the sentence is confinement for not more than five years and a possible fine of at least \$500 and not more than \$7,500.

SENATE FILE 2114 - Minimum Sentence for Certain Forcible Felons and Related Matters

BY COMMITTEE ON JUDICIARY. This Act sets mandatory prison sentences for certain forcible felons, requests that a sentencing task force be established, and provides for a departmental risk assessment study.

The Act provides that a person convicted of murder in the second degree, sexual abuse in the second degree, kidnapping in the second degree, or robbery in the first or second degree shall serve 100 percent of the maximum sentence for the offense and shall not be released on parole or work release. However, a person sentenced for one of these offenses may earn a reduction of sentence of up to 15 percent of the total sentence of confinement.

The Act requests that the Legislative Council establish a sentencing task force to study currently available sentencing and incarceration options and the impact of proposed changes such as split sentencing. The task force is to include representatives of the Board of Parole, the Division of Criminal and Juvenile Justice Planning, the Sheriffs Association, county boards of supervisors, the courts, the Department of Corrections, and members of the General Assembly, who will serve in an ex officio, nonvoting capacity.

The Act also directs the Department of Corrections to study the risk assessment tools currently used by the Iowa corrections system. The Department is to consult with persons with expertise in criminology, the Division of Criminal and Juvenile Justice Planning, and the Board of Parole.

SENATE FILE 2153 - Law Enforcement Officer Certification

BY COMMITTEE ON JUDICIARY. This Act requires the Director of the Iowa Law Enforcement Academy to promulgate rules relative to certification through examination for individuals who have successfully completed the Federal Bureau of Investigation National Academy, have corrected 20/20 vision or better, and were employed on or before January 1, 1996, as chief of police of a city in Iowa with a population of 20,000 or more. Rules promulgated by the director are subject to the approval of the Iowa Law Enforcement Academy Council.

SENATE FILE 2154 - Controlled Substances

BY COMMITTEE ON JUDICIARY. This Act relates to certain drug offenses and penalties by increasing the penalties for certain offenses involving methamphetamine, creating new offenses involving ephedrine, and expanding the types of real property within 1,000 feet of which a person who unlawfully possesses a substance is subject to an increased penalty.

The Act increases the penalties for the manufacture, delivery or possession with intent to manufacture or deliver certain amounts of methamphetamine or any compound, mixture or preparation containing methamphetamine, as well as the penalties for conspiracy to commit these offenses. Under current law, the offenses are class "C" felonies punishable by a term of imprisonment not to exceed 10 years and a fine of not less than \$1,000 or more than \$50,000, regardless of the amount of methamphetamine involved in the offense.

The Act provides that an offense involving more than five kilograms of methamphetamine or a compound containing methamphetamine is a class "B" felony punishable by a term of imprisonment not to exceed 50 years and a fine of not more than \$1 million. Because the offense is created in Section 124.401, subsection 1, paragraph "a," defendants awaiting judgment and sentencing following a plea or verdict and defendants appealing a conviction for this offense shall not be admitted to bail pursuant to Section 811.1.

The Act provides that an offense involving more than five grams but not more than five kilograms of methamphetamine or a compound containing methamphetamine is a class "B" felony punishable by a term of imprisonment not to exceed 25 years and a fine of not less than \$5,000 or more than \$100,000.

The Act provides that an offense involving five grams or less of methamphetamine or a compound containing methamphetamine is a class "C" felony punishable by a term of imprisonment not to exceed 10 years and fine of not less than \$1,000 or more than \$50,000. This is the current penalty for the offense, regardless of the amount of methamphetamine involved.

The Act makes a corresponding change to reflect the new offenses in a provision pertaining to placement in juvenile detention.

The Act creates new offenses involving ephedrine. The Act provides that a person commits a serious misdemeanor if the person sells, distributes or makes available any product containing ephedrine or pseudoephedrine if the person knows, or should know, that the product may be used as a precursor to any illegal substance or an intermediary to any controlled substance.

The Act provides that a person commits a class "D" felony if the person possesses any product containing ephedrine or pseudoephedrine with the intent to use the product as a precursor to any illegal substance or an intermediary to any controlled substance.

The Act directs the Board of Pharmacy Examiners and the Department of Public Safety to conduct a study and report to the General Assembly on ephedrine and pseudoephedrine uses not approved by the U.S. Food and Drug Administration.

The Act expands the types of real property within 1,000 feet of which a person who unlawfully possesses a substance is subject to an increased penalty, to include public parks, public swimming pools, public recreation centers, and marked school buses.

SENATE FILE 2167 - Assaults Against Health Care Providers

BY COMMITTEE ON JUDICIARY. This Act establishes penalties for the assault of a health care provider. A health care provider is defined as an emergency medical care provider or a licensed physician or surgeon, physician assistant, resident physician, osteopath, osteopathic physician or surgeon, or nurse who is providing or who is attempting to provide emergency medical services, or who is providing or attempting to provide health services in a hospital.

If the person committing the assault commits the assault with the knowledge that the person against whom the assault is committed is a health care provider and either has the intent of inflicting serious injury or uses or displays a dangerous weapon in connection with the assault, the person is guilty of a class "D" felony, which carries a maximum sentence of confinement of not more than five years and in addition a possible fine of at least \$500 but not more than \$7,500. If the person committing the assault commits the assault with the knowledge that the person against whom the assault is committed is a health care provider and causes bodily injury or a disabling mental illness, the person is guilty of an aggravated misdemeanor, which carries a maximum sentence of imprisonment not to exceed two years and a fine of at least \$500 but not to exceed \$5,000. If the person commits any other type of assault and the person knows that the person against whom the assault is committed is a health care provider, the person is guilty of a serious misdemeanor, the maximum sentence for which is a fine of at least \$250, but not more than \$1,500, and the possibility of imprisonment not to exceed one year.

The Act provides that a person who commits an assault under the Act against a health care provider in a hospital or at the scene or during out-of-hospital patient transportation in an ambulance is presumed to know that the person against whom the assault is committed is a health care provider.

SENATE FILE 2208 - Sex Offender Registry — Study of Access to Various Registries

BY COMMITTEE ON JUDICIARY. This Act provides that, for the purposes of registration requirements for the sex offender registry, criminal offenses against a minor include stalking if the target is a person age 17 or under and the court or jury finds by clear and convincing evidence that the stalking was sexually motivated, and sexual exploitation of a minor, which involves knowingly promoting or possessing any material visually depicting a live performance of a minor engaging in prohibited sexual conduct. Sexual exploitation of a minor involving inducing or knowingly permitting a minor to engage in prohibited sexual conduct is currently considered a criminal offense against a minor for the purposes of the registry.

The Act also adds the following offenses to the definition of sexually violent offenses: indecent exposure, telephone dissemination of obscenity, rental or sale of hard-core pornography, and attempted murder or manslaughter if either involves sexual abuse or attempted sexual abuse.

In addition, the Act authorizes a prosecuting attorney to petition the court to require a person to register if the person is convicted of a crime other than one of the crimes requiring registration. The court must hold a hearing on the petition and shall not require the person to register unless the prosecuting attorney proves by a preponderance of the evidence that the crime for which the offender was convicted had a sexual motivation.

The Act provides that a person who refuses to register may be prosecuted for contempt of court and jailed until the person registers. Also, records under the sex offender registry are required to be kept for 10 years.

The Act requires the Department of Human Services and the Department of Public Safety to study a single point of contact method for individuals seeking information from the child abuse registry, the dependent adult abuse registry, or the sex offender registry, as well as to study information-sharing potential between the registries. The

Department of Human Services and the Department of Public Safety are to report to the General Assembly by December 15, 1996, regarding the results of the study.

SENATE FILE 2211 - Fingerprinting Requirements

BY COMMITTEE ON JUDICIARY. This Act eliminates the requirement that persons taken into custody for the commission of an offense which is a serious misdemeanor under Chapter 321, Motor Vehicles and Law of the Road, or 321A, Motor Vehicle Financial Responsibility, be fingerprinted and the prints sent to the Department of Public Safety. The Act also provides that the court shall order the fingerprinting of a juvenile adjudicated delinquent for operating while under the influence of alcohol or a drug or an offense which would be an aggravated misdemeanor or felony if committed by an adult, if the juvenile was not fingerprinted in preadjudication proceedings.

SENATE FILE 2269 - Domestic Abuse

BY COMMITTEE ON JUDICIARY. This Act enhances the penalty for a third or subsequent domestic abuse assault offense, requires the county attorney to prosecute misdemeanors under Chapter 236, the Domestic Abuse Act, and permits district associate judges to order a temporary or emergency order of protection under Chapter 236.

The Act makes a third or subsequent offense of domestic abuse assault a class "D" felony, punishable by imprisonment of not less than one year (and up to five years) and a fine of not less than \$750 (and up to \$7,500). The sentence cannot be suspended.

The pilot program for domestic abuse treatment will be established in a county chosen by the Supreme Court. That county shall sentence a defendant convicted of domestic abuse assault to an alternative batterers' treatment pilot program. The judicial district in which the program is located shall report annually to the General Assembly, with the final report due on August 1, 1998. This program sunsets on June 30, 1998.

SENATE FILE 2289 - Department of Corrections — Miscellaneous Provisions

BY COMMITTEE ON JUDICIARY. This Act contains provisions regarding the Department of Corrections, operating while intoxicated violator facilities, reimbursement by parole violators, tort claims protection for persons, and inmate accounts.

Iowa Code Section 669.2, regarding tort claims against state employees, is amended to add nurses, physician assistants, other medical providers, and employees of the Department of Veterans Affairs to the definition of state employees when they render services to inmates of state institutions.

Iowa Code Section 904.513 is amended to provide a range of sanctioning options, including confinement in prison, for offenders convicted of a third or subsequent operating while intoxicated (OWI) offense who are sentenced to the custody of the Director of the Department of Corrections. County jails and residential facilities are required to provide temporary confinement for OWI offenders allegedly violating treatment program conditions only if space is available, and the Department of Corrections is to negotiate a rate with each county for reimbursement for this service. The Act also requires community-based corrections residential treatment facilities to meet Department of Public Health standards for substance abuse treatment and provides for the adoption of rules regarding funding the OWI program established by this section. In addition, the Act eliminates the use of recognizance bonds for the release of OWI violators when facilities are overcrowded.

Iowa Code Section 904.702, regarding deductions from inmate accounts, is amended to authorize the director of the department to deduct from an inmate's account the costs of health services requested by the inmate as well as those performed for the treatment of injuries inflicted by the inmate on other inmates or on the inmate.

Section 906.18 is created by the Act to provide that inmates who escape from a facility to which they were assigned on parole shall reimburse the department for the costs incurred because of the escape. The section also authorizes the adoption of rules by the department to implement this provision.

SENATE FILE 2331 - False Academic Records

BY COMMITTEE ON EDUCATION. This Act establishes a criminal penalty for certain uses and false representations relating to academic degrees, grades or honors. The Act provides that a person commits a serious misdemeanor if the person, knowingly and willingly, makes, alters, uses, sells, or purchases a false academic degree. The Act defines academic degree as a diploma, certificate, license, transcript, or other document.

The Act also provides that a person commits a serious misdemeanor if the person makes a false written representation relating to the person's academic grades, honors, awards, or institution of study.

SENATE FILE 2423 - Lascivious Acts With a Child — Solicitation

BY COMMITTEE ON JUDICIARY. This Act prohibits a person from soliciting another person to arrange a sex act with a child. A person violating this prohibition commits a class "D" felony.

HOUSE FILE 210 - Restitution — Contributions to Local Anticrime Organizations

BY COHOON. This Act adds language to permit the court to require or approve a requirement that, as part of the restitution paid by an offender, the offender contribute funds to a local anticrime organization that provided assistance to law enforcement in the person's case. To be eligible for restitution payments, the anticrime organization must be officially recognized by the chief of police or county sheriff and be organized primarily for crime prevention.

HOUSE FILE 2109 - Nonconsensual Termination of or Serious Injury to a Pregnancy

BY HARRISON, BOGGESS, BRADLEY, BRANSTAD, BRAUNS, BRUNKHORST, CARROLL, COON, DAGGETT, DISNEY, DODERER, DRAKE, EDDIE, ERTL, GIPP, GREINER, GRUBBS, HAMMITT BARRY, HANSON, HEATON, HURLEY, HUSEMAN, KLEMME, KREMER, LAMBERTI, LARSON, LORD, MAIN, MARTIN, MASCHER, MYERS, RANTS, RENKEN, SALTON, SCHULTE, SUKUP, TEIG, THOMSON, TYRRELL, VAN FOSSEN, VANDE HOEF, VAN MAANEN, VEENSTRA, WITT, OLLIE, HALVORSON, WELTER, MUNDIE, BLODGETT, FALLON, GARMAN, LARKIN, and MILLAGE. This Act establishes several crimes relating to the nonconsensual termination of a human pregnancy and makes changes in the feticide section of the Code to distinguish consensual from nonconsensual termination.

The Act provides the following:

- A person who causes a nonconsensual termination during the commission of a forcible felony is guilty of a class "B" felony.
- A person who causes a nonconsensual termination during the commission of a felony or felonious assault is guilty of a class "C" felony.
- A person who unintentionally terminates a human pregnancy while operating a motor vehicle while under the influence of drugs or alcohol, while driving recklessly, or while eluding or pursuing a law enforcement vehicle, is guilty of a class "C" felony.
- A person who unintentionally terminates a human pregnancy while drag racing is guilty of a class "D" felony.
- A person who unintentionally terminates a human pregnancy without the knowledge and voluntary consent of the pregnant person by the commission of an act in a manner likely to cause the termination of or serious injury to a human pregnancy is guilty of an aggravated misdemeanor.
- A person who intentionally causes serious injury to a pregnancy through commission of an act in a manner likely to cause the termination of or serious injury to a human pregnancy is guilty of an aggravated misdemeanor.
- A person who unintentionally causes serious injury to a human pregnancy by operating a motor vehicle while under the influence of drugs or alcohol, while driving recklessly, or while eluding or attempting to elude a law enforcement vehicle, is guilty of an aggravated misdemeanor.
- A person who unintentionally causes serious injury to a human pregnancy through commission of an act in a manner likely to cause the termination or serious injury to a human pregnancy is guilty of a serious misdemeanor.

The Act provides a definition of "serious injury to a human pregnancy" and provides that the Act does not apply to an act or omission of the pregnant person, a termination of or serious injury to a pregnancy caused by performance of an approved medical procedure performed by a person licensed to practice medicine and surgery or osteopathic medicine or surgery irrespective of the duration of the pregnancy and with or without the voluntary consent of the pregnant person if the pregnant person is precluded from providing consent, or to an act committed in self defense or if otherwise legally justified.

HOUSE FILE 2316 - Sexually Predatory Offenses — Enticing Away a Child

BY COMMITTEE ON JUDICIARY. This Act establishes enhanced sentences for persons who commit multiple sexually predatory offenses; repeals Chapter 709C, which addresses certain sexual predators; provides that a conviction for a sexually predatory offense is to be reported to the Department of Public Safety for inclusion in the criminal history records maintained by the department; and allows a court or jury to infer intent to commit an illegal act upon a child when the individual attempts to entice away the child and the individual does not have permission to contact the child.

The Act also defines "sexually predatory offense" to include any sex offense under Chapter 709, sexual exploitation of a minor, pandering involving a minor, or murder, kidnapping, burglary, or child endangerment involving sexual abuse, attempted sexual abuse, or the intent to commit sexual abuse. In a case involving murder, kidnapping, burglary, or child endangerment, the court or jury shall make a finding of fact whether the offense as committed is to be considered a sexually predatory offense. The court shall provide written notice to any person convicted of a sexually predatory offense that the conviction may be used for the purposes of enhancing future sentences for similar offenses.

A person convicted of a sexually predatory offense that is a serious or aggravated misdemeanor and who has one prior conviction for a sexually predatory offense shall serve twice the maximum period of incarceration for the offense prior to being eligible for parole or work release. A person convicted of a sexually predatory offense that is a serious or aggravated misdemeanor and who has two or more convictions for sexually predatory offenses shall be incarcerated for 10 years prior to release.

A person convicted of a sexually predatory offense that is a felony and who has a prior conviction for a sexually predatory offense shall serve twice the maximum period of incarceration for the offense or 25 years, whichever is greater. A person convicted of a sexually predatory offense that is a felony and who has two prior convictions for sexually predatory offenses, one of which is for a felony, shall be sentenced to life in prison on the same terms as a person convicted of a class "A" felony.

A person's sentence for a sexually predatory offense shall not be reduced by more than 15 percent. A person convicted of a sexually predatory offense is also not eligible for a deferred judgment, deferred sentence, or suspended sentence. In addition, a person convicted of a sexually predatory offense shall be sentenced to up to two additional years of parole or work release.

HOUSE FILE 2456 - Rights of Victims of Criminal Acts and Related Matters

BY COMMITTEE ON JUDICIARY. This Act permits oral presentation of a victim impact statement in court in the presence of the defendant, requires that the crime victim be notified of certain information regarding the location of the perpetrator during the period of incarceration and the status of the criminal prosecution, requires the county sheriff and county attorney to carry out their duties under Chapter 910A, and requires public announcement of certain escapes from facilities managed by the Department of Corrections.

The Act amends Chapter 910A, regarding victims' rights, to permit a crime victim or the victim's representative the option to present orally a statement of the impact of the crime upon the victim, according to a list of statutorily specified criteria. This method of presentation may be in addition to or in place of the current method of filing a written victim impact statement.

Another addition to Chapter 910A requires the county attorney to notify the victim of the date and place of the criminal trial and any plea agreements in the case, the transfer of the perpetrator from one jurisdiction to another, and the procedures for determining the current location of the perpetrator during incarceration. The Justice Department is also required to notify the victim of the status and outcome of appeals in the criminal case.

The Department of Corrections is required under the Act to issue an announcement to law enforcement authorities and news media covering the area within a 25-mile radius of the point where a person has escaped from a state correctional institution or a forcible felon has absconded from a work release facility, and to make a complaint with a judge or magistrate regarding the escape or abscondence.

HOUSE JOINT RESOLUTION 11 - Proposed Constitutional Amendment — Offenses Tried Without Indictment

BY COMMITTEE ON JUDICIARY. This Joint Resolution proposes an amendment to the Constitution of the State of Iowa regarding certain misdemeanors that are tried summarily by magistrates, or other judicial officers, without

indictment. It eliminates the limitation on fines, so that the only criterion for summary disposition is whether the punishment is 30 days or less of imprisonment. This Joint Resolution, if adopted, would be referred to the next General Assembly for consideration before being submitted to the electorate for ratification.

COURTS, CIVIL LAW & PROCEDURE, & PROBATE

- SENATE FILE 13 - Notification Requirements and Decision-Making Assistance Program Regarding Pregnant Minors
- SENATE FILE 482 - Economic and Other Penalties for Criminal Activity
- SENATE FILE 2155 - Municipal Infractions — Jurisdictional Amount
- SENATE FILE 2207 - Juror and Witness Fees and Expenses
- SENATE FILE 2252 - District Associate Judges — Number and Apportionment
- SENATE FILE 2265 - Domestic Relations — Miscellaneous Provisions
- SENATE FILE 2305 - Purchase Money Mortgages
- SENATE FILE 2372 - Landlords and Tenants
- SENATE FILE 2375 - Confinement Feeding Operations — Nuisance Defense
- SENATE FILE 2385 - State Judicial Nominating Commissions — VETOED BY THE GOVERNOR
- SENATE FILE 2396 - Exemptions From Execution — Residential Deposits and Prepaid Rent
- SENATE FILE 2405 - Court Records — Miscellaneous Provisions
- SENATE FILE 2413 - Judicial Administration — Miscellaneous Provisions
- HOUSE FILE 2081 - Legalization of Defective Notarial Acts
- HOUSE FILE 2150 - Grandparent Visitation Rights
- HOUSE FILE 2365 - Investments by Fiduciaries
- HOUSE FILE 2429 - Indigent Defense — Duties of Public Defenders
- HOUSE FILE 2458 - Indigent Defense, Criminal Sanctions, and Related Matters
- HOUSE FILE 2500 - Uneconomical Testamentary Trusts

RELATED LEGISLATION

- SENATE FILE 284 - Forgery and Related Matters
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act creates criminal and civil penalties for persons who possess, or employers who hire or continue to employ persons knowing that the persons possess, forged documents relating to the person's entry into or as evidence of authorized stay or employment in the United States.
- SENATE FILE 2085 - Handicapped Parking
SEE TRANSPORTATION. This Act provides for a \$300 civil penalty for a person, including a physician or chiropractor, who provides false information with the intent to defraud on the statement used to establish that a person is handicapped. It also increases the fine for improper use of a handicapped parking permit from \$50 to \$100.
- SENATE FILE 2101 - Burial Trust Funds
SEE HUMAN SERVICES. This Act relates to the disbursement of funds remaining in a nonguaranteed irrevocable burial trust fund of a decedent who was a recipient of Medical Assistance (Medicaid).
- SENATE FILE 2269 - Domestic Abuse
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act requires the county attorney to prosecute misdemeanors under Chapter 236, the Domestic Abuse Act, and allows district associate judges to order a temporary or emergency order of protection under Chapter 236.
- SENATE FILE 2303 - Medical Assistance
SEE HUMAN SERVICES. This Act makes several changes related to the Medical Assistance (Medicaid) Program including requiring a personal representative or the

executor of an estate of a Medical Assistance recipient, whose estate is subject to recovery under the Medical Assistance Program, to make distribution of the estate to the Department of Human Services prior to distributions to others who have lower priority claims to assets under the classification of the debts and charges section of the Code. A personal representative or executor who does not comply with the requirement may be held personally liable for the amount of Medical Assistance owed.

- SENATE FILE 2324** - Miscellaneous Public Assistance Provisions and Related Matters
SEE HUMAN SERVICES. This Act makes numerous changes to public assistance and includes a provision authorizing the court to order minor child support obligors to attend parenting classes under certain circumstances.
- SENATE FILE 2344** - Child Support Enforcement
SEE HUMAN SERVICES. This Act includes a number of provisions relating to child support enforcement, including those relating to administrative review and adjustment proceedings, suspension of a child support order based upon reconciliation of the parents, the test used in administrative determination of paternity, disestablishment of paternity, notice provisions for income withholding, full faith and credit of child support orders, and accrual of interest on late payment of orders.
- SENATE FILE 2381** - Dependent Adult Abuse
SEE HUMAN SERVICES. This Act makes several changes in the dependent adult abuse law, including changes in definitions relative to the dependent adult abuse law, implementing measures to prevent additional abuse by involving a peace officer at the scene of a case of dependent adult abuse which is criminal in nature, providing protective services to a dependent adult, and applying penalties ranging from a class "C" felony to a simple misdemeanor for various criminal charges of dependent adult abuse.
- SENATE FILE 2410** - Illegal Drugs in Parents and Children
SEE CHILDREN & YOUTH. This Act amends Juvenile Justice Code provisions involving the presence of illegal drugs in a child or a parent and includes provisions involving court orders for visitation when a child is removed from a child's home based upon the presence of illegal drugs.
- SENATE FILE 2420** - Juvenile and Criminal Justice — Miscellaneous Provisions
SEE CHILDREN & YOUTH. This Act contains several provisions relating to juvenile justice, including expanding the jurisdiction of associate juvenile judges, dispositional alternatives for juveniles adjudicated delinquent, requirements for registering with the sex offender registry, and criminal gang offenses.
- SENATE FILE 2422** - Instruments Affecting Real Estate — Corporate Seal Requirement
SEE BUSINESS, BANKING & INSURANCE. This Act removes the requirement that a corporation which has adopted a corporate seal affix it to all documents executed by the corporation affecting real estate and makes related changes.
- SENATE FILE 2430** - Rights of Victims of Delinquent Acts
SEE CHILDREN & YOUTH. This Act requires the juvenile court to provide a victim of a delinquent act with notification of various rights and services connected with the delinquent act.
- SENATE FILE 2438** - Mental and Physical Conditions — Terminology Changes and Related Matters
SEE HUMAN SERVICES. This Act makes numerous changes in terminology to various provisions pertaining to persons with certain mental and physical conditions. In addition, the Act directs the Code Editor to make similar changes.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations and includes provisions authorizing state and local governments to charge fees to inmates for

room, board and other costs of incarcerating the inmates. Courthouse security is an authorized use for the local government fee proceeds.

- HOUSE FILE 2050** - Adoption
SEE CHILDREN & YOUTH. This Act includes provisions relating to adoption. This Act amends provisions enacted in S.F. 13 to remove the required notification of a parent of a pregnant minor prior to the adoption of the minor's child, and replaces the notification requirement with a requirement that following the filing of a petition for the termination of parental rights of a pregnant minor or a minor who has given birth, a custodial parent or legal guardian or custodian of the pregnant minor or minor who has given birth is to be served with notice of the filing of the petition. The requirement may be waived by the court under certain circumstances. The Act provides that failure to provide the notice does not constitute good cause for revocation of a release of custody and is not grounds for denial, modification, vacation, or appeal of a termination of parental rights order or of an interlocutory or final adoption decree.
- HOUSE FILE 2061** - Health Care Peer Review Committees
SEE STATE GOVERNMENT. This Act adds health care entities engaged in providing health care services, including group medical practices, to the list of recognized health care peer review committees established in Section 147.1. Consequently, pursuant to Section 147.135, health care service entities, including group medical practices, are accorded civil immunity for actions resulting from peer review committee activities.
- HOUSE FILE 2065** - Supplemental Appropriations — Judicial Department Planning
SEE APPROPRIATIONS. This Act provides an appropriation for the fiscal year beginning July 1, 1995, to be used by the Iowa Supreme Court's Commission on Planning for the 21st Century, formed to provide long-range and strategic planning for the courts.
- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes a provision vetoed by the Governor which would have provided from the General Fund of the State an FY 1996 supplemental appropriation for indigent defense.
- HOUSE FILE 2331** - Operating Conditions for Certain Temporary Restricted Motor Vehicle Licenses — VETOED BY THE GOVERNOR
SEE TRANSPORTATION. This bill would have expanded the factors a court may consider in ordering the issuance of a temporary restricted license for persons whose license has been revoked for operating a vehicle while intoxicated and who have waited the statutory minimum period and who are not otherwise eligible for a temporary restricted license under Section 321J.20.
- HOUSE FILE 2421** - Appropriations — Transportation, Infrastructure, and Capital Projects
SEE APPROPRIATIONS. Division V of this Act establishes a revised procedure for the revocation of driver's licenses after certain drug-related convictions. The prior process of administrative revocation after the criminal conviction was held unconstitutional in the *Dressler v. Iowa Department of Transportation* case. This Division takes effect May 30, 1996.
- HOUSE FILE 2427** - Mental Health, Mental Retardation, and Developmental Disability Services
SEE LOCAL GOVERNMENT. This Act amends numerous provisions involving voluntary and involuntary placements of individuals for mental health or mental retardation evaluation and treatment services, including those subject to court order.
- HOUSE FILE 2456** - Rights of Victims of Criminal Acts and Related Matters
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act requires the county sheriff and county attorney to carry out their duties under Chapter 910A, regarding victims' rights. The Department of Corrections is required under the Act to issue an announcement to law enforcement authorities and news media covering the area within a 25-mile radius of the point where a person has escaped from a state correctional

institution or a forcible felon has absconded from a work release facility, and to make a complaint with a judge or magistrate regarding the escape or abscondence.

- HOUSE FILE 2472** - Appropriations — Justice System
SEE APPROPRIATIONS. The Act appropriates moneys for the fiscal year beginning July 1, 1996, and ending June 30, 1997, to the Department of Justice; Office of Consumer Advocate; Board of Parole; Department of Corrections, including correctional facilities and the judicial district departments of correctional services; Judicial Department; State Public Defender; Iowa Law Enforcement Academy; Department of Public Defense; and the Department of Public Safety; and contains related statutory provisions. Under the Act, the total appropriations to the justice system of \$333.3 million reflect an increase in appropriations from the General Fund of the State of approximately \$33.1 million from the FY 1996 appropriation. The Act provides for an additional three district court judges, four juvenile court officers, and expansion of the Court-Appointed Special Advocate Program.
- HOUSE FILE 2497** - 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.
- H.J.R. 11** - Proposed Constitutional Amendment — Offenses Tried Without Indictment
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Joint Resolution proposes an amendment to the Constitution of the State of Iowa regarding misdemeanors that are tried summarily without indictment.

COURTS, CIVIL LAW & PROCEDURE & PROBATE

SENATE FILE 13 - Notification Requirements and Decision-Making Assistance Program Regarding Pregnant Minors

BY SZYMONIAK, BARTZ, KRAMER, AND MURPHY. This Act establishes a Prospective Minor Parents Decision-Making Assistance Program and includes requirements relating to notification of a parent of a pregnant minor prior to the performance of an abortion on the pregnant minor.

The decision-making assistance program established in the Act includes a video to be offered to a pregnant minor during the initial appointment of a pregnant minor with a licensed physician to provide information regarding the options available to a pregnant minor with regard to the minor's pregnancy. The video and the accompanying written decision-making materials provide information regarding the decision to continue the pregnancy to term and retain parental rights, placing the child for adoption, and terminating the pregnancy through abortion. The video and materials are available through the offices of the Iowa Department of Public Health, the Department of Human Services, the Judicial Department, and through the offices of licensed physicians who provide abortions. The video is also available to other persons upon request.

Following the offering of the video and written materials, the pregnant minor is to sign a form certifying that the pregnant minor was offered the video and the materials. A copy of the certification form is to be retained by the attending physician and a copy of the certification form is to be provided to the pregnant minor. The pregnant minor is encouraged to select a responsible adult (a person 18 years of age or older who is not associated with an abortion provider) to accompany the pregnant minor during the decision-making program and at the pregnant minor's discretion, to also involve the person responsible for impregnating the minor, in the program.

Following the offering of the video and materials, if the pregnant minor decides to terminate the pregnancy through abortion, the Act requires the attending physician to notify one parent of the pregnant minor by restricted certified mail of the pregnant minor's decision at least 48 hours prior to the abortion. If the pregnant minor objects to the notification, the pregnant minor may petition the juvenile court to authorize waiver of the notification requirement. Following a hearing on the petition, the court may issue an order for waiver if the court finds that either the pregnant minor is mature and capable of providing informed consent for the abortion or that the pregnant minor is not mature or does not claim to be mature but that notification is not in the best interest of the pregnant minor. The Act specifies the components of the court proceeding, including that the pregnant minor is to be provided assistance in the proceedings; that these proceedings take precedence over other matters before the court; that an expedited, confidential appeal is to be provided to the pregnant minor; that the pregnant minor is not required to pay a fee at any level of the proceedings; and that if the court denies the petition for waiver of notification and if the decision is not appealed or if all appeals are exhausted, at the request of the pregnant minor, the court will appoint a marital and family therapist to assist the pregnant minor in addressing any intrafamilial problems. The Act also provides for exemptions from the notification requirements, including if the abortion is authorized in writing by a parent entitled to notification, if the pregnant minor submits a written statement to the attending physician providing a reason for not notifying a parent and instead notifying a grandparent or aunt or uncle (over 25 years of age) of the pregnant minor, a medical emergency exists as certified by the attending physician, or the pregnant minor declares herself to be a victim of child abuse or sexual abuse. The Act also provides for an alternative procedure if an attending physician certifies that a medical emergency exists and an abortion is performed on a pregnant minor prior to the required notification of a parent.

The Act establishes that a person who performs an abortion on a pregnant minor in violation of the Act is guilty of a serious misdemeanor.

The Act establishes a Prospective Minor Parents Program Advisory Committee, consisting of a variety of individuals with interests relating to pregnancy and including two state senators and two state representatives to develop criteria for the selection of a person to develop the video, to develop criteria for the information to be included in the video, to develop a process and provide for the distribution of the video and develop confidentiality requirements relating to the video, to promote use of the video and decision-making materials, to provide ongoing evaluation of the program, to receive input from the public regarding the program, and to seek private funding to accept gifts, grants and donations for implementation and continuation of the program. The Act directs the committee to attempt to complete and distribute the video not later than January 1, 1997, and to submit a progress report to the General Assembly on or before January 8, 1997. Senate File 2470 (see Appropriations) appropriates \$200,000 for costs to develop the video and other materials.

The Act establishes that a person who knowingly tenders a false original or copy of the certification form or who knowingly tenders a false original or copy of the notification document or order waiving notification is guilty of a fraudulent practice in the fourth degree, which is a serious misdemeanor.

The Act provides that, with the exception of civil liability which may apply to a grandparent or aunt or uncle of a pregnant minor who accepts notification, a person is immune from any civil or criminal liability for any act, omission or decision made in connection with a good faith effort to comply with the Act, but does not provide immunity for an act, omission or decision made in relation to the performance of a medical procedure on a pregnant minor.

The Act directs the Iowa Department of Public Health to adopt rules to implement the notification procedures and directs the department to provide administrative support to the advisory committee.

The Act establishes that the juvenile court has exclusive jurisdiction over the proceedings for judicial waiver of notification.

The portion of the Act establishing the advisory committee takes effect March 22, 1996. The Act directs that members be appointed to the advisory committee within 60 days of the enactment date and permits the committee to begin performing its duties prior to the official commencement of the terms of the members. The Act provides that if the advisory committee has completed its duties regarding the development and distribution of the video prior to January 1, 1997, the remainder of the Act takes effect on January 1, 1997, and if these duties are not completed, the remainder of the Act, exclusive of the establishment of the advisory committee and the provisions relating to the development, distribution and offering of the video and decision-making materials, takes effect January 1, 1997.

The Act provides that the section establishing the advisory committee is repealed January 1, 1999, or two years following distribution of the video, whichever is later.

The Act originally included requirements relating to the notification of a parent prior to the termination of parental rights of a pregnant minor and relating to the decision of a pregnant minor to terminate parental rights and place the child for adoption. House File 2050 (see Children & Youth) eliminated these requirements and replaced these provisions with a requirement that if a petition for termination of parental rights of a pregnant minor or a minor who has given birth is filed, notice of the termination hearing is to be served upon a custodial parent or a legal guardian or custodian of the pregnant minor, for the purposes only of notification, and does not confer any additional rights on the custodial parent or legal guardian or custodian. Notice may be waived if the court determines that the pregnant minor or minor who has given birth is capable of providing consent to the termination of parental rights, that notification is not in the best interest of the pregnant minor or minor who has given birth or of the minor child, or that other good cause exists for waiver of the notice. Failure to provide notice does not constitute good cause for the purposes of revocation of a release of custody and is not grounds for denial, modification, vacation, or appeal of a termination of parental rights order or of an interlocutory or final adoption decree.

SENATE FILE 482 - Economic and Other Penalties for Criminal Activity

BY HORN AND RIFE. This Act creates new Chapter 809A, the Iowa Forfeiture Reform Act; new Chapter 706A, the Ongoing Criminal Conduct Act; new Chapter 706B, the Iowa Money Laundering Act; and new Chapter 529, the Iowa Financial Transaction Reporting Act.

Chapter 529, the Iowa Financial Transaction Reporting Act, does the following:

1. Parallels current federal transaction reporting requirements for identifying who must make reports, the contents of the reports, and the circumstances that trigger the obligation to report.
2. Designs the reports to provide data from which law enforcement may make general resource decisions, to improve geographic and business sector targeting, to focus on specific individuals and businesses, and to assist in the proof of cases under investigation. The reports required under Chapter 529 are:
 - a. Currency and Foreign Transactions Reporting Act Reports. These requirements apply only to money transmitters and only impose a duty to report if the transmitter is required to file under the Federal Currency and Foreign Transactions Reporting Act and the relevant federal regulations.
 - b. Reports of Receipt of Cash in a Trade or Business. All persons (not just money transmitters) engaged in a trade or business who must file certain reports pursuant to federal law and regulation must file a

report of transactions relating to cash received. The information required in the report is the information contained in the federal IRS Form 8300 and required by federal regulations.

- c. \$3,000 Logs. All money transmitters who are required by federal law to keep so-called "\$3,000 logs" must also keep them for the Department of Public Safety as well. The logs must be available for inspection at any time.

Chapter 706A, the Ongoing Criminal Conduct Act, does the following:

1. Creates the following five violations, each a type of economic crime or facilitation of economic crime:
 - a. The infiltration of legitimate commerce through investment of illegal proceeds, the control of an enterprise through crime itself (as by an extortionate takeover), and conducting an enterprise through specified unlawful activity.
 - b. The knowing facilitation of a criminal network by engaging in subsidiary crimes, such as obstruction of justice, extortion, facilitation of the network by providing property or services (other than legal services), and fraud.
 - c. Money laundering, by reference to the Iowa Money Laundering Act, Chapter 706B.
 - d. Commission of certain specified unlawful acts committed for financial gain on an ongoing basis.
 - e. The negligent facilitation of specified unlawful activity that proximately results in financial gain. The Act provides only civil remedies for this violation, fixing limited financial responsibility in the nature of a tort remedy.
2. Creates special civil remedies for violations, including private treble damages actions, actions by the state to obtain damages on behalf of the citizens of the state, and injunctive relief.
3. Defines the scope of civil liability to assure protection of legal entities and to clarify the measure of damages and statutory liability for the acts of joint ventures and other persons acting in concert.

Chapter 706B, the Iowa Money Laundering Act, does the following:

1. Guides the application of financial remedies and allows reciprocal agreements encouraging interstate cooperation and uniformity through special purpose and uniformity sections.
2. Creates the following four violations:
 - a. Knowingly dealing in the proceeds of unlawful activity.
 - b. Making property available to another for the purpose of furthering specified unlawful activity.
 - c. Knowingly conducting transactions that conceal or disguise illegal proceeds or avoid transaction reporting requirements.
 - d. Engaging in money laundering as a business. This violation carries with it an enhanced penalty.
3. Imposes a civil treble damages sanction in addition to criminal penalties to deter individuals who provide services to the drug industry for profit.
4. Provides that money laundering is conduct giving rise to forfeiture, and for integration with new Chapter 809A.

Chapter 809A, the Iowa Forfeiture Reform Act, replaces the forfeiture provisions of Chapter 809 and does the following:

1. Provides civil procedures so the state can obtain a personal forfeiture judgment against an offender which can be satisfied from in-state or out-of-state assets.
2. Defines conduct triggering forfeiture to include: (a) any criminal act punishable as a felony or as a serious or aggravated misdemeanor, (b) out-of-state conduct that would have been a triggering offense if committed in the state initiating the forfeiture action, and (c) conduct committed in furtherance of a triggering offense.

3. Defines forfeitable property to include: (a) real or personal property furnished or intended to be furnished in exchange for the unlawful conduct, or property used or intended to be used, to facilitate the illegal activity (however, the Act excludes real property from forfeiture in simple drug possession cases and requires personal property used to facilitate simple drug possession to be forfeited in a civil in personam action), (b) proceeds derived from illegal activity, (c) enterprise interests, which are interests affording a source of influence over an enterprise established, controlled or participated in through illegal activity (e.g., corporate stocks), and (d) substitute assets, if the original forfeitable property is subject to an exempt interest or otherwise unavailable. The substitute asset is forfeitable up to the value of the property owned or possessed for the purpose of facilitating illegal activity or that is the proceeds of illegal activity or for which the wrongdoer is criminally responsible. In addition, a seizure warrant is required to seize a substitute asset.
4. Creates presumptions that property is forfeitable if it was acquired during a person's conduct giving rise to forfeiture or within a reasonable time thereafter and there is no other likely source for the property or money or a negotiable instrument found in close proximity to contraband, or if an instrumentality is proceeds of, or was used or intended to be used to further, conduct giving rise to forfeiture.
5. Exempts property or an interest in property from forfeiture if:
 - a. The owner or interest holder:
 - 1) Obtained the interest prior to or during the illegal activity without knowledge or reason to know of the illegal activity or its likelihood of occurrence; or
 - 2) Obtained the interest prior to or during the illegal activity with knowledge, or reason to know of the offense or its likelihood of occurrence, but took reasonable steps to prevent the offense (e.g., notification of authorities or cancellation of a lease); or
 - 3) Purchased the interest in good faith and without knowledge of the unlawful conduct; and
 - b. The owner or interest holder:
 - 1) Is not criminally responsible for the wrongdoer's conduct (e.g., not a co-conspirator); and
 - 2) Was not in a relationship with the wrongdoer that permitted the wrongdoer to convey the property to a good faith purchaser for value; and
 - 3) Had no notice of the seizure or reason to believe the property was forfeitable.
6. Allows release of seized property if the state deems retention unnecessary (e.g., because a case is weak or forfeiture would not serve justice).
7. Allows an owner or interest holder to file a petition with the prosecuting attorney requesting recognition of an exempt interest. If the prosecuting attorney denies the request, the petitioner has recourse to the courts in the judicial forfeiture proceedings initiated by the prosecuting attorney or by filing a motion for an order to show cause, which may result in an expedited hearing on the matter.
8. Permits interlocutory sale, lease or operation by interest holders with an uncontroverted or presumptively legitimate interest when property will be foreclosed or significantly reduced in value before final judgment. If the property is sold, the proceeds are used to pay sale costs and satisfy exempt interests. Any remaining balance is deposited into an interest-bearing account and becomes the subject of the litigation.
9. Permits the filing of a lien or constructive seizure (posting notice) to establish the state's interest and avoid unnecessarily displacing residents.
10. Requires an adversarial judicial finding of probable cause to evict residents, except in emergencies.
11. Releases property to an owner or interest holder pending final judgment if the state fails to file judicial proceedings within specified time limits, the owner posts a bond or cash equal to the fair market value of the property (the bond or cash is forfeited in lieu of the property), or the court finds no probable cause for the forfeiture of the property in an expedited hearing on that issue (the hearing is available upon application by an owner or interest holder).

12. Authorizes states to enter into a custodian agreement with an owner or interest holder to maintain the property pending final judgment.
13. Authorizes the court to create a receivership or appoint a conservator, custodian or trustee to preserve the property's value.
14. Permits the deposit of seized moneys or negotiable instruments into an interest-bearing account.
15. Allows an interlocutory sale by interest holders with uncontroverted or presumptively legitimate interests to avoid spoilage or waste of perishable assets.
16. Provides the state's title to forfeited property is vested from the time of the commission of the conduct giving rise to the forfeiture, and explicitly excludes exempted property from application of the relation back doctrine.
17. Designates as a constructive trustee for the benefit of the state anyone receiving nonexempt property which is subject to forfeiture.
18. Requires a trustee with notice of the forfeiture action to provide the state with specified information about the person for whose benefit the forfeitable property is held.
19. Authorizes the state, in uncontested cases, to declare the forfeiture of personal property of a value up to \$5,000.
20. Provides probable cause is the state's burden of proof in unopposed cases requiring a judicial order so the state can summarize its evidence.
21. Provides that forfeited property (except controlled substances, weapons and certain other property) may be used by the Department of Justice or state or local law enforcement agencies, sold or destroyed.
22. Requires the Attorney General to adopt rules to implement the chapter.

This Act also makes conforming amendments to several chapters.

SENATE FILE 2155 - Municipal Infractions — Jurisdictional Amount

BY COMMITTEE ON JUDICIARY. This Act amends the jurisdictional amount for municipal infractions heard in the manner of small claims by magistrates and judges in order to make it consistent with the current jurisdictional amount for small claims actions of \$4,000. Civil penalties assessed above that amount would be heard by a judge in district court. The change will also now permit automatic adjustment of the municipal infraction jurisdictional amount each time the jurisdictional amount for small claims actions in Section 631.1 is adjusted.

SENATE FILE 2207 - Juror and Witness Fees and Expenses

BY COMMITTEE ON JUDICIARY. This Act relates to the reimbursement of jurors and witnesses for transportation and mileage expenses.

The Act defines "disabled" as a person who is not physically able to operate a motor vehicle or use public transportation without assistance due to a physical disability. The Act provides that a juror who is disabled may receive reimbursement for the costs of alternate transportation from the disabled juror's residence to the place of the jury service or attendance. Existing law provides only reimbursement for mileage and parking expenses.

The Act provides that jurors or witnesses may receive reimbursement for mileage expenses for each mile traveled in an amount that does not exceed a maximum to be established by the Supreme Court.

SENATE FILE 2252 - District Associate Judges — Number and Apportionment

BY COMMITTEE ON JUDICIARY. This Act provides that a county shall not lose a district associate judge assigned to that county solely based on a reduction in the county's population. Under current law, counties are permitted a certain number of district associate judges based on the population of the county according to the most recent census.

The Act takes effect April 8, 1996.

SENATE FILE 2265 - Domestic Relations — Miscellaneous Provisions

BY COMMITTEE ON JUDICIARY. This Act relates to domestic relations proceedings by providing for mediation and participation in certain courses. The Act directs the court to determine, in each domestic relations proceeding or modification of any order relating to those proceedings, if the parties should participate in mediation to attempt to resolve differences between the parties. Exceptions to the determination are if a history of domestic abuse exists, if direct physical harm or significant emotional harm to a child, children or a parent is likely to result, or if the action involves a child support or medical support obligation enforced by the Child Support Recovery Unit of the Department of Human Services. Mediation may be ordered by the court at any time prior to the entering of a final order or the granting of a final decree.

The Act also requires a party to any action involving the issues of child custody or visitation to participate in a court-approved course to educate and sensitize the parties to the needs of any child or party during and subsequent to the proceeding. The parties must participate within 45 days of the service of notice and petition for the action or of the service of notice and application for modification of an order. A party is responsible for arranging for participation in and payment for the course, and must submit certification of completion of the course to the court prior to the granting of a final decree or the entry of an order. Each judicial district is directed to certify approved courses. Additionally, the Act permits the court to require age-appropriate counseling for children who are involved in a dissolution of marriage action, and the costs of counseling are taxed as court costs. The Supreme Court may prescribe rules to implement these provisions. The portion of the Act relating to participation in the mandatory course takes effect January 1, 1997.

SENATE FILE 2305 - Purchase Money Mortgages

BY COMMITTEE ON JUDICIARY. This Act provides rights, in addition to those found at common law, for holders of purchase money mortgages. The Act provides that where more than one purchase money mortgage against a purchaser exists, the first to be recorded has priority. The Act also provides that the protection afforded through purchase money mortgages is limited to the purchase amount and related costs. In addition, the Act provides that the failure to provide notice that a mortgage is a purchase money mortgage does not prevent the mortgage from being a purchase money mortgage if it otherwise meets the requirements for a purchase money mortgage.

The Act is retroactively applicable to purchase money mortgages taken or retained on or after July 1, 1995.

SENATE FILE 2372 - Landlords and Tenants

BY COMMITTEE ON LOCAL GOVERNMENT. This Act makes changes regarding termination of rental agreements, the definition of notice, and notice provisions for actions to recover property in Chapter 562A, the Uniform Residential Landlord and Tenant Act; Chapter 562B, the Mobile Home Parks Residential Landlord and Tenant Act; and Chapter 631, Small Claims and Forcible Entry and Detention Actions.

The Act provides that, for purposes of Chapters 562A and 562B, a person receives notice when it comes to the person's attention and, in the case of a landlord, the landlord receives notice if it is delivered in person or mailed by certified or restricted certified mail to the landlord's place of business or the landlord's agent. A tenant may also receive notice by certified mail or restricted certified mail.

The Act also provides that the notice of termination of a rental agreement for failure to pay rent after written notice may be provided by personal service or by mail. This applies in both residential and mobile home rental situations under Chapters 562A and 562B.

The Act also provides that, in actions for forcible entry and detention under Chapter 631, service by posting and mail may be made after two attempts at personal service of notice which may be made on the same day. Currently, three attempts at personal service are required and the Code is silent regarding whether the attempts can be made the same day. The Act requires notice to be sent by certified mail and allows service to be deemed complete upon the filing of affidavits regarding service by posting and mail, regardless of whether the defendant signs a receipt for the notice.

SENATE FILE 2375 - Confinement Feeding Operations — Nuisance Defense

BY COMMITTEE ON JUDICIARY. The Act amends Section 657.11, which provides that there is a rebuttable presumption that an animal feeding operation is not a public or private nuisance if the animal feeding operation operates in compliance with the law. This Act provides that the rebuttable presumption does not apply to a person classified as a chronic violator. A person is classified as a chronic violator if the person has committed three or

more violations as described in the Act prior to, on or after July 1, 1996. The violations relate to the construction or operation of a confinement feeding operation, including the storage and disposal of manure from the operation. In addition, to be classified as a chronic violator, the person must have been subject to either the assessment of a civil penalty by the Department of Natural Resources or the Environmental Protection Commission in an amount equal to \$3,000 or more, or a court order or judgment based on a referral to the Attorney General from the department or commission. The assessment, court order or judgment must have occurred five years prior to the date of the latest violation.

SENATE FILE 2385 - State Judicial Nominating Commissions - VETOED BY THE GOVERNOR

BY COMMITTEE ON JUDICIARY. This bill would have provided that, for the purpose of electing and appointing state judicial nominating commissioners from each of Iowa's congressional districts, the number of districts shall be that number established after the most recent federal decennial census and described in Chapter 40 of the Code of Iowa. Currently, one commissioner in each of the seven congressional districts is appointed by the Governor and one is elected by the resident members of the bar in that district.

The bill would have taken effect immediately upon enactment and would have applied to commissioners elected or appointed before that date and on or after that date. Transition provisions were provided to change the composition of the current commission from 14 commissioners to 10, effective May 1, 1996, while maintaining staggered terms and gender balance for both appointive and elective commissioners.

SENATE FILE 2396 - Exemptions From Execution — Residential Deposits and Prepaid Rent

BY COMMITTEE ON JUDICIARY. This Act adds to the list of property a debtor may hold exempt from execution, residential and utility security deposits and prepaid rent, not to exceed \$500 in the aggregate. However, the debtor cannot claim these exemptions against a landlord or utility company for sums held under a rental agreement or for utility services.

Although bankruptcy is a federal action, the property that may be listed as exempt is controlled by state law. Under this Act if a debtor lists such deposits or prepaid rent as exempt property, the bankruptcy trustee cannot force the debtor to turn over such deposits or the cash equivalent, nor can the trustee directly collect the security deposits or prepaid rent from the landlord or utility for use as part of the bankruptcy estate.

SENATE FILE 2405 - Court Records — Miscellaneous Provisions

BY COMMITTEE ON JUDICIARY. This Act provides that copies of orders entered in civil domestic abuse cases can be distributed without the copies being certified. The Act also eliminates the requirement that the clerk of court deliver a written copy of these orders to all law enforcement agencies, and the 24-hour dispatcher for the agencies, having jurisdiction over the matter. The clerk is still required to electronically notify the county sheriff and the sheriff's 24-hour dispatcher in writing.

The Act also provides for the inclusion of electronic digital formatting to the list of authorized methods of reproducing court records. The Supreme Court is required to adopt rules to monitor the accessibility of these electronic records.

The Act also permits the clerks of court to dispose of justice of the peace records and to dispose of court reporter notes and transcripts for mental health and substance abuse proceedings.

SENATE FILE 2413 - Judicial Administration — Miscellaneous Provisions

BY COMMITTEE ON JUDICIARY. This Act amends various provisions relating to judicial officers and judicial administration.

The Act expands the definition of "judicial officer" to include an associate juvenile judge and an associate probate judge.

The Act authorizes the chief judge of a judicial district to appoint from among the other judicial officers of the judicial district, excluding the magistrates, one or more assistants to serve throughout the judicial district. Existing law requires an assistant of the chief judge to be a district judge. This change authorizes a district associate judge, an associate juvenile judge, or an associate probate judge of the district to serve as such an assistant.

The Act authorizes the judicial officers within a judicial district, excluding the magistrates, to convene as an administrative body to address various judicial matters and duties. Existing law authorizes only district judges to

convene as such an administrative body. This change authorizes a district associate judge, an associate juvenile judge, or an associate probate judge of the district to convene as a part of such an administrative body.

The Act provides that the mandatory retirement age is 72 for all associate juvenile judges and associate probate judges, but does not apply to an associate juvenile judge or associate probate judge who is 72 years of age or older on July 1, 1996.

The Act provides that a chief judge may assign a magistrate to hold court outside of the county of the magistrate's residence for the orderly administration of justice.

The Act authorizes the judicial officers of a judicial district, excluding the magistrates, to prescribe rules for probate actions and proceedings within the district. Existing law authorizes only district judges to prescribe rules for such probate actions and proceedings. This change authorizes a district associate judge, an associate juvenile judge, or an associate probate judge of the district to participate in prescribing rules for probate actions and proceedings.

HOUSE FILE 2081 - Legalization of Defective Notarial Acts

BY MERTZ. This Act provides that a defective notarial act completed more than 10 years earlier is valid, legal and binding as if the instrument had been properly acknowledged.

HOUSE FILE 2150 - Grandparent Visitation Rights

BY CONNORS. This Act provides for the granting of visitation to the grandparents of a child for whom a parent of the child unreasonably refuses to allow visitation or who unreasonably restricts visitation by the grandparent. The granting of visitation by a grandparent is subject to a determination by the court that the visitation is in the best interests of the child and that the grandparent had established a substantial relationship with the child prior to the filing of a petition seeking visitation.

HOUSE FILE 2365 - Investments by Fiduciaries

BY COMMITTEE ON JUDICIARY. This Act creates a new Section 633.123A, which provides that all fiduciaries may invest and reinvest in open-end and closed-end management investment companies and investment trusts registered under the federal Investment Company Act of 1940 so long as the portfolio of such investment company or investment trust consists substantially of investments not otherwise prohibited by the Model Prudent Person Investment Act or by the governing instrument. Currently, the authority to make these investments is provided in the Model Prudent Person Investment Act and is limited to fiduciaries acting under the jurisdiction of the court.

HOUSE FILE 2429 - Indigent Defense — Duties of Public Defenders

BY COMMITTEE ON JUDICIARY. This Act primarily returns the Code provisions concerning indigent defendants and public defenders to the language in the Code prior to July 1, 1995. Most of the statutory language in this Act was adopted in 1991 Iowa Acts, Chapter 268. That Act provided for the repeal of the language on July 1, 1995, and required the Code Editor to return the language as it had appeared in the 1991 Code. Due to this directive to the Code Editor, the Act also restores intervening amendments to the sections since the enactment of the 1991 legislation.

The Act requires the State Public Defender to coordinate the representation of all indigents and to designate the local public defender office that will take cases in a county served by a public defender.

The Act permits the State Public Defender to review claims for payment of indigent defense costs by a noncontract or contract attorney and if the State Public Defender believes the costs to be excessive, to request a review before the relevant court to consider the costs. The Act allows the State Public Defender to contract with county attorneys to recover court-ordered attorney fees awarded.

The Act provides for the appointment of a contract or noncontract attorney for representation of indigent clients when the public defender is unable to represent the clients.

The Act also permits a court to appoint a nonprofit corporation, established to provide representation to juveniles, to represent an indigent juvenile.

The Act does not restore language providing for the Indigent Defense Advisory Commission. In addition, the Act strikes a provision that provides for court-appointed counsel to be taxed as court costs against a person who desires legal assistance and is not indigent, but refuses to employ an attorney.

The Act takes effect April 2, 1996, and is retroactively applicable to July 1, 1995.

HOUSE FILE 2458 - Indigent Defense, Criminal Sanctions, and Related Matters

BY COMMITTEE ON JUDICIARY. This Act concerns various aspects of criminal and juvenile justice, including criminal corrections sanctions, the right to appointed counsel or a public defender, and recovery of certain defense costs, and provides for a study on the legal representation of indigents.

The Act provides that an incarcerated parent without legal custody of a child does not have the right to counsel in child in need of assistance proceedings.

The Act also provides that reasonable compensation awarded a noncontracting attorney who is appointed to represent a defendant shall not exceed the hourly rate which would have been awarded an attorney under contract with the State Public Defender to represent indigents.

The Act provides that a person shall not be considered indigent or partially indigent if their income is greater than 200 percent of the poverty level unless a person is charged with a felony and the court finds that not appointing counsel would cause a substantial hardship.

Changes to Section 815.9A provide that costs for indigent defense are payable by the indigent and shall be entered as a judgment against the indigent when due. The changes also provide that for persons receiving services whose income is between 150 percent and 185 percent of the poverty level, at least \$200 shall be recovered pursuant to rules adopted by the public defender; for persons whose income is between 185 percent and 200 percent of the poverty level, at least \$300 shall be recovered pursuant to rules adopted by the public defender.

The changes to Section 910.2 provide that if a court orders community service instead of restitution under Section 910.2 concerning the costs of an indigent's defense, the value of the number of hours of community service ordered shall be approximately equivalent to the costs of the defense. This portion of the Act also provides that simple misdemeanors under Chapter 321, Motor Vehicles and Law of the Road, are subject to this requirement relating to payment of restitution.

The Act provides that an individual given a deferred or suspended sentence may be placed in an intermediate criminal sanctions program through a judicial district department of correctional services in addition to the current dispositions available to the court.

The Act authorizes each judicial district to adopt an intermediate criminal sanctions plan before the judicial district department of correctional services may implement an intermediate criminal sanctions program. A program shall consist of two levels of sanctions and services, extensive supervision, and short-term confinement in secure residential treatment facilities.

A judicial district department of correctional services operating an intermediate criminal sanctions program has the authority to move an individual in the program to different levels of sanctions or services based on the judicial district department's assessment of the individual's needs.

The Act also provides that a court may suspend the sentence of an individual, place the individual on probation, and then assign the individual to the judicial district department of correctional services for placement in an intermediate criminal sanctions program.

The Act eliminates the requirement that a court enter a separate civil judgment after entry of the order of restitution when an offender's sentence has expired and the restitution plan has not been fully complied with by the offender.

The Act requests the establishment of a legislative interim study committee to study issues concerning the legal representation of indigents and to submit a report of its findings to the General Assembly.

The Act also provides that criminal intelligence data maintained by the Department of Public Safety and peace officer investigative reports shall not be included in the data the Division of Criminal and Juvenile Justice Planning is granted access to or is to maintain for statistical purposes.

HOUSE FILE 2500 - Uneconomical Testamentary Trusts

BY COMMITTEE ON WAYS & MEANS. This Act adds a new section to the Iowa Probate Code, permitting a court to modify or terminate a testamentary trust upon petition by a beneficiary or a trustee, and after notice to all

interested parties, when the value of the trust has become so low in comparison to the administration costs that it impairs the purpose of the trust.

ECONOMIC DEVELOPMENT

- SENATE FILE 2351** - Economic Development Programs
- SENATE FILE 2464** - Housing Development and Related Matters
- HOUSE FILE 2234** - Exemption From Land Ownership Restrictions
- HOUSE FILE 2481** - New Jobs and Income Program

RELATED LEGISLATION

- SENATE FILE 2409** - Workforce Development
SEE LABOR & EMPLOYMENT. This Act creates the Department of Workforce Development. This new department replaces the current Department of Employment Services. In addition, the Act transfers certain responsibilities from the Department of Economic Development to the new Department of Workforce Development.
- SENATE FILE 2449** - Tax Revisions and Related Matters
SEE TAXATION. Division V of this Act appropriates \$2 million annually to fund a livestock production tax credit for certain hog, beef, dairy, sheep, and poultry production operations. For the tax year beginning on or after January 1, 1996, the amount appropriated shall only be used to pay livestock production credit claims for cow-calf operations. The Division applies to tax years beginning on or after January 1, 1996.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations and includes a provision authorizing the use of Value-Added Agricultural Products and Processes Financial Assistance Fund moneys to develop a state-of-the-art beef processing plant and other provisions relating to economic development.
- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes a FY 1996 supplemental appropriation from the General Fund of the State to the Department of Economic Development for the Strategic Investment Fund and for promotional efforts associated with the Iowa Sesquicentennial.
- HOUSE FILE 2177** - Urban Renewal — Century Farm Exclusion
SEE LOCAL GOVERNMENT. This Act provides that areas designated as economic development areas for purposes of urban renewal shall not contain land which is part of a century farm unless the owner agrees to include the farm in the urban renewal area. The Act applies to economic development areas designated before, on or after July 1, 1996.
- HOUSE FILE 2383** - Deer and Wild Turkey Hunting Licenses
SEE NATURAL RESOURCES AND OUTDOOR RECREATION. The Act rewrites the current provisions of hunting laws relating to the issuance of free deer hunting and wild turkey hunting licenses to landowners and tenants and provides for the allocation of 25 nonresident deer and wild turkey hunting licenses for visitors to the state interested in economic development.
- HOUSE FILE 2397** - Linked Investments
SEE BUSINESS, BANKING & INSURANCE. This Act makes changes to the Linked Investments Program in the Office of the Treasurer of State, including placing a two-year moratorium on linked investments under the Targeted Small Business Linked Investments Program and repealing the Main Street Linked Investments Loan Program.
- HOUSE FILE 2433** - Waste Tires
SEE ENVIRONMENTAL PROTECTION. This Act relates to the management of waste tires by providing for the establishment of a Waste Tire Management Fund. The Act also provides that a tire processor who annually processes more than 250,000 waste tires at a

processing site located within the state may be awarded moneys at the rate of not more than 20 cents per passenger tire equivalent processed and delivered to a site of end use.

ECONOMIC DEVELOPMENT

SENATE FILE 2351 - Economic Development Programs

BY COMMITTEE ON SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM. This Act makes changes and additions to several economic development programs, including the Workforce Development Fund Program and the Iowa Small Business New Jobs Training Act, and provides a supplemental new jobs credit from income tax withholding.

The Act establishes the Workforce Development Fund Account in the Office of the Treasurer of State to receive repayment moneys under Section 422.16A, up to a maximum of \$10 million per year. Section 422.16A is amended to provide that employer withholding amounts formerly used to repay a certificate of participation under Chapter 260E shall be transferred to the Workforce Development Fund Account instead of the Workforce Development Fund. The Act also provides that moneys from the Workforce Development Fund Account may be appropriated to the Workforce Development Fund.

The Act provides that the assets of the Workforce Development Fund shall be used for training and retraining programs for targeted industries, job training projects under Chapter 260F, the Iowa Small Business New Jobs Training Act, apprenticeship programs including new or statewide building trades apprenticeship programs, and innovative skill development activities. The Act also repeals the sunset, which was to occur in 1997, of the Workforce Development Fund Program.

The Act eliminates the Loan Loss Reserve Program as a component of the Workforce Development Fund.

The Act amends Section 15.343 to require the Director of the Department of Economic Development to submit the proposed allocation of funds from the Workforce Development Fund for the next fiscal year to the Economic Development Board by January 1 of each year and notwithstanding the requirement in Section 8.39 that approval from the Governor or Department of Management be obtained prior to transferring allocations between programs.

The Act requires the Department of Economic Development to use customer tracking information from the Department of Workforce Development to track, to the extent possible, individuals and businesses who have received assistance or services through the Workforce Development Fund to determine whether the assistance or services have resulted in increased wages paid to the individuals or paid by the businesses.

The Act creates a supplemental new jobs credit from withholding for eligible employers equal to 1.5 percent of the gross wages paid by the employer to be used to fund job training program services. The supplemental credit from withholding is to be administered in the same manner as the new jobs credit under Chapter 260E and is in addition to and not in lieu of that credit. To be eligible, the employer must agree to pay wages equal to at least the average county wage or the average regional wage, whichever is lower.

The Act renames Chapter 260F the "Iowa Jobs Training Act" and makes the following changes to the chapter:

- Businesses eligible for assistance are those currently training existing employees, rather than employees in new jobs. The Act provides that a business is ineligible for assistance if the business closes or substantially reduces employment to relocate to another area of the state or is involved in a strike, lockout or other labor dispute in Iowa. The Act prohibits the use of program funds to train replacement workers hired as part of a labor dispute.
- Tax increment financing is eliminated as a means, under Chapter 260F, to provide program funds. The new jobs credit from withholding is also eliminated. This provision allowed 1.5 percent of the gross wages paid to each employee in a new job training project to be credited to the cost of the training project. The Department of Economic Development shall allocate funds for projects under Chapter 260F.
- Training projects operated by community colleges for groups of businesses are authorized under Chapter 260F. The maximum amount of assistance for businesses participating in training is set at \$25,000 per business with a cap of \$50,000 per three-year period.

SENATE FILE 2464 - Housing Development and Related Matters

BY COMMITTEE ON APPROPRIATIONS. This Act contains several provisions regarding housing development.

The Act makes several changes to Chapter 358C regarding real estate improvement districts, including the following:

- The Act repeals the pilot program which limits the establishment of real estate improvement districts to six counties, allowing the statewide establishment of real estate improvement districts. The Act also provides that real estate improvement districts cannot be created after June 30, 2000.
- The Act provides that a person proposed to be a trustee, successor trustee, or to fill a vacancy on the board of trustees must disclose, prior to selection as a trustee, any financial interest the person has in a developer or contractor who may receive a contract for public improvements or other services in the district. A person proposed as a trustee, successor trustee, or to fill a vacancy on the board of trustees must also disclose the amount of land the person owns in the district.
- The Act requires real estate improvement districts to allow the building of manufactured homes by forbidding action by the board of trustees of the district to prohibit or restrict the construction of manufactured homes.
- The Act prohibits the board of a real estate improvement district from entering into a contract for public improvements or other development services with a person owning more than 25 percent of the land in the district without competitive bidding.
- The Act requires the existence of a special assessment to be recorded, regarding each lot, in the county in which the real estate improvement district is located. The Act also provides that the special assessment lien held by the district against a parcel of property shall only be for that part of the special assessment which has come due but is not yet paid, not for the total amount of the special assessment.
- The Act requires a city to notify all public utilities service areas to be annexed by the city 60 days prior to the annexation. Failure to provide timely notice provides the utility 60 days from the notice to adjust its tax and accounting records to reflect the annexation.
- The Act provides that the existence of a special assessment against property in a district must be disclosed to a potential buyer.

The provisions of the Act relating to real estate improvement districts take effect May 30, 1996.

The Act makes several changes to Chapter 403 regarding urban renewal, including the following:

- The Act provides that public hearings are to be held on a proposed urban renewal plan, rather than on each urban renewal project undertaken in accordance with the plan.
- The Act requires the municipality to make a finding that acquisition of land for residential uses is essential to the municipality's urban renewal plan. Section 11 also requires the municipality to find that one of four conditions exist, including that the provision of public improvements related to housing and residential development will encourage residential development and the retention or relocation of industrial or commercial enterprises or that the area to be acquired under the plan is necessary to provide for the construction of low and moderate income housing.
- The Act requires a public notice and hearing before bonds may be issued for urban renewal and provides a 15-day window, following the decision of the municipality to take additional action to issue the bonds, for a resident or property owner to appeal the additional action to the district court. The additional action is final and conclusive unless the court finds that the municipality exceeded its authority.
- The Act adds public improvements related to housing development to the definition of economic development area and makes construction of low and moderate income housing an alternative use (along with commercial and industrial enterprises and public improvements for housing) for an economic development area. The division of revenue under tax increment financing based upon a finding that the area is an economic development area is limited to 20 years.
- The Act adds low and moderate income housing assistance to the uses for which revenue from tax increment financing may be used and sets out the manner in which assistance for public improvements related to housing and residential development, low and moderate income and otherwise, may be provided. Tax increment financing for housing or residential development is not allowed unless the municipality assures that the project will include assistance for low and moderate income family housing in an amount

either based on the percentage of low and moderate income persons in the county or in some other amount as determined by the municipality and agreed to by the Department of Economic Development. Assistance for low and moderate income housing may take many forms, including lots for low and moderate income housing within or outside the urban renewal area or payments to a low and moderate income housing fund established by the municipality. Funding sources may include revenue from tax increment financing or any other legal source. Tax increment financing for housing projects is limited in duration to 10 years.

The provisions of the Act relating to urban renewal take effect May 30, 1996.

The Act provides that counties may utilize the abatement procedure regarding property which is abandoned or deemed to constitute a public nuisance currently only available to cities, neighboring landowners, and nonprofit housing corporations. The county may file a petition for abatement if the property is located outside the limits of a city and is either abandoned and in violation of the housing code applicable to the county or is deemed a public nuisance.

The Act also provides that cities may use their eminent domain powers to condemn residential buildings found to be a public nuisance.

The Act provides that counties may dispose of single or multifamily housing acquired by the county through a request for bids process.

The Act makes the establishment or funding of housing programs as part of a municipal housing project under Chapter 403 or otherwise an essential city or county purpose.

The Act permits the board of supervisors in a county to provide that property acquired and subdivided for housing development continue to be assessed for taxation as the property was assessed prior to the subdivision for housing until the lot is sold or a specified period of time elapses. This period is five years in counties with populations under 20,000 and three years in counties with populations of 20,000 or over.

The Act provides that counties may abate property taxes on single and multifamily housing in the same manner as cities unless the property is located within city limits. This provision takes effect May 30, 1996.

The Act provides that land, acquired after a city has adopted a revitalization plan, which covers the entire city shall automatically be included in the revitalization plan.

The Act provides that, for the purposes of urban revitalization tax exemptions for improvements to property, the value of the property for the purposes of the exemption shall be the lower of the assessed value of the property in the year the improvements are begun or the price paid by the owner of the property in an arm's length sale. This provision applies to tax exemptions granted on or after January 1, 1995.

The Act appropriates \$1 million for the fiscal year beginning July 1, 1995, and ending June 30, 1996, to the Iowa Finance Authority to assist counties in establishing housing councils. Moneys not obligated or expended by the Authority for this purpose by June 30, 1997, shall be transferred to the Housing Improvement Fund within the Authority. This provision took effect May 30, 1996.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision creating a new program within the Iowa Finance Authority providing for moneys to be transferred to counties on a per capita basis for housing programs. Funding for this program would have come from proceeds from the real estate transfer tax diverted from the General Fund of the State to the Finance Authority.
2. A provision diverting two-thirds of the proceeds from the real estate transfer tax currently being deposited in the General Fund of the State to the Iowa Finance Authority. Sixty percent of the moneys would be used by the Authority to fund the per capita transfers to the counties and 40 percent would be used by the Authority for the Housing Improvement Fund. One-third of the proceeds would continue to be deposited in the General Fund of the State.

These provisions would have taken effect on July 1, 1997.

HOUSE FILE 2234 - Exemption From Land Ownership Restrictions

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act allows the Department of Economic Development to exempt a nonresident business from the restrictions on ownership of agricultural land for the purposes of the New Jobs and Income Program administered by the department. The business must otherwise be an eligible business under the program, must apply to be an exempt business before July 1, 1998, and must not be actively engaged in farming within the economic development area in which the business seeks to locate.

The business may own up to 1,000 acres of land and may lease up to an additional 280 acres. The business must convert the land to a purpose other than farming within five years of acquisition unless the business receives an extension from the city or county in which the business is located and the Department of Economic Development.

The Department of Economic Development is to monitor the activities of businesses receiving the exemption and report annually to the General Assembly.

HOUSE FILE 2481 - New Jobs and Income Program

BY COMMITTEE ON WAYS AND MEANS. This Act creates additional benefits to businesses that participate in the New Jobs and Income Program administered by the Department of Economic Development and authorizes the department to waive eligibility requirements in certain circumstances.

The Act provides that the business participating in the New Jobs and Income Program, or a supporting business, is entitled to a refund of sales, service and use taxes paid by a contractor or subcontractor in the performance of a written contract relating to the construction or equipping of a facility within an economic development area.

The Act authorizes the eligible business to claim as exempt from sales and use taxation, machinery and equipment which is exempt from property tax under the program.

The Act makes the research activities credit provided under the program, a refundable credit. In lieu of receiving a refund of corporate taxes paid, the business may have the amount of the overpaid taxes credited against next year's tax liability.

The Act provides that the department may waive, for good cause, the eligibility requirements relating to capital investment and jobs created for the program. The waiver shall not be below 15 jobs created or \$3 million of capital investment. Good cause includes high unemployment in the community, a high poverty level in the community, an opportunity to use existing facilities, and lack of community growth.

The Act provides that for sales of machinery and equipment occurring on or after July 1, 1994, the machinery and equipment does not have to be taxable as real property to qualify for the exemption from the sales and use tax.

EDUCATION

- SENATE FILE 2063 - School Improvement Technology Program
- SENATE FILE 2082 - School Finance — State Percent of Growth
- SENATE FILE 2083 - Minimum School Day Requirements
- SENATE FILE 2157 - Postsecondary Schools and Loan Programs
- SENATE FILE 2158 - Textbooks
- SENATE FILE 2159 - Evaluator Licensing of Educators
- SENATE FILE 2201 - Open Enrollment — Instructional Support for Reorganized School Districts
- SENATE FILE 2204 - Vocational Rehabilitation
- SENATE FILE 2357 - School Finance — Levy Adjustment
- HOUSE FILE 121 - Taping and Broadcasting of Athletic Events
- HOUSE FILE 334 - Instructional Support Program — Hearings and Elections
- HOUSE FILE 455 - Board of Educational Examiners — Complaint Procedures
- HOUSE FILE 570 - Center for Gifted and Talented Education and Related Funding Provisions

RELATED LEGISLATION

- SENATE FILE 2195 - Iowa Communications Network Appropriations
SEE APPROPRIATIONS. This Act appropriates moneys to the Iowa Communications Network Fund for FY 1997 for debt service, the connection of a minimum of 110 Part III authorized users, the subsidization of video rates for certain authorized users, maintenance and lease costs, and support services. The Act also appropriates moneys to the State Board of Regents for the Center for Educational Technology at the University of Northern Iowa to coordinate staff development for educators using educational technology in Iowa.
- SENATE FILE 2294 - Multidisciplinary Community Services Teams
SEE HUMAN SERVICES. This Act creates multidisciplinary community services teams in the county home rule chapter of the Iowa Code, Chapter 331. The members of a team are expressly authorized to disclose confidential information to one another concerning an individual or a family. Teams may include agencies providing education services.
- SENATE FILE 2307 - Programs for Persons With Disabilities
SEE CHILDREN & YOUTH. This Act relates to various programs for individuals with a disability and their families and provides for coordination of programs available to individuals with disabilities which are administered by the Departments of Human Services and Education.
- SENATE FILE 2331 - False Academic Records
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act establishes a criminal penalty for certain uses and false representations relating to academic degrees, grades or honors.
- SENATE FILE 2351 - Economic Development Programs
SEE ECONOMIC DEVELOPMENT. This Act makes changes and additions to several economic development programs, including the Workforce Development Fund Program and the Iowa Small Business New Jobs Training Act, and provides a supplemental new jobs credit from income tax withholding for certain employers.
- SENATE FILE 2438 - Mental and Physical Conditions — Terminology Changes and Related Matters
SEE HUMAN SERVICES. This Act makes numerous changes in terminology to various provisions pertaining to persons with certain mental and physical conditions.

including changes to certain education provisions by changing the term "handicapped" and similar terms to instead refer to a person with a disability.

- SENATE FILE 2449** - Tax Revisions and Related Matters
SEE TAXATION. In Division II of this Act, the regular program foundation base for purposes of the state School Aid Program is increased from 83 percent to 87.5 percent, however, the portion that is attributable to additional enrollment because of special education remains at 79 percent.
- Division II takes effect May 7, 1996, and applies to the computation of school foundation aid payable in budget years beginning on or after July 1, 1996.
- Division VI of this Act expresses the General Assembly's support for the study of the Department of Education required in the education appropriations Act, H.F. 2477, and requests an additional goal be added to that of the study. This additional goal is for achieving parity between the percentage of regular program state cost per pupil and the percentage for that portion of weighted enrollment that is additional enrollment because of special education which constitute the regular program foundation base and the percentage of special education support services state cost per pupil which constitutes the special education support services foundation base.
- SENATE FILE 2467** - Tuition and Textbook Income Tax Provisions
SEE TAXATION. This Act increases the rate for elementary and secondary school tuition and textbook credit from 5 to 10 percent and makes the credit available to all taxpayers regardless of net income, and eliminates the income tax deduction for amounts paid for tuition and textbooks for dependents in elementary and secondary schools. The Act takes effect April 25, 1996, and applies retroactively to tax years beginning on or after January 1, 1996.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations and includes provisions relating to tuition grants for summer semesters, amending the standing appropriations for early childhood education and at-risk programs, and authorizing school boards to make rules relating to policing, control and regulation of traffic and parking on school grounds.
- HOUSE FILE 514** - Special Registration Plates and Related Matters
SEE TRANSPORTATION. This Act creates education motor vehicle registration plates and provides that moneys collected from sale of the plates be remitted to the School Budget Review Committee to be used for transportation assistance for school districts with an average transportation cost per pupil which exceeds the state average transportation cost per pupil by 150 percent. The Act also creates Iowa heritage plates and provides that 25 percent of the moneys collected from sale of the plates is allocated to the Department of Education to promote the teaching of history.
- The Act takes effect January 1, 1997.
- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes an FY 1996 supplemental appropriation from the General Fund of the State to the Department of Education to provide assistance to school districts participating in a financial reporting pilot project and supplemental appropriations to the State School for the Deaf and the Iowa Braille and Sight Saving School for technology and other needs.
- HOUSE FILE 2165** - Taxation of Industrial Machinery, Equipment and Computers
SEE TAXATION. This Act requires a community college to notify a county assessor by February 15 of each year if the taxpayer's property will be taxed to finance either an industrial new jobs or small business training project in the coming fiscal year.

- HOUSE FILE 2225** - Motorcycle Rider Education
SEE TRANSPORTATION. This Act transfers the responsibility for approving and establishing the motorcycle rider education class and the motorized bicycle education class from the Department of Education to the State Department of Transportation.
The Act takes effect March 29, 1996.
- HOUSE FILE 2256** - Implementation of New or Revised Federal Block Grants
SEE LOCAL GOVERNMENT. This Act provides requirements for state agencies involving implementation of new or revised federal block grant provisions affecting political subdivisions of the state, including education agencies.
- HOUSE FILE 2433** - Waste Tires
SEE ENVIRONMENTAL PROTECTION. This Act relates to the management of waste tires by providing for the establishment of a Waste Tire Management Fund. The Act also encourages State Board of Regents institutions of higher learning to use waste tires for beneficial uses and directs that moneys may be awarded to such institutions to offset any increased costs incurred in using waste tires.
- HOUSE FILE 2477** - Appropriations — Education
SEE APPROPRIATIONS. This Act appropriates moneys from the General Fund of the State to the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions. This year's Act appropriated a total of \$788.8 million and provided 17,507.68 full-time equivalent positions (FTEs), which exceeds the Governor's recommendations by \$500,000 and 6 FTEs and exceeds last year's education appropriations Act (S.F. 266) by \$14.2 million and 54.2 FTEs. The Act includes numerous provisions affecting education and education programs.

EDUCATION

SENATE FILE 2063 - School Improvement Technology Program

BY COMMITTEE ON EDUCATION. This Act establishes the School Improvement Technology Program for the allocation of funds to elementary and secondary education entities for the acquisition of instructional technology. The Act appropriates \$15 million to the Department of Education from the Rebuild Iowa Infrastructure Account and \$15 million from the State General Fund for FY 1997, and creates a standing limited appropriation of \$30 million from the State General Fund for each of the next four fiscal years, FY 1998 through FY 2001.

The Department of Education is directed to allocate funds to school districts, which the Act defines as including the Iowa Braille and Sight Saving School, the State School for the Deaf, the Price Laboratory School at the University of Northern Iowa, the State Training School, the Iowa Juvenile Home, Woodward State Hospital-School, and Glenwood State Hospital-School, based upon the proportion that the basic enrollment of a district bears to the sum of the basic enrollments of all school districts in the state. However, a school district will receive not less than \$15,000 per year.

The department is also directed to allocate \$450,000 to the area education agencies (AEAs) and distribute the funds based on each AEA's percentage of the total full-time elementary and secondary teachers employed in the school districts.

All elementary and secondary educational institutions are required under the Act to adopt technology plans supporting school improvement technology efforts and improve student achievement. District plans are further required to include an evaluation component. Each AEA plan, under the Act, is required to explain the assistance and support the AEA will provide to the districts.

Funds allocated to school districts, as defined by the Act, shall be used for the acquisition, lease, lease-purchase, installation, and maintenance of instructional technology equipment, and for staff development and training related to instructional technology. Funds allocated to AEAs are for paying the costs related to supporting school districts served with technology planning and equipment and for staff development and training related to instructional technology. The Act prohibits the use of funds for collective bargaining or to increase staffing.

The chapter creating the School Improvement Technology Program is repealed effective July 1, 2001.

SENATE FILE 2082 - School Finance — State Percent of Growth

BY COMMITTEE ON EDUCATION. This Act sets the state percent of growth under the State School Foundation Program at 3.5 percent for the budget years beginning July 1, 1997, and July 1, 1998. The Iowa Code provides that the state percent of growth for subsequent budget years be set by statute in the year preceding the base year. Current Code sets the state percent of growth at 3.3 percent for the budget year beginning July 1, 1996.

The Act takes effect January 1, 1997, for school budget years beginning after that date.

SENATE FILE 2083 - Minimum School Day Requirements

BY COMMITTEE ON EDUCATION. This Act permits a school week of four rather than five consecutive school days if, because of additional hours devoted to parent-teacher conferences scheduled beyond the regular school day, a school district achieves the minimum 27.5 total number of instructional hours within the first four consecutive days.

SENATE FILE 2157 - Postsecondary Schools and Loan Programs

BY COMMITTEE ON EDUCATION. This Act conforms Iowa Code provisions to federal requirements relating to the duties of the College Student Aid Commission and the Iowa Guaranteed Loan Program, and creates a Chiropractic Loan Revolving Fund. The Act also augments the requirements for registration by a postsecondary school in Iowa and increases the registration fees.

The Act permits the commission to collect an insurance premium and to reimburse eligible lenders for defaulted loans in the amount authorized by the federal Higher Education Act of 1965. Current law sets the figure while the Acts ties the amount to that authorized by the federal Higher Education Act of 1965.

Language creating the Chiropractic Graduate Student Forgivable Loan Program was enacted in S.F. 266 in 1995. This Act makes the language of the program comparable to the Osteopathic Forgivable Loan Program by adding a

provision allowing the commission to sell unforgiven loans due for repayment to a financial institution eligible to participate in the federal Guaranteed Student Loan Program. The Act provides that a forgivable loan to an eligible student does not become due until one year after the student has graduated.

The Act also creates a Chiropractic Loan Revolving Fund, the language of which differs from the Osteopathic Loan Revolving Fund only in that the commission may withhold, from deposit into the fund, the costs of collection on delinquent chiropractic loans. The commission is directed to deposit payments made by loan recipients and the proceeds from the sale of chiropractic loans into the revolving fund, less the costs of collection of delinquent chiropractic loans.

Any school that has a "presence," which is defined in the Act as maintaining an address in Iowa, and maintains or conducts one or more courses, including correspondence courses, offered in Iowa, or which has a presence in Iowa and offers courses in other states or foreign countries, must register with the Secretary of State. Currently, only those schools that are actually offering, maintaining and conducting courses, including correspondence courses, in Iowa are required to register with the secretary.

Schools meeting the requirements of registration are currently given certificates of registration. Under the Act, they are issued an "acknowledgment of document filed." The secretary makes the final determination on each registration. However, the secretary's decision is subject to judicial review.

The secretary is directed to utilize the State Advisory Committee for Postsecondary School Registration in reviewing new and continuing registrations and the committee is directed to serve as an advisory review board for the secretary. The secretary is added to the board's membership and shall serve as the board's chairperson.

The Act adds a new registration requirement that a school offering courses or programs of study leading to a degree shall be accredited by an agency or organization approved or recognized by the United States Department of Education and approved for operation by the appropriate state agencies in all other states in which it operates. A school is exempt from the section if its programs are limited to nondegree specialty vocational training programs.

The following information is added to the registration information the school is required to submit when requesting registration: the locations where instruction is likely to be given in this state, along with the principal locations of the school in other states and foreign countries, and the names and titles and descriptions of the degrees to be offered in Iowa; and the academic and instructional methodologies and delivery systems to be used by the school and the extent to which the school anticipates each methodology and delivery system will be used, including but not limited to classroom instruction, correspondence, electronic telecommunications, independent study, and portfolio experience evaluation.

An exemption from the registration requirements is added for postsecondary institutions licensed in the state and for public and private postsecondary institutions accredited by the North Central Association of Colleges and Secondary Schools accrediting agency.

The current registration fee of \$50 and the renewal fee of \$25 are increased to \$1,000 and \$500, respectively.

SENATE FILE 2158 - Textbooks

BY COMMITTEE ON EDUCATION. This Act changes and expands the definition of "textbooks" for purposes of Chapter 301 of the Iowa Code, which addresses textbook adoption, purchase and sale.

Currently, "textbooks" means books, book substitutes including reusable workbooks, loose-leaf or bound manuals, and computer software materials used as book substitutes. Under the Act, "textbook" means books, loose-leaf or bound manuals, systems of reusable instructional materials, or combinations of books and supplementary instructional materials which convey information to students or otherwise contribute to the learning process, or electronic textbooks, including but not limited to computer software, applications using computer-assisted instruction, interactive videodisc, and other computer courseware and magnetic media.

SENATE FILE 2159 - Evaluator Licensing of Educators

BY COMMITTEE ON EDUCATION. This Act provides an alternative to double licensure for educators employed in a supervisory teaching or administrative capacity. Section 272.33 of the Iowa Code requires individuals responsible for administering teaching faculty performance evaluations in a supervisory capacity to complete coursework leading to an evaluator license, in addition to their teaching license. This Act provides that an evaluator

endorsement attached to an educator's teaching license may be obtained instead of an independent evaluator license. This would enable educators to coordinate expiration and renewal dates with the underlying teaching or administrative license and simplify administrative recordkeeping.

Educators obtaining an evaluator endorsement would remain subject to evaluator licensing and renewal coursework requirements. Individuals who have previously been issued permanent professional education licenses would not be subject to license renewal, and accordingly, an evaluator endorsement could not be affixed. However, these individuals may continue to obtain a separate evaluator license.

SENATE FILE 2201 - Open Enrollment — Instructional Support for Reorganized School Districts

BY COMMITTEE ON EDUCATION. This Act changes open enrollment application deadlines, eliminates the requirement that parents give a reason for open enrolling on the application, permits the board of directors of a school district to grant the district superintendent the authority to approve open enrollment applications timely filed, provides that the amount paid for open enrollment students is the state per pupil cost for the previous year, strikes a requirement that a pupil attend the open enrollment district, and adds the removal or surrender of accreditation and the closing of a nonpublic school as good cause for making late application for open enrollment.

The Act also permits a school district participating in an instructional support program on or after July 1, 1995, which reorganizes effective July 1, 1996, to continue to participate for the budget year beginning July 1, 1996. However, the district is limited to imposing an income surtax of not more than 17 percent.

The deadline for making application for open enrollment is moved from October 30 to January 1. The date by which the board of the district of residence must take action on the application is moved from November 30 to February 1, and the date by which the receiving district must take action on the request is moved from December 31 to March 1.

The board of directors of the district of residence shall pay to the receiving district the state cost per pupil for the previous school year, plus any moneys received for the pupil as a result of the non-English-speaking weighting, for the previous school year, multiplied by the state cost for the previous year, along with the Phase III moneys allocated to the district of residence for the previous year for the pupil.

The definition of "good cause," for purposes of permitting a parent to submit, and a district to approve, a late application, is expanded to include the removal of accreditation by the state board, the surrender of accreditation, and the permanent closure of a nonpublic school.

SENATE FILE 2204 - Vocational Rehabilitation

BY COMMITTEE ON EDUCATION. This Act provides for the operation of the Division of Vocational Rehabilitation Services of the Department of Education in a manner consistent with the most recently amended version of the federal Rehabilitation Act of 1973.

The federal Act no longer requires that the Vocational Rehabilitation Division be coordinated with the Board of Vocational Education. Previously, the State Board of Education met as the State Board of Vocational Education in establishing rules relating to the operation of the division. Provisions in Chapter 259 regarding the coordination between the Vocational Rehabilitation Division and the Board of Vocational Education and related provisions are accordingly removed.

Provisions in Section 259.4 concerning duties of the Vocational Rehabilitation Division relating to formulating and implementing written rehabilitation programs, conducting studies of the needs of individuals with disabilities in coordination with other state agencies, maintaining records, supervision of the progress of individuals with disabilities, and placement services relating to competitive, integrated employment are deleted. These provisions are addressed in the federal Act and related regulations and have required amendment every time an amendment to the federal Act or regulations occurred. In addition, a general duty to do what is necessary to secure the rehabilitation of those entitled to the benefits of the chapter is extended to include individuals with severe disabilities.

The Act also deletes a provision in Section 259.5 relating to a plan for cooperation between the Division of Vocational Rehabilitation and the State Labor Commissioner and State Industrial Commissioner, which is no longer required by the federal Act.

The Act provides for the designation of the northwest corner of the Jessie M. Parker Vocational Rehabilitation Building at the State Capitol complex in Des Moines as the Juliet Saxton Center.

SENATE FILE 2357 - School Finance — Levy Adjustment

BY RITTMER. This Act provides that a school corporation board may increase amounts certified for levy for principal and interest bonded indebtedness repayment if the board determines such increases are necessary to offset projected future machinery and equipment-related property valuation decreases and resulting revenue shortfalls in a district in which machinery and equipment valuation exceeds 20 percent of total taxable valuation.

The indebtedness shall have been incurred prior to July 1, 1995. The amount of the adjustment in any one year, when added to the amount originally certified, shall not exceed the lesser of the amount necessary for principal and interest repayment for the three-year period beginning on the date of the adjustment, 125 percent of the amount originally estimated and certified, or 110 percent of the total district levies for the fiscal year preceding the adjustment. Additionally, the amount of the adjustment, any machinery and equipment replacement moneys received as a result of the adjustment, and the original levy amount shall not exceed the total amount necessary for principal and interest repayment over the life of the issue.

The Act provides that the amounts collected attributable to this increase may be deposited in an account maintained separately from that created to hold the principal and interest revenues. An adjustment extending a levy beyond the earlier of 10 years from the original certification date, or June 30, 2007, shall not be permitted.

HOUSE FILE 121 - Taping and Broadcasting of Athletic Events

BY CORMACK. This Act prohibits the Iowa High School Athletic Association and the Iowa Girls High School Athletic Union, or their respective successor organization, from assessing a charge for the videotape retransmission of a high school athletic tournament contest or event if the retransmission does not occur earlier than 24 hours after the start of the live contest or event.

HOUSE FILE 334 - Instructional Support Program — Hearings and Elections

BY CORNELIUS. This Act reduces the steps necessary before the board of directors of a school district may adopt a resolution for participation in the Instructional Support Program.

The Act permits the board to adopt the resolution at the hearing held to consider participation in the program. The Act strikes the provision requiring the board to announce at the hearing a date on which the board would take action to adopt the resolution. The Act also strikes certain provisions relating to the publication of the hearing notice. However, boards are still required to publish notice of the time and place of the hearing in a newspaper of general circulation in the school district between 10 and 20 days before the hearing.

In addition, the Act strikes current Code language requiring, if the board elects to submit the question of participation at the next regular election or a special election, that the election be held not later than December 1 of the base year.

HOUSE FILE 455 - Board of Educational Examiners — Complaint Procedures

BY HAMMITT BARRY AND NELSON OF POTTAWATTAMIE. This Act directs the Board of Educational Examiners to adopt rules relating to complaints filed with and accepted by the board.

The Act was substantially amended by H.F. 2477 (see Appropriations) to require that the board adopt rules requiring specificity in written complaints filed by individuals with personal knowledge of an alleged violation, providing that the board's jurisdictional requirements are met on the face of the complaint before initiating an investigation of allegations, providing that any investigation be limited to the allegations contained on the face of the complaint, providing for an adequate interval between the receipt of the complaint and public notice of the complaint, permitting parties to mutually agree on a resolution, allowing the respondent the right to review any investigative report upon a finding of probable cause for further action by the board, requiring that the conduct providing the basis for the complaint occurred within three years of discovery of the event by the complainant, and requiring complaints to be resolved within 180 days unless good cause can be shown for an extension.

HOUSE FILE 570 - Center for Gifted and Talented Education and Related Funding Provisions

BY COMMITTEE ON APPROPRIATIONS. This Act changes the name of the National Center for Talented and Gifted Education to the International Center for Talented and Gifted Education and provides for the discontinuation of the current allocation of a portion of the interest from the Permanent School Fund to the endowment fund of the

international center at such time as there is an appropriation by the General Assembly of \$875,000 to the endowment fund of the international center, provided that the appropriation is made prior to July 1, 1998. The Act also provides authorization for payment of a portion of the interest from the Permanent School Fund to the endowment fund of the international center if an additional \$1,350,000 is raised through private contributions to the international center endowment fund during a three-year period beginning July 1, 1995, until such time as a matching \$675,000, on a 1-to-2 basis, is appropriated by the General Assembly to the endowment fund of the international center, provided that the appropriation is made on or after July 1, 1998.

The Act also expands the definition of the work of the International Center for Talented and Gifted Education. Portions of the Act were further amended by H.F. 2477 (see Appropriations).

ELECTIONS, ETHICS & CAMPAIGN FINANCE**RELATED LEGISLATION**

- SENATE FILE 2074** - City Hospital or Health Care Facility Trustees — Terms
SEE LOCAL GOVERNMENT. This Act relates to the dates on which city hospital or health care facility trustees take and depart from office.
- SENATE FILE 2278** - Natural Resource Commission — Removal of Political Activity Ban
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act repeals the prohibition on political activity by a member, officer or employee of the Natural Resource Commission of the Department of Natural Resources.
- HOUSE FILE 334** - Instructional Support Program — Hearings and Elections
SEE EDUCATION. This Act strikes a current Code requirement that an election held to determine school district participation in the Instructional Support Program must be held not later than December 1 of the base year.
- HOUSE FILE 2416** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act relates to and appropriates \$84.1 million to various state departments, agencies, funds, and certain other interstate and national entities for the fiscal year beginning July 1, 1996, and ending June 30, 1997.

ENERGY AND PUBLIC UTILITIES

SENATE FILE 2370 - Energy Efficiency and Public Utility Regulation

RELATED LEGISLATION

- SENATE FILE 2396** - Exemptions From Execution — Residential Deposits and Prepaid Rent
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act adds to the list of property a debtor may hold exempt from execution, residential and utility security deposits and prepaid rent, not to exceed \$500 in the aggregate. However, the debtor cannot claim these exemptions against a landlord or utility company for sums held under a rental agreement or for utility services.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions regarding the classification of long distance telephone companies for certain tax purposes and modifying E911 regulation.
- HOUSE FILE 2187** - Rural Water Districts — Attachment
SEE LOCAL GOVERNMENT. This Act provides that 30 percent of the owners of land within a proposed addition to a rural water district may petition the board of supervisors to attach all of the real property in the proposed addition to the district.
- HOUSE FILE 2444** - Appropriations — Energy Conservation — Petroleum Overcharge Funds
SEE APPROPRIATIONS. This Act appropriates moneys from the Energy Conservation Trust for energy conservation programs for low-income persons, for the state Energy Conservation Program, and for administration of petroleum overcharge programs.
- HOUSE FILE 2486** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant moneys to various state agencies. It also provides that if the Governor determines that federal low-income home energy assistance funds are insufficient, the Iowa Utilities Board may issue an order prohibiting disconnection of service from November 1 through April 1 if the household income falls at or below 150 percent of the federal poverty level.

ENERGY AND PUBLIC UTILITIES

SENATE FILE 2370 - Energy Efficiency and Public Utility Regulation

BY COMMITTEE ON COMMERCE. This Act repeals existing energy efficiency requirements for rate-regulated gas and electric utilities under Chapter 476. The Act strikes requirements that an electric rate-regulated utility expend at least 2 percent and a gas rate-regulated utility expend at least 1.5 percent of gross operating revenues on implementation of the energy efficiency plan and budget, that the energy efficiency plan include specific programs and services, that a utility be assessed a reward or penalty based on energy efficiency performance, and that a legislative interim committee be established in 1996 to review energy efficiency programs.

Instead the Act provides that gas and electric utilities required to be rate-regulated must file energy efficiency plans with the Iowa Utilities Board. The plan must include a range of programs, tailored to meet the needs of all customer classes, and must include programs for qualified low-income persons. A utility is required to assess potential energy and capacity savings available from actual and projected customer usage and submit this assessment to the board. The board is to consult with the Energy Bureau of the Division of Energy and Geological Resources of the Department of Natural Resources to develop specific capacity and energy savings performance standards for each utility. The utility must then submit an energy efficiency plan designed to attain these energy and capacity performance standards.

The Act allows a gas or electric rate-regulated utility to automatically adjust rates to reflect the costs of an energy efficiency plan approved by the board and provides for periodic review by the board.

The Act requires each rate-regulated gas and electric utility operating within the state to maintain a principal office for Iowa operations within the state and requires the Iowa Utilities Board to report to the General Assembly by January 1, 1998, on energy efficiency planning efforts. These requirements take effect May 20, 1996.

The Act requires the Iowa Energy Center and the Center for Global and Regional Environmental Research to provide an annual report to the Iowa Utilities Board that describes their operations and the results that have been accomplished.

An Alternate Energy Revolving Loan Program is created in the Act to provide loans in an amount of up to \$250,000 for the construction of alternate energy production facilities and small hydro facilities within the state. The loan program is administered by the Iowa Energy Center. All gas and electric utilities required to be rate-regulated must remit by July 1 of 1996, 1997 and 1998, 0.085 percent of the total gross operating revenues during the preceding calendar year, derived from the public utility's intrastate operations to fund the Alternate Energy Revolving Loan Program. The provision creating the Revolving Loan Program takes effect May 20, 1996.

The Act provides that except for contracts existing as of July 1, 1996, a rate-regulated gas or electric public utility or its affiliates cannot use vehicles, service tools and instruments, or employees, the costs, salaries or benefits of which are recoverable in the regulated rates for electric service or gas service; to install, service or repair residential or commercial gas or electric heating, ventilating or air conditioning systems, or interior lighting systems and fixtures; or to sell at retail heating, ventilating, air conditioning, or interior lighting equipment. The Act requires the Iowa Utilities Board to render a decision regarding a cross-subsidization complaint within 90 days from when the complaint was filed.

Finally, the Act allows a municipal utility to enter into an agreement with a public agency that has received a U.S. Department of Energy grant to jointly finance one wind turbine alternate energy production facility of not more than 20 megawatts, and to provide the municipal utility and other public or private agencies with electricity from the facility.

ENVIRONMENTAL PROTECTION

- SENATE FILE 2035** - Eurasian Water Milfoil
- SENATE FILE 2219** - Midwest Interstate Low-level Radioactive Waste Compact
- SENATE FILE 2287** - Regulation of Toxics in Packaging
- HOUSE FILE 2308** - Asbestos Removal and Encapsulation
- HOUSE FILE 2433** - Waste Tires

RELATED LEGISLATION

- SENATE FILE 2446** - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by providing appropriations to support related entities, including the Department of Agriculture and Land Stewardship and the Department of Natural Resources. The Act also provides direction to a number of agencies and makes statutory changes relating to agriculture and natural resources.
- HOUSE FILE 2258** - Benefited Recreational Lake Districts
SEE LOCAL GOVERNMENT. This Act includes water quality as a purpose for forming a recreational lake district and authorizes the district to acquire real estate and interests in real estate for its corporate purpose.
- HOUSE FILE 2303** - Hazardous Materials Transportation
SEE TRANSPORTATION. This Act maintains the exemption for certain cargo tank motor vehicles from hazardous materials transportation regulations regarding tank specifications.
- HOUSE FILE 2306** - Motorboat Operation on Big Creek Lake
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act gives temporary authorization for motorboats equipped with any power unit to use Big Creek Lake in Polk County, but at no-wake speed only.
- HOUSE FILE 2421** - Appropriations — Transportation, Infrastructure, and Capital Projects
SEE APPROPRIATIONS. Division IV of this Act establishes the Physical Infrastructure Assistance Program within the Department of Economic Development to provide financial assistance for business or community physical infrastructure development or redevelopment projects. The Department of Natural Resources is directed to work with the Department of Economic Development to identify environmentally contaminated sites, to provide an assessment, emergency response, and any further action, including remediation of the site, that the department deems appropriate.

ENVIRONMENTAL PROTECTION

SENATE FILE 2035 - Eurasian Water Milfoil

BY KIBBIE. This Act requires the Natural Resource Commission of the Department of Natural Resources to prepare a long-term statewide Eurasian water milfoil management plan before January 1, 1998. The plan shall address the control and eradication of Eurasian water milfoil through requirements relating to accidental introductions, the dissemination of information, public awareness, designation, and classification.

The Act authorizes the Director of the Department of Natural Resources to accept gifts, donations and grants to aid in accomplishing the control and eradication of Eurasian water milfoil.

The Act authorizes the Natural Resource Commission to adopt rules pursuant to Chapter 17A restricting the introduction, propagation, use, possession, and spread of Eurasian water milfoil. The Department of Natural Resources shall require that bodies of water infested with Eurasian water milfoil be posted. The Department of Natural Resources may prohibit boating, fishing, swimming, and trapping in infested bodies of water.

The Act provides that a person shall not transport Eurasian water milfoil, place a trailer or launch a watercraft with Eurasian water milfoil attached, or operate a watercraft, in a marked Eurasian water milfoil infestation area.

The Act creates a scheduled fine of \$100 for violations of Section 456A.37, subsection 5, relating to Eurasian water milfoil.

SENATE FILE 2219 - Midwest Interstate Low-Level Radioactive Waste Compact

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act amends the Midwest Interstate Compact relating to the disposal of low-level radioactive waste.

The Act contains provisions relating to the Midwest Interstate Low-Level Radioactive Waste Commission. The Act requires commission actions to be approved by either a two-thirds vote of the member states or an affirmative vote of an affected host state.

The Act provides that a compact facility may be permanently closed before it reaches capacity and before the expiration of its 20-year participation period if approved by the affirmative vote of a majority of the commission, including the affirmative vote of the commission member of the state in which the compact facility to be closed is located. "Compact facility" means a radioactive waste disposal facility and replaces the previous term "regional facility."

The Act contains the funding mechanism of the commission. Under ordinary circumstances, funding of the compact facility operations and the commission is provided through payment of a surcharge. During the period prior to initial operation of the first compact facility, the commission's funding is provided through fees paid by generators. The Act establishes a remedial action fund to provide additional assurance that users of the facilities pay all expenses associated with the regional disposal of low-level radioactive waste.

The Act requires the commission to consider the economic impacts on the party states in developing and adopting procedures and criteria for selecting host states.

The Act provides that the compact shall use sovereign immunity and generator indemnification to prevent party states from incurring liability.

The Act provides that each party state shall take its turn hosting compact facilities. The Act states that if a host state fails to discharge its obligation to develop and operate a compact facility on a timely basis, the commission may terminate the party state's designation as a host state.

The Act provides that a facility shall accept waste for disposal for a 20-year period or until its capacity is reached. However, before a compact facility is closed, a host state and the commission may enter into an agreement to lengthen the time period during which the compact facility accepts waste for disposal or to increase the capacity of the facility.

The Act establishes the process by which subsequent compact facilities are developed. A state that develops a compact facility cannot begin to operate its facility until the host state for the next compact disposal facility is designated.

The Act allows the host state of the then-operating compact facility to unilaterally decide to continue to operate its compact facility, even though the compact facility has already operated for 20 years or its capacity has been reached, if the next compact facility does not begin operating as planned.

The Act allows a host state to make an emergency closing of the compact facility in its state in order to protect air, land and water resources and the health and safety of people who are affected by the compact facility.

The Act prohibits a host state from developing a compact facility intended for the entire region and then using the compact facility only for the host state itself if it leaves the compact. Therefore, a state that leaves the compact is required to close any compact facility located within its borders.

The Act requires waste generators to sign and file with the commission an agreement providing for indemnification as a condition of acceptance of waste at a compact facility.

The Act provides that only a federal court may make the final determination that a state law conflicts with and is, therefore, subordinate to the compact. The Act reflects that, except in cases between states that are within the original jurisdiction of the U. S. Supreme Court, the federal district courts have exclusive jurisdiction over cases arising under this compact.

The Act provides that party states and their agencies, and the employees of both, are protected against liability and the costs of litigation seeking to recover damages resulting from the development, construction, operation, closing, or long-term care of a compact facility.

The Act makes it more difficult for a party state to withdraw from the compact. The Act allows the commission to impose reasonable financial penalties, suspend waste disposal rights, or revoke membership in the compact for withdrawal.

The Act provides that a party state, whose right to have waste generated within its borders disposed of at a compact facility is suspended, shall pay to the host state of the compact facility an amount necessary to ensure that the host state does not incur financial hardship.

The Act provides that dissolution of the compact may take place only through the unanimous agreement of all party states or withdrawal of congressional consent to the compact. If the U. S. Congress withdraws its consent, dissolution takes place 120 days after the effective date of the withdrawal of consent. The Act provides that the obligations undertaken by the party states are specifically enforceable in federal court.

The Act allows the commission or an affected party state to seek injunctive relief or recover damages to prevent or remedy a violation of the compact.

SENATE FILE 2287 - Regulation of Toxics in Packaging

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act amends Section 455D.19 of the Iowa Code, relating to the regulation of toxic metals in packaging.

The Act changes the definition of a "distributor" by excluding a person who delivers packages on behalf of a third person. A distributor is subject to the regulations on toxic metals in packaging as defined in the chapter.

The Act eliminates duplication in the Code by deleting provisions regarding prohibitions against the sale of products in certain packaging.

The Act expands the conditions upon which an exemption from the regulations on toxic metals in packaging is granted. An exemption is granted for a container that is recycled or reused, has limited risk of public exposure, and whose disposal is closely controlled.

The Act requires an application for an exemption to document specified measures to ensure that packaging as defined in the chapter is used, transported and disposed of in a manner consistent with federal and state health and safety requirements.

HOUSE FILE 2308 - Asbestos Removal and Encapsulation

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act rewrites and reorders much of Chapter 88B, the Asbestos Removal and Encapsulation chapter of the Iowa Code. The Act adds to the powers of the Division of

Labor Services of the Department of Employment Services (which S.F. 2409 renames the Department of Workforce Development, see Labor & Employment), removes training responsibilities and authority from the Department of Education, includes asbestos workers in public and commercial buildings under requirements that formerly applied only to asbestos workers in schools, and permits the Labor Commission to base fees for license and permit issuance and renewal on duty time spent and travel expenses incurred by division personnel.

The Act strikes from the Iowa Code current requirements that the Department of Education establish training requirements and qualifications and approve training programs; provisions that authorize the Division of Labor Services to inspect, review and approve training programs; a provision allowing the Department of Education to reprimand a training institution or suspend or revoke its authorization; and a provision requiring permittees to make the record of each asbestos project it performs available to the Department of Education. To qualify for a license as an asbestos worker, the Act requires an applicant to successfully complete training as established by the U.S. Environmental Protection Agency.

HOUSE FILE 2433 - Waste Tires

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act relates to the management of waste tires by providing for the establishment of a Waste Tire Management Fund in the State Treasury, allocation of moneys to facilitate elimination of waste tires and the establishment of future markets for waste tires, and the redirection of the existing fee on certificates of title of motor vehicles.

Moneys deposited in the Waste Tire Management Fund by the Treasurer of State shall be generated by the collection of a \$5 surcharge on every issuance of a certificate of title relating to ownership of a motor vehicle. The amount of the surcharge deposited in the Waste Tire Management Fund shall be \$1,500,000 in FY 1997, \$2,500,000 in FY 1998, \$3,500,000 in each of fiscal years 1998-1999 and 1999-2000, \$2,500,000 in FY 2001, and \$1,500,000 in FY 2002. Moneys generated by the surcharge shall also be deposited in the Road Use Tax Fund in the amounts of \$1,000,000 in FY 2001 and \$3,000,000 in FY 2002. The remainder of moneys generated by the surcharge shall be deposited in the General Fund of the State in fiscal years 1996-1997 through 2001-2002. The entire amount of the moneys generated by the surcharge shall be deposited in the Road Use Tax Fund beginning in FY 2003, and continuing thereafter.

The Act also transfers on August 1, 1996, \$300,000 from the Hazardous Substance Remedial Fund to the Waste Tire Management Fund. The amount of the transfer shall be returned in quarterly payments from the Waste Tire Management Fund to the hazardous substance remedial fund beginning on July 1, 1997.

The Act provides that \$50,000 shall be allocated each fiscal year to the Department of Natural Resources to administer the Waste Tire Management Fund.

The Act provides that the Waste Tire Management Fund may be used to award contracts for bringing waste tire collection sites or existing stockpiles of waste tires into legal compliance or processing waste tires at waste tire collection sites or existing stockpiles of waste tires.

The Act establishes a Waste Tire Management Grant Program which provides that the board of supervisors of a county may annually, by August 14, apply to the Department of Natural Resources to receive a waste tire management grant for use in establishing and administering local waste tire management programs. Grant moneys are allocated to a participating county based upon the population of the county. The Act authorizes the Department of Natural Resources to award additional grant moneys to counties with special waste tire concerns or problems. The Act directs participating counties to designate a site or sites for the collection of waste tires, which shall accept waste tires, without charge, in accordance with local waste tire management programs. A participating county is encouraged to promote nonprofit and private entity participation and to generate local funding for supplementation of the grant moneys awarded. The Act also requires the board of supervisors of a participating county to submit an annual report of expenditures of grant moneys.

The Act provides that State Board of Regents institutions of higher education generating heat, electricity or power are encouraged to use, to the fullest extent practicable, waste tires for beneficial uses, such as, but not limited to, producing tire-derived fuels. Moneys are awarded to such institutions to offset additional costs incurred in generating heat, electricity or power on a per British thermal unit basis to offset any increased costs associated with assisting the state's program to dispose of waste tires in an environmentally sound manner.

The Act provides that a tire processor who annually processes more than 250,000 waste tires at a processing site located within the state may be awarded moneys at the rate of not more than 20 cents per passenger tire equivalent processed and delivered to a site of end use.

The Act encourages retail tire dealers currently charging a fee relating to the disposal of used tires to include the fee within the sales price of new tires.

The Act directs the Department of Natural Resources to adopt rules to allow beneficial uses of whole or processed waste tires.

The Act provides for the repeal of the Waste Tire Management Fund effective July 1, 2002.

GAMING

SENATE FILE 2012 - Conduct of Raffles

RELATED LEGISLATION

- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes an FY 1996 supplemental appropriation from the General Fund of the State to the Department of Inspections and Appeals to fund an additional employee for racetrack regulation.
- HOUSE FILE 2416** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act relates to and appropriates \$84.1 million to various state departments, agencies, funds, and certain other interstate and national entities for FY 1997. The Act includes funding for the regulation of pari-mutuel racetracks and gaming and excursion boats, and the operation of the state lottery.

GAMING

SENATE FILE 2012 - Conduct of Raffles

BY SZYMONIAK AND KRAMER. This Act increases the maximum retail value of raffle prizes offered by fairs or qualified organizations. For raffles other than an annual raffle, the maximum prize value is increased from \$50 to \$200. For an annual raffle, there is no limitation on the value of the prizes offered to the winner. Previously, the maximum limit on the prize value for an annual raffle was \$20,000. For annual raffles which include real estate as a prize, additional records and a special audit are required of the licensee and an additional fee of 1 percent of the gross receipts of the raffle is payable to the Department of Inspections and Appeals within 60 days of the raffle drawing.

HEALTH AND SAFETY

- SENATE FILE 2110 - Anatomical Gift Public Awareness and Transplantation
- SENATE FILE 2171 - Miscellaneous Public Health Administration Provisions
- SENATE FILE 2218 - Community Health Management Information System
- SENATE FILE 2235 - Nursing Facilities — Alternative Licensure and Inspections
- SENATE FILE 2301 - Lead Abatement and Inspection
- HOUSE FILE 111 - Homeowners' Association Swimming Pools
- HOUSE FILE 523 - Telecommunicator Training Standards
- HOUSE FILE 2107 - HIV-Related Tests
- HOUSE FILE 2144 - Third-Party Payment of Certain Health Care Providers
- HOUSE FILE 2201 - Practice of Dentistry
- HOUSE FILE 2400 - Anatomical Gifts — Authority of Medical Examiner
- HOUSE FILE 2448 - Access to Criminal History and Related Records

RELATED LEGISLATION

- SENATE FILE 13 - Notification Requirements and Decision-Making Assistance Program Regarding Pregnant Minors
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act establishes a Prospective Minor Parents Decision-Making Assistance Program and includes requirements relating to the notification of a parent of a pregnant minor prior to the performance of an abortion on a pregnant minor. The Act specifies the components of the program, establishes an advisory committee for the program, specifies the procedure for notification of a parent and the alternative and exemptions to notification, establishes penalties for various violations of the Act, and provides effective dates for the various provisions of the Act. The Act was amended by H. P. 2050 (see Children & Youth) with regard to termination of parental rights of a pregnant minor and placement of a child for adoption.
- SENATE FILE 454 - Assisted Living Program
SEE HUMAN SERVICES. This Act establishes a procedure for the certification or voluntary accreditation of assisted living programs operating in the state. The Act provides for the following: definitions, the adoption of rules by the Department of Elder Affairs for the program and by the State Fire Marshal for fire and safety-related matters, voluntary accreditation in lieu of certification by the department, coordination with the existing long-term care system, and the seeking of a waiver to allow these programs to be a provider of personal care services under the Medical Assistance (Medicaid) program. Implementation of the program is contingent upon the establishment of a funding source.
- SENATE FILE 2013 - Licensure of Respiratory Care Practitioners
SEE STATE GOVERNMENT. This Act transfers the licensing authority for respiratory care therapists from the Department of Public Health to a new State Board of Respiratory Care. The Act also expands the definition of a "respiratory care practitioner."
- SENATE FILE 2030 - Mental Health and Developmental Disability Funding and Related Provisions
SEE LOCAL GOVERNMENT. This Act relates to state and county mental health and developmental disability services funding provisions by amending provisions associated with the base year used for determining maximum county expenditures and state funding levels. The Act amends provisions initially enacted in 1995 Iowa Acts, Chapter 206, S.F. 69, and includes planning provisions for mental health and developmental disabilities services.

- SENATE FILE 2066** - Assisted Suicide
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act establishes the crime of assisting suicide as a class "C" felony. The Act provides that in certain circumstances, the administering, prescribing or dispensing of medications or procedures to relieve pain or discomfort by a licensed health care professional or the withholding or withdrawing of a life-sustaining procedure in compliance with the Life-Sustaining Procedures Act or in accordance with durable power of attorney for health care provisions are not considered assisting suicide.
- SENATE FILE 2088** - Abuse of a Human Corpse
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act establishes the crime of abuse of a human corpse, which is defined as knowingly and intentionally engaging in a sex act with a human corpse. Abuse of a human corpse is a class "D" felony for which the sentence is confinement for not more than five years and a possible fine of at least \$500 and no more than \$7,500.
- SENATE FILE 2167** - Assaults Against Health Care Providers
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act establishes penalties for the assault of a health care provider. The Act defines "health care provider" and provides penalties for various types of assault ranging from a class "D" felony to a serious misdemeanor.
- SENATE FILE 2208** - Sex Offender Registry — Study of Access to Various Registries
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act adds to the list of offenses requiring a person to register with the sex offender registry and requires the Department of Human Services and the Department of Public Safety to study sharing information between certain registries maintained by each department.
- SENATE FILE 2219** - Midwest Interstate Low-level Radioactive Waste Compact
SEE ENVIRONMENTAL PROTECTION. This Act amends the Midwest Interstate Compact relating to the disposal of low-level radioactive waste.
- SENATE FILE 2287** - Regulation of Toxics in Packaging
SEE ENVIRONMENTAL PROTECTION. This Act amends Section 455D.19 of the Iowa Code, relating to the regulation of toxic metals in packaging. The Act expands the conditions upon which an exemption from the regulations on toxic metals in packaging is granted.
- SENATE FILE 2294** - Multidisciplinary Community Services Teams
SEE HUMAN SERVICES. This Act creates multidisciplinary community services teams in the county home rule chapter of the Iowa Code, Chapter 331. The members of a team are expressly authorized to disclose confidential information to one another concerning an individual or a family.
- SENATE FILE 2299** - Reserve Peace Officers — Professional Permits to Carry Weapons
SEE LOCAL GOVERNMENT. This Act provides that reserve peace officers are to be treated the same as peace officers for the purposes of obtaining and renewing professional permits to carry weapons.
- SENATE FILE 2303** - Medical Assistance
SEE HUMAN SERVICES. This Act makes several changes related to the Medical Assistance (Medicaid) Program, including requirements of personal representatives or executors of estates of Medical Assistance recipients, the conforming of references with federal citations relating to nursing facility fines, and the conforming to federal requirements relating to the transfers of assets under the Medical Assistance Program.
- SENATE FILE 2324** - Miscellaneous Public Assistance Provisions and Related Matters
SEE HUMAN SERVICES. This Act relates to various public assistance provisions and includes provisions regarding the immunization status of children participating in the Family Investment Program.

- SENATE FILE 2381** - Dependent Adult Abuse
SEE HUMAN SERVICES. This Act makes several changes in the dependent adult abuse law, including changes in definitions, measures to prevent additional abuse, provision of protective services, and penalties for various charges of dependent adult abuse.
- SENATE FILE 2410** - Illegal Drugs in Parents and Children
SEE CHILDREN & YOUTH. This Act amends juvenile justice code provisions involving the presence of illegal drugs in a child or a parent, includes provisions voiding rules adopted by the Iowa Department of Public Health, and requires the department to study issues associated with the effects of the use of illegal drugs on a family.
- SENATE FILE 2438** - Mental and Physical Conditions — Terminology Changes and Related Matters
SEE HUMAN SERVICES. This Act makes numerous changes in terminology to various provisions pertaining to persons with certain mental and physical conditions. In addition, the Act directs the Code Editor to make similar changes.
- SENATE FILE 2442** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services (DHS) and to the Prevention of Disabilities Policy Council for FY 1996-1997, and includes provisions relating to human services and health.
- SENATE FILE 2448** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act appropriates funds to a number of programs within the Iowa Department of Public Health, including appropriations to the Planning and Administration Division, the Health Protection Division, the Division of Substance Abuse and Health Promotion, and the Family and Community Health Division.
- SENATE FILE 2453** - Boilers and Unfired Steam Pressure Vessels
SEE LABOR AND EMPLOYMENT. This Act provides for the inspection of certain unfired steam pressure vessels manufactured on or after January 1, 1994, with an allowable pressure of 150 pounds per square inch and the safety relief valve set at 150 pounds per square inch. The Act requires that these vessels have an annual external inspection and a second internal inspection completed before December 31, 1997. Prior law provided that these vessels have an external and internal inspection on an annual basis.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions involving mutual aid between fire departments, county mental health and substance abuse funding, funding of the Prospective Minor Parents Decision-Making Assistance Program involving parental notification prior to placement for adoption or an abortion procedure, and funding for a study of physician utilization in health care coverages.
- HOUSE FILE 2061** - Health Care Peer Review Committees
SEE STATE GOVERNMENT. This Act adds health care entities engaged in providing health care services, including group medical practices, to the list of recognized health care peer review committees established in Section 147.1. Consequently, pursuant to Section 147.135, health care service entities, including group medical practices, are accorded civil immunity for actions resulting from peer review committee activities.
- HOUSE FILE 2308** - Asbestos Removal and Encapsulation
SEE ENVIRONMENTAL PROTECTION. This Act rewrites and reorders much of Chapter 88B, the Asbestos Removal and Encapsulation chapter of the Iowa Code. Requirements that apply to asbestos workers working in schools are, under the Act, also applicable to asbestos workers working in public and commercial buildings.

- HOUSE FILE 2369** - Postdelivery Benefits and Care
SEE BUSINESS, BANKING & INSURANCE. This Act establishes postdelivery care requirements for mothers and newborns under third-party health policies or contracts.
- HOUSE FILE 2427** - Mental Health, Mental Retardation, and Developmental Disability Services
SEE LOCAL GOVERNMENT. This Act amends numerous provisions involving voluntary placements of individuals for mental health or mental retardation care and treatment services.
- HOUSE FILE 2432** - Taxation of Organized Health Care Delivery Systems
SEE TAXATION. This Act provides that payments received by an organized health care delivery system licensed by the Director of Public Health shall be taxed in the same manner as payments received by a health maintenance organization.

HEALTH AND SAFETY

SENATE FILE 2110 - Anatomical Gift Public Awareness and Transplantation

BY COMMITTEE ON TRANSPORTATION. This Act establishes an Anatomical Gift Public Awareness and Transplantation Fund as a separate fund within the State Treasury under the control of the Iowa Department of Public Health and also establishes the Anatomical Gift Public Awareness Advisory Committee within the Iowa Department of Public Health.

The fund consists of moneys collected as contributions made by applicants for registration or renewal of registration of a motor vehicle and any other contributions to the fund. The moneys in the fund are to be distributed as grants to state agencies or nonprofit entities for the purpose of conducting public awareness projects; to hospitals for public awareness projects, referral protocols, and related administrative expenses; and to hospitals on behalf of patients for payment of the costs related to transplantation. Not more than 5 percent of the moneys in the fund is to be used for administrative costs.

The advisory committee consists of representatives of a state organ procurement organization, a bank or storage organization, the Iowa Medical Society, the Association of Iowa Hospitals and Health Systems, the Iowa Osteopathic Medical Association, the Iowa Chapter of the National Association of Social Workers, the Iowa Funeral Directors Association, the Iowa Department of Public Health, the Department of Human Services, and the Department of Inspections and Appeals. The duties of the committee include: advising the Iowa Department of Public Health regarding the accepting and awarding of grants to promote anatomical gifts, establishing criteria for the application for and awarding of grants to promote anatomical gifts, examining the anatomical gifts system to identify improvements or enhancements to promote anatomical gifts, and recommending legislation to improve state law regarding anatomical gifts.

SENATE FILE 2171 - Miscellaneous Public Health Administration Provisions

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the administration of boards and programs under the supervision of the Iowa Department of Public Health.

The Act authorizes the Director of Public Health to establish ad hoc and advisory committees to provide technical expertise to the director when not otherwise readily available to the department, and addresses compensation and majority vote aspects of committee membership.

The Act deletes a requirement that applicants for loan repayment or scholarship programs, pursuant to primary care provider recruitment and retention endeavor (PRIMECARRE), commit to a minimum service obligation of 10 years and instead requires a year of service for each year of loan repayment, unless federal requirements require otherwise.

The Act also replaces the requirement that the Bureau of Professional Licensure maintain a written registry book containing licensee registration information for public inspection with a requirement that the information be made available in a manner open for public inspection.

The Act provides that the requirement of a two-thirds majority vote to establish a quorum pursuant to Section 17A.2, will not apply with respect to the Respiratory Care, Massage Therapy, and Athletic Trainer Advisory Boards. Instead, a majority of the board members constitutes a quorum. The Act also provides for the compensation of expenses of appointed members of the Massage Therapy Board.

The Act requires the Community Health Management Information System Governing Board to work with the Health Data Commission to facilitate the transfer of historic health data from the commission to the Community Health Management Information System Data Repository.

SENATE FILE 2218 - Community Health Management Information System

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the Community Health Management Information System (CHMIS), which is administered by a nonprofit organization and under the regulatory authority of the Insurance Division of the Department of Commerce. This system provides for the collection and submission of health care billing information and other data.

The Act extends by one year from July 1, 1996, to July 1, 1997, the date by which Phase I of the system is to be implemented. "Phase I" means the collection and submission of certain identified data. In addition, the CHMIS

Governing Board is to review the policies and procedures for ensuring the confidentiality of information in the system and the penalties applicable to unauthorized release of the information. The review and options for enactment of penalties are to be submitted with the board's annual report to the General Assembly for the 1997 Legislative Session.

SENATE FILE 2235 - Nursing Facilities — Alternative Licensure and Inspections

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for adoption of rules, by the Department of Inspections and Appeals, regarding the licensure of nursing facilities. The Act provides that prior to licensure, required inspection of the nursing facility may be provided, at the option of the nursing facility, by the department or by the Joint Commission on Accreditation of Health Care Organizations, if all required materials regarding inspection are provided to the department. The option of inspection by the Joint Commission on Accreditation of Health Care Organizations is effective only after passage of federal legislation accepting these inspections for facilities participating in the Medical Assistance (Medicaid) or Medicare program.

SENATE FILE 2301 - Lead Abatement and Inspection

BY COMMITTEE ON HUMAN RESOURCES. This Act directs the Iowa Department of Public Health to establish a program for the training and certification of lead inspectors and lead abaters who provide inspections and abatement for monetary compensation. The department is also directed to establish a program for the training, on a voluntary basis, of painting, demolition and remodeling contractors and those who provide mitigation control services for monetary compensation.

The Act exempts persons who own or manage real property from obtaining certification to perform mitigation control or abatement measures on property the person owns or manages, but directs the department to encourage these persons to complete the training course. The Act establishes a civil penalty of not more \$5,000 for each offense for violation of the certification requirements. The Act authorizes the department to develop voluntary guidelines to be used to develop and administer local programs to address the health and environmental needs of children who are lead-poisoned. The Act provides that cities or counties may utilize the guidelines developed for local programs or may request that the state develop and administer a local program. The Act is effective contingent upon the department obtaining certification from the U.S. Environmental Protection Agency as an accredited program. However, the Act permits the department to establish a voluntary program in the interim.

HOUSE FILE 111 - Homeowners' Association Swimming Pools

BY GREIG. This Act exempts homeowners' associations representing 72 or fewer dwelling units from the requirements of the swimming pool regulation chapter if the associations' bylaws, which also apply to any rental agreement relating to any of the dwelling units, include an exemption from the requirements, provide for inspection of the swimming pool or spa by an entity other than the Iowa Department of Public Health or a local board of health, and assume any liability associated with the operation of the swimming pool or spa.

HOUSE FILE 523 - Telecommunicator Training Standards

BY COMMITTEE ON JUDICIARY. This Act requires the Director of the Iowa Law Enforcement Academy to adopt rules establishing minimum standards for the training of telecommunicators.

"Telecommunicator" is defined in the Act as a person who receives requests for, or dispatches requests to, emergency response agencies that include law enforcement, fire, rescue, emergency medical services, and other similar agencies.

The rules are to be adopted subject to the approval of the Iowa Law Enforcement Academy Council and in consultation with the Iowa State Sheriffs' and Deputies' Association, the Iowa Police Executive Forum, the Iowa Association of Chiefs of Police and Peace Officers, the Iowa State Police Association, the Iowa Association of Professional Fire Fighters, the Iowa Emergency Medical Services Association, the Joint Council of Iowa Fire Service Organizations, the Iowa Department of Public Safety, the Iowa chapter of the Association of Public Safety Communications Officials-International, Inc., the Iowa chapter of the National Emergency Number Association, the Emergency Management Division of the Iowa Department of Public Defense, and the Iowa Department of Public Health.

HOUSE FILE 2107 - HIV-Related Tests

BY COMMITTEE ON HUMAN RESOURCES. This Act provides an exception to human immunodeficiency virus-related (HIV-related) testing requirements, including preliminary and post-test counseling, when the subject of the test is deceased, a significant exposure has occurred, and written consent to the test is provided by a person

specified in order of priority in the Act, including a person designated as the attorney in fact of the deceased person, the legal guardian of the deceased person, specified members of the deceased person's family, and the County Medical Examiner.

The Act also provides that the results of an HIV-related test and the identity of the subject of the test may be disclosed to the person who secures a written release of the test results from a person authorized to provide consent under the provision relating to the testing of the deceased person.

Remedies for violation of provisions relating to HIV-related testing, including the right of action for damages, are applicable to a violation of the new provisions.

HOUSE FILE 2144 - Third-Party Payment of Certain Health Care Providers

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the payment of physician assistants and licensed advanced registered nurse practitioners under third-party health policies or contracts.

The Act requires third-party payors regulated under Chapters 509, 514, 514A, 514B, and 514F, or under rules adopted by the Director of Public Health, to include in the policies or contracts for third-party payment or prepayment of health and medical expenses a provision for payment of services provided by a licensed physician assistant or advanced registered nurse practitioner if payment for such services would be included for a person engaged in the practice of medicine and surgery or in the practice of osteopathic medicine and surgery. The requirement applies to contracts or policies delivered, issued for delivery, continued or renewed in this state on or after July 1, 1996, or an existing policy or contract on the anniversary or renewal date of the policy or contract, or upon expiration of an applicable collective bargaining agreement.

The Act also provides that a health maintenance organization, an organized delivery system, or a preferred provider organization or arrangement is not required to provide payment or prepayment of services provided by the physician assistant or advanced registered nurse practitioner unless the physician assistant's supervising physician, the physician-physician assistant team, the advanced registered nurse practitioner, or the advanced registered nurse practitioner's collaborating physician has entered into a contract with that entity.

HOUSE FILE 2201 - Practice of Dentistry

BY BLODGETT. This Act amends the portion of the Iowa Code that defines the "practice of dentistry" by including in the definition certain acts, services, procedures, and practices which by education, background experience, and expertise are common to the practice of dentistry.

HOUSE FILE 2400 - Anatomical Gifts — Authority of Medical Examiner

BY COMMITTEE ON HUMAN RESOURCES. This Act authorizes a medical examiner to release and permit the removal of a part from a body in the custody of the medical examiner for the purposes of the making of an anatomical gift if the decedent cannot be identified or if the next of kin of the decedent cannot be located and if several other conditions are met.

The additional conditions include that a request has been made for the body part, reasonable efforts have been made to locate and examine the decedent's medical records and to inform a person who has authority to make an anatomical gift of the option of making or refusing to make an anatomical gift, no refusal or contrary indication has been made by the decedent or a person with authority to refuse the making of an anatomical gift, no religious affiliation or tenet to which the decedent subscribed precludes the making of the anatomical gift, the removal will be made under specified conditions, and the death is not a death that affects the public interest, or, if it is a death that affects the public interest, any related investigation has been completed. If the medical examiner releases and permits removal of a body part, the medical examiner is to maintain a permanent record of the name of the decedent, if available, and the date and time of the release of the body or body part and the name of the person to whom the release was made.

The Act also amends language relating to release of information to organ procurement organizations or banks or storage organizations to provide for release as part of a retrospective review of a patient as a potential donor.

HOUSE FILE 2448 - Access to Criminal History and Related Records

BY COMMITTEE ON JUDICIARY. This Act provides for public access to criminal history data maintained by the Department of Public Safety and access by the Division of Criminal and Juvenile Justice Planning to criminal and

juvenile justice agency records. Criminal history data includes arrest, conviction, disposition, and correctional data. The Act continues to exempt motor vehicle operator's records from the access provision in Section 692.2.

The Act authorizes any person to request the criminal history data of another person by mail. The request must contain the name and birthdate of the individual whose criminal history data is requested. Requests for criminal history data by law enforcement agencies have priority over other requests under the Act. The Act also makes criminal history data, but not intelligence data, a public record under Chapter 22.

The Act provides that a person who requests criminal history data is not liable for damages to the person whose data was requested, based on actions taken in reasonable reliance upon such data, if the person is accurately identified to the department, the person requesting the data believes in good faith that the data is accurate and complete, and the person requesting the data complies with the requirements of Chapter 692. Only the Department of Public Safety may disseminate criminal history data maintained by the department to persons who are not criminal or juvenile justice agencies or individuals. The fact that access is provided to criminal history data does not impose a legal duty upon any individual or entity to check the data.

The Act authorizes the Department of Public Safety to charge a fee for performing data checks to persons other than criminal or juvenile justice agencies. The fee is to offset the costs of administering the dissemination of criminal history data, including staff costs.

The Act repeals Section 692.3 regarding the redissemination of criminal history data by peace officers, criminal or juvenile justice agencies, regulatory agencies, or the Department of Human Services or the Department of Public Health. The Act provides that criminal intelligence data shall not be redisseminated by peace officers, criminal or juvenile justice agencies, or regulatory agencies unless the data is to be used for official purposes, the agency maintains a list of the persons who receive the data and when and why they get it, and the person whose information is requested is identified by name, fingerprints, or other individually identified characteristics.

The Act provides that no action for damages or relief may be maintained against the Department of Public Safety or its employees regarding inaccurate criminal history data or improper dissemination of the data, except that a person may continue to request correction of inaccurate data, and pursue administrative relief if necessary. Further, the Act eliminates the simple misdemeanor penalty for a person who communicates criminal history data without criminal intent.

The Act provides that the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights shall have access to records kept by criminal and juvenile justice agencies for the purposes of research and evaluations. This provision was amended by H.F. 2458 (see Courts, Civil Law & Procedure, & Probate) to exclude criminal intelligence data and peace officers' investigative reports from the records to which the division is granted access.

HUMAN SERVICES

- SENATE FILE 454 - Assisted Living Program
- SENATE FILE 2101 - Burial Trust Funds
- SENATE FILE 2213 - Prevention of Disabilities
- SENATE FILE 2294 - Multidisciplinary Community Services Teams
- SENATE FILE 2303 - Medical Assistance
- SENATE FILE 2321 - Access to List of Interpreters — Deaf and Hard of Hearing
- SENATE FILE 2323 - Pharmacy Technician and Pharmacist-Intern Registration
- SENATE FILE 2324 - Miscellaneous Public Assistance Provisions and Related Matters
- SENATE FILE 2344 - Child Support Enforcement
- SENATE FILE 2381 - Dependent Adult Abuse
- SENATE FILE 2438 - Mental and Physical Conditions — Terminology Changes and Related Matters

RELATED LEGISLATION

- SENATE FILE 13 - Notification Requirements and Decision-Making Assistance Program Regarding Pregnant Minors
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act establishes a Prospective Minor Parents Decision-Making Assistance Program and includes requirements relating to the notification of a parent of a pregnant minor prior to the performance of an abortion on a pregnant minor. The Act specifies the components of the program, establishes an advisory committee for the program, specifies the procedure for notification of a parent and the alternative and exemptions to notification, establishes penalties for various violations of the Act, and provides effective dates for the various provisions of the Act. The Act was amended by H. F. 2050 (see Children & Youth) with regard to termination of parental rights of a pregnant minor and placement of a child for adoption.
- SENATE FILE 73 - Licensure of Social Workers
SEE STATE GOVERNMENT. This Act establishes a licensure requirement for social workers, provides for three levels of licensure, and creates a seven-member licensing board for social work examiners. The Act creates three categories of social worker for licensing purposes — bachelor, master and independent level social worker.
- SENATE FILE 2030 - Mental Health and Developmental Disability Funding and Related Provisions
SEE LOCAL GOVERNMENT. This Act relates to state and county mental health and developmental disability funding provisions by amending provisions associated with the base year used for determining maximum county expenditures and state funding levels. The Act amends provisions initially enacted in 1995 Iowa Acts, Chapter 206, S. F. 69, and includes planning provisions for mental health and developmental disabilities services.
- SENATE FILE 2207 - Juror and Witness Fees and Expenses
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act relates to the reimbursement of jurors and witnesses for transportation and mileage expenses. The Act provides that a juror who is disabled may receive reimbursement for the costs of alternate transportation from the disabled juror's residence to the place of jury service or attendance.
- SENATE FILE 2235 - Nursing Facilities — Alternative Licensure and Inspections
SEE HEALTH & SAFETY. This Act provides for adoption of rules, by the Department of Inspections and Appeals, regarding the licensure of nursing facilities.

- SENATE FILE 2307** - Programs for Persons With Disabilities
SEE CHILDREN & YOUTH. This Act relates to the Comprehensive Family Support Program for individuals with a disability and their families and provides for coordination of programs administered by the Department of Human Services and available to individuals with disabilities.
- SENATE FILE 2399** - Child Protection System Provisions
SEE CHILDREN & YOUTH. This Act relates to child protection system provisions involving child abuse assessment pilot projects administered by the Department of Human Services and other child protection provisions.
- SENATE FILE 2410** - Illegal Drugs in Parents and Children
SEE CHILDREN & YOUTH. This Act amends juvenile justice code provisions involving the presence of illegal drugs in a child or a parent and includes provisions involving "child in need of assistance" and "child abuse" definitions.
- SENATE FILE 2430** - Rights of Victims of Delinquent Acts
SEE CHILDREN & YOUTH. This Act requires the juvenile court to provide a victim of a delinquent act with notification of various rights and services connected with the delinquent act.
- SENATE FILE 2442** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services (DHS) and to the Prevention of Disabilities Policy Council for FY 1997, and includes provisions relating to human services and health.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions involving county mental health and substance abuse funding, funding of a Decision-Making Program for Parental Notification prior to adoption or abortion, nonreversion of an FY 1996 supplemental appropriation for child day care, and commitment of unexpended FY 1996 appropriations for use by the Department of Human Services for adolescent tracking and monitoring and for upgrading computer hardware.
- HOUSE FILE 2050** - Adoption
SEE CHILDREN & YOUTH. This Act includes provisions relating to adoption. The Act requires the Department of Human Services to adopt rules to establish that the overriding factor in the selection of an adoptive parent for placement of a child through the department is that the child be placed in a stable family environment as expeditiously as possible; amends provisions enacted in S.F. 13 (see Courts, Civil Law & Procedure, & Probate) to remove the required notification of a parent of a pregnant minor prior to the adoption of the minor's child; and replaces the notification requirement with a requirement that following the filing of a petition for the termination of parental rights of a pregnant minor or a minor who has given birth, a custodial parent or legal guardian or custodian of the pregnant minor or minor who has given birth is to be served with notice of the filing of the petition. The requirement may be waived by the court under certain circumstances.
- HOUSE FILE 2061** - Health Care Peer Review Committees
SEE STATE GOVERNMENT. This Act adds health care entities engaged in providing health care services, including group medical practices, to the list of recognized health care peer review committees established in Section 147.1. Consequently, pursuant to Section 147.135, health care service entities, including group medical practices, are accorded civil immunity for actions resulting from peer review committee activities.

- HOUSE FILE 2107** - HIV-Related Tests
SEE HEALTH & SAFETY. This Act provides an exception to human immunodeficiency virus-related (HIV-related) testing requirements, including preliminary and post-test counseling when the subject of the test is deceased, a significant exposure has occurred, and written consent to the test is provided by a person specified in order of priority in the Act.
- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes an FY 1996 supplemental appropriation from the General Fund of the State to the Department of Human Services for state child care assistance for low-income persons.
- HOUSE FILE 2150** - Grandparent Visitation Rights
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act provides for the granting of visitation to the grandparents of a child for whom a parent of the child unreasonably refuses to allow visitation or who unreasonably restricts visitation by the grandparent.
- HOUSE FILE 2399** - Eligibility for County General Assistance
SEE LOCAL GOVERNMENT. This Act amends Chapter 252 provisions relating to eligibility for county general assistance by requiring a person to be in the county, lawfully, as a condition of eligibility for the assistance.
- HOUSE FILE 2400** - Anatomical Gifts — Authority of Medical Examiner
SEE HEALTH & SAFETY. This Act authorizes the medical examiner to release and permit the removal of a part from a body in the custody of the medical examiner for the purposes of the making of an anatomical gift if the decedent cannot be identified or if the next of kin of the decedent cannot be located and if several other conditions are met. The Act also provides for the release of information to an organ procurement organization or bank or storage organization as a part of a retrospective review of a patient as a potential donor.
- HOUSE FILE 2427** - Mental Health, Mental Retardation, and Developmental Disability Services
SEE LOCAL GOVERNMENT. This Act provides for the utilization of the county single entry point process in voluntary and involuntary placements of individuals for mental health or mental retardation care and treatment services and amends related Department of Human Services statutes involving billing and payment for the services.
- HOUSE FILE 2486** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates moneys to various state agencies for the federal fiscal year beginning October 1, 1996, and ending September 30, 1997, from the following federal block grants: Substance Abuse Prevention and Treatment, Community Mental Health Services, Maternal and Child Health Services, Preventive Health and Health Services, Drug Control and System Improvement, Stop Violence Against Women, Community Services, Community Development, Low-Income Home Energy Assistance, and Social Services.

HUMAN SERVICES

SENATE FILE 454 - Assisted Living Program

BY COMMITTEE ON HUMAN RESOURCES. This Act establishes a program of certification and monitoring of assisted living programs through the Department of Elder Affairs. The Act defines "assisted living" as the provision of housing with certain services to six or more tenants in a homelike environment.

The Act requires assisted living programs operating in the state to be certified by the department or to be voluntarily accredited, directs the department to adopt rules for the program, directs the State Fire Marshal to adopt rules relating to fire and safety for assisted living programs in coordination with the department, provides for coordination of the existing long-term care system with the assisted living program level of care, and exempts assisted living programs from certificate of need requirements.

The Act specifically provides that a program voluntarily accredited is not required to also be certified by the department and directs the department to accept voluntary accreditation in lieu of certification by the department. The Act also directs the Department of Human Services to take necessary actions to allow a certified or voluntarily accredited assisted living program to be a provider of personal care services under the Medical Assistance (Medicaid) home and community-based services waiver for the elderly.

Implementation of the Act is contingent upon establishment of a funding source for implementation and administration.

SENATE FILE 2101 - Burial Trust Funds

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the disbursement of funds remaining in a nonguaranteed irrevocable burial trust fund. Under prior law, following final payment of any funeral merchandise and funeral services required under a funeral merchandise and funeral services agreement, if the estate of the deceased was not subject to probate, and if the deceased was a recipient of Medical Assistance (Medicaid), the Department of Human Services was entitled to any remaining funds for payment of any Medical Assistance debt due the department. Due to the confidential nature of Medical Assistance records, however, the department was unable to notify a seller of funeral merchandise and services of the existence of the debt. The Act provides a procedure for a seller of funeral merchandise and services to notify the Director of Human Services of any funds remaining in a burial trust fund and also provides alternatives for the disbursement of the remaining funds to either a personal representative or the next of kin of the deceased.

SENATE FILE 2213 - Prevention of Disabilities

BY COMMITTEE ON HUMAN RESOURCES. This Act extends the repeal of the Prevention of Disabilities Policy Council chapter of the Code, Chapter 225B, from June 30, 1996, to June 30, 2000.

The Act takes effect April 8, 1996.

SENATE FILE 2294 - Multidisciplinary Community Services Teams

BY HALVORSON. This Act creates multidisciplinary community services teams in the county home rule chapter of the Iowa Code, Chapter 331. The members of a team are expressly authorized to disclose confidential information to one another concerning an individual or a family.

A team may be established by agencies on a county or multicounty basis for purposes of effective planning and delivery of services to an individual or family. The agencies must establish an agreement for the sharing of information and an individual must authorize the sharing of the information concerning the individual or the individual's family.

The Act prohibits a multidisciplinary community services team from duplicating the activities of a multidisciplinary team for child abuse, dependent abuse, area education agency activities, or child victim services.

The Act provides for a serious misdemeanor penalty with monetary fines for willful use or disclosure in violation of the provisions of the Act.

SENATE FILE 2303 - Medical Assistance

BY COMMITTEE ON HUMAN RESOURCES. This Act makes several changes related to the Medical Assistance (Medicaid) Program.

The Act requires any personal representative or the executor of an estate of a Medical Assistance recipient, whose estate is subject to recovery under the Medical Assistance Program, to make distribution of the estate to the Department of Human Services prior to distributions to others who have lower priority claims to assets under the classification of the debts and charges section of the Code. A personal representative or executor who does not comply with the requirements may be held personally liable for the amount of Medical Assistance owed.

The Act also conforms references in the Code to current federal citations relating to nursing facility fines higher than those required under prior state law. The Act conforms the Code to federal requirements relating to transfers of assets under the Medical Assistance Program.

SENATE FILE 2321 - Access to List of Interpreters — Deaf and Hard of Hearing

BY COMMITTEE ON HUMAN RESOURCES. This Act provides that a list of qualified and available interpreters for the deaf maintained by the Deaf Services Division of the Department of Human Rights will be considered nonconfidential information available to individuals and agencies seeking deaf interpreter services. This information has previously been regarded as confidential except when provided to a court, administrative agency, or interested parties to an action using the services of an interpreter.

SENATE FILE 2323 - Pharmacy Technician and Pharmacist-Intern Registration

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for the designation of individuals, who are employed by and assist with the technical functions of a pharmacy practice, as pharmacy technicians. Procedures and standards for pharmacy technician registration with, and payment of fees to, the State Board of Pharmacy Examiners, as well as provisions for denial, suspension and revocation of registration, are established. Registration does not determine the competency of a pharmacy technician, and the licensed pharmacist is regarded as ultimately responsible for the actions of a pharmacy technician under the pharmacist's supervision. Continuing education is not required for registration renewal. Pharmacists may, in their supervisory capacity, delegate technical dispensing functions to pharmacy technicians provided the pharmacist is physically present to verify prescription accuracy and completeness.

SENATE FILE 2324 - Miscellaneous Public Assistance Provisions and Related Matters

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to public assistance and certain associated state tax provisions involving the Family Investment Program, Family Development and Self-Sufficiency Council, individual development accounts, and fraudulent practices involving the Food Stamp Program.

The Act directs the Department of Human Services to submit a waiver request to the federal government to implement a policy change in the Family Investment Program (FIP) and the Job Opportunities and Basic Skills (JOBS) Program. Under the federal waiver to be changed, the majority of FIP recipients and JOBS Program participants must enter into a family investment agreement which would end when cash assistance is no longer provided under FIP. If approved, the waiver would reinstate a participant's family investment agreement following a time period when the participant does not receive cash assistance. The waiver provisions would only apply if the lapse in cash assistance benefits is one month or less and the participant does not become exempt from JOBS Program participation at the time of reapplication for cash assistance. The Act includes provisions for rules adoption and contingencies for federal enactments. The provisions requiring the waiver take effect April 16, 1996.

In another FIP-related provision, the Act directs the department to take actions to determine the immunization status of children in FIP. If a child does not meet immunization standards, the department is directed to make a referral to a local public health agency for immunization services.

A provision in the Act adds two members to the Family Development and Self-Sufficiency Council to represent the business community. The additional members would be selected by the other members of the council. The council reviews research concerning long-term dependency upon public assistance and foster care and awards grants for family development services to families at risk of such dependency.

The Act amends various tax and program provisions associated with the Individual Development Account (IDA) project enacted in the 1993 Legislative Session as part of welfare reform. The IDA project permits low-income persons to maintain individual state tax-exempt accounts under sponsorship of a nonprofit organization.

The Act eliminates provisions for additions to taxable income which reflect withdrawals from an IDA. The Act amends state inheritance tax provisions to remove the \$10,000 restriction on the amount of an IDA that passes to another IDA, which is exempt from inheritance tax.

The Act includes numerous amendments to the statutory provisions for IDAs, including the following: eliminating a requirement for an IDA to be held as a trust account; eliminating monetary penalties for unauthorized withdrawals from an IDA; permitting authorized withdrawals for improvements to a primary residence or for certain emergency medical costs; eliminating provisions requiring withdrawals from an IDA to be charged proportionally to the source of principal; eliminating provisions authorizing limited withdrawals by minor account holders subject to certain approval; eliminating provisions permitting adult account holders who are less than 59.5 years of age to make unauthorized withdrawals, subject to monetary penalties; eliminating a prohibition against transfer of moneys deposited in an IDA by an individual or charitable contributor; providing for closing of an IDA under certain circumstances; and expanding the provision directing the department to disregard moneys in an IDA for public assistance program eligibility to also apply to benefit amounts and any program administered by the department.

The statutory provisions relating to a state savings refund on amounts deposited by an account holder in an IDA are amended to reduce the number of gradations in the income levels used to determine the amount of the refund. The upper range of income eligible for a state savings refund remains unchanged at a household income of 200 percent of the federal poverty level. In addition, the Act eliminates the provision that makes the earnings of an IDA subject to state tax when withdrawn.

The Act eliminates a requirement that the 10,000 authorized accounts be distributed in a manner to reflect the distribution of the state's general population with an income up to 200 percent of the federal poverty level and revises the initial restriction on the number of accounts to apply to any one calendar year.

The Act amends statutory provisions relating to fraudulent practices under food programs administered by the Department of Human Services. The amendments expand the category of fraudulent practices to include those committed involving an electronic benefit card or any other food stamp benefit transfer instrument.

The Act amends, effective July 1, 1997, provisions applicable to child support orders for minor parents. If the Child Support Recovery Unit of the Department of Human Services is providing services, child support orders shall require the minor parent to attend parenting classes. If not, the court may order the minor parent to do so.

SENATE FILE 2344 - Child Support Enforcement

BY COMMITTEE ON HUMAN RESOURCES. This Act includes a number of provisions relating to child support enforcement.

The Act provides that in administrative review and adjustment proceedings, whether or not a review of a child support order results in a determination that the order should be adjusted, a party may challenge the determination and request a court hearing within 30 days of the issuance of the notice of decision or within 10 days of the second notice of decision, and if a court hearing is requested, it will be granted, notwithstanding that the determination was that the order should not be adjusted.

The Act provides that if a child support order which is being enforced by the Child Support Recovery Unit (CSRU) of the Department of Human Services is suspended due to reconciliation of the parents, or due to other criteria established in Section 252B.20, the six-month period required before the suspension becomes final shall not include any time during which an application to reinstate the order is pending.

The Act also eliminates the requirement that blood types be tested in administrative paternity determinations in which paternity tests are ordered, and corrects a related internal reference.

The Act provides that if, during a dissolution of marriage proceeding, a father is determined not to be the father of a child of the marriage, a subsequent action to establish the previously established father as the father of the child is not precluded if it is subsequently determined that the statement of the father attesting to nonpaternity was submitted erroneously and that the father may be the biological father.

The Act allows the CSRU to send a notice of the order for income withholding, and not a copy of the order itself, to a payor of income by regular mail.

The Act also provides changes affecting full faith and credit of child support orders in compliance with the federal requirements. The new language specifies which state law applies when orders from other states are enforced and precludes intervention by Iowa courts and administrative agencies in modifying orders established in other states under specific conditions.

The Act also provides that interest on periodic payments for child support or medical support is not to accrue until 30 days after the payment becomes due and owing.

SENATE FILE 2381 - Dependent Adult Abuse

BY COMMITTEE ON HUMAN RESOURCES. This Act makes several changes in the dependent adult abuse law.

In the area of dependent adult abuse services established and operated by the Department of Human Services, the Act provides that the services are to be available to dependent adults who are unable to protect their own interests or to perform the activities necessary to meet basic human needs, and deletes application of the services to dependent adults who are unable to obtain essential services. The Act also provides for the establishment of local or regional multidisciplinary teams. Multidisciplinary teams previously existed, but not at the local or regional levels. The Act directs these teams to assist in assessing the needs of, formulating and monitoring a treatment plan for, and coordinating services to dependent adult abuse victims. The Act establishes a Dependent Adult Protective Advisory Council and directs the council to perform certain duties.

The Act makes several changes in the definitions used in the dependent adult abuse chapter, including the terms "dependent adult abuse," which is amended in the area of exploitation to include not having the informed consent of the dependent adult in dealing with the physical or financial resources of the dependent adult, "emergency shelter services," "family or household member," "immediate danger to health or safety," "legal holiday," "recklessly," "serious injury," and "support services."

The Act provides for the reporting of dependent adult abuse to law enforcement following a departmental assessment that reveals dependent adult abuse which might constitute a criminal offense, and for the initiation of appropriate court action.

The Act provides for the prevention of additional abuse through involvement of a peace officer at the scene of a case of dependent adult abuse which is criminal in nature; provides for provision of notice to the dependent adult of the dependent adult's rights; and provides for the provision of protective services with the consent of the dependent adult if a caretaker refuses to allow the services, or by obtaining court authorization to provide protective services to a dependent adult who is unable to provide consent, or by obtaining an emergency order for protective services for a dependent adult.

The Act also provides penalties ranging from a class "C" felony to a simple misdemeanor for various criminal charges of dependent adult abuse.

SENATE FILE 2438 - Mental and Physical Conditions — Terminology Changes and Related Matters

BY COMMITTEE ON HUMAN RESOURCES. This Act makes numerous changes in terminology to various provisions pertaining to persons with certain mental and physical conditions. In addition, the Act directs the Code Editor to make similar changes.

The Act pertains primarily to terminology used to identify persons with mental illness, persons with mental retardation, and persons with disabilities. The Code Editor is prohibited from changing provisions involving handicapped parking and interstate compacts. A general definition of mental illness is amended to be consistent with other statutory definitions of mental illness.

LABOR & EMPLOYMENT

- SENATE FILE 2409** - Workforce Development
- SENATE FILE 2453** - Boilers and Unfired Steam Pressure Vessels
- HOUSE FILE 308** - Workers' Compensation — Limited Liability Company Members
- HOUSE FILE 2229** - Employment Security

RELATED LEGISLATION

- SENATE FILE 284** - Forgery and Related Matters
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act creates criminal and civil penalties for persons who possess, or employers who hire or continue to employ persons knowing that the persons possess, forged documents relating to the person's entry into or as evidence of authorized stay or employment in the United States.
- SENATE FILE 2245** - Public Retirement Systems
SEE STATE GOVERNMENT. This Act makes numerous changes pertaining to public retirement systems, including the Iowa Public Employees' Retirement System (IPERS, Chapter 97B), the Public Safety Peace Officers' Retirement, Accident, and Disability System (PORS, Chapter 97A), and the Statewide Fire and Police Retirement System (Chapter 411).
- SENATE FILE 2331** - False Academic Records
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act establishes a criminal penalty for certain uses and false representations relating to academic degrees, grades or honors.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions extending liability protection to persons who are involved in a workplace rescue arising out of an emergency or accident and for funding of the start-up of voluntary benefit programs in the Statewide Fire and Police Retirement System.
- HOUSE FILE 2416** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act relates to and appropriates \$84.1 million to various state departments, agencies, funds, and certain other interstate and national entities for FY 1997. The Act also authorizes the assessment of a surcharge on workers' compensation weekly benefits paid during the fiscal year commencing July 1, 1994, for the Second Injury Fund. The surcharge assessment is limited to a maximum of \$870,000. The Act creates a Second Injury Task Force under the direction of the Industrial Commissioner to study the basic role and purpose of the Second Injury Fund and to determine its needs for continuation and source of funding.

LABOR & EMPLOYMENT

SENATE FILE 2409 - Workforce Development

BY COMMITTEE ON SMALL BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM. This Act creates the Department of Workforce Development. This new department replaces the current Department of Employment Services. In addition, the Act transfers certain responsibilities from the Department of Economic Development to the new Department of Workforce Development.

The Act also establishes a Workforce Development Board and regional advisory boards to assist in the operation of the new department.

In addition, the Act eliminates the Division of Job Service and Job Service Commissioner with the Director of the Department of Workforce Development and the new department being given these duties.

The Act provides that the Department of Economic Development is responsible for incorporating workforce development as a component of community-based economic development planning activities and for reviewing workforce development as it relates to the state's economic development agenda.

Under the Act, the new Department of Workforce Development undertakes several duties previously administered by other departments. The new department is responsible for developing a job training delivery system, managing job training program reporting, and for administering the Iowa Conservation Corps, workforce development centers, the Workforce Investment Program, Job Training Partnership Programs, and the statewide mentoring program.

The department is also given the responsibility, in consultation with the applicable regional advisory board, of selecting service providers in each service delivery area to provide workforce development services within that area.

The Act establishes a Workforce Development Board, consisting of nine voting members, with one member representing a nonprofit organization interested in workforce development, four members representing employers and four members representing nonsupervisory employees. Seven ex officio members are also named to the board. The board is directed to develop 20-year and five-year comprehensive workforce development plans. The board shall also approve the budget of the new department as it relates to workforce development, establish guidelines and review procedures concerning the awarding and monitoring of grants and contracts awarded by the department, and adopt administrative rules related to workforce development.

The regional advisory boards are established within each service delivery area defined generally as a community college district extended to the county borders. The regional boards shall provide for equal representation of business and labor and include certain county, city and school officials. The regional boards are established to provide advice concerning workforce development issues to the Workforce Development Board and the department and to monitor the performance of grants awarded in the region.

The Act also requires the location of a workforce development center within each merged area as defined in Section 260C.2, realigned to the closest county border by the new department, and to provide a presence, through satellite offices or electronic means, in each county within the merged area. The Act permits the department to make accommodations in the boundaries of the service delivery areas with the approval of the State Workforce Development Board.

SENATE FILE 2453 - Boilers and Unfired Steam Pressure Vessels

BY HORN AND RIFE. This Act provides that the Labor Commissioner, when adopting rules concerning boilers and unfired steam pressure vessels that adopt standards by reference to another publication, is exempt from the requirement that the publication referenced be deposited in the State Law Library under certain conditions. The Act provides that the requirement to deposit the publication in the State Law Library is waived if the Administrative Rules Coordinator agrees, the cost of compliance is unreasonable, the rule identifies the location of the publication, and the publication is available within the State Capitol complex. This portion of the Act takes effect April 23, 1996.

The Act also provides for the inspection of certain unfired steam pressure vessels manufactured on or after January 1, 1994, with an allowable pressure of 150 pounds per square inch and the safety relief valve set at 150 pounds per square inch. The Act requires that these vessels have an annual external inspection and a second internal inspection

completed before December 31, 1997. Prior law provided that these vessels have an external and internal inspection on an annual basis.

HOUSE FILE 308 - Workers' Compensation — Limited Liability Company Members

BY TYRRELL. This Act provides that a limited liability company member who is actively engaged in that member's business may elect to be covered by the workers' compensation law by purchasing workers' compensation insurance. The Act provides that a limited liability company member who elects not to be covered by a workers' compensation law is not an employee or worker for purposes of the workers' compensation law.

The Act also provides that if the limited liability company is primarily involved in farming, members of the company, as well as certain relatives of the members, are exempted from the provisions of the workers' compensation law.

HOUSE FILE 2229 - Employment Security

BY COMMITTEE ON COMMERCE AND REGULATION. This Act eliminates the Job Service Advisory Council and makes several changes concerning unemployment insurance benefits.

The Act permits the Department of Employment Services to deduct and withhold federal and state income tax from unemployment compensation benefits if the claimant chooses. This section of the Act takes effect January 1, 1997, and applies to unemployment compensation benefits paid on or after that date.

The Act allows employers who purchase part of a business to be relieved of unemployment insurance charges unless the acquiring employer requests and is granted a partial transfer of experience. The Act also treats reimbursable and contributory employers the same.

The Act requires the Division of Job Service to send contribution rate notices to employers by regular mail at the employer's last known address. The Act also requires the employer to pay contributions at a disputed rate prior to a decision concerning the rate, but the employer is eligible for a refund pending a decision reversing benefits.

The Act defines services performed by a member of a limited liability company, beyond services performed in making a contribution to the membership interest in the company, as employment. The Act also limits the definition of "wages" for purposes of unemployment compensation to only the remuneration received by limited liability company members above their contributions to their membership interest in the company.

The Act allows an individual who is concurrently a corporate officer of two or more related corporations, and who is paid through only one of those corporations, to be reported as an employee of only the corporation that issues the paycheck.

Pursuant to S. F. 2409, references to the Department of Employment Services and the Division of Job Service shall both be changed to the Department of Workforce Development.

LOCAL GOVERNMENT

- SENATE FILE 2030** - Mental Health and Developmental Disability Funding and Related Provisions
- SENATE FILE 2071** - Advisory Commission on Intergovernmental Relations
- SENATE FILE 2074** - City Hospital or Health Care Facility Trustees — Terms
- SENATE FILE 2131** - Continuing Appropriations for City Public Improvements
- SENATE FILE 2299** - Reserve Peace Officers — Professional Permits to Carry Weapons
- SENATE FILE 2352** - Room and Board Reimbursement by County Prisoners
- SENATE FILE 2359** - County Recovery of Costs Related to Homicide Victims
- HOUSE FILE 400** - Joint Equipment Purchases by Political Subdivisions
- HOUSE FILE 2177** - Urban Renewal — Century Farm Exclusion
- HOUSE FILE 2187** - Rural Water Districts — Attachment
- HOUSE FILE 2256** - Implementation of New or Revised Federal Block Grants
- HOUSE FILE 2258** - Benefited Recreational Lake Districts
- HOUSE FILE 2259** - City Sewer or Water Utility Connections
- HOUSE FILE 2299** - Filing of Instruments by County Recorders
- HOUSE FILE 2399** - Eligibility for County General Assistance
- HOUSE FILE 2426** - Tax Increment Financing Certification Requirements
- HOUSE FILE 2427** - Mental Health, Mental Retardation, and Developmental Disability Services
- HOUSE FILE 2488** - Special Census Certification
- HOUSE FILE 2491** - Pioneer Cemeteries — Cemetery Levy

RELATED LEGISLATION

- SENATE FILE 2155** - Municipal Infractions — Jurisdictional Amount
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act raises the jurisdictional amount for municipal infractions heard by magistrates and judges to \$4,000.
- SENATE FILE 2245** - Public Retirement Systems
SEE STATE GOVERNMENT. This Act makes numerous changes pertaining to public retirement systems, including the Iowa Public Employees' Retirement System (IPERS, Chapter 97B), the Public Safety Peace Officers' Retirement, Accident, and Disability System (PORS, Chapter 97A), and the Statewide Fire and Police Retirement System (Chapter 411).
- SENATE FILE 2259** - Vessels — Certificates of Title
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act provides that a documented vessel requires no title to be issued by the county recorder; and if a documented vessel has been titled, the title will be canceled when submitted to the county recorder.
- SENATE FILE 2294** - Multidisciplinary Community Services Teams
SEE HUMAN SERVICES. This Act creates multidisciplinary community services teams in the county home rule chapter of the Iowa Code, Chapter 331. The members of a team are expressly authorized to disclose confidential information to one another concerning an individual or a family.

- SENATE FILE 2301** - Lead Abatement and Inspection
SEE HEALTH & SAFETY. This Act directs the Iowa Department of Public Health to establish a program for the training and certification of lead inspectors and lead abaters who provide inspections and abatement for monetary compensation.
- SENATE FILE 2449** - Tax Revisions and Related Matters - ITEM VETOED BY THE GOVERNOR
SEE TAXATION. Division III of this Act would have fully funded the amounts of the homestead tax credit, military service tax credit, and the elderly or disabled tax credit and rent reimbursement for FY 1997 and would have provided for the appropriation of these amounts annually thereafter. Currently, these credits are funded only to the extent funded in FY 1993. The Division would have taken effect July 1, 1996, and applied to claims payable in fiscal years beginning on or after July 1, 1996.
- Division VII of this Act would have required the state to fully fund the cost of providing a property tax credit or property tax exemption if the credit or exemption was enacted after January 1, 1997. If the state did not fully fund the cost of the credit or exemption, the taxpayer would only receive a portion of the credit or exemption equal to the amount funded.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters -- Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions authorizing local governments to implement innovation zones to improve outcomes for children and families; revises funding provisions under the county property tax limitation, and for mental health, developmental disabilities, and substance abuse levies and services; creates a statewide Enhanced 911 Communications Council; and authorizes charging of fees to inmates for room and board and other jail costs.
- HOUSE FILE 111** - Homeowners' Association Swimming Pools
SEE HEALTH & SAFETY. This Act exempts certain homeowners' associations from the swimming pool regulation chapter of the Code if certain other conditions are met, including that the swimming pool or spa operated by the homeowners' association is inspected by an entity other than the Iowa Department of Public Health or a local board of health.
- HOUSE FILE 419** - Secondary Roads — Area Service Classification
SEE TRANSPORTATION. This Act allows a county board of supervisors to designate area service roads as class "C" roads and allows for restricted access and a minimal level of maintenance.
- HOUSE FILE 2140** - Motor Fuel and Special Fuel Taxation and Regulation
SEE TAXATION. This Act makes corrective changes to motor fuel tax law. The Act allows a governmental agency to designate another governmental agency as an agent for purposes of filing and receiving the motor vehicle fuel tax refund.
- HOUSE FILE 2153** - Reinstatement Upon Denial of Disability Retirement Benefits
SEE STATE GOVERNMENT. This Act provides certain reemployment rights for a member of the Statewide Fire and Police Retirement System and the Public Safety Peace Officers' Retirement, Accident, and Disability System following denial of the member's application for a disability retirement allowance.
- HOUSE FILE 2370** - Limited Liability Companies and Corporations — Miscellaneous Provisions
SEE BUSINESS, BANKING & FINANCE. This Act makes changes to statutory provisions applicable to limited liability companies and corporations, including exempting certain limited liability companies and corporations from a requirement relating to the registration of trade names with county recorders.
- HOUSE FILE 2433** - Waste Tires
SEE ENVIRONMENTAL PROTECTION. This Act relates to the management of waste tires by providing for the establishment of a Waste Tire Management Fund and Waste

Tire Management Grant Program. The Act also provides that a county may apply for grant moneys from the Waste Tire Management Grant Program in establishing and administering local waste tire management programs.

- HOUSE FILE 2498** - Miscellaneous Insurance Division Regulatory Provisions
SEE BUSINESS, BANKING & INSURANCE. This Act exempts political subdivisions operating perpetual care cemeteries from the requirement of establishing a minimum perpetual care and maintenance guarantee fund of \$25,000.

LOCAL GOVERNMENT

SENATE FILE 2030 - Mental Health and Developmental Disability Funding and Related Provisions

BY COMMITTEE ON WAYS AND MEANS. This Act relates to state and county mental health and developmental disability funding provisions by amending provisions associated with the base year used for determining maximum county expenditures and state funding levels. The Act amends provisions initially enacted in 1995 Iowa Acts, Chapter 206, S. F. 69.

Under prior law, a base year was established as the net amount a county expended in FY 1993-1994 for mental health and developmental disability (MH/DD) services. This base year is used as the maximum amount a county may levy for such services from the county's MH/DD fund, and the law provides a state goal of providing for funding for 50 percent of the total of all county base year expenditures. The Act provides a means for a county to change the base year amount by allowing a county to elect to either continue using the FY 1993-1994 figure or switch to the amount the county projects to expend in FY 1995-1996.

The Act also provides a budgeting mechanism to fund growth in MH/DD expenditures. The Governor vetoed provisions directed to this purpose in last year's S. F. 69. The new provisions provide for the State-County Management Committee, a policy group which makes recommendations concerning MH/DD services, to recommend an allowed growth factor adjustment to the Governor by November 15 for the succeeding fiscal year. The factor is to address costs associated with new service consumers, service cost inflation, and investments for economy and efficiency. The Governor is to consider the committee's recommendation for inclusion in the Governor's budget recommendations to the General Assembly.

Distribution of state property tax relief moneys to counties is subject to a three-factor formula based upon a county's proportion of the general population, taxable property valuation, and base year expenditures. The Act establishes, however, that the amount of property tax relief moneys provided in a fiscal year cannot be less than the amount in the previous fiscal year.

The Act makes a \$6.6 million appropriation from the Property Tax Relief Fund to the state for purposes of Medical Assistance (Medicaid) services provided to minors with mental retardation in FY 1996-1997. These costs are a state responsibility.

Many provisions of the Act take effect February 8, 1996. The early effective date allows for implementation of adjustments to county certified budgets for FY 1996-1997 prior to the statutory budget certification date of March 15, 1996. The Act contains special provisions for appeals and certifications associated with the Act's provisions.

SENATE FILE 2071 - Advisory Commission on Intergovernmental Relations

BY COMMITTEE ON STATE GOVERNMENT. This Act creates the Iowa Advisory Commission on Intergovernmental Relations (ACIR). The new ACIR has the same membership and powers and duties as the Iowa ACIR had under the statute repealed on July 1, 1995.

The Iowa Advisory Commission on Intergovernmental Relations has a membership of 21 persons. The members are appointed by the Governor as follows: four elected or appointed state officers; four elected or appointed city officers; four elected or appointed county officers; four elected or appointed officers of school corporations; and one representative of a regional council of governments established under Chapter 28H. In addition, two state senators shall be appointed by the Majority Leader of the Senate and two state representatives shall be appointed by the Speaker of the House of Representatives. Members representing the General Assembly and the counties are to be divided equally between the political parties. All appointees are to be chosen giving consideration to population, gender, race, demography, and geography of the state. The commission is charged with the study of patterns, powers and functions of local governments, existing and desirable relationships between local governments and the state, necessary and desirable allocation of fiscal resources, special problems among local, regional, state, and interstate governments, and necessary and desirable roles of the state as the creator of local governmental systems.

A sunset or repealer provision effective July 1, 2002, is included.

SENATE FILE 2074 - City Hospital or Health Care Facility Trustees — Terms

BY HAMMOND. This Act relates to the terms of office of city hospital or health care facility trustees and the dates on which city hospital or health care facility trustees take and depart from office.

Previous law required that city hospital or health care facility trustees take office within 10 days after their election. The Act makes the dates on which trustees take office dependent on the type of election the trustees win. The Act provides that terms of office of trustees elected pursuant to general or city elections begin at noon on the first day in January which is not a Sunday or legal holiday. The terms of office of trustees elected pursuant to special elections begin at noon on the 10th day after the special election which is not a Sunday or legal holiday. The terms of office of trustees shall extend to noon on the first day in January that is not a Sunday or legal holiday or until their successors are elected and qualified. Trustees who are elected at special elections shall serve the unexpired terms of office or until their successors are elected and qualified.

The Act also provides that if a city has adopted an ordinance increasing the number of trustees to five, and the terms of office of four of the five trustees end in the same year, the date of expiration of the term of one of the trustees is extended by an additional two years.

SENATE FILE 2131 - Continuing Appropriations for City Public Improvements

BY SZYMONIAK AND SORENSEN. This Act defines "continuing appropriation" as the unexpended part of the cost of a public improvement, which cost was adopted through a public hearing and was included in an adopted or amended budget of a city. The continuing appropriation does not expire at the conclusion of a fiscal year, but continues until the public improvement is completed, subject to the financial resources available to pay for the public improvement.

SENATE FILE 2299 - Reserve Peace Officers — Professional Permits to Carry Weapons

BY COMMITTEE ON JUDICIARY. This Act provides that reserve peace officers are to be treated as peace officers for the purposes of obtaining and renewing professional permits to carry weapons.

SENATE FILE 2352 - Room and Board Reimbursement by County Prisoners

BY COMMITTEE ON JUDICIARY. This Act authorizes the county sheriff to charge prisoners who are 18 years of age or older for the room and board provided to them while the prisoners are in the sheriff's custody. If a prisoner fails to pay for the room and board, the sheriff may file a room and board reimbursement lien. The county attorney may file the lien on behalf of the county sheriff. The room and board reimbursement lien does not apply to prisoners who are under court order to pay for their room and board under a work release program.

SENATE FILE 2359 - County Recovery of Costs Related to Homicide Victims

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides for payment, by the county of residence of the deceased person, of the fee and expenses of the county medical examiner for the preliminary investigation and preparation of required reports relating to a person's death if the person is a victim of murder, manslaughter or vehicular homicide, and the person's death affects the public interest.

Under the Act, the county may recover the medical examiner's expenses and fee from the defendant if the defendant is convicted of murder, manslaughter, or vehicular homicide. The Act also requires the county attorney of the county in which a judgment of conviction and sentence of murder, manslaughter or vehicular homicide is rendered against a defendant to notify, in writing, the clerk of the district court of the county of the deceased person's residence so that the county may recover the fee and expenses of the medical examiner from the defendant.

HOUSE FILE 400 - Joint Equipment Purchases by Political Subdivisions

BY COMMITTEE ON TRANSPORTATION. This Act repeals the requirement that cities, counties, townships, school districts, or other political subdivisions, before making a purchase of equipment worth at least \$50,000, consider making the purchase with another political subdivision of the state. The Act also repeals the requirement that the minutes of the governing board making the purchase indicate what other governing bodies were contacted concerning a possible joint purchase of the equipment.

HOUSE FILE 2177 - Urban Renewal — Century Farm Exclusion

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that areas designated as economic development areas for purposes of urban renewal shall not contain land which is part of a century farm unless the owner of the century farm agrees to include the century farm in the urban renewal area. The Act applies to economic development areas designated before, on or after July 1, 1996.

HOUSE FILE 2187 - Rural Water Districts — Attachment

BY VANDE HOEF. This Act provides that 30 percent of the owners of land within a proposed addition to a rural water district may petition the board of supervisors to attach all of the real property in the proposed addition to the district. The board of supervisors will approve or disapprove the petition after notice and a public hearing.

HOUSE FILE 2256 - Implementation of New or Revised Federal Block Grants

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides requirements for state agencies implementing new or revised federal block grant provisions which affect local governments.

The Act amends a section of Chapter 8, the Budget and Financial Control Act, which relates to deposit of federal funds. The Act requires a state agency to develop a block grant plan in response to program changes mandated by changes at the federal level. The primary goal of the plan should be to attain savings for taxpayers and to avoid shifting costs to the state and local governments. The Act requires that state agency planning meetings be held jointly with the affected political subdivisions and members of the public. The planning requirements include publishing of proposed expenditures and accountability measures, providing a preference for existing service delivery systems, providing transition time for a local government to accommodate changes in federal and state policy, allowing flexibility for local government implementation of a service, eliminating mandates on local governments that were eliminated for the state, limiting state administrative costs, and prohibiting use of federal funds to supplant state spending efforts.

A state agency must send copies of its block grant plan to the Fiscal Committee of the Legislative Council and to the chairpersons and ranking members of the appropriate subcommittee on appropriations. The Act requires that the plan and any accompanying program changes be adopted by administrative rule.

The Act takes effect April 16, 1996.

HOUSE FILE 2258 - Benefited Recreational Lake Districts

BY WEIDMAN. This Act authorizes the residents of a recreational lake area to form a district for the purpose of improving water quality. The Act also authorizes the board of trustees of a benefited recreational lake district to acquire real estate or interest in real estate or take other action to promote or improve water quality.

HOUSE FILE 2259 - City Sewer or Water Utility Connections

BY COMMITTEE ON LOCAL GOVERNMENT. This Act changes the procedure for establishing one or more districts and schedules of fees for the connection of property to the city sewer or water utility. The Act provides that the connection fee may include the equitable cost of extending the utility to the properties, including reasonable interest from the date of construction to the date of payment. The Act also provides that when a city annexation plan includes area adjoining the city, but a petition requesting city sewer or water utility connection has not been presented, the county board of health cannot regulate private water supplies and private sewage disposal facilities in the proposed annexed area until annexation takes place, or an annexation plan is abandoned, unless the individual property owner voluntarily pays the connection fee and requests to be connected to the city sewer or water utility.

HOUSE FILE 2299 - Filing of Instruments by County Recorders

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides a county recorder with the option of filing instruments beginning with the number one and numbering consecutively from the first working day of a calendar year until the last working day of the calendar year or by filing instruments beginning with the number one immediately after the annual settlement with the board of supervisors and numbering consecutively until the next annual settlement.

HOUSE FILE 2399 - Eligibility for County General Assistance

BY BRAUNS. This Act amends provisions in Iowa Code Chapter 252, relating to eligibility for county general assistance, by requiring a person to be in the county, lawfully, as a condition of eligibility for the assistance.

HOUSE FILE 2426 - Tax Increment Financing Certification Requirements

BY COMMITTEE ON LOCAL GOVERNMENT. This Act changes from December 31 to December 1 the date by which a city or county is required to annually certify to the county auditor the amount of debt obligations to be paid from tax increment financing revenues and the allocation of tax increment financing revenues to the urban renewal area.

HOUSE FILE 2427 - Mental Health, Mental Retardation, and Developmental Disability Services

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides for the involvement of the county single entry point process in voluntary and involuntary placements of individuals for mental health or mental retardation care and treatment services and amends related statutes involving billing and payment for the services.

Enactments in the 1994 and 1995 Legislative Sessions initiated reforms of county service and payment provisions for mental health, mental retardation, and developmental disability (MH/MR/DD) services. The reforms involve greater state participation in the funding of the services, a requirement that county budgets for the services operate within a fixed budget, and implementation of service management provisions. The service management provisions include implementation of a single entry point process (also referred to as a central point of coordination) to manage intake and referral to services.

The Act incorporates the single entry point process into Code provisions providing for voluntary and involuntary placements for mental health or mental retardation services when the services are paid in whole or part by a county. Commitments for an evaluation or services must be to a provider designated through the single entry point process. The Department of Human Services is directed to utilize the single entry point process in referrals to Medical Assistance (Medicaid) services, to the extent allowed under federal requirements.

The Act includes provisions for coordination between the single entry point process of an individual's county of residence and that of the individual's county of legal settlement. Iowa has historically maintained a process for determining the payment responsibilities of the county or state government for services based upon initial residence, subject to modification for other factors. This process is known as "legal settlement" and is not changed by the Act.

Other provisions of the Act address the amount of per diems billed to a county for care provided at a state hospital-school or state mental health institute. Under prior law, the per diem amount was fixed at the amount in effect on July 1, 1988, subject to an increase up to the amount of adjustment in the consumer price index. The Act changes this inflation increase factor to be based instead upon the amount of the allowed growth factor authorized in law for county MH/MR/DD budgets. The new factor applies beginning with FY 1997-1998.

Counties are expressly authorized to pay for MH/DD services by pooling appropriations from their MH/DD funds with other counties and with regional county entities. Other service payment provisions of the Act relate to the Medical Assistance (Medicaid) program. Counties pay the nonfederal share of intermediate care facility for persons with mental retardation (ICFMR) services and other services to the same adult population covered under the program. The Act includes time frame goals for the Department of Human Services to complete claims and cost settlements to counties for services paid for by counties.

The law prohibiting counties from requiring community mental health centers to provide identifying information concerning individuals receiving services is amended to authorize required provision of administrative, diagnostic and demographic information. Agencies providing MH, MR or DD services under a county management plan are authorized to access the child abuse registry for information concerning current or prospective employees.

The Act includes a number of provisions involving the State-County Management Committee, an advisory body for MH/MR/DD issues and policy questions. The membership of the committee is expanded to include a representative nominated by the Association of Federal, State, County, and Municipal Employees (AFSCME). The committee is directed to develop recommendations for establishing standards for MH/MR/DD services, standards for limiting cost shifting and excess costs and profits under managed care plans, and quality measurement and improvement provisions for the services. In addition, the committee is to recommend to the department actions to assist in the transition of persons served in an ICFMR to services funded under a Medical Assistance home and community-based services waiver. This provision of the Act takes effect May 2, 1996, and the department is to submit a report to the Governor and General Assembly in January 1997.

HOUSE FILE 2488 - Special Census Certification

BY COMMITTEE ON WAYS AND MEANS. This Act provides that a city or county which undertook a special census in 1995 for the purposes of determining the allocation of population-based road use tax funds or personal property tax replacement funds and which was prevented from filing the special census results with the Secretary of State by December 31, 1995, due to a federal government shutdown, shall have the census results considered timely filed if the results are filed with the Secretary of State within 30 days of April 18, 1996.

The Act takes effect April 18, 1996.

HOUSE FILE 2491 - Pioneer Cemeteries — Cemetery Levy

BY COMMITTEE ON WAYS AND MEANS. This Act authorizes a county board of supervisors, by ordinance, to assume jurisdiction and control of pioneer cemeteries in the county. "Pioneer cemetery" is defined as a cemetery where there have been six or fewer burials in the preceding 50 years. The board of supervisors may create a cemetery commission to manage the pioneer cemeteries. The board of supervisors shall pay the costs of maintaining the pioneer cemeteries from the county general fund and the board may levy a tax not to exceed 6.75 cents per \$1,000 of the assessed value of all taxable property in the county to repair and maintain all cemeteries under the jurisdiction of the board.

NATURAL RESOURCES & OUTDOOR RECREATION

- SENATE FILE 2165** - Hunting Preserves — Season for Certain Ungulates
- SENATE FILE 2212** - Timber Buyers
- SENATE FILE 2259** - Vessels — Certificates of Title
- SENATE FILE 2278** - Natural Resource Commission — Removal of Political Activity Ban
- HOUSE FILE 2297** - Levee and Drainage Districts — Warrants
- HOUSE FILE 2306** - Motorboat Operation on Big Creek Lake
- HOUSE FILE 2383** - Deer and Wild Turkey Hunting Licenses
- HOUSE FILE 2408** - Mining

RELATED LEGISLATION

- SENATE FILE 2035** - Eurasian Water Milfoil
SEE ENVIRONMENTAL PROTECTION. This Act requires the Natural Resource Commission of the Department of Natural Resources to prepare a long-term statewide management plan for the control and eradication of Eurasian water milfoil. The Act also confers rulemaking authority and establishes a scheduled fine relating to Eurasian water milfoil.
- SENATE FILE 2260** - Soil and Water Conservation
SEE AGRICULTURE. This Act relates to soil and water conservation, including provisions relating to the terms and compensation of soil and water district commissioners, soil and water conservation practices, and a financial incentive program.
- SENATE FILE 2446** - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by providing appropriations to support related entities, including the Department of Agriculture and Land Stewardship and the Department of Natural Resources. The Act also provides direction to a number of agencies and makes statutory changes relating to agriculture and natural resources.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes appropriations for lakes and other provisions associated with natural resources.

NATURAL RESOURCES & OUTDOOR RECREATION

SENATE FILE 2165 - Hunting Preserves — Season for Certain Ungulates

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act provides that the owner of a hunting preserve with nonnative pen-reared ungulates shall establish the hunting season for those ungulates. Currently, the established season is September 1 through March 31 of the succeeding year. The Iowa Code defines "ungulate" as a hoofed, nondomesticated mammal.

This Act takes effect April 8, 1996.

SENATE FILE 2212 - Timber Buyers

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act amends the definition of "timber buyer" to include a person who contracts to harvest timber on shares. The Act also revises the formula for determining the amount of the surety bond a timber buyer must file with the Natural Resource Commission of the Department of Natural Resources based on the preceding year's business. The minimum bond is raised from \$500 to \$3,000 and the maximum bond is raised from \$10,000 to \$15,000.

This Act takes effect January 1, 1997.

SENATE FILE 2259 - Vessels — Certificates of Title

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT & ENERGY. This Act exempts a vessel that is documented by the U.S. Coast Guard from the requirement of being issued a certificate of title under Iowa Code Chapter 462A. If a documented vessel has been issued a certificate of title pursuant to this chapter, the certificate of title shall be canceled when the owner mails or delivers proof of the U.S. Coast Guard documentation to the county recorder.

SENATE FILE 2278 - Natural Resource Commission — Removal of Political Activity Ban

BY COMMITTEE ON STATE GOVERNMENT. This Act repeals the prohibition on political activity by a member, officer or employee of the Natural Resource Commission of the Department of Natural Resources.

HOUSE FILE 2297 - Levee and Drainage Districts — Warrants

BY MERTZ. This Act repeals Section 468.185 of the Iowa Code, which provides that Chapter 74 is applicable to all warrants legally drawn on levee and drainage district funds which are not paid for want of funds. Chapter 74 establishes procedures applicable to public obligations not paid for want of funds.

HOUSE FILE 2306 - Motorboat Operation on Big Creek Lake

BY COMMITTEE ON NATURAL RESOURCES. This Act gives temporary authorization for motorboats equipped with any power unit to use Big Creek Lake in Polk County. The motorboats shall be operated at no-wake speed only. The use of jet skis and the towing of flotation recreational equipment are prohibited.

The Act applies to Big Creek Lake from May 24, 1996 (the Friday before Memorial Day), through September 2, 1996 (Labor Day).

The Act takes effect April 16, 1996, and is repealed September 3, 1996.

HOUSE FILE 2383 - Deer and Wild Turkey Hunting Licenses

BY COMMITTEE ON NATURAL RESOURCES. This Act strikes current provisions of hunting laws relating to the issuance of free deer hunting and wild turkey hunting licenses to landowners and tenants and rewrites definitions to specify the landowners, tenants and family members who qualify for the annual free hunting licenses. The Act provides that an owner and a tenant are both eligible for a free deer license and a wild turkey license for the same farm unit. If an owner or tenant applies for one or neither of the licenses, a member of the owner's or tenant's family may apply for one or both of the licenses remaining. The owner and tenant need not reside on the farm unit for which a free license is issued. The licenses issued are valid only on the farm unit and shall be equivalent to the least restrictive license issued under Section 481A.38. The Act also provides that an owner of a farm unit or a member of the owner's family and the tenant or a member of the tenant's family may purchase a deer hunting license for any option offered to paying deer hunting licensees.

The Act also provides that the Director of the Department of Natural Resources shall provide up to 25 nonresident deer hunting licenses and 25 nonresident wild turkey hunting licenses annually for allocation to nonresident guests

and dignitaries to promote the state and its natural resources. The licenses shall be allocated by a majority of a committee consisting of the Majority Leader of the Senate, Speaker of the House, and Director of the Department of Economic Development. The licenses shall be issued upon payment of the nonresident hunting license fee and the wildlife habitat stamp fee. The hunting excursion and photographs, video tapes or other media resulting from the hunting excursion shall not be used for political campaign purposes.

HOUSE FILE 2408 - Mining

BY COMMITTEE ON NATURAL RESOURCES. This Act makes several changes to the Iowa Code chapter dealing with mines.

The Act changes some definitions in the mining chapter and provides that mining includes both surface and underground mining and defines those terms. The Act also includes a political subdivision of the state within the definition of an operator for purposes of the chapter.

The Act provides for time guidelines and hearing procedures concerning the suspension, revocation or refusal to issue a license.

The Act also provides for administrative penalties on operators, including political subdivisions, for violations of an order issued by the administrator to cease or take corrective action concerning a practice that constitutes a violation of this chapter. The Act provides that the Division of Soil Conservation within the Department of Agriculture and Land Stewardship shall establish a schedule of penalties in addition to those penalties already provided by this Act, not to exceed \$5,000 per violation.

The Act provides that the penalty shall be paid within 30 days of the date the order assessing the penalty becomes final and provides for interest on unpaid penalties. The procedure for assessing the penalty is not established by the Act.

The Act also provides that the Attorney General can seek a civil penalty of not more than \$10,000 for a violation of this chapter; currently, the Attorney General can seek no more than \$5,000.

The Act also provides that an operator is still liable for reclamation costs that exceed the amount of the bond filed by the operator. The Act also eliminates the requirement that the Governor approve certain rules concerning health and safety standards for surface mining.

The Act makes inapplicable the statutory provision that would relieve a political subdivision from complying with a state mandate if funding for the cost of the state mandate is not provided or specified.

STATE GOVERNMENT

- SENATE FILE 73 - Licensure of Social Workers
- SENATE FILE 259 - Mortuary Science and Cremation
- SENATE FILE 2013 - Licensure of Respiratory Care Practitioners
- SENATE FILE 2062 - Substantive Code Corrections
- SENATE FILE 2080 - Nonsubstantive Code Corrections
- SENATE FILE 2121 - Iowa State Fair Board — Auditing Practices
- SENATE FILE 2122 - Unclaimed Property — Outdated Warrant Recovery — Fraudulent Practices
- SENATE FILE 2127 - Confidentiality of Social Security Numbers — Owners of Unclaimed Property
- SENATE FILE 2147 - Iowa Telecommunications and Technology Commission
- SENATE FILE 2245 - Public Retirement Systems
- SENATE FILE 2366 - Centralized Financing of State Agency Property Purchases
- SENATE FILE 2367 - State Claims Procedures
- SENATE FILE 2387 - Department of General Services — Miscellaneous Duties
- HOUSE FILE 476 - Purchasing Division — Aggrieved Bidder Appeals
- HOUSE FILE 2061 - Health Care Peer Review Committees
- HOUSE FILE 2153 - Reinstatement Upon Denial of Disability Retirement Benefits
- HOUSE FILE 2190 - Publication of City and County Legislation — Newspaper Publication Fees
- HOUSE FILE 2230 - Department of Inspections and Appeals — Miscellaneous Provisions
- HOUSE FILE 2318 - Regulation of Professional Engineering, Land Surveying, and Architecture
- HOUSE FILE 2324 - State Employee Disclosures of Information
- HOUSE FILE 2407 - Legal Publications, Related Products, and Governmental Data Processing Software

RELATED LEGISLATION

- SENATE FILE 2071 - Advisory Commission on Intergovernmental Relations
SEE LOCAL GOVERNMENT. This Act creates an Iowa Advisory Commission on Intergovernmental Relations consisting of state officers, local government officers, and legislators; and charges the commission with the study of patterns, powers and functions of local governments, existing and desirable relationships between local governments and the state, necessary and desirable allocation of fiscal resources, special problems among local, regional, state, and interstate governments, and necessary and desirable roles of the state as the creator of local governmental systems.

- SENATE FILE 2110 - Anatomical Gift Public Awareness and Transplantation
SEE HEALTH & SAFETY. This Act establishes an Anatomical Gift Public Awareness and Transplantation Fund under the control of the Iowa Department of Public Health and the Anatomical Gift Public Awareness Advisory Committee within the department. The Act provides for the collection of contributions made by applicants for registration or renewal of registration of a motor vehicle and other contributions to be placed in the fund and provides for expenditure of the moneys in the fund for certain purposes including public awareness projects and payment of costs related to transplantation. The Act specifies the duties of the committee, including awarding of grants, promotion of the making of anatomical gifts, and recommendation of measures to improve the state anatomical gift law.

- SENATE FILE 2130** - Gypsy Moth Litigation
SEE AGRICULTURE. This Act repeals a provision enacted by the General Assembly in 1995 in H.F. 553, which required the Department of Agriculture and Land Stewardship and the Attorney General to cooperate in bringing legal action against parties liable for damages caused by the shipment from the state of Michigan of trees or other plants infested with gypsy moths.
The Act takes effect March 1, 1996.
- SENATE FILE 2153** - Law Enforcement Officer Certification
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act requires the Director of the Iowa Law Enforcement Academy to promulgate rules relative to certification through examination for individuals who have successfully completed the Federal Bureau of Investigation National Academy, have corrected 20/20 vision or better, and were employed on or before January 1, 1996, as chief of police of a city in Iowa with a population of 20,000 or more.
- SENATE FILE 2159** - Evaluator Licensing of Educators
SEE EDUCATION. This Act provides an alternative to double-licensure for educators employed in a supervisory teaching or administrative capacity. Section 272.33 of the Iowa Code requires individuals responsible for administering teaching faculty performance evaluations in a supervisory capacity to complete coursework leading to an evaluator license, in addition to their teaching license. This Act provides that an evaluator endorsement attached to an educator's teaching license may be obtained instead of an independent evaluator license.
- SENATE FILE 2171** - Miscellaneous Public Health Administration Provisions
SEE HEALTH & SAFETY. This Act authorizes the Director of Public Health to establish ad hoc and advisory committees to provide technical expertise not otherwise available, changes the loan repayment provisions for the primary care recruitment retention endeavor, changes the manner in which the Bureau of Professional Licensure is to provide license registration information to the public, changes quorum requirements for certain advisory boards, and provides for facilitation of the transfer of historic health data information from the Health Data Commission to the Community Health Management Information System Data Repository.
- SENATE FILE 2195** - Iowa Communications Network Appropriations
SEE APPROPRIATIONS. This Act appropriates moneys to the Iowa Communications Network Fund for FY 1997 for debt service, the connection of a minimum of 110 Part III authorized users, the subsidization of video rates for certain authorized users, maintenance and lease costs, and support services.
- SENATE FILE 2213** - Prevention of Disabilities
SEE HUMAN SERVICES. This Act extends the repeal of the Prevention of Disabilities Policy Council chapter of the Code, Chapter 225B, from June 30, 1996, to June 30, 2000.
- SENATE FILE 2235** - Nursing Facilities — Alternative Licensure and Inspections
SEE HEALTH & SAFETY. This Act provides for adoption of rules, by the Department of Inspections and Appeals, regarding the licensure of nursing facilities.
- SENATE FILE 2289** - Department of Corrections — Miscellaneous Provisions
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act amends Section 669.2, regarding tort claims against state employees, to add nurses, physician assistants, and other medical providers to the definition of state employees when they render services to inmates of state institutions, and also adds the Department of Veterans Affairs to the list of covered state institutions. The Act also makes other changes relating to the Department of Corrections.

- SENATE FILE 2323** - Pharmacy Technician and Pharmacist-Intern Registration
SEE HUMAN SERVICES. This Act provides for the designation of individuals, who are employed by and assist with the technical functions of a pharmacy practice, as pharmacy technicians.
- SENATE FILE 2336** - Agricultural Development Authority Executive Director
SEE AGRICULTURE. This Act transfers the authority to appoint and remove the Executive Director of the Agricultural Development Authority from the Secretary of Agriculture to a special committee consisting of the Secretary of Agriculture and the Chairperson and Vice Chairperson of the Agricultural Development Board or their designees.
- SENATE FILE 2408** - Financial Institution Eligibility for State Public Funds
SEE BUSINESS, BANKING & INSURANCE. This Act amends provisions relating to the deposit of public funds by striking references to the annual community reinvestment report filed pursuant to federal law, as that statement is no longer required; adding the Superintendent of Credit Unions to the committee that develops the list of financial institutions eligible to accept state public funds deposits; and revising certain factors to be considered by the committee when reviewing challenges to a financial institution's continued eligibility to receive state public funds.
- SENATE FILE 2409** - Workforce Development
SEE LABOR & EMPLOYMENT. This Act creates the Department of Workforce Development. This new department replaces the current Department of Employment Services. In addition, the Act transfers certain responsibilities from the Department of Economic Development to the new Department of Workforce Development.
- SENATE FILE 2448** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act makes appropriations to a number of state departments, and transfers administration of the Gambling Treatment Program from the Department of Human Services to the Iowa Department of Public Health.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions involving state retirement systems benefit development and funding of studies, and creates local innovation zones under the oversight of the Council on Human Investment.
- HOUSE FILE 111** - Homeowners' Association Swimming Pools
SEE HEALTH & SAFETY. This Act exempts certain homeowners' associations from the swimming pool regulation chapter of the Code if certain other conditions are met, including that the swimming pool or spa operated by the homeowners' association is inspected by an entity other than the Iowa Department of Public Health or a local board of health.
- HOUSE FILE 514** - Special Registration Plates and Related Matters
SEE TRANSPORTATION. This Act creates Iowa heritage motor vehicle registration plates and provides that 25 percent of the moneys collected from sale of the plates is allocated to the Department of Education to promote the teaching of history and the remaining 75 percent of the moneys is allocated to the Iowa Heritage Fund to be used by the State Historical Society to maintain and expand Iowa's history curriculum, to provide teacher training in Iowa history, to support museum exhibits, historic sites, and adult education programs, and to be used for start-up costs for the 175th and 200th anniversaries of Iowa's statehood.

- HOUSE FILE 523** - Telecommunicator Training Standards
SEE HEALTH & SAFETY. This Act requires the Director of the Iowa Law Enforcement Academy to adopt rules establishing minimum standards for the training of telecommunicators.
- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes an FY 1996 supplemental appropriation to the Department of General Services for utility costs from the State General Fund and to the Department of Personnel from the Iowa Public Employees' Retirement System Fund for operational costs of the public retirement system.
- HOUSE FILE 2225** - Motorcycle Rider Education
SEE TRANSPORTATION. This Act transfers the responsibility for approving and establishing the motorcycle rider education class and the motorized bicycle education class from the Department of Education to the State Department of Transportation.

The Act takes effect March 29, 1996.
- HOUSE FILE 2256** - Implementation of New or Revised Federal Block Grants
SEE LOCAL GOVERNMENT. This Act provides requirements for state agencies involving implementation of new or revised federal block grant provisions affecting local governments.
- HOUSE FILE 2308** - Asbestos Removal and Encapsulation
SEE ENVIRONMENTAL PROTECTION. This Act rewrites and reorders much of Chapter 88B, the Asbestos Removal and Encapsulation chapter of the Iowa Code. The Act strikes from the Code provisions directing the Department of Education to establish training requirements and qualifications and approve training programs; provisions authorizing the Division of Labor Services to inspect, review, and approve training programs; a provision allowing the Department of Education to reprimand a training institution or suspend or revoke its authorization; and a provision requiring permittees to make the record of each asbestos project it performs available to the Department of Education.
- HOUSE FILE 2370** - Limited Liability Companies and Corporations — Miscellaneous Provisions
SEE BUSINESS, BANKING & INSURANCE. This Act makes changes to statutory provisions applicable to limited liability companies and corporations, including certain reporting and filing requirements and procedures for corporations.
- HOUSE FILE 2390** - Branding of Livestock
SEE AGRICULTURE. This Act repeals a provision that requires the Department of Agriculture and Land Stewardship to eliminate conflicting brands recorded with the department and provides that the department shall renew conflicting brands originally recorded prior to July 1, 1996.
- HOUSE FILE 2400** - Anatomical Gifts — Authority of Medical Examiner
SEE HEALTH & SAFETY. This Act authorizes the medical examiner to release and permit the removal of a part from a body in the custody of the medical examiner for the purposes of the making of an anatomical gift if the decedent cannot be identified or if the next of kin of the decedent cannot be located and if several other conditions are met. The Act also provides for the release of information to an organ procurement organization or bank or storage organization as a part of a retrospective review of a patient as a potential donor.
- HOUSE FILE 2416** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act relates to and appropriates \$84.1 million to various state departments, agencies, funds, and certain other interstate and national entities for the 1996-1997 fiscal year.

- HOUSE FILE 2429** - Indigent Defense — Duties of Public Defenders
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act deals with indigent defendants and public defenders and restores most of the language in the Code that was adopted in 1991 concerning indigent defendants and public defenders but subsequently repealed in 1995 pursuant to the 1991 Act.
- HOUSE FILE 2462** - Public Access to Transportation Records
SEE TRANSPORTATION. This Act requires that all records of the State Department of Transportation be open to the public, other than those records made confidential or not permitted to be open under federal law.
- HOUSE FILE 2486** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates moneys to various state agencies for the federal fiscal year beginning October 1, 1996, and ending September 30, 1997, from the following federal block grants: Substance Abuse Prevention and Treatment, Community Mental Health Services, Maternal and Child Health Services, Preventive Health and Health Services, Drug Control and System Improvement, Stop Violence Against Women, Community Services, Community Development, Low-Income Home Energy Assistance, and Social Services.
- HOUSE FILE 2488** - Special Census Certification
SEE LOCAL GOVERNMENT. This Act extends the deadline for filing special census results with the Secretary of State if the results were not available for filing due to a federal government shutdown.
- HOUSE FILE 2497** - 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.

STATE GOVERNMENT

SENATE FILE 73 - Licensure of Social Workers

BY GRONSTAL AND TINSMAN. This Act establishes a licensure requirement for social workers, provides for three levels of licensure, and creates a seven-member licensing board for social work examiners. The board shall consist of two members of the general public, one licensed social worker for each of the three levels of licensure, and two members employed by a licensee under Chapter 237, which provides for child foster care facilities.

The Act creates three categories of social worker for licensing purposes — bachelor, master and independent level social worker. The primary distinction between the levels concerns an emphasis on assessment and intervention at the bachelor level, diagnosis and treatment at the master level, and qualification to perform the functions of a master level social worker in private practice at the independent social worker level. Licensure to practice social work shall be required at the master and independent social worker levels, and optional at the bachelor level. To be licensed, an applicant shall possess a professional degree appropriate to the level in question, pass an examination, and conduct all professional activities in accordance with standards for professional conduct established by the board. Independent level social workers must, additionally, have engaged in the supervised practice of social work for at least two years, or 4,000 hours, prior to taking the examination.

Provisions regarding reciprocal licensure, license renewal and continuing education, authorized use of titles, the rulemaking authority of the board, confidentiality of information, exemptions from licensure requirements, and title and practice protection are included in the Act. In addition, applicants for licensure prior to July 1, 1998, who possess a professional degree appropriate to their level and who have a specified number of hours of professional experience are exempt from some of the licensure requirements provided in the Act, such as the requirement to pass an exam.

An effective date of July 1, 1998, is provided for the composition of the board.

SENATE FILE 259 - Mortuary Science and Cremation

BY COMMITTEE ON STATE GOVERNMENT. This Act expands the authority of the Mortuary Science Board to regulate cremation services, establishes licenses for cremation and funeral establishments, and provides that the board establish standards for these establishments.

The Act changes the composition of the Board of Mortuary Science Examiners, defines cremation and funeral establishments, and replaces the term "apprentice" with the term "intern" with respect to mortuary science licensure. The apprenticeship certificate is changed to require a one-year internship in mortuary science.

Additionally, the Act requires a license for funeral and cremation establishment operation and provides qualifications for licensure, development of professional standards, and the ability to set fees. The board is authorized to suspend or revoke a license and impose fines and other penalties against a licensed establishment where indicated.

If the next of kin, guardian or other person authorized to act on behalf of a deceased individual requests cremation, the Act provides that a cremation permit must be obtained from a medical examiner, unless the deceased was a member of an established religion whose tenets are opposed to inspection or examination of the body of a deceased person. The maximum cost of a cremation permit is increased from \$25 to \$35.

SENATE FILE 2013 - Licensure of Respiratory Care Practitioners

BY JUDGE. This Act transfers the licensing authority for respiratory care therapists from the Department of Public Health to a new State Board of Respiratory Care established under the Act. The Act provides that an applicant for a license to practice as a respiratory care therapist must pass an examination approved by the board prior to licensure. Current respiratory care practitioners who have not passed the examination are given 36 months to pass an approved exam. The Act also expands the definition of a "respiratory care practitioner."

SENATE FILE 2062 - Substantive Code Corrections

BY COMMITTEE ON JUDICIARY. This Act enacts miscellaneous Code corrections that are substantive in nature, and which adjusts 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.

SENATE FILE 2080 - Nonsubstantive Code Corrections

BY COMMITTEE ON JUDICIARY. This Act makes Code changes and corrections that are considered to be nonsubstantive and noncontroversial, in addition to style changes.

SENATE FILE 2121 - Iowa State Fair Board — Auditing Practices

BY PALMER AND DOUGLAS. This Act amends Chapter 173, which provides for the establishment of the Iowa State Fair and its administration by the Iowa State Fair Board. Under the chapter, a convention of delegates meets each year to elect a number of directors to the board. This Act requires the board to provide convention delegates with a report containing financial information relating to the administration of the fair rather than an audit report. The Act provides that the Auditor of State must examine the financial affairs of the board annually rather than prior to the convention. The Act also eliminates a requirement that the time and place of the convention be set after the completion of the audit.

SENATE FILE 2122 - Unclaimed Property — Outdated Warrant Recovery — Fraudulent Practices

BY GRONSTAL. This Act relates to limitations placed upon contracts to provide assistance in the recovery of outdated warrants held by the Department of Revenue and Finance. Warrants are outstanding obligations, such as income or sales tax refunds issued by the state for property, which include, but are not limited to, money owed to a person by the state. Specifically, the Act provides that an agreement to pay compensation to recover or assist in the recovery of an outdated warrant made within 24 months after the date the warrant becomes outdated is unenforceable. However, an agreement made 24 months after the date the warrant becomes outdated is valid if the fee or compensation agreed upon is not more than 15 percent of the recoverable property, the agreement is in writing and signed by the payee, and the writing discloses the nature and value of the property and the name and address of the person in possession. The Act does not apply to a payee who has a bona fide fee contract with a practicing attorney.

The Act expands the definition of acts constituting fraudulent practices to include knowingly providing false information for purposes of claiming an interest in unclaimed property held by the state or securing a contract with another for the recovery of unclaimed property.

SENATE FILE 2127 - Confidentiality of Social Security Numbers — Owners of Unclaimed Property

BY GRONSTAL. This Act provides that social security numbers, collected and maintained by the Treasurer of State and the Department of Revenue and Finance in the course of administering claims for unclaimed property and outdated warrants, shall be kept confidential under the public records law.

SENATE FILE 2147 - Iowa Telecommunications and Technology Commission

BY MCLAREN. This Act increases the membership of the Iowa Telecommunications and Technology Commission from three to five members. One of the new members is to be appointed for an initial term of five years and one for an initial term of three years. The Act decreases the salary of the members of the commission from \$20,000 per year to \$12,000 per year, and decreases the salary of the chairperson of the commission from \$25,000 per year to \$17,000 per year. The Act also provides that the members of the commission are subject to the personal financial disclosure provisions of Section 68B.35.

SENATE FILE 2245 - Public Retirement Systems

BY COMMITTEE ON STATE GOVERNMENT. This Act makes numerous changes pertaining to public retirement systems, including the Iowa Public Employees' Retirement System (IPERS, Chapter 97B), the Public Safety Peace Officers' Retirement, Accident, and Disability System (PORS, Chapter 97A), and the Statewide Fire and Police Retirement System (Chapter 411).

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (IPERS). The Act contains the following provisions relating to IPERS:

1. The Department of Personnel is authorized to release records maintained by the department concerning IPERS members to a governmental entity for purposes of civil or criminal law enforcement activity. The section further provides that the department is not liable for the release of records pursuant to this new paragraph.
2. A member's right to payments under IPERS is subject to marital property orders. The Act further provides that IPERS shall comply with the provisions of a marital property order requiring the selection of a

particular benefit option, designated beneficiary, or contingent annuitant otherwise authorized under IPERS if the member has not yet received a retirement allowance.

3. The definition of "employee" under IPERS is amended to provide that certain university instructors governed by the Board of Regents who work less than half-time for a school year are considered temporary employees and not covered by IPERS. Previously, this reference applied only to half-time community college instructors.
4. Beginning January 1, 1997, the covered wage limitation is eliminated, subject only to the wage level permitted under the federal Internal Revenue Code. A member's covered wages determines the contributions made to IPERS and the member's retirement benefits. The covered wage limitation for 1996 is \$44,000 and previous law provided that this amount would have increased \$3,000 a year up to a maximum of \$55,000. The Act also amends the definition of "three-year average covered wage" to provide that, for certain members who retire between January 1, 1997, and December 31, 2003, the member's three-year average covered wage shall be determined on the member's covered wages from four to seven years if the member's three-year average covered wage exceeds a certain dollar amount for the year the member decides to retire. A member's three-year average covered wage is used to determine the member's retirement benefits.
5. For members under 65 years of age, a member's retirement allowance shall be reduced by 50 cents for each dollar the member earns in employment covered by IPERS over the limit for extra income provided in Section 97B.48A. The Act also provides that the earned income limit is the greater of \$7,440 or the amount of income permitted under Social Security. Previous law provided for a suspension of the retirement allowance for earnings over \$7,440. The Act provides for recouping these reductions from beneficiaries of the member if the member dies prior to IPERS recovering the full amount of the reductions.
6. Beginning January 1, 1997, the minimum monthly benefit for members who retired between July 1, 1953, and July 1, 1990, with at least 10 years of service is \$200. For each year of service from 10 to 30 years of total service, the minimum benefit shall increase by \$10 per year of additional service. Previous law provided for a \$50 minimum benefit for those retirees.
7. A member retiring after July 1, 1996, receives an additional 0.25 percent added to the applicable percentage multiplier for each calendar quarter of service in addition to the number of years of service required for a member to receive the maximum percentage multiplier, up to a maximum of an additional 5 percentage points. This additional percentage applies to all members under IPERS.
8. The Act provides for the payment of a retirement dividend based on a percentage of a member's monthly retirement allowance for certain retirees in November 1996. Members who retired between July 4, 1953, and December 31, 1975, receive a dividend of 292 percent of the monthly benefit; members who retired between January 1, 1976, and June 30, 1982, receive a dividend of 223 percent of the monthly benefit; members who retired between July 1, 1982, and June 30, 1986, receive a dividend of 74 percent of the monthly benefit; and members who retired between July 1, 1986, and June 30, 1990, receive a dividend of 24 percent of the monthly benefit.

The Act also adds a new provision to provide for the payment of a retirement dividend every November, beginning in November 1997, for members who retired before July 1, 1990. The dividend is calculated by adding the dividend paid in the previous year to an amount determined by multiplying the total of the retiree's monthly benefit payments and the dividend payable to the retiree in the previous calendar year by a percentage. The percentage applied to calculate the adjustment of the dividend is the lesser of 80 percent of the increase in the federal Consumer Price Index, the amount the actuary determines the system can afford without an increase in contribution rates, or 3 percent.

9. A member retiring on or after July 1, 1996, is eligible for normal retirement without penalty based on a rule of 90 where the combination of a member's age and years of service equals or exceeds 90, and the member is at least 55 years of age. On July 1, 1997, or the date the actuary determines that the system can afford it, whichever is later, a member will be eligible for normal retirement without penalty based upon the rule of 88, as long as the member is at least 55 years of age. Previously, the law provided for a rule of 92.

10. The Act establishes a hybrid retirement formula to be used in computing the retirement allowance for members who earned service as a regular IPERS member and who earned service as a member of a protection occupation or a county sheriff, deputy sheriff or airport fire fighter.
11. The Act provides that a beneficiary, heirs or the estate has five years, and not two years as provided under current law, after the member's death to apply to the department to receive the member's death benefit. The Act also requires the department to reinstate a surviving spouse's right to receive a death benefit after five years if required or permitted pursuant to the federal Internal Revenue Code.
12. Effective July 1, 1996, employees under the federal retirement system may be covered under IPERS if service under IPERS is not counted for their federal system retirement.
13. Effective for years beginning January 1997, the interest credited to the member's and the employer's contributions for purposes of determining the accumulated contributions shall be equal to 1 percent higher than the interest rate for one-year certificates of deposit as of the first business day in January of each year. The Act also provides that interest shall be credited on a quarterly basis.
14. Certain members are permitted to make partial "buy-backs" or "buy-ins" of membership service in increments of calendar quarters. Previously, these members could make partial "buy-backs" or "buy-ins" of membership service in increments of calendar years.
15. The Iowa Public Employees' Retirement Division is required to conduct the following studies for consideration by the Public Retirement Systems Committee during the 1997 Interim:
 - a. Development of proposals for establishing a defined contribution option and for converting the current system into a defined contribution plan.
 - b. Consideration of proposals concerning the contribution rates paid by employers and employees to include consideration of making the rates equal. Currently, the employer contributes 60 percent and the employee contributes 40 percent to the fund.
 - c. Consideration of proposals concerning various options for establishing disability retirement benefits for employees, or certain employees, covered by IPERS.
 - d. Consideration of proposals for determining which occupations should be eligible for inclusion as members in a protected occupation as provided by IPERS.
 - e. Comprehensive examination of the plan design of IPERS to include recommendations of proposals for improvement.
16. The Act also requires the Public Retirement Systems Committee during the 1997 Interim to study and make recommendations concerning the organizational structure of IPERS.

TEACHERS' PENSION AND ANNUITY RETIREMENT SYSTEMS. The Act adds new Section 294.10B to provide that payments under a pension and annuity retirement system for teachers established in Chapter 294 are subject to child, spousal or medical support obligations, or marital property orders, but are not transferable or subject to other types of legal process.

PUBLIC SAFETY PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM (PORS). The Board of Trustees of the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System shall, upon the advice of an actuary hired by the board, make the necessary valuations for determining the contribution rate into the fund. Currently, the Commissioner of Insurance is given the responsibility to perform these functions.

The Act amends Section 97A.5, authorizing the board of trustees to hire investment and benefit advisors and consultants in order to administer the system. The section is also amended to provide that the Department of Public Safety, the board of trustees, and the Treasurer of State shall not be liable for actions that do not constitute malicious or wanton misconduct, even if the actions violate standards established in Section 97A.7.

The Act also does the following:

1. Increases from 0.6 percent to 1.5 percent the additional benefit for members for each additional year of service in the system from 22 to 30 years of service for members terminating service on or after July 1, 1996.
2. Increases the minimum benefit for surviving spouses of members from 20 percent to 25 percent of the compensation for a senior patrol officer.
3. Provides for an annual readjustment of the pension payable from the current 12.5 percent and 25 percent to 15 percent and 30 percent, respectively. Previously, only those members who retired prior to July 1, 1990, got the higher percentage readjustment. The Act also provides that a retired member is eligible for this readjustment if the member served 22 years. Prior law required a member to serve 22 years and attain the age of 55 years before retirement in order to be eligible for the readjustment.
4. Provides for early retirement benefits for members who retire between the ages of 50 and 55 years but who have 22 years of service. The member's benefit will be reduced by an amount for each month of early retirement to reflect the actuarial cost, so that the early retirement does not result in any increase in cost to the system.
5. Eliminates the requirement that, beginning July 1, 1996, the normal contribution rate and the member's contribution rate be equivalent to the respective rates provided under the Statewide Fire and Police Retirement System (Chapter 411). Instead, the rates shall be based on the actuarial costs associated with PORS, subject to certain existing limitations.
6. Provides that a member's pension under PORS is subject to assignment based on a marital property order or a child, spousal or medical support order.
7. Establishes a mechanism for allowing vested members of PORS and vested members of Chapter 411 to transfer to the other system with credit for the period of service in the former system. The Act permits a member who transferred to the other system before July 1, 1996, to transfer credit from the former system to the current system within one year.

STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM (CHAPTER 411). The Act contains the following provisions relating to Chapter 411:

1. The Act replaces the current method for annually readjusting the pensions of members of the system effective July 1, 1997. The Act provides that the monthly pensions of members shall be adjusted each July 1 by adding an amount to the pension that represents an increase of 1.5 percent over the previous year's monthly pension plus a set dollar amount based on the number of years the member has been retired. A retired member must be retired on or before the effective date of the pension readjustment to be eligible for the readjustment.
2. The Act provides that a member's pension under Chapter 411 is subject to assignment based on a marital property order or a child, spousal or medical support order.
3. As noted concerning PORS, the Act establishes a mechanism for allowing vested members of Chapter 411 and vested members of PORS to transfer to the other system with credit for the period of service in the former system.
4. The Act also establishes a mechanism to charge participating cities in the system with the unfunded liability of that city along with interest calculated based on the investment performance or actuarial assumptions of the system.
5. The Act provides a new section establishing voluntary benefit programs for members of the system. The Board of Trustees of the Statewide Fire and Police System is authorized to establish programs for the benefit of members, to include retiree health, long-term care, and life insurance. The new section establishes a voluntary benefit fund for the purpose of investing assets transferred to the fund from employee contributions. Participation in the program by members is voluntary and the extent of a member's benefit under this section depends on the member's contributions to the fund.

JUDICIAL RETIREMENT SYSTEM. The Act provides that the State Treasurer may hire investment and benefit advisors and consultants in order to administer the system. The Act also provides that the State Court Administrator and the Treasurer of State shall not be liable for their actions concerning the fund that do not constitute malicious or wanton misconduct even if the actions violate standards established for the fund.

THE GOVERNOR ITEM VETOED THE FOLLOWING PROVISION CONCERNING IPERS:

A provision establishing a mechanism to reduce the percentage multiplier applied to members whose three-year average covered wage for service exceeded \$55,000. The mechanism would have reduced the multiplier only for that portion of wages that exceeded \$55,000 and would provide for an increase in the salary brackets based on inflation.

SENATE FILE 2366 - Centralized Financing of State Agency Property Purchases

BY COMMITTEE ON STATE GOVERNMENT. This Act creates new Section 12.28, which provides sole authority for the Treasurer of State to enter into lease-purchase agreements or financing agreements for the financing of real or personal property to be purchased by a state agency.

The Act removes Code language authorizing the Director of the Department of General Services to enter into lease-purchase agreements for the financing of real or personal property on behalf of state agencies, and reinserts similar language authorizing the Treasurer of State to serve as the sole state official authorized to enter into financing agreements allowing the purchase of real or personal property for state agencies. However, financing agreements for an energy conservation measure or through the Materials and Equipment Revolving Fund are exempt from the requirements of this new section. The Act also provides that a state agency does not include the State Board of Regents and its institutions, the Iowa Finance Authority, the Economic Protective and Investment Authority, the Agricultural Development Authority, the Iowa Advance Funding Authority, the Higher Education Loan Authority, and the Railway Finance Authority.

The Act provides for establishing a Financing Agreement Payment Fund in the Treasurer of State's Office, into which state agencies would transfer the required payments. State agencies would transfer moneys to the fund pursuant to procedures implemented by the Treasurer to ensure that payments are made on time.

The Act further provides that the Treasurer would be prohibited from entering into more than \$1 million of financing agreements per state agency per fiscal year. However, the Treasurer could enter into financing agreements above the \$1 million limit if the General Assembly is not in session and the Governor authorized the additional amount for a state agency.

The Treasurer of State would have the discretion to determine the most economical method of financing a state agency's request for funds, and would be permitted to use master lease-purchase agreements, issue certificates of participation, or use any other financing method or method of sale the Treasurer believes will provide savings to the state in issuance or interest costs.

Section 18.23, authorizing the lease-purchase of improvements to the State Capitol Building, is repealed.

The Act amends Section 8D.11 to provide that financing agreements for the purchase of real or personal property associated with the Iowa Communications Network by the Iowa Technology and Telecommunications Commission or a state agency would also be subject to the provisions of this Act. The Act also increases from \$50,000 to \$1 million the authority of the commission to enter into a contract to purchase, lease or improve property for telecommunications without prior legislative approval.

SENATE FILE 2367 - State Claims Procedures

BY COMMITTEE ON STATE GOVERNMENT. This Act amends the procedure for payment of outdated claims against the state. Outdated claims are ones based on invoices for goods or services that were provided more than 90 days prior to the date of the claim, or that were submitted after the close of the fiscal year. The Act provides that outdated claims can be filed directly with the agency that received the goods or services, for approval or rejection. The Department of Revenue and Finance can pay an approved claim, provided that the appropriation or fund of original certification available for paying the claim is sufficient.

The Act is effective April 8, 1996.

SENATE FILE 2387 - Department of General Services — Miscellaneous Duties

BY COMMITTEE ON STATE GOVERNMENT. This Act makes several changes to Code provisions dealing with the Department of General Services.

The Act provides that the authority of the Director of the Department of General Services to institute civil and criminal proceedings against a person for injury to public property includes the authority to institute such action if the property is intangible or intellectual property.

The Act provides the director with additional authority concerning the disposal of unwanted personal property of the state. The Act allows the director to charge the state agency in control of the personal property for costs associated with the removal and disposal of personal property that is contaminated or otherwise hazardous waste. The Act also permits disposal of the personal property of not-for-profit organizations and other governmental agencies.

The Act allows the director of the department to establish a Monument Maintenance Fund in the State Treasury to be held in interest-bearing accounts upon receipt of funds for the maintenance of a state monument.

HOUSE FILE 476 - Purchasing Division — Aggrieved Bidder Appeals

BY COMMITTEE ON STATE GOVERNMENT. This Act strikes the provision in Section 18.7 that permits an aggrieved bidder, whose bid was timely filed, to appeal an award of the Purchasing Division of the Department of General Services within five days after receipt of the "notice of intent to award" issued by the division.

HOUSE FILE 2061 - Health Care Peer Review Committees

BY BLODGETT. This Act adds health care entities engaged in providing health care services, including group medical practices, to the list of recognized health care peer review committees established in Section 147.1. Consequently, pursuant to Section 147.135, health care service entities, including group medical practices, are accorded civil immunity for actions resulting from peer review committee activities.

HOUSE FILE 2153 - Reinstatement Upon Denial of Disability Retirement Benefits

BY CONNORS. This Act provides reemployment rights for a member of the Statewide Fire and Police Retirement System and the Public Safety Peace Officers' Retirement, Accident, and Disability System who applies for an ordinary disability retirement benefit or an accidental disability benefit and is determined by the medical board not to be incapacitated for duty. The Act provides that the member can resume active service in the same position held by the member prior to the application for disability benefits.

HOUSE FILE 2190 - Publication of City and County Legislation — Newspaper Publication Fees

BY COMMITTEE ON STATE GOVERNMENT. This Act concerns the publication of notices, ordinances and amendments required by law to be published, by providing for the manner of the publication and the compensation rate for publication of these notices.

The Act provides that a summary of an ordinance or amendment enacted at the city or county level may be published instead of the complete text. An acceptable summary for this purpose shall set forth in a clear and understandable manner a narrative description of the main points of the ordinance or amendment. A copy of the complete text of a summarized ordinance or amendment shall be made available to the public at the county auditor's office.

The Act also provides that the compensation rate for publication of any notice, order, citation, or other publication required or allowed by law shall be established by the Superintendent of Printing through rulemaking after consultation with representatives of affected local governmental entities and the newspaper industry. Rates are required to be reviewed annually, with adjustment made by the Superintendent of Printing if necessary to accurately reflect current economic conditions.

HOUSE FILE 2230 - Department of Inspections and Appeals — Miscellaneous Provisions

BY COMMITTEE ON COMMERCE AND REGULATION. This Act relates to the duties of the Department of Inspections and Appeals.

The Act provides in Iowa Code Chapter 10A that the Director of the Department of Inspections and Appeals is responsible for administering Chapters 135G, concerning birth centers; 135H, concerning psychiatric medical

institutions for children; and 135J, concerning licensed hospice programs. Previously, these chapters provided for Department of Inspections and Appeals administration, but no reference to the chapters is made in Chapter 10A.

The Act provides for the establishment of a lien in favor of the state concerning any provider payments improperly obtained from the Department of Human Services that have not been repaid.

The Department of Inspections and Appeals' responsibility for conducting audits of real estate broker trust accounts and Iowa Department of Public Health contractors is eliminated under the Act.

HOUSE FILE 2318 - Regulation of Professional Engineering, Land Surveying, and Architecture
BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends provisions relating to the regulation of professional engineers, land surveyors and architects.

The Act provides for the licensure of professional engineers and land surveyors by the Professional Licensing and Regulation Division of the Department of Commerce. Previously, professional engineers and land surveyors were only registered by the division. The Act strikes language which provides that a reproduction of an engineering or land surveying document which complies with existing statutory requirements is deemed to be in compliance if the date, signature, certificate, and registration number are legibly reproduced.

The Act also creates two new sections which authorize the Engineering and Land Surveying Examining Board and the Architectural Examining Board to impose a civil penalty upon a person who is not licensed under Chapter 542B as an engineer or land surveyor, or registered under Chapter 544A as an architect, and who engages in certain acts involving the practice of engineering or land surveying or the practice of architecture. The civil penalty imposed can be no more than \$1,000 for each violation with each day of a continuing violation constituting a separate offense.

The board involved in imposing the penalty is permitted to consider certain identified factors in determining the amount of the civil penalty. The board must also provide written notice to the person and the opportunity for a hearing on the record. A person against whom a civil penalty is imposed may seek judicial review in accordance with Section 17A.19.

If a person fails to timely pay a civil penalty imposed pursuant to this Act, the board shall notify the Attorney General, who may commence an action to recover the amount of the penalty, including reasonable attorney's fees and costs.

HOUSE FILE 2324 - State Employee Disclosures of Information
BY HOUSER, VANDE HOEF, MARTIN, HAHN, HANSON, GRUNDBERG, KREMER, KLEMME, HURLEY, ERTL, BRAUNS, DAGGETT, GREIG, HALVORSON, TYRRELL, EDDIE, GARMAN, WELTER, GREINER, BRUNKHORST, METCALF, CHURCHILL, FALLON, KREIMAN, MERTZ, SHOULTZ, BAKER, MUNDIE, COHOON, NELSON of Pottawattamie, LARKIN, MAY, MYERS, and BERNAU. This Act provides additional protections for state employees who make a disclosure of information to the General Assembly or any other public official or law enforcement agency under certain circumstances.

The Act provides that a person who serves in a supervisory capacity within the executive branch of state government shall not require an employee of the state to inform that person that the employee made a disclosure of information otherwise permitted by Section 70A.28, relating to public officers and employers, to the General Assembly or any other public official or law enforcement agency. The Act also provides that no adverse employment decision can be made by a person involved with state government as a reprisal for a state employee not informing that person that a disclosure of information otherwise permitted by Section 19A.19, relating to the state merit employment system, or Section 70A.28 was made. The Act also makes the "whistle blower" protections of Section 70A.28 applicable to employees of the General Assembly and the State Board of Regents. However, the Act provides that the employee may be required to inform the relevant person that a disclosure was made if the employee represents that the information is the official position of the employer. As provided in the Iowa Code, a violation of these protections constitutes a simple misdemeanor and the prohibition concerning employment reprisals can be enforced through a civil action.

This Act takes effect April 16, 1996.

HOUSE FILE 2407 - Legal Publications, Related Products, and Governmental Data Processing Software
BY COMMITTEE ON STATE GOVERNMENT. This Act provides for the publishing and distribution of information stored or produced by the General Assembly and for accessing governmental data processing software. The Act authorizes the Legislative Council to establish policies for the distribution of information stored in an electronic format, either as raw data or as a value-added electronic publication, and contains statutory pricing guidelines for reproducing and delivering the electronic information.

The Act changes the effective date of editorial changes in certain legal publications to the effective date of the sales price for the publications. It provides that the printed versions of the legal publications are the official versions. It provides for periodic distribution of lists of documents transmitted to the General Assembly to members of the Iowa General Assembly by the Legislative Service Bureau. The Act provides for the free distribution of legal publications, by allowing the substitution of electronic versions and allowing the Superintendent of Printing and the Legislative Council to set payment policies.

The Act allows a governmental body to protect and restrict access to data processing software developed by a governmental body. The Act provides that a governmental body may establish payment rates, conditions and procedures to allow access to data processing software. The Act requires that public access to data itself must still be provided as required under Chapter 22, the public records law, regardless of whether the data is stored as part of data processing software.

TAXATION

- SENATE FILE 2097 - Sales, Services, and Use Tax Exemption for Agricultural Packaging Materials
- SENATE FILE 2168 - Internal Revenue Code References and Income Tax Provisions
- SENATE FILE 2449 - Tax Revisions and Related Matters
- SENATE FILE 2455 - Tax Administration and Related Matters
- SENATE FILE 2467 - Tuition and Textbook Income Tax Provisions
- HOUSE FILE 560 - Family Farm Tax Credit
- HOUSE FILE 569 - Motor Vehicle Lease Tax
- HOUSE FILE 2140 - Motor Fuel and Special Fuel Taxation and Regulation
- HOUSE FILE 2165 - Taxation of Industrial Machinery, Equipment and Computers
- HOUSE FILE 2166 - Taxation of Foreign Corporations
- HOUSE FILE 2422 - Sales, Services, and Use Tax Exemption — State and County Fairs
- HOUSE FILE 2432 - Taxation of Organized Health Care Delivery Systems

RELATED LEGISLATION

- SENATE FILE 2030 - Mental Health and Developmental Disability Funding and Related Provisions
SEE LOCAL GOVERNMENT. This Act relates to state and county mental health and developmental disability services funding provisions by amending provisions associated with the base year used for determining maximum county levy authority and state funding levels. The Act amends provisions initially enacted in 1995 Iowa Acts, Chapter 206, S. F. 69, and includes planning provisions for mental health and developmental disabilities services.
- SENATE FILE 2324 - Miscellaneous Public Assistance Provisions and Related Matters
SEE HUMAN SERVICES. This Act relates to public assistance and includes certain associated state tax provisions involving the Family Investment Program and individual development accounts.
- SENATE FILE 2351 - Economic Development Programs
SEE ECONOMIC DEVELOPMENT. This Act makes changes and additions to several economic development programs, including the Workforce Development Fund Program and the Iowa Small Business New Jobs Training Act, and provides a supplemental new jobs credit from income tax withholding for certain employers.
- SENATE FILE 2357 - School Finance — Levy Adjustment
SEE EDUCATION. This Act provides that a school corporation board may increase amounts certified for levy for principal and interest bonded indebtedness repayment if the board determines such increases are necessary to offset projected future machinery and equipment-related property valuation decreases and resulting revenue shortfalls in a district in which machinery and equipment valuation exceeds 20 percent of total taxable valuation.
- SENATE FILE 2464 - Housing Development and Related Matters
SEE ECONOMIC DEVELOPMENT. This bill makes several changes to the tax increment financing provisions of Chapter 403 regarding urban renewal, and Chapter 404 regarding urban revitalization tax exemptions.
- SENATE FILE 2470 - Miscellaneous Appropriations and Related Matters — Economic Development Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and

- includes provisions involving the county property tax limitation and levies for mental health, developmental disabilities and substance abuse services.
- HOUSE FILE 334** - Instructional Support Program — Hearings and Elections
SEE EDUCATION. This Act strikes a current Code requirement that an election held to determine school district participation in the Instructional Support Program must be held not later than December 1 of the base year.
- HOUSE FILE 2114** - Miscellaneous Supplemental Appropriations
SEE APPROPRIATIONS. This Act includes a FY 1996 supplemental appropriation from the General Fund of the State to the Department of Revenue and Finance for internal resource management and a provision vetoed by the Governor that would have paid income tax refunds to certain federal retirees.
- HOUSE FILE 2229** - Employment Security
SEE LABOR & EMPLOYMENT. This Act permits the Department of Employment Services to deduct and withhold federal and state income tax from unemployment compensation benefits if the claimant chooses. This section of the Act takes effect January 1, 1997, and applies to unemployment compensation benefits paid on or after that date.
- HOUSE FILE 2297** - Levce and Drainage Districts — Warrants
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act repeals Section 468.185 of the Iowa Code, which provides that Chapter 74 is applicable to all warrants legally drawn on levee and drainage district funds which are not paid for want of funds. Chapter 74 establishes procedures applicable to public obligations not paid for want of funds.
- HOUSE FILE 2315** - Reciprocal Shipment of Wines
SEE ALCOHOL REGULATION & SUBSTANCE ABUSE. This Act provides that a winery may ship, not subject to state of Iowa sales tax, use tax, or wine gallonage tax, certain small quantities of wine into or out of the state of Iowa by private common carrier.
- HOUSE FILE 2370** - Limited Liability Companies and Corporations — Miscellaneous Provisions
SEE BUSINESS, BANKING & FINANCE. This Act makes changes to statutory provisions applicable to limited liability companies and corporations, including exempting from the real estate transfer tax certain transfers involving limited liability companies.
- HOUSE FILE 2481** - New Jobs and Income Program
SEE ECONOMIC DEVELOPMENT. This Act creates additional sales and use tax and income tax benefits that are available to businesses that participate in the New Jobs and Income Program administered by the Department of Economic Development.
- HOUSE FILE 2491** - Pioneer Cemeteries — Cemetery Levy
SEE LOCAL GOVERNMENT. This Act authorizes the board of supervisors, by ordinance, to assume responsibility for repair and maintenance of pioneer cemeteries in the county and to levy a property tax not exceeding six and three-fourths cents per thousand dollars of taxable property in the county for that purpose.

TAXATION

SENATE FILE 2097 - Sales, Services, and Use Tax Exemption for Agricultural Packaging Materials

BY COMMITTEE ON WAYS AND MEANS. This Act establishes a sales and use tax exemption for packaging materials such as twine, wrapping, baling wire, and containers used in agricultural, livestock or dairy production. The exemption would also apply to producers of ornamental, flowering or vegetable plants in commercial greenhouses or other places which are for sale in the ordinary course of business since that activity is considered agricultural production as a result of enactment during the 1995 Session. The Act applies to sales occurring on or after July 1, 1996.

SENATE FILE 2168 - Internal Revenue Code References and Income Tax Provisions

BY COMMITTEE ON WAYS AND MEANS. This Act updates the references to the Internal Revenue Code to make the federal income tax changes enacted by Congress in the remainder of the 1995 calendar year after April 15, 1995, and through March 20, 1996, applicable for Iowa income tax purposes. The Act also allows a taxpayer to receive a tax benefit due to reduced tax on income repaid by the taxpayer.

Those sections of the Act updating the federal Internal Revenue Code references apply retroactively to tax years beginning on or after January 1, 1995. The section of the Act allowing a tax benefit on repaid income applies retroactively to January 1, 1992, for tax years beginning on or after that date.

The Act takes effect April 24, 1996.

SENATE FILE 2449 - Tax Revisions and Related Matters

BY COMMITTEE ON WAYS AND MEANS. This Act relates to indexation of tax brackets and standard deduction amounts and an alternative method of computing taxable income of shareholders of Subchapter S corporations under the individual income tax; full funding of homestead, military and elderly or disabled property tax credits and rent reimbursements; the regular program foundation level under the state school aid program; an additional goal for school study; and a refundable tax credit for limited livestock production.

DIVISION I — INDEXATION. Under present law the tax brackets and standard deduction for the state individual income tax are adjusted by an inflation factor that used 50 percent of the change in the implicit price deflator for the gross national product. The Division increases this to 100 percent of the change in the gross domestic product price deflator. The Division changes the reference from the gross national product price deflator to the gross domestic product price deflator since the former no longer exists. This Division eliminates the requirement that before indexing of tax brackets, the State General Fund must have a \$60 million balance.

DIVISION II — SCHOOL FOUNDATION LEVEL. In this Division, the regular program foundation base for purposes of the state school aid program is increased from 83 percent to 87.5 percent, except for that portion that is attributable to additional enrollment because of special education, which remains at 79 percent.

This Division takes effect May 29, 1996, and applies to the computation of school foundation aid payable in budget years beginning on or after July 1, 1996.

DIVISION III — HOMESTEAD, MILITARY SERVICE, AND ELDERLY OR DISABLED TAX CREDIT AND REIMBURSEMENT CLAIMS — ITEM VETOED BY THE GOVERNOR. This Division would have fully funded the amounts of the homestead tax credit, military service tax credit, the elderly or disabled tax credit, and rent reimbursement for the 1996-1997 fiscal year and appropriated these amounts annually thereafter. Under present law these credits are funded only to the extent funded in the 1992-1993 fiscal year.

The Division would have taken effect July 1, 1996, and applied to homestead, military service, and elderly or disabled homestead tax credit, and rent reimbursement claims payable in fiscal years beginning on or after July 1, 1996.

DIVISION IV — SUBCHAPTER S CORPORATIONS. This Division allows resident shareholders of Subchapter S corporations to reduce their state individual income tax if the corporation is a value-added business that is carried on both in-state and out-of-state. A value-added corporation is one that purchases, receives or holds personal property of any description and which adds to its value by a process of manufacturing, construction, processing, or combining different materials with a view to selling the finished product for gain or profit.

The method for reducing the income tax is through a refund process provided by the state as follows: First, complete the regular tax return and pay any tax owed, then recompute the income tax liability on a special return. The difference between the two is the taxpayer's claim for refund. In recomputing the income tax liability, the taxpayer does not include all of the income and expenses of the taxpayer's share of the corporation but only the greater of that income and expenses attributable to the state based upon Iowa's corporate tax allocation rules or the actual cash or other property distributed to the taxpayer which was not subject to Iowa tax, less 50 percent of any amount distributed that was used to pay federal income taxes. (Note: Subchapter S corporations are not subject to federal or state corporate income tax but their income and expenses pass directly to the shareholders and are counted as the shareholder's income and expenses.)

The Division provides that only \$5 million, in the aggregate, of refunds may be paid for any tax year. For calendar year taxpayers, the Department of Revenue and Finance will determine by February 1 of the year following the year in which the returns are due if the amount of refund claims exceeds \$5 million. If the claims do, the department shall prorate each claim and that prorated amount constitutes the refund claim for the taxpayer. Any amount not refunded may not be carried forward or backward to another tax year. Refund claims may not be used as estimated payments for succeeding tax years.

This Division applies retroactively to January 1, 1996, for tax years beginning on or after that date.

DIVISION V — LIVESTOCK PRODUCTION TAX CREDIT. This Division provides a livestock production income tax credit not to exceed \$3,000 per livestock operation. However, a taxpayer may only receive \$3,000 in total credits for a tax year. The credit is available to an individual or corporate taxpayer if the total net worth of the taxpayer during the tax year is less than \$1 million and more than one-half of the taxpayer's income for the tax year is from farming or ranching operations. The credit is based upon the amount of corn or corn equivalents used by hog operations, beef (including dairy) operations, sheep operations, and poultry operations. The amount of the credit is computed by multiplying 10 cents times the amount of corn or corn equivalents consumed by the livestock in the production operation.

The Division appropriates from the General Fund of the State \$2 million annually to fund livestock production tax credit refunds. The Division applies retroactively to January 1, 1996, for income tax years beginning on or after that date. However, for the tax year beginning on or after January 1, 1996, the state appropriation shall only be used to pay livestock production credit claims for cow-calf production.

The Division applies to tax years beginning on or after January 1, 1996.

DIVISION VI — SCHOOL STUDY GOALS. This Division expresses the General Assembly's support for the study of the Department of Education required in the Education Appropriations Act, H.F. 2477, and requests an additional goal be added to the study. This additional goal is for achieving parity between the percentage of regular program state cost per pupil and the percentage for that portion of weighted enrollment that is additional enrollment because of special education, which constitute the regular program foundation base, and the percentage of special education support services state cost per pupil, which constitutes the special education support services foundation base.

DIVISION VII — FUNDING CREDITS AND EXEMPTIONS — ITEM VETOED BY THE GOVERNOR. This Division would require the state to fully fund the cost of providing a property tax credit or property tax exemption if the credit or exemption was enacted after January 1, 1997. If the state did not fully fund the cost of the credit or exemption, the taxpayer would only receive a portion of the credit or exemption equal to the amount funded. The requirement for fully funding or the reduction to a portion of the credit or exemption would have applied to the homestead tax credit, military service credit and exemption, and the low-income, elderly or disabled tax credit.

SENATE FILE 2455 - Tax Administration and Related Matters

BY COMMITTEE ON WAYS AND MEANS. This Act allows the Director of Revenue and Finance to establish criteria for allowing tax returns and other documents required for tax administration to be filed by electronic means or other alternative methods rather than on a paper document. It further provides that the director may establish criteria allowing for payments of taxes, penalty and interest to be made to the Department of Revenue and Finance by electronic funds transfer.

This Act allows the department to recover taxes refunded in error plus applicable interest. If the refund is false or frivolous, with the intent to evade tax, the department has the authority to assess a 75 percent penalty plus applicable interest. This action is made a fraudulent practice.

The Act extends the time for taxpayer filing of claims for the additional elderly and disabled homestead property tax credit by four months for certain good cause shown to the county treasurer, extends by nine months the time for counties to file claims with the department for these credits, gives the department an additional 26 days to reimburse counties for special assessment credits allowed on these homesteads, extends by four months the time for filing mobile home reduced tax rate claims for certain good cause shown to the county treasurer, and extends by three and one-half months the time for counties to file claims with the department for mobile home reduced tax rate claims.

The Act excludes from the definition of "consideration" the amount of any debt on the property that is not assumed by the grantee for purposes of the real estate transfer tax.

The Act repeals a provision pertaining to an exemption from personal property tax for military personnel since the personal property became exempt from taxation in 1986.

Provisions of the Act relating to electronic tax filing, electronic funds transfer, tax refund recovery, and the time for filing homestead tax credit and mobile home reduced tax rate claims take effect April 24, 1996, and apply retroactively to January 1, 1996. The provisions relating to homestead tax credits and mobile home reduced tax rate claims apply to claims filed on or after January 1, 1996.

SENATE FILE 2467 - Tuition and Textbook Income Tax Provisions

BY COMMITTEE ON WAYS AND MEANS. This Act eliminates the income tax deduction for amounts paid for tuition and textbooks for dependents in elementary and secondary schools for taxpayers who itemize deductions. The Act increases the rate for elementary and secondary school tuition and textbook credit from 5 to 10 percent and makes the credit available to all taxpayers regardless of net income.

The Act takes effect April 25, 1996, and applies retroactively to tax years beginning on or after January 1, 1996.

HOUSE FILE 560 - Family Farm Tax Credit

BY COMMITTEE ON WAYS AND MEANS. This Act amends the definition of "designated person" for purposes of the family farm tax credit to include relatives of the owner within the third degree of consanguinity and those relatives' spouses. The definition is also amended to include family farm corporations if the combined stock of the corporation is equal to at least 51 percent and is owned by the owner of the land and persons related to the owner, and partnerships if a designated person's ownership interest in the partnership is equal to at least 51 percent of the entire ownership interest in the partnership.

The Act is effective January 1, 1996, and applies to credit claims filed on or after that date.

HOUSE FILE 569 - Motor Vehicle Lease Tax

BY COMMITTEE ON WAYS AND MEANS. This Act imposes a 5 percent tax upon the use of a leased motor vehicle. The tax is based upon the value of the motor vehicle during the period of the lease rather than on the overall value of the motor vehicle. Thus the number of months of the lease multiplied by the monthly lease payments, plus the down payment, minus any manufacturer's rebate, is the calculation for determining the tax. The Act applies to leases entered into on or after January 1, 1997.

HOUSE FILE 2140 - Motor Fuel and Special Fuel Taxation and Regulation

BY COMMITTEE ON WAYS AND MEANS. This Act makes several corrections to the motor fuel tax law enacted in H.F. 552 in 1995, which changed the point of taxation for the imposition of the motor fuel tax. One of the more substantive provisions allows a governmental agency to designate another governmental agency as an agent for purposes of filing and receiving the motor vehicle fuel tax refund.

The Act takes effect April 8, 1996, and applies retroactively to January 1, 1996.

HOUSE FILE 2165 - Taxation of Industrial Machinery, Equipment and Computers

BY COMMITTEE ON WAYS AND MEANS. This Act makes several changes to the Iowa Code relating to taxation of industrial machinery, computers and equipment. The Act rewrites the section exempting such property from sales and use taxation.

The Act eliminates in the definition of "insurance company," for the purposes of the sales and use tax exemption, the requirement that 50 or more persons be employed by such an insurance company. The Act also includes in the definition of "insurance company," mutual insurance associations operating under Chapter 518A and licensed insurance agents under Chapter 522.

The Act strikes the provision that requires that industrial machinery, computers and equipment located in an urban renewal area for which indebtedness has been incurred continue to be taxed at 30 percent of net acquisition cost. This property will now be subject to those current Code provisions which provide that such property first assessed for taxation on or after January 1, 1995, will be exempt from property taxation, and the taxable value of such property purchased before that date will be phased out over a four-year period. This provision applies retroactively to assessment years beginning on or after January 1, 1995.

The Act also requires a community college to notify a county assessor by February 15 of each year if the taxpayer's property will be taxed to finance either an industrial new jobs or small business training project in the coming fiscal year.

The Act also defines a tax increment financing district in an urban renewal area as a taxing district for purposes of allocation of replacement moneys, and provides for the method of allocation in those districts. The Act also allows a city or county to appeal to the State Appeal Board for state assistance in meeting debt obligations for certain urban renewal taxing districts and allows a city or county to subtract machinery and equipment valuation from the base valuation of a tax increment financing district to the same extent that machinery and equipment valuation is removed from the regular property tax rolls.

The Act takes effect April 4, 1996.

HOUSE FILE 2166 - Taxation of Foreign Corporations

BY COMMITTEE ON WAYS AND MEANS. This Act lists activities that a foreign corporation may engage in and not be considered as doing business in Iowa for Iowa corporate tax purposes.

Federal law restricts the state taxation of business income derived within the state from interstate commerce if the only business activity within the state is the solicitation of sales or the activities are ancillary to the solicitation of sales. In addition, if the business activities are not related to the solicitation of sales but are very meager in effect then state taxation is also restricted. The business activities listed in this Act include holding meetings of the board of directors or shareholders, holding holiday parties or employee appreciation dinners, maintaining bank accounts, borrowing money, utilizing Iowa courts for litigation, owning and controlling subsidiary corporations without a physical presence in the state as it relates to such ownership, and recruiting personnel where hiring occurs outside of the state.

The Act takes effect April 17, 1996, and applies retroactively to January 1, 1996, for tax years beginning on or after that date.

HOUSE FILE 2422 - Sales, Services, and Use Tax Exemption — State and County Fairs

BY COMMITTEE ON WAYS AND MEANS. This Act exempts from the state sales and use taxes the gross receipts from sales or services rendered, furnished or performed by the State Fair or a local district or county fair.

HOUSE FILE 2432 - Taxation of Organized Health Care Delivery Systems

BY COMMITTEE ON WAYS AND MEANS. This Act provides that payments received by an organized health care delivery system licensed by the Director of Public Health shall be taxed in the same manner as payments received by a health maintenance organization. This method is an exemption from the insurance premiums tax for the first five years with complete taxation after that time.

TRANSPORTATION

- SENATE FILE 2072** - Implements of Husbandry
- SENATE FILE 2085** - Handicapped Parking
- SENATE FILE 2140** - Speed Limits — Construction Area Safety Study
- SENATE FILE 2186** - Miscellaneous Transportation-Related Sanctions
- SENATE FILE 2266** - Motor Vehicles and Aircraft — Miscellaneous Provisions
- HOUSE FILE 419** - Secondary Roads — Area Service Classification
- HOUSE FILE 514** - Special Registration Plates and Related Matters
- HOUSE FILE 2001** - Exemption From Motor Carrier Safety Rules
- HOUSE FILE 2066** - Operation of Motor Vehicles in Border Cities
- HOUSE FILE 2113** - Registration Plates — Motor Truck and Truck Tractors
- HOUSE FILE 2207** - State Transportation Commission Planning Requirements
- HOUSE FILE 2225** - Motorcycle Rider Education
- HOUSE FILE 2303** - Hazardous Materials Transportation
- HOUSE FILE 2331** - Operating Conditions for Certain Temporary Restricted Motor Vehicle Licenses -
VETOED BY THE GOVERNOR
- HOUSE FILE 2350** - Motor Vehicle Dimensional and Weight Requirements — Commercial Vehicle
Certificates of Title
- HOUSE FILE 2419** - Miscellaneous Transportation Provisions — Release of Public Improvement Funds
- HOUSE FILE 2462** - Public Access to Transportation Records

RELATED LEGISLATION

- SENATE FILE 2035** - Eurasian Water Milfoil
SEE ENVIRONMENTAL PROTECTION. This Act requires the Natural Resource Commission of the Department of Natural Resources to prepare a long-term statewide management plan for the control and eradication of Eurasian water milfoil. The Act also establishes a scheduled fine relating to Eurasian water milfoil.
- SENATE FILE 2110** - Anatomical Gift Public Awareness and Transplantation
SEE HEALTH & SAFETY. This Act relates to anatomical gift public awareness and an Anatomical Gift Public Awareness Advisory Committee and provides for the collection of contributions made by applicants for registration or renewal of registration of a motor vehicle and other contributions to be placed in the Anatomical Gift Public Awareness and Transplantation Fund to be used for public awareness projects and payment of costs related to transplantation.
- SENATE FILE 2211** - Fingerprinting Requirements
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act relates to fingerprinting requirements for persons taken into custody for violations under Chapter 321, Motor Vehicles and Law of the Road; Chapter 321A, Motor Vehicle Financial Responsibility; or Section 321J.2, Operating While Under the Influence of Alcohol or a Drug.
- SENATE FILE 2470** - Miscellaneous Appropriations and Related Matters — Economic Development
Appropriations
SEE APPROPRIATIONS. This Act relates to public levy, expenditure and regulatory matters by making standing, economic development and other appropriations, and includes provisions authorizing the continued purchase of prisoner of war plates by a surviving spouse.

- HOUSE FILE 400** - Joint Equipment Purchases by Political Subdivisions
SEE LOCAL GOVERNMENT. This Act repeals the requirement that before cities, counties, townships, school districts, or other political subdivisions purchase equipment worth at least \$50,000, they shall consider making the purchase with another political subdivision of the state.
- HOUSE FILE 569** - Motor Vehicle Lease Tax
SEE TAXATION. This Act imposes a 5 percent tax upon the use of a leased motor vehicle. The tax is based upon the value of the motor vehicle during the period of the lease rather than on the overall value of the motor vehicle. The Act applies to leases entered into on or after January 1, 1997.
- HOUSE FILE 2433** - Waste Tires
SEE ENVIRONMENTAL PROTECTION. This Act relates to the management of waste tires by providing for the establishment of a Waste Tire Management Fund. The Act also directs that all fees collected from the certificate of title surcharge on sales of new motor vehicles shall be deposited in the Road Use Tax Fund beginning in FY 2003. Previous law directed that such fees be deposited in the General Fund of the State.

TRANSPORTATION

SENATE FILE 2072 - Implements of Husbandry

BY COMMITTEE ON AGRICULTURE. This Act amends Section 321.1, which provides definitions for Chapter 321. Last year, the General Assembly enacted 1995 Iowa Acts, Chapter 56 (S.F. 298), which in part amended the definition of "implement of husbandry" to add machinery towed by a motor vehicle or farm tractor operated at speeds of less than 30 miles per hour. This Act amends that section again to provide that the machinery towed by a motor vehicle or farm tractor does not have to operate at speeds less than 30 miles per hour in order to be considered an "implement of husbandry."

The Act takes effect March 4, 1996.

SENATE FILE 2085 - Handicapped Parking

BY MURPHY. This Act makes several changes to the existing handicapped parking law under Chapter 321L, many of which are to conform to federal requirements. The Act changes the definition of "handicapped person" to conform to the federal definition.

The Act changes the name of the handicapped identification device to a handicapped parking permit, which is a handicapped license plate, a parking sticker, or a removable windshield placard. The length of time for which the placard is valid also is changed by the Act. Prior law allows for issuance of a permanent device valid for the lifetime of the person to whom it is issued and a temporary device valid for three months. This Act strikes the permanent device and instead provides for regular and temporary placards. A regular placard must be renewed at the time the person's motor vehicle license or nonoperator's identification card is renewed, a maximum of every four years. A temporary placard is valid for a length of time as determined by the physician's or chiropractor's statement, but not to exceed six months. The Act requires that the signature of the person who has been issued the placard and the signature of the physician or chiropractor must be on the placard.

The Act provides for a \$300 civil penalty for a person, including a physician or chiropractor, who provides false information with the intent to defraud on the statement used to establish that a person is handicapped. It also increases the fine for improper use of a handicapped parking permit from \$50 to \$100.

The Act requires that a handicapped person who wishes to use a handicapped parking space must have a handicapped designation on the person's motor vehicle license or nonoperator's identification card and provides that a placard shall only be displayed when the person is actually parked in a handicapped parking space. The Act provides for enforcement of Chapter 321L by a peace officer on public or private property.

The Act requires the Department of Transportation to begin issuing new placards and handicapped designations on January 1, 1997, and provides that after January 1, 1998, only new windshield placards will be valid. All persons with handicapped registration plates or identification stickers must apply for a handicapped designation on the person's motor vehicle license or nonoperator's identification card by January 1, 1998. The department is directed to work with the American Medical Association and other groups to educate physicians and chiropractors regarding the statutory requirements for issuance of a handicapped parking permit.

Finally, the Act requires the department to reissue removable windshield placards again on January 1, 2001, and every four years thereafter.

SENATE FILE 2140 - Speed Limits — Construction Area Safety Study

BY COMMITTEE ON TRANSPORTATION. This Act allows the State Department of Transportation to increase the speed limit on certain divided, multilaned highways from 55 miles per hour to 65 miles per hour. The Act also requires the State Department of Transportation and the Department of Public Safety to study and prepare a joint report on the issues of vehicle speed management, enhanced speed limit enforcement, and work zone safety in construction areas, with the goal of promoting motorist and construction worker safety.

This Act takes effect May 16, 1996.

SENATE FILE 2186 - Miscellaneous Transportation-Related Sanctions

BY COMMITTEE ON TRANSPORTATION. This Act increases penalties and scheduled violations for various transportation-related actions and provides related technical changes.

The Act consolidates several sections of the Iowa Code relating to the fraudulent and unlawful use of nonoperator's identification cards and motor vehicle licenses. The Act increases the penalty from a simple misdemeanor to a serious misdemeanor for falsifying a motor vehicle license or nonoperator's identification card and form and increases the fine for unlawful use of a motor vehicle license or nonoperator's identification card from a scheduled fine of \$50 to a scheduled fine of \$75.

The Act provides that it is a serious misdemeanor for a person to operate a motor vehicle if the person's motor vehicle license has been denied, suspended or revoked for failure to pay child support, or if the person operates a commercial motor vehicle while disqualified. For persons whose motor vehicle licenses were suspended for failure to pay child support or failure to pay indebtedness owed to the state, the Act prohibits adding an additional license revocation period, which is normally required when a person operates a motor vehicle while a motor vehicle license is suspended or revoked.

The Act provides a scheduled fine of \$100 for each violation of length, width, height, or other permit provisions for motor vehicles and loads. This fine replaces the current system requiring a fine of \$100 for the first conviction, and \$250 for a second and \$500 for a third conviction within a 12-month period for violation of any provision of Chapter 321E, governing vehicles of excessive size or weight, or of a permit where a holder with three such convictions is required to be escorted by a peace officer.

Provisions relating to the issuance of a temporary restricted license for a person whose motor vehicle license has been revoked or suspended for operating while intoxicated under Chapter 321J are amended to provide that if a defendant is under the age of 21 and has been convicted of or has received a deferred judgment for operating while intoxicated at an alcohol concentration level of 0.1 or greater, the defendant will be eligible for a temporary restricted license no sooner than 60 days from the date of revocation.

The Act prohibits a retail motor vehicle dealer from selling, offering to sell, representing, or advertising that the dealer intends to sell motor vehicles from a location other than the person's principal place of business, with exceptions for display and sale of motor vehicles and classic cars at fairs, vehicle shows and vehicle exhibitions under certain circumstances and upon issuance of a temporary permit.

Finally, the Act creates \$100 scheduled fines for spilling loads on the highway; for length, width, height, and other motor vehicle and load permitting provisions; and for illegal importation of motor fuel. The Act creates a scheduled fine of \$50 for title law violations and increases the fine for failure to obey railroad crossings and signals to \$50.

SENATE FILE 2266 - Motor Vehicles and Aircraft — Miscellaneous Provisions

BY COMMITTEE ON TRANSPORTATION. This Act makes several transportation-related Code changes, many of a technical or corrective nature.

The Act allows the owner of an unregistered vehicle or a vehicle for which payment of the registration fee is delinquent to obtain a 30-day permit to operate the vehicle for a fee of \$25. This provision takes effect January 1, 1997. The Act allows the issuance of a certificate of title for a commercial motor vehicle, but delays the payment of registration fees until the commercial motor vehicle is driven upon the highway; provides that a transferee of a motor vehicle is not required to indicate whether a vehicle has incurred prior damage of \$3,000 or more if the transferor's certificate of title is from another state and if it indicates that the vehicle is salvaged and not resident or is another state's salvage certificate of title; and provides that the registration fee for trailers is \$10.

The Act provides that all registration plates, except Pearl Harbor, purple heart, collegiate, fire fighter, and congressional medal of honor registration plates, must have the name of the county in which the vehicle is registered displayed on the plate, but exempts persons who have special registration plates from payment of the issuance fee upon reissuance by the department. These provisions are effective January 1, 1997.

The Act exempts a peace officer from commercial driver's license requirements if the officer is operating a commercial motor vehicle for a law enforcement agency under conditions necessary to preserve life or property or to execute related governmental functions, and strikes a prohibition against operating a commercial motor vehicle when a person has been issued a temporary permit.

The Act allows a person who has been issued a temporary permit enabling the person to operate a motor vehicle while the department is investigating whether to issue the person a motor vehicle license to also be issued a nonoperator's identification card.

The Act provides that the fee for reinstatement of a motor vehicle license after the license has been barred is \$20, and expands the advance notice period the State Department of Transportation is required to provide before disqualifying a person from operating a commercial motor vehicle upon the highway or revoking or suspending a person's motor vehicle license or operating privileges from 20 days to 30 days.

The Act requires that a petitioner to the district court for a temporary restricted permit provide with the petition a current certified copy of the petitioner's official driving record issued by the State Department of Transportation.

The Act requires that certain slow moving vehicles be identified with a reflective device when operated on a highway at a speed of 30 miles per hour or less.

The Act strikes a provision requiring different axle weights on the interstate for special mobile equipment and allows vehicles with indivisible loads exceeding certain width, length and weight limitations to be moved in special or emergency situations if the permitting authority has reviewed the route and has approved the movement of the vehicle and the load. The Act also allows the permitting authority to exempt such vehicle movement from the restrictions contained in Section 321E.11, which prohibit movement on Memorial Day, Independence Day and Labor Day.

The Act provides that aircraft registration include taxes owed, increases the time before the \$5 penalty accrues from five days to 30 days for failing to transfer ownership of an aircraft subject to registration, and provides that the accrual of a penalty for failure to register begins 30 days from the first day of the month following the purchase of the new aircraft or the date the aircraft is brought into the state.

Finally, the Act repeals provisions prohibiting operation or use of a vehicle if the center of gravity on the vehicle has been altered and requiring that a verification of the issuance of a permit to move a mobile home be sent to the county treasurer of the county of final destination and that a \$1 fee be paid to cover the cost of the service.

HOUSE FILE 419 - Secondary Roads — Area Service Classification

BY COMMITTEE ON TRANSPORTATION. This Act allows a county board of supervisors to designate area service roads as class "C" roads and allow for restricted access and a minimal level of maintenance. A road may only be classified as area service "C" by ordinance or resolution upon petition signed by all landowners adjoining the road. A road retains the classification until a petition for reclassification is submitted to the board of supervisors.

HOUSE FILE 514 - Special Registration Plates and Related Matters

BY COMMITTEE ON TRANSPORTATION. This Act provides that as of January 1, 1997, all of the existing special registration plates, except for fire fighter, collegiate, Congressional Medal of Honor, and natural resources plates, shall be identified by an emblem placed upon the standard registration plate, rather than as a separate registration plate.

The Act creates the following new emblem registration plates: United States armed forces retired plates, Iowa heritage plates, education plates, and silver and bronze star plates. The Act provides that moneys collected from sale of the Iowa heritage plates be remitted to the Iowa Heritage Fund and to the Department of Education and that money collected from sale of the education plates be remitted to the School Budget Review Committee. The Act requires that all registration plates, other than Congressional Medal of Honor, collegiate, and fire fighter plates, shall display the name of the county on the plate.

The Act takes effect on January 1, 1997.

HOUSE FILE 2001 - Exemption From Motor Carrier Safety Rules

BY CARROLL. This Act extends an exemption from federal motor carrier safety regulations relating to physical and medical qualifications for drivers of commercial vehicles engaged in intrastate commerce if the driver's physical or medical condition existed prior to July 29, 1996. The prior exemption applied to drivers of commercial vehicles engaged in intrastate commerce prior to January 1, 1988.

The Act takes effect on April 4, 1996.

HOUSE FILE 2066 - Operation of Motor Vehicles in Border Cities

BY WARNSTADT, KLEMME, NUTT, AND RANTS. This Act is precipitated by a change in federal law contained in Pub. L. No. 104-59 and provides an exemption from existing length and weight limitations for vehicles

using Interstate 29 between Sioux City, Iowa, and the border between Iowa and South Dakota, and vehicles using Interstate 129 between Sioux City, Iowa, and the border between Iowa and Nebraska.

The Act takes effect on March 1, 1996.

HOUSE FILE 2113 - Registration Plates — Motor Truck and Truck Tractors

BY COMMITTEE ON TRANSPORTATION. This Act provides for the issuance of a permanent registration plate for motor trucks and truck tractors licensed to operate in more than one state, in lieu of issuing an annual registration plate, upon payment of the appropriate registration fee on an annual basis.

HOUSE FILE 2207 - State Transportation Commission Planning Requirements

BY NELSON of Marshall. This Act provides that the State Transportation Commission has 90 days from the date of the enactment of a new federal highway reauthorization formula to adopt and publish the annual plan of highway improvements. Currently, the commission is required to adopt the annual plan of highway improvements by December 31. The improvements are to be consistent with the five-year transportation plan.

HOUSE FILE 2225 - Motorcycle Rider Education

BY COMMITTEE ON TRANSPORTATION. This Act strikes the requirement that all persons who wish to be issued a motorcycle license must first complete a motorcycle rider education class, and instead continues the course requirement only for those persons under the age of 18. The Act also transfers the responsibility for approving and establishing the motorcycle rider education class and the motorized bicycle education class from the Department of Education to the State Department of Transportation.

The Act takes effect March 29, 1996.

HOUSE FILE 2303 - Hazardous Materials Transportation

BY COMMITTEE ON TRANSPORTATION. This Act repeals a provision enacted in 1991 and amended in 1994 that requires the repeal of the amendments to Section 321.450 on July 1, 1996. The effect of this Act is that the 1991 amendments, which expanded the exemption for certain cargo tank motor vehicles from hazardous materials transportation regulations regarding tank specifications, will not be repealed on July 1, 1996, but will remain in effect.

**HOUSE FILE 2331 - Operating Conditions for Certain Temporary Restricted Motor Vehicle Licenses
—VETOED BY THE GOVERNOR**

BY CATALDO. This bill would have amended a Code provision that permits a court to order the issuance of a temporary restricted license to a person who has waited the statutory minimum period and who is not otherwise eligible for a temporary restricted license under the provisions of Section 321J.20. A court would have been allowed to consider, in addition to work purposes, certain specified circumstances necessitating limited travel, including child care, health care, education, substance abuse treatment, and community service responsibilities ordered by a court. These additional circumstances are identical to those that the department may consider in issuing a temporary restricted license under Section 321J.20. This bill would have also added child care to the list of circumstances in Section 321J.20 that the department may consider in issuing a temporary restricted license.

The bill also would have required that the limited places and purposes for a license granted by a court be specified in the court order and as part of the temporary restricted license.

**HOUSE FILE 2350 - Motor Vehicle Dimensional and Weight Requirements — Commercial Vehicle
Certificates of Title**

BY COMMITTEE ON TRANSPORTATION. This Act makes several changes to motor vehicle weight and dimensional requirements and makes other transportation-related changes. The Act exempts commercial vehicles from registration fees until the vehicle is driven or moved upon the highway if the vehicle is registered under Chapter 326, Registration Reciprocity, and has been issued a certificate of title, and if the owner has a fleet of more than 50 commercial vehicles based in Iowa. The Act changes the legal length limit for trailers, semitrailers, power units designed to carry cargo when used in combination with a trailer, and semitrailer and stinger-steered automobile transporters, to exclude retractable extensions used to support the load. The Act provides that the load may extend up to three feet beyond the front bumper and up to four feet beyond the rear bumper of the trailer, semitrailer or power unit if the vehicles carrying the load are used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, recreational vehicle chassis, or boats.

The Act provides that a vehicle or combination of vehicles transporting materials to or from a construction project or commercial plant may operate pursuant to the weight formulas applicable to operation on the interstate, provided the route of travel has been approved by the department or appropriate local authority. This provision takes effect on April 15, 1996.

The Act implements a new multi-trip permit for certain oversized vehicles with indivisible loads and for vehicles or combinations of vehicles consisting of construction machinery. The Act strikes a provision requiring axle weights for operation of special mobile equipment on highways which are not part of the interstate system that are different from axle weights required for operation on the interstate.

HOUSE FILE 2419 - Miscellaneous Transportation Provisions — Release of Public Improvement Funds

BY COMMITTEE ON TRANSPORTATION. This Act gives the State Department of Transportation authority to institute and maintain proceedings on behalf of the owner of a utility facility for the condemnation of replacement property rights when the construction or maintenance of a road requires condemnation of the property on which the utility facility is located. The replacement rights must be equal to the existing rights the owner of the utility facility possesses.

The Act requires the Transportation Commission to adopt by administrative rule the criteria used by the commission for allocating funds as the result of any long-range planning process. The Act also expands the State Department of Transportation's ability to conduct soundings and drillings on private property, permitting such activity no closer than 150 feet from the dwelling house or 50 feet from other buildings without the written consent of the owner of the property.

The Act makes several changes relating to the process for disposing of abandoned motor vehicles. The Act shortens the time periods in which a vehicle may be determined to have been abandoned, allows a police authority to declare a vehicle abandoned under a certain procedure, eliminates a five-day grace period before declaring a vehicle abandoned if the owner was unable to move the vehicle, allows for a private entity hired by police to dispose of abandoned vehicles after notice to record owners and lienholders, and allows for sale or destruction of personal property found in an abandoned vehicle and disposal of the vehicle to a demolisher for junk if the vehicle has a fair market value of less than \$500. The Act provides that unpaid costs arising from taking custody of an abandoned vehicle remain the obligation of the last owner of record. A police authority may claim reimbursement for costs incurred from seizing and disposing of an abandoned vehicle if it did not hire a private entity, and for towing fees if it does hire a private entity.

The Act allows the department to establish a minimum speed limit on certain highways, as warranted by engineering and traffic investigations. Finally, the Act establishes a procedure for the release of retained funds by a public corporation to a contractor after completion of 95 percent of the work contracted for a public improvement.

HOUSE FILE 2462 - Public Access to Transportation Records

BY COMMITTEE ON TRANSPORTATION. This Act requires that all records of the State Department of Transportation be open to the public, other than those records made confidential or not permitted to be open under federal law. Federal law and the Act allow a person to elect to prohibit disclosure of that individual's personal information to the general public or for bulk distribution for surveys, marketing or other solicitation. In addition, the Act prohibits such disclosure if the requester is requesting the information by means of a registration plate number, except in the case of a law enforcement agency or a person trying to prevent an unlawful act.

The Act is conditionally repealed if the federal requirements for closure of records contained in 18 U.S.C. Section 2721 are repealed or are declared to be unconstitutional by a federal court of competent jurisdiction.

The Act takes effect September 13, 1997.

CHAPTER NUMBERS OF THE 1996 IOWA ACTS

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13	1011	2159	1087	2336	1029
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259	1148	2167	1069	2344	1141
284	1181	2168	1166	2348	1096
376	1012	2171	1128	2351	1180
454	1192	2186	1090	2352	1081
482	1133	2195	1209	2353	1094
2012	1143	2201	1157	2357	1179
2013	1036	2204	1127	2359	1139
2030	1205	2207	1163	2363	1025
2035	1042	2208	1132	2366	1177
2062	1079	2211	1135	2367	1075
2063	1086	2212	1073	2368	1138
2066	1002	2213	1071	2370	1196
2071	1142	2218	1108	2372	1203
2072	1005	2219	1051	2375	1118
2074	1080	2235	1053	2381	1130
2080	1034	2245	1187	2387	1085
2082	1001	2252	1068	2395	1046
2083	1007	2259	1020	2396	1136
2085	1171	2260	1083	2399	1175
2087	1018	2265	1195	2405	1019
2088	1006	2266	1152	2408	1021
2097	1145	2269	1131	2409	1186
2101	1093	2270	1026	2410	1092
2110	1076	2278	1022	2413	1153
2114	1151	2282	1057	2420	1134
2121	1028	2283	1115	2422	1154
2122	1038	2287	1095	2423	1062
2123	1122	2289	1165	2430	1110
2127	1037	2294	1156	2438	1129
2130	1003	2299	1078	2442	1213
2131	1104	2301	1161	2446	1214
2135	1010	2303	1107	2448	1212
2140	1191	2305	1137	2449	1197
2147	1200	2307	1084	2453	1149
2153	1201	2321	1162	2455	1167
2154	1164	2323	1070	2464	1204
2155	1067	2324	1106	2467	1168
2157	1158	2331	1039	2470	1219
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CHAPTER NUMBERS OF THE 1996 IOWA ACTS

HOUSE FILES

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230.....	1155	2187.....	1031	2400.....	1048
308.....	1059	2190.....	1098	2407.....	1099
334.....	1112	2201.....	1147	2408.....	1043
400.....	1194	2202.....	1054	2409.....	1056
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455.....	1189	2211.....	1013	2419.....	1126
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523.....	1061	2234.....	1185	2427.....	1183
560.....	1198	2247.....	1009	2429.....	1040
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570.....	1184	2258.....	1032	2433.....	1117
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2036.....	1044	2297.....	1033	2448.....	1150
2050.....	1174	2299.....	1015	2453.....	1159
2061.....	1109	2303.....	1016	2456.....	1111
2065.....	1206	2306.....	1116	2458.....	1193
2066.....	1004	2308.....	1074	2462.....	1102
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2114.....	1207	2324.....	1100	2488.....	1144
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11.....	1220

1996 SECTIONS AMENDED, ADDED OR REPEALED

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
2.42	Subsection 11 amended	HF 2407.1	J
2.55A	New section	SF 2446.28	J
2B.13*	Subsection 7 amended	HF 2407.2	J
2B.17	Subsections 1 & 3 amended	HF 2407.3	J
2B.17	New subsection 5	HF 2407.4	J
4.1*	Subsection 12 amended	SF 2413.1	J
4.1*	Subsections 15 & 39 amended	SF 2438.1	J
7.14	Subsection 3 amended	SF 2438.2	J
7A.11	Subsection 3 amended	HF 2407.5	J
7A.21	Section amended	HF 2407.6	J
7A.22	Subsection 3 stricken	HF 2407.7	J
7A.22	New unnumbered paragraph	HF 2407.8	J
7B.2	Section amended	SF 2409.23	J
7B.5	Section amended	SF 2409.23	J
7D.15	Section amended	SF 2438.113	J
7E.5	Section amended	SF 2409.23	J
8.22A*	Subsection 5, unnumbered paragraph 2 amended	HF 2421.24	J
8.36	Section amended	SF 2409.23	J
8.41	New subsection 3	HF 2256.1	A E
8.57*	Subsection 5, paragraph c amended	HF 2421.25	7/1/97
8.57*	Subsection 5, new paragraph e	HF 2421.26	IV
8.59	Section amended	SF 2449.7	VETO
8.60	Subsection 6 amended	SF 2348.1	A 1/1/97
8.60A	New section	SF 2446.29	J
8.62	Section amended	SF 2470.1	J
8A.2	New section	SF 2470.61	J
8A.2	New section, subsections 2 & 4 repealed	SF 2470.77	6/30/98
8D.3*	Subsection 2 amended	SF 2147.1	J
8D.11	Subsection 1 amended	SF 2366.1	J
8D.13*	Subsection 12 amended	SF 2080.1	J
8D.13*	New subsection 19	HF 2421.27	J
9E.9A	New section	HF 2081.1	J
10A.104*	Subsection 9 amended	HF 2230.1	J
10A.104*	Subsection 9 amended	SF 2062.1	J
10A.108	Subsection 1, unnumbered paragraph 1 amended	HF 2230.2	J
10A.302	Subsections 1 and 5 stricken	HF 2230.3	J
11.5B	Section amended	SF 2409.23	J
11.6	Subsection 1, paragraph a, unnumbered paragraph 1 amended	HF 2477.20	J
12.28	New section	SF 2366.2	J
12.32	Section amended	HF 2397.1	E
12.34	Subsection 2 amended	HF 2397.2	E
12.34	New subsection 3	HF 2397.3	E
12.35	Section amended	HF 2397.4	E
12.36	Section amended	HF 2397.5	E
12.38	Section amended	HF 2397.6	E

EFFECTIVE DATE - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

A - Applicability provisions R - Retroactive applicability * - Code Supplement 1995
 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, 1996 00-00-00 - Specified effective date

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
12.40	Section amended	HF 2397.7	E
12.41	New section	HF 2397.8	F
12.51	Section repealed	HF 2397.11	E
12.52	Section repealed	HF 2397.11	E
12B.10	Subsection 6, new paragraph e, paragraphs relettered	SF 2245.75	J
12B.10A	Subsection 6, new paragraph c, paragraphs relettered	SF 2245.76	J
12B.10B	Subsection 3, new paragraph c, paragraphs relettered	SF 2245.77	J
12B.10C	New subsection 4, subsections renumbered	SF 2245.78	J
12C.6	Unnumbered paragraph 1 amended	SF 2408.1	J
12C.6A	Subsections 2 & 3 amended	SF 2408.2	J
12C.6A	Subsection 4, paragraphs d & g amended	SF 2408.3	J
13.7	Section amended	SF 2409.23	J
13.32	New section	HF 2472.25	VETO
13.33	New section	HF 2472.26	VETO
13.34	New section	HF 2472.27	J
13B.1*	Subsection 1 amended	HF 2429.1	R 7/1/95
13B.1*	Subsection 3 amended	HF 2458.1	J
13B.4*	Section amended	HF 2429.2	R 7/1/95
13B.9*	Subsection 1, paragraphs a & b amended	HF 2429.3	R 7/1/95
13B.9*	New subsections 4, 5, & 6	HF 2429.4	R 7/1/95
13B.10	Subsection 3 amended	HF 2458.2	J
15.108	Subsection 6 amended	SF 2409.1	J
15.108	Subsection 7, new paragraph k	SF 2409.2	J
15.108	Subsection 9, paragraph a amended	SF 2409.3	J
15.108	Subsection 9, new paragraph f	SF 2409.4	J
15.108	Section amended	SF 2409.23	J
15.113	New section	SF 2470.93	J
15.114	New section	SF 2470.94	J
15.224	Section repealed	SF 2409.26	J
15.225	Subsection 1, paragraph b amended	SF 2438.3	J
15.225	Section amended	SF 2438.113	J
15.225	Section repealed	SF 2409.26	J
15.226	Section repealed	SF 2409.26	J
15.227	Section repealed	SF 2409.26	J
15.228	Section repealed	SF 2409.26	J
15.229	Section repealed	SF 2409.26	J
15.230	Section repealed	SF 2409.26	J
15.241	Section amended	SF 2409.23	J
15.286	Subsection 4, paragraph b, subparagraph (3) amended	SF 2438.4	J
15.313	Subsection 2, new paragraphs g & h	SF 2470.95	J
15.327	New subsection 3A	HF 2234.1	J
15.327	New subsections 1A, 3A, 6, & 7	HF 2481.1	J
15.331A	New section	HF 2481.2	J
15.331B	New section	HF 2234.2	J
15.334A	New section	HF 2481.3	J
15.335	Unnumbered paragraph 2 rewritten	HF 2481.4	J
15.337	New section	HF 2481.5	J
15.342A	New section	SF 2351.1	J
15.343*	Subsection 1, paragraph a amended	SF 2409.5	J
15.343*	Subsection 1, paragraph b stricken	SF 2351.2	J
15.343*	Subsection 1, paragraph c amended	SF 2351.3***	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
15.343*	Subsection 1, amended paragraph c rewritten	SF 2351.4	J
15.343*	Subsection 2 rewritten	SF 2351.5	J
15.343*	Subsection 2, paragraph a amended	SF 2409.6	J
15.343*	Subsection 2, paragraph c amended	SF 2409.7	J
15.343*	Subsection 3 amended	SF 2351.6	J
15.344	New section	SF 2351.7	J
15.345*	Section repealed	SF 2351.20	J
15.346*	Section repealed	SF 2351.20	J
15.347*	Section repealed	SF 2409.26	J
15.348*	Section repealed	SF 2409.26	J
15A.4	New section	SF 2470.96	J
15A.7	New section	SF 2351.8	J
15A.9*	Subsection 8, unnumbered paragraph 2 amended	SF 2168.1	R 1/1/95
15E.111	Section amended	SF 2409.23	J
15E.112	Subsection 1 amended	SF 2470.97	J
15E.175	New section	HF 2421.52	J
16.1	Subsections 7 & 14 stricken	SF 2438.5	J
16.1	Subsections 13 & 24 amended	SF 2438.6	J
16.1	New subsection 29A	SF 2438.7	J
16.1	Subsection 32, paragraph c amended	SF 2438.8	J
16.2	Subsection 1, unnumbered paragraph 1 amended	SF 2438.9	J
16.3	Subsection 13 amended	SF 2438.10	J
16.4	Section amended	SF 2438.113	J
16.9	Section amended	SF 2438.113	J
16.12	Section amended	SF 2438.113	J
16.17	Section amended	SF 2438.113	J
16.18	Section amended	SF 2438.113	J
16.26	Section amended	SF 2438.113	J
16.100	New subsection 1A	SF 2464.33	VETO
16.100	Subsection 2, paragraph b amended	SF 2438.11	J
16.155	Section amended	SF 2438.113	J
17A.6*	Subsection 1, unnumbered paragraph 1 amended	HF 2407.9	J
17A.6*	Subsection 2 amended	HF 2407.10	J
18.7	Unnumbered paragraph 1 stricken	HF 476.1	J
18.8	Unnumbered paragraph 1 amended	SF 2387.1	J
18.12*	Subsection 3 amended	SF 2387.2	J
18.12*	Subsection 8 amended	SF 2387.3	J
18.12*	Subsection 10 amended	SF 2366.3	J
18.12*	New subsection 18A	SF 2387.4	J
18.23	Section repealed	SF 2366.4	J
18.97	Unnumbered paragraph 1 amended	HF 2407.11	J
18.97	New unnumbered paragraph	HF 2407.12	J
18.97A	New section	HF 2407.13	J
18.115	Subsection 11 amended	SF 2387.5	J
18A.12	New section	HF 2421.28	J
19A.19	Unnumbered paragraph 4 amended	HF 2324.1	E
19B.2	Unnumbered paragraph 2 amended	SF 2438.12	J

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J - Effective July 1, 1996 00-00-00 - Specified effective date

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
21.4	Section amended	SF 2438.113	J
22.2	Subsection 3 amended	HF 2407.14	J
22.3A	New section	HF 2407.15	J
22.7*	Subsection 9 amended	HF 2448.1	J
22.7*	New subsection 33	HF 2407.16	J
22.7*	New subsection 33	SF 482.38	J
22.7*	New subsection 33	SF 2127.1	J
22.7*	New subsection 33	SF 2448.10	J
23A.2	Section amended	SF 2438.113	J
25.1	Section amended	SF 2367.1	E
25.2*	Section amended	SF 2122.1	J
25.2*	Section amended	SF 2367.2	E
25B.7	New section	SF 2449.25	VETO
28E.20	Section repealed	HF 400.1	J
28E.41	New section	SF 2470.62	J
28J.1	New section	SF 2071.1	J
28J.2	New section	SF 2071.2	J
28J.3	New section	SF 2071.3	J
28J.4	New section	SF 2071.4	J
28J.5	New section	SF 2071.5	J
28J.6	New section	SF 2071.6	J
28J.7	New section	SF 2071.7	J
28J.8	New section	SF 2071.8	J
28J.	Chapter repealed	SF 2071.8	7/1/2002
30.2	Section amended	SF 2409.23	J
30.5	Section amended	SF 2409.23	J
30.7	Section amended	SF 2409.23	J
34.2	Subsection 4, unnumbered paragraph 1 amended	SF 2438.13	J
34A.3	Subsection 1, unnumbered paragraph 1 amended	SF 2470.63	VETO
34A.15	New section	SF 2470.64	J
35A.10	New section	HF 2421.29	J
37.10	Unnumbered paragraph 1 amended	HF 2472.28	J
43.67	Unnumbered paragraph 1 amended	SF 2080.2	J
46.1	Section amended	SF 2385.2	V
46.2	Section amended	SF 2385.3	V
46.26	New section	SF 2385.1	V
48A.2	Subsection 3 amended	SF 2438.14	J
49.21	Unnumbered paragraph 4 amended	SF 2438.15	J
49.25	Section amended	SF 2438.113	J
49.90	Section amended	SF 2438.16	J
56.14*	Section amended	SF 2062.2	J
68B.2	Section amended	SF 2409.23	J
68B.35	Subsection 2, paragraph c amended	SF 2147.2	J
70A.20*	Unnumbered paragraph 1 amended	SF 2438.17	J
70A.28	Subsection 1 amended	HF 2324.2	E
70A.28	Subsection 2 amended	HF 2324.3	E
70A.28	Subsection 7 amended	HF 2324.4	E
70A.28	New subsection 8	HF 2324.5	E
80.39	Subsection 1 amended	SF 482.39	J
80B.11	New subsection 8A	HF 523.1	J
80B.11	New subsection 10	SF 2153.1	J

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80B.11C	New section	HF 523.2	J
84A.1	Section amended	SF 2409.8	J
84A.1A	New section	SF 2409.9	J
84A.1B	New section	SF 2409.10	J
84A.1C	New section	SF 2409.11	J
84A.2	Section amended	SF 2409.12	J
84A.3	Section amended	SF 2409.13	J
84A.4	New section	SF 2409.14	J
84A.5	New section	SF 2409.15	J
84A.6	New section	SF 2409.16	J
84B.1	Unnumbered paragraph 1 amended	SF 2409.17	J
84B.2	New section	SF 2409.18	J
85.1	Subsection 3, paragraph b, subparagraph (3) amended	HF 308.1	J
85.1A	Section amended	HF 308.2	J
85.31	Section amended	SF 2409.23	J
85.34	Section amended	SF 2409.23	J
85.36*	Subsection 9, paragraph a amended	SF 2062.3	R 7/1/95
85.36*	Subsection 10 amended	HF 308.3	J
85.37	Section amended	SF 2409.23	J
85.38	Subsection 2 amended	SF 2438.18	J
85.45	Subsection 4 amended	SF 2438.19	J
85.49	Section amended	SF 2438.20	J
85.59	Section amended	SF 2409.23	J
85.61*	Subsection 2 amended	SF 2062.4	R 7/1/95
85.61*	Subsection 7, unnumbered paragraph 3 amended	SF 2062.5	R 7/1/95
85.61*	Subsection 11, unnumbered paragraph 1 amended	HF 308.4	J
85.61*	Subsection 11, unnumbered paragraph 3 amended	SF 2062.6	R 7/1/95
85.61*	Subsection 13, paragraph e amended	HF 308.5	J
85.68	Section amended	SF 2438.21	J
85.69	Section amended	SF 2438.22	J
85.70	Section amended	SF 2204.1	J
86.8	Section amended	SF 2409.23	J
86.9	Section amended	SF 2409.23	J
88.2	Section amended	SF 2409.23	J
88A.1	Section amended	SF 2409.23	J
88B.1	New subsection 7	HF 2308.1	J
88B.1	Section amended	SF 2409.23	J
88B.2	Section amended	HF 2308.2	J
88B.3	Subsection 3 amended	HF 2308.3	J
88B.4	Section rewritten	HF 2308.4**	J
88B.4	Rewritten section, subsection 4 amended	SF 2470.19	J
88B.5	Section rewritten	HF 2308.5	J
88B.6	Section rewritten	HF 2308.6	J
88B.7	Section repealed	HF 2308.8	J
88B.8	Section amended	HF 2308.7	J
88B.9	Section repealed	HF 2308.8	J
88B.10	Section repealed	HF 2308.8	J

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88B.13	Section repealed	HF 2308.8	J
89.5	New subsection 4	SF 2453.1	E
89A.1	Section amended	SF 2409.23	J
89B.3	Section amended	SF 2409.23	J
91.1	Section amended	SF 2409.23	J
91.4	Section amended	SF 2409.23	J
91C.2	Section amended	SF 2409.23	J
91C.7	Section amended	SF 2409.23	J
91C.8	Section amended	SF 2409.23	J
91E.1	Section amended	SF 2409.23	J
91E.2	Section amended	SF 2409.23	J
91E.3	Subsection 1, new paragraph c	SF 284.1	J
92.11	Section amended	SF 2409.23	J
92.12	Section amended	SF 2409.23	J
96.3*	New subsection 10	HF 2229.1	A 1/1/97
96.3*	Section amended	SF 2409.23	J
96.4	Section amended	SF 2409.23	J
96.5*	Subsection 1, paragraph i amended	HF 2229.2	J
96.6*	Section amended	SF 2409.23	J
96.7*	Subsection 2, paragraph e amended	HF 2229.3	J
96.7*	Subsection 7, paragraph c amended	HF 2229.4	J
96.7*	Subsection 8, paragraph b, subparagraph (6) amended	HF 2229.5	J
96.9	Section amended	SF 2409.23	J
96.10	Section repealed	SF 2409.26	J
96.11	Subsection 5 stricken	HF 2229.6	J
96.11	Subsection 6 amended	HF 2229.7	J
96.11	Section amended	SF 2409.23	J
96.12	Subsection 1 amended	SF 2409.19	J
96.14	Subsection 5 amended	HF 2229.8	J
96.14	Section amended	SF 2409.23	J
96.19*	Subsection 7 stricken	SF 2409.20	J
96.19*	New subsection 11A	SF 2409.21	J
96.19*	Subsection 12 stricken	SF 2409.22	J
96.19*	Subsection 18, paragraph a, new subparagraph (9)	HF 2229.9	J
96.19*	Subsection 18, paragraph f amended	HF 2229.10	J
96.19*	Subsection 41, new paragraph e	HF 2229.11	J
96.19*	Section amended	SF 2409.23	J
97A.5	Subsection 9 amended	SF 2245.80	J
97A.5	Subsections 10, 11, & 12 amended	SF 2245.81	J
97A.5	New subsections 14 & 15	SF 2245.82	J
97A.6	Subsection 1, paragraph a amended	SF 2245.83	J
97A.6	Subsection 2, paragraph d, subparagraph (3) amended	SF 2245.84	J
97A.6	Subsection 2, paragraph d, new subparagraph (4)	SF 2245.85	J
97A.6	New subsection 2A	SF 2245.91	J
97A.6	Subsection 3 amended	HF 2153.1	J
97A.6	Subsection 5, paragraph a amended	HF 2153.2	J
97A.6	Subsection 10 amended	SF 2245.86	J
97A.6	Subsection 12, unnumbered paragraph 1 amended	SF 2245.87	J
97A.6	Subsection 12, paragraph a amended	SF 2245.88	J
97A.6	Subsection 14, paragraph a, subparagraphs (1), (2), & (3) amended	SF 2245.89	J
97A.6	Subsection 14, paragraph d amended	SF 2245.90	J

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97A.7	Subsection 2 amended	SF 2245.92	J
97A.8	Subsection 1, paragraph b amended	SF 2245.93	J
97A.8	Subsection 1, paragraph c, unnumbered paragraph 3 stricken	SF 2245.94	J
97A.8	Subsection 1, paragraph f, subparagraph (8) amended	SF 2245.95	J
97A.8	Subsection 3 amended	SF 2245.96	J
97A.12	Section amended	SF 2245.97	J
97A.17	New section	SF 2245.98	J
97B.4	Unnumbered paragraph 1 amended	SF 2245.1	J
97B.7	Subsection 2, paragraph b, unnumbered paragraphs 1, 2, & 3 amended	SF 2245.2	J
97B.7	Subsection 2, paragraph b, unnumbered paragraph 5 amended	SF 2245.3	J
97B.11	Section amended	SF 2245.4	J
97B.14	Section amended	SF 2245.5	J
97B.15	Section amended	SF 2245.6	J
97B.17	Unnumbered paragraph 1 amended	SF 2245.7	J
97B.17	New unnumbered paragraph	SF 2245.8	J
97B.25	Section amended	SF 2245.9	J
97B.39	Section amended	SF 2245.10	J
97B.41*	Subsection 2 amended	SF 2245.11	J
97B.41*	Subsection 8, paragraph b, subparagraph (6) amended	SF 2245.12	J
97B.41*	Subsection 8, paragraph b, subparagraph (16) stricken	SF 2080.3	J
97B.41*	Subsection 8, paragraph b, new subparagraph (20)	SF 2245.13	J
97B.41*	New subsection 10A	SF 2245.14	J
97B.41*	Subsection 12 amended	SF 2245.15	J
97B.41*	New subsection 13A	SF 2245.16	J
97B.41*	New subsection 14A	SF 2245.17	J
97B.41*	Subsection 15, paragraphs a & b amended	SF 2245.18	J
97B.41*	New subsection 16A	SF 2245.19	J
97B.41*	Subsection 18 amended	SF 2245.20	J
97B.41*	Subsection 20, para. b, subpara. (11), unnumbered paras. 1 & 2 rewritten	SF 2245.21	J
97B.41*	Subsection 20, para. b, subpara. (11), unnumbered para. 3 amended	SF 2245.22	J
97B.42	Unnumbered paragraph 1 amended	SF 2245.23	J
97B.42	Unnumbered paragraph 4 amended	SF 2245.24	J
97B.42	Unnumbered paragraph 5 amended	SF 2245.25	J
97B.42	New unnumbered paragraph	SF 2245.26	J
97B.48	Subsection 1 amended	SF 2245.27	J
97B.48A	Subsection 1 amended	SF 2245.28	J
97B.48A	Subsection 4 amended	SF 2245.29	J
97B.49*	Subsection 4, new unnumbered paragraph	SF 2245.30	J
97B.49*	Subsection 5, paragraph b amended	SF 2245.31	J
97B.49*	Subsection 5, new paragraph e	SF 2245.32	VETO
97B.49*	Subsection 5, new paragraph f	SF 2245.33	J
97B.49*	Subsection 13 amended	SF 2245.34	J
97B.49*	Subsection 13, new paragraph g	SF 2245.35	J
97B.49*	Subsection 15, paragraph b amended	SF 2245.36	J
97B.49*	Subsection 15, new paragraphs c & d	SF 2245.37	J
97B.49*	Subsection 16, paragraph c amended	SF 2245.38	J
97B.49*	Subsection 16, new paragraph m	SF 2245.39	R 7/1/92

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97B.49*	New subsection 17	SF 2245.40	J
97B.50	Subsection 2 amended	SF 2245.41	J
97B.51*	Subsection 3 amended	SF 2245.42	J
97B.51*	Subsection 5 amended	SF 2245.43	J
97B.51*	Subsection 6 amended	SF 2245.44	J
97B.52*	Subsection 1 amended	SF 2245.45	J
97B.52*	Subsection 3, paragraph b amended	SF 2245.46	J
97B.52*	Subsection 5 amended	SF 2245.47	J
97B.52A*	New subsection 3	SF 2245.48	J
97B.53*	Subsection 3 amended	SF 2245.49	J
97B.53B	Subsection 1, paragraph c, subparagraph (4) amended	SF 2245.50	J
97B.66*	Unnumbered paragraph 1 amended	SF 2245.51	J
97B.66*	Unnumbered paragraph 2 amended	SF 2245.52	J
97B.66*	Unnumbered paragraph 3 amended	SF 2245.53	J
97B.68	Subsection 1 amended	SF 2245.54	J
97B.68	New subsection 3	SF 2245.55	J
97B.70*	Section amended	SF 2245.56	J
97B.72*	Unnumbered paragraphs 1 & 2 amended	SF 2245.57	J
97B.72*	Unnumbered paragraph 3 amended	SF 2245.58	J
97B.72A*	Subsection 1 amended	SF 2245.59	J
97B.72A*	Subsection 2 amended	SF 2245.60	J
97B.73	Unnumbered paragraph 1 amended	SF 2245.61	J
97B.73	Unnumbered paragraph 6 amended	SF 2245.62	J
97B.73A*	Unnumbered paragraph 1 amended	SF 2245.63	J
97B.73A*	Unnumbered paragraph 3 amended	SF 2245.64	J
97B.74*	Unnumbered paragraphs 1 & 2 amended	SF 2245.65	J
97B.74*	Unnumbered paragraph 4 stricken	SF 2245.66	J
97B.80	Unnumbered paragraph 1 amended	SF 2245.67	J
97B.80	Unnumbered paragraph 3 amended	SF 2245.68	J
99B.5	Subsection 1, paragraph g rewritten	SF 2012.1	J
99B.5	New subsections 3 & 4	SF 2012.2	J
99B.7	Subsection 1, paragraph d rewritten	SF 2012.3	J
99B.7	Subsection 1, new paragraphs q & r	SF 2012.4	J
99D.7*	Subsection 21 amended	SF 2448.11	J
99D.11	Subsection 6, paragraph b amended	HF 2416.32	J
99E.9*	Subsection 8 amended	SF 2448.12	J
99E.10	Subsection 1, paragraph a amended	SF 2448.13	J
99E.10	Subsection 1, paragraph a, new unnumbered paragraph	SF 2448.14	J
99E.10	Subsection 1, new unnumbered paragraph	SF 2470.17	VETO
123.20	Subsection 7 amended	SF 482.40	J
123.48	Subsection 1 amended	SF 2186.1	J
123.187	New section	HF 2315.1	J
124.401	Subsection 1, para. a, subpara. (2), subpara. subdivision (d) amended	SF 2154.1	J
124.401	Subsection 1, paragraph b, new subparagraph (7)	SF 2154.2	J
124.401	Subsection 1, paragraph c, new subparagraph (6), paragraphs renumbered	SF 2154.3	J
124.401	New subsections 2A & 2B	SF 2154.4	J
124.401A	Section amended	SF 2154.5	J
124.401B	Section amended	SF 2154.6	J
124.409	Subsection 1 amended	SF 2080.4	J
135.1*	Unnumbered paragraph 1 amended	SF 2013.1	J
135.1*	Subsection 4 amended	SF 2448.15	J

<u>Section</u>	<u>Action Taken</u>	<u>Use/Sen File #</u>	<u>Effective</u>
135.11	Subsections 11 & 13 amended	SF 2013.2	J
135.11	Subsection 19 amended	SF 2438.23	J
135.11	New subsection 25	SF 2171.1	J
135.63*	Section amended	SF 2438.113	J
135.64	Section amended	SF 2438.113	J
135.105A	New section	SF 2301.1	C
135.105B	New section	SF 2301.2	C
135.107*	Subsection 3, para. b, subpara. (2), subpara. subdivision (a) amended	SF 2171.2	J
135.107*	Subsection 3, para. c, subpara. (2), subpara. subdivision (a) amended	SF 2171.3	J
135.120	New section	HF 2432.1	J
135B.7	Section amended	SF 2080.68	J
135C.1	Subsections 6, 8, & 9 amended	SF 2438.24	J
135C.2*	Subsection 3, paragraph b amended	SF 2438.25	J
135C.2*	Subsection 5, paragraph g amended	SF 2438.26	J
135C.2*	New subsection 7	SF 2235.1	C
135C.2*	Section amended	SF 2438.113	J
135C.3	Section amended	SF 2438.113	J
135C.6	New subsection 9	SF 2235.2	C
135C.23	Section amended	SF 2438.113	J
135H.6	New subsections 5A & 7	SF 2442.32	J
135I.2	Section amended	HF 111.1	J
135L.1	New section	SF 13.1	1/1/97
135L.2	New section	SF 13.2**	1/1/97
135L.2	New section, subsection 3 amended	HF 2050.1	J
135L.3	New section	SF 13.3***	1/1/97
135L.4	New section	SF 13.4**	1/1/97
135L.4	New section, subsection 3, paragraph d amended	HF 2050.2	J
135L.5	New section	SF 13.5	E
135L.5	Section repealed	SF 13.15	C
135L.6	New section	SF 13.6**	1/1/97
135L.6	New section, unnumbered paragraph 1 amended	HF 2050.3	J
135L.6	New section, subsection 2, paragraph e amended	HF 2050.4	J
135L.7	New section	SF 13.7**	1/1/97
135L.7	New section, subsections 1 & 2 amended	HF 2050.5	J
135L.8	New section	SF 13.8	1/1/97
135L.9	New section	SF 13.9	1/1/97
139B.1*	Subsection 2, paragraph b amended	SF 2080.5	J
141.22	Subsection 5, new paragraph d	HF 2107.1	J
141.23	Subsection 1, new paragraph k	HF 2107.2	J
142C.4A	New section	HF 2400.1	J
142C.7*	Section amended	HF 2400.2	J
142C.15	New section	SF 2110.1	J
142C.16	New section	SF 2110.2	J
144C.4*	Subsection 6, new paragraph g	SF 2171.4	J
144C.8	Subsection 1 amended	SF 2218.1	J
147.1*	Unnumbered paragraph 1 amended	SF 2013.3	J
147.1*	Subsections 3 & 6 amended	SF 2013.4**	J

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147.1*	Subsection 3 amended	SF 2470.20	J
147.1*	Subsection 5, new paragraph f	HF 2061.1	J
147.2	Section amended	SF 73.1	J
147.2	Section amended	SF 2013.5	J
147.3	Section amended	SF 2013.6	J
147.6	Section amended	SF 2013.7	J
147.7	Section amended	SF 2013.8	J
147.8	Section amended	SF 2171.5	J
147.9	Section amended	SF 2013.9	J
147.12	Unnumbered paragraph 1 amended	SF 2013.10	J
147.13	New subsection 18	SF 2013.11	J
147.14	Subsection 1 amended	SF 73.2	7/1/98
147.14	Subsection 1 amended	SF 259.1	J
147.14	New subsection 15	SF 73.3	7/1/98
147.14	New subsection 15	SF 259.2	J
147.14	New subsection 15	SF 2013.12	J
147.30	Section amended	SF 2013.13	J
147.34	Section amended	SF 2013.14	J
147.41	Subsection 2 amended	SF 2013.15	J
147.44	Section amended	SF 2013.16	J
147.46	Subsection 1 amended	SF 2013.17	J
147.52	Section amended	SF 2013.18	J
147.72	Section amended	SF 2013.19	J
147.73	Subsection 1 amended	SF 2013.20	J
147.74*	Subsection 12 rewritten	SF 73.4	J
147.74*	New subsection 18A	SF 2013.21	J
147.80	New subsection 24A	SF 2013.22	J
147.83	Section amended	SF 2013.23	J
147.86	Section amended	SF 2013.24	J
147.87	Section amended	SF 2013.25	J
147.88	Section amended	SF 2013.26	J
147.90	Section amended	SF 2013.27	J
147.92	Section amended	SF 2013.28	J
147.93	Section amended	SF 2013.29	J
147.111	Section amended	SF 2013.30	J
147A.26*	Subsection 2 amended	SF 2062.7	J
148.2	Section amended	SF 2080.68	J
148A.3	Section amended	SF 2080.68	J
149.2	Section amended	SF 2080.68	J
150.3	Section amended	SF 2080.68	J
150A.2	Section amended	SF 2080.68	J
152B.1	Section amended	SF 2013.31	J
152B.6	Unnumbered paragraph 1 amended	SF 2013.32	J
152B.7	Section amended	SF 2013.33	J
152B.7A	New section	SF 2013.34	J
152B.9	Section amended	SF 2013.35	J
152B.11*	Section amended	SF 2013.36	J
152B.12	Section amended	SF 2013.37	J
152B.13	Section amended	SF 2013.38	J
152B.13	Unnumbered paragraph 2 amended	SF 2171.6	J
152B.14	New section	SF 2013.39	J

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152C.2	Section amended	SF 2171.7	J
152D.7	Unnumbered paragraph 2 amended	SF 2171.8	J
153.13	Subsection 2 rewritten	HF 2201.1	J
154C.1	Section amended	SF 73.5	J
154C.2	Section rewritten	SF 73.6	J
154C.3	Section rewritten	SF 73.7	J
154C.4	Section amended	SF 73.8	J
154C.5	Unnumbered paragraph 1 amended	SF 73.9	J
154C.6	New section	SF 73.10	J
154C.7	New section	SF 73.11	J
155.1	Section amended	SF 2438.113	J
155A.3*	New subsection 25A	SF 2323.1	J
155A.6	Subsections 2, 3, & 4 amended	SF 2323.2	J
155A.6	New subsections 5, 6, 7, & 8	SF 2323.3	J
155A.33	Section amended	SF 2323.4	J
156.1	Section amended	SF 259.3	J
156.2	Section amended	SF 259.4	J
156.4	Subsections 1 & 5 amended	SF 259.5	J
156.8	Section amended	SF 259.6	J
156.9	Section amended	SF 259.7	J
156.10	Section amended	SF 259.8	J
156.14	New section	SF 259.9	J
156.15	New section	SF 259.10	J
157.2	Section amended	SF 2080.68	J
158.2	Section amended	SF 2080.68	J
159.29	Subsection 2, unnumbered paragraph 1 amended	SF 2470.65	J
161A.5	Subsection 2 amended	SF 2260.1	A J
161A.6	Unnumbered paragraph 3 amended	SF 2260.2	J
161A.12	Section amended	SF 2080.6	J
161A.48	Subsection 1 amended	SF 2260.3	J
161A.72	Subsection 2 amended	SF 2260.4	J
161A.73	Subsection 1, new paragraph e	SF 2260.5	J
162.1	Subsection 1 amended	SF 2080.7	J
164.4	Unnumbered paragraph 2 amended	SF 2062.8	J
166D.10	New subsection 4	SF 2446.30	J
169A.4	Section amended	HF 2390.1	J
169A.13*	Section amended	SF 2080.8	J
169A.16*	Section repealed	HF 2390.2	J
173.2	Unnumbered paragraph 1 amended	SF 2121.1	J
173.5	New subsection 3	SF 2121.2	J
173.19	Section amended	SF 2121.3	J
174.9	Unnumbered paragraph 1 amended	HF 2421.30	J
174.9	Subsection 4 amended	HF 2421.31	J
174.10*	Section amended	HF 2421.32	J
174.12	Section amended	HF 2421.33	J
175.3	Subsection 7 amended	SF 2336.1	J
175.7	Subsection 1 amended	SF 2336.2	J

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200.8	Subsection 3 amended	SF 2348.2	A 1/1/97
201.	Chapter repealed	SF 2348.14	A 1/1/97
201.*	Chapter repealed	SF 2348.14	A 1/1/97
201A.1	New section	SF 2348.3	A 1/1/97
201A.2	New section	SF 2348.4	A 1/1/97
201A.3	New section	SF 2348.5	A 1/1/97
201A.4	New section	SF 2348.6	A 1/1/97
201A.5	New section	SF 2348.7	A 1/1/97
201A.6	New section	SF 2348.8	A 1/1/97
201A.7	New section	SF 2348.9	A 1/1/97
201A.8	New section	SF 2348.10	A 1/1/97
201A.9	New section	SF 2348.11	A 1/1/97
201A.10	New section	SF 2348.12	A 1/1/97
201A.11	New section	SF 2348.13	A 1/1/97
203.1*	Subsection 8 amended	SF 2135.2	J
203.8	Unnumbered paragraph 1 amended	SF 2337.1	J
203.12B	New section	SF 2337.2	J
208.1	Section amended	HF 2408.1	J
208.2	Section amended	HF 2408.2	J
208.7	Section amended	HF 2408.3	J
208.8	Section amended	HF 2408.4	J
208.9	Section rewritten	HF 2408.5	J
208.10	Section rewritten	HF 2408.6	J
208.10A	New section	HF 2408.7	J
208.13	Section repealed	HF 2408.20	J
208.15	Section amended	HF 2408.8	J
208.16	Section amended	HF 2408.9	J
208.17	Section amended	HF 2408.10	J
208.18	Section amended	HF 2408.11	J
208.19	Unnumbered paragraph 3 amended	HF 2408.12	J
208.20	Section amended	HF 2408.13	J
208.21	Section amended	HF 2408.14	J
208.22	Section repealed	HF 2408.20	J
208.23	Section amended	HF 2408.15	J
208.24	Section amended	HF 2408.16	J
208.25	Section amended	HF 2408.17	J
208.26	Section amended	HF 2408.18	J
208.27	Section repealed	HF 2408.20	J
208.28	Section amended	HF 2408.19	J
208.29	Section repealed	HF 2408.20	J
208.30	Section repealed	HF 2408.20	J
216.2*	Section amended	SF 2438.113	J
216.6	Subsection 1, paragraph c, unnumbered paragraph 2 amended	SF 2438.27	J
216.6	Section amended	SF 2438.113	J
216.8A	Subsection 3, paragraph d amended	SF 2438.28	J
216.8A	Section amended	SF 2438.113	J
216.14	Section amended	SF 2438.29	J
216A.136	Section amended	HF 2448.2**	J
216A.136	Unnumbered paragraph 1 amended	HF 2458.3	J
216A.136	Subsection 4 amended	HF 2458.4	J
216B.3*	Subsection 9 amended	SF 2438.30	J

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216B.4	Unnumbered paragraph 1 amended	SF 2438.31	J
216C.1	Section amended	SF 2438.32	J
216C.2	Section amended	SF 2438.33	J
216C.3	Section amended	SF 2438.34	J
216C.4	Section amended	SF 2438.35	J
216C.8	Section amended	SF 2438.36	J
216C.9	Subsection 1 amended	SF 2438.37	J
216C.11	Section amended	SF 2438.113	J
217.1	Section amended	SF 2438.38	J
217.8	Section amended	SF 2438.113	J
217.11	New subsection 10	SF 2324.6	J
218.46	Section amended	SF 2438.113	J
218.92	Section amended	SF 2438.113	J
218.95	Section amended	SF 2438.39	J
220A.1	Section amended	SF 2438.40	J
220A.4	Section amended	SF 2438.41	J
220A.6	Section amended	SF 2438.42	J
220A.7	Section amended	SF 2438.43	J
222.2	New subsection 3A	HF 2427.1	J
222.6	Section amended	SF 2438.113	J
222.7	Section amended	SF 2438.113	J
222.9	Section amended	SF 2438.113	J
222.10	Section amended	SF 2438.113	J
222.12	Section amended	SF 2438.113	J
222.13*	Subsections 1, 2, & 3 amended	HF 2427.2	J
222.13A*	Subsection 2 amended	HF 2427.3	J
222.16	Section amended	SF 2438.44	J
222.18	Unnumbered paragraph 2 amended	SF 2438.45	J
222.21	Section amended	SF 2438.46	J
222.22	Section amended	SF 2438.47	J
222.25	Section amended	SF 2438.48	J
222.27	Section amended	SF 2438.113	J
222.28	Section amended	HF 2427.4	J
222.34	Section amended	SF 2438.113	J
222.38	Section amended	SF 2438.113	J
222.43	Section amended	SF 2438.113	J
222.45	Section amended	SF 2438.113	J
222.50	Section amended	SF 2438.49	J
222.51	Section amended	SF 2438.113	J
222.55	Section amended	SF 2438.113	J
222.56	Section amended	SF 2438.113	J
222.59*	Subsection 1, unnumbered paragraph 1 amended	HF 2427.5	J
222.66	Section amended	SF 2438.113	J
222.73*	Subsection 2, new paragraph f	HF 2427.6	J
222.73*	Subsection 2, unnumbered paragraph 2 amended	HF 2427.7	7/1/97
222.80	Section amended	SF 2438.50	J
222.88	Subsection 1 amended	SF 2438.51	J

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222.88	Section amended	SF 2438.113	J
225.5	Section amended	SF 2438.113	J
225.11	Section amended	HF 2427.9	J
225.15	Section amended	HF 2427.10	J
225.17	Section amended	HF 2427.11	J
225.34	Section repealed	HF 2477.59	J
225B.	Chapter repealed	SF 2213.1	6/30/2000
225C.2	New subsection 8	HF 2427.12	J
225C.4*	Section amended	SF 2409.23	J
225C.12	Section amended	HF 2427.13	J
225C.12	Section amended	SF 2438.113	J
225C.14	Subsection 1 amended	HF 2427.14	J
225C.15	Section amended	HF 2427.15	J
225C.16	Section amended	IIF 2427.16	J
225C.21	Subsection 1 amended	SF 2438.52	J
225C.35	Section amended	SF 2438.113	J
225C.47	Subsection 1, new paragraph a, paragraphs relettered	SF 2307.1	J
225C.47	Subsection 2 amended	SF 2307.2	J
225C.47	Subsection 5, paragraphs a, b, & f amended	SF 2307.3	J
225C.47	Subsection 5, new paragraph i	SF 2307.4	J
225C.47	New subsection 7	SF 2307.5	J
225C.48	New subsection 2A	SF 2307.6	J
225C.49	New section	SF 2307.7	J
226.1	Section amended	SF 2438.113	J
226.8	Section amended	SF 2438.113	J
226.9	Section amended	SF 2438.113	J
226.30	Section amended	SF 2438.113	J
227.1	Section amended	SF 2438.113	J
227.2	Subsection 1, unnumbered paragraph 1 amended	SF 2438.53	J
227.2	Subsection 1, paragraph g amended	SF 2438.54	J
227.2	Subsection 4, paragraphs a & b amended	SF 2438.55	J
227.6	Section amended	SF 2438.56	J
227.10	Section amended	HF 2427.17	J
227.10	Section amended	SF 2438.113	J
227.11	Section amended	SF 2438.113	J
227.14	Section amended	SF 2438.113	J
227.15	Section amended	SF 2438.113	J
228.5	Subsection 1 amended	SF 2442.33	J
228.5	New subsection 4	SF 2442.34	J
229.1*	Subsection 11, paragraph c amended	SF 73.12	J
229.1*	Subsection 14 amended	SF 2438.57	J
229.1*	New subsection 15	HF 2427.18	J
229.1*	Section amended	SF 2438.113	J
229.1B	New section	HF 2427.19	J
229.3	Section amended	SF 2438.113	J
229.11	Unnumbered paragraph 1 amended	HF 2427.20	J
229.13	Unnumbered paragraph 1 amended	HF 2427.21	J
229.19	Section amended	SF 2438.113	J
229.24*	Subsection 3, unnumbered paragraph 1 amended	HF 2427.22	J
229.26	Section amended	SF 2438.58	J
229.27	Subsection 1 amended	SF 2080.9	J

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229.38	Section amended	SF 2438.59	J
229.42	Unnumbered paragraph 1 amended	HF 2427.23	J
229.44	Subsection 2, unnumbered paragraph 1 amended	SF 2062.9	J
229.44	Section amended	SF 2438.113	J
230.1	New unnumbered paragraph	HF 2427.24	J
230.1	Section amended	SF 2438.113	J
230.5	Section amended	SF 2438.113	J
230.6	Section amended	SF 2438.113	J
230.8	Section amended	SF 2438.113	J
230.9	Section amended	SF 2438.113	J
230.10	Section amended	SF 2438.113	J
230.11	Section amended	SF 2438.113	J
230.12*	Section amended	SF 2438.113	J
230.14	Section amended	SF 2438.113	J
230.15	Section amended	SF 2438.60	J
230.18	Section amended	SF 2438.113	J
230.19	Section amended	SF 2438.113	J
230.20*	Subsection 2, amended	HF 2427.25	7/1/97
230.31	Section amended	SF 2438.113	J
230.33	Section amended	SF 2438.61	J
230A.13	Unnumbered paragraph 2 amended	HF 2427.27	J
231.51	Section amended	SF 2409.23	J
231.52	Section amended	SF 2409.23	J
231.53	Section amended	SF 2409.23	J
231C.1	New section	SF 454.1	J
231C.2	New section	SF 454.2	J
231C.3	New section	SF 454.3	J
231C.4	New section	SF 454.4	J
231C.5	New section	SF 454.5	J
232.2*	Subsection 6, paragraph o amended	SF 2410.1	E
232.2*	New subsection 6A	SF 2470.66	VETO
232.5	New section	SF 13.10**	1/1/97
232.5	New section amended	HF 2050.6	J
232.8*	Subsection 1, paragraph c amended	SF 2420.1	J
232.19	Subsection 1, paragraph c amended	SF 2470.67	VETO
232.22*	Subsection 1, paragraph c, subparagraph (3) amended	SF 2154.7	J
232.28*	New subsection 11	SF 2430.1	J
232.28A	New section	SF 2430.2	J
232.51	Section amended	SF 2438.62	J
232.52*	Subsection 2, paragraph a, subparagraph (4) amended	HF 2421.57	E
232.52*	Subsection 2, paragraph d, new subparagraph (4)	SF 2420.2	J
232.68*	Subsection 2, paragraph f amended	SF 2410.2	E
232.71A*	Subsections 3, 5, 6, & 8 amended	SF 2399.1	E
232.71A*	Subsection 4, new paragraph h	SF 2399.2	E
232.71A*	Subsection 7, paragraph a, new subparagraphs (4) & (5)	SF 2399.3	E
232.73*	Unnumbered paragraph 2 amended	SF 2410.3	E
232.77	Subsection 2 amended	SF 2410.4	E

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<u>Section</u>	<u>Action Taken</u>	<u>Use/Sen File #</u>	<u>Effective</u>
232.88*	Section amended	SF 2080.10	J
232.89	Subsection 1 amended	HF 2458.5	J
232.106*	Subsection 2 amended	SF 2410.5	E
232.107	New section	SF 2410.6	E
232.143*	Section amended	SF 2442.35	IV
232.147*	New subsection 9	SF 2430.3	J
232.148*	Subsection 2 amended	SF 2080.11	J
232.190	Subsection 1 amended	SF 2448.16	J
232.195	New section	SF 2470.68	VETO
232.196	New section	SF 2470.69	VETO
233B.5	Section amended	SF 2438.63	J
234.13	Section amended	SF 2324.15	J
234.39*	Unnumbered paragraph 1 amended	SF 2442.36	J
234.39*	New subsection 4	SF 2442.37	J
235A.15*	Subsection 2, paragraph c, new subparagraph (13)	HF 2427.28	J
235A.15*	Subsection 2, paragraph c, new subparagraph (15)	SF 2399.4	E
235B.1	Section amended	SF 2381.1	J
235B.2*	Section amended	SF 2381.2	J
235B.3*	Subsection 5 amended	SF 2381.3	J
235B.3*	Subsection 7, unnumbered paragraph 1 amended	SF 2381.4	J
235B.3*	Subsection 7, paragraph a amended	SF 2381.5	J
235B.3A	New section	SF 2381.6	J
235B.6*	Subsection 2, paragraph c, new subparagraph (6)	HF 2427.29	J
235B.17	New section	SF 2381.7	J
235B.18	New section	SF 2381.8	J
235B.19	New section	SF 2381.9	J
235B.20	New section	SF 2381.10	J
236.3*	Subsection 2 amended	SF 2080.12	J
236.5*	Subsection 5 amended	SF 2405.1	J
236.8*	Section amended	SF 2420.3	J
236.9	Unnumbered paragraph 1 amended	SF 2080.13	J
236.11	Unnumbered paragraphs 1 & 2 amended	SF 2420.4	J
238.1	Subsection 2 stricken	SF 2080.14	J
239.10	New section	SF 2324.16	J
239.22	Section repealed	SF 2409.26	J
239.23	New section	SF 2442.38	VETO
239A.1	Section amended	SF 2409.23	J
239A.2	Section amended	SF 2409.23	J
239A.3	Section amended	SF 2409.23	J
241.3	Section amended	SF 2409.23	J
249A.2	Section amended	SF 2438.113	J
249A.3*	Subsection 1, paragraph q amended	SF 2438.64	J
249A.5*	Subsection 2, paragraph b amended	SF 2438.65	J
249A.5*	Subsection 2, paragraph f amended	SF 2303.1	J
249A.5*	Section amended	SF 2438.113	J
249A.12*	Subsection 2 amended	HF 2427.30	J
249A.12*	New subsection 5	HF 2427.31	E
249A.12*	Section amended	SF 2438.113	J
249A.19	Section amended	SF 2303.2	J
249A.26	Section amended	HF 2427.32	J
249C.3	Section amended	SF 2409.23	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
249C.14	Section amended	SF 2409.23	J
249F.1	Subsection 2, paragraph b amended	SF 2303.3	J
249F.1	Subsection 2, paragraph b, subparagraph (2) amended	SF 2438.66	J
249F.2	Section amended	SF 2303.4	J
252.25	Unnumbered paragraph 1 amended	HF 2399.1	J
252A.3	Subsection 8 stricken	SF 2344.16	J
252A.4A	New section	SF 2344.17	J
252A.5	Unnumbered paragraph 1 amended	SF 2344.18	J
252A.6	Subsection 15 amended	SF 2344.19	J
252A.6	New subsection 17	SF 2344.20	J
252A.8	Section amended	SF 2344.21	J
252A.19	Subsection 1 amended	SF 2344.22	J
252A.20	Section amended	SF 2344.23	J
252B.4	Section amended	SF 2442.39	J
252B.7A	Section amended	SF 2409.23	J
252B.20	Subsections 4 & 8 amended	SF 2344.4	J
252D.2	Subsection 2 amended	SF 2344.8	J
252D.11	Subsection 3 amended	SF 2344.9	J
252D.17*	Unnumbered paragraph 1 amended	SF 2344.10	J
252D.17*	Subsections 4, 7, 9, & 11 amended	SF 2344.11	J
252D.18A	Unnumbered paragraph 1 amended	SF 2344.12	J
252D.18A	Subsection 3, paragraph a amended	SF 2344.13	J
252D.23*	Section amended	SF 2344.14	J
252E.4	Subsection 1 amended	SF 2344.24	J
252E.13	Subsections 1 & 3 amended	SF 2344.25	J
252F.3	Subsection 4, paragraph b amended	SF 2344.5	J
252F.3	Subsection 6, paragraph d amended	SF 2344.6	J
252G.2	Section amended	SF 2409.23	J
252G.3	Subsection 1, paragraph d amended	SF 2344.15	J
252H.8	Subsection 1, paragraphs a & b stricken	SF 2344.1	J
252H.8	Subsection 4, unnumbered paragraph 1 amended	SF 2344.2	J
252H.17	Subsection 2 amended	SF 2344.3	J
252I.1	Subsection 2 amended	SF 2080.15	J
256.7	Subsection 2 amended	SF 2204.2	J
256.7	Subsection 19, paragraph b amended	SF 2083.1	J
256.16	Unnumbered paragraph 1 amended	SF 2438.67	J
256.38*	Section amended	SF 2409.23	J
256.39*	Section amended	SF 2409.23	J
256.52	Subsections 1 & 2 amended	HF 2477.21	J
256B.2	Subsection 1 amended	SF 2438.68	J
256B.2	Section amended	SF 2438.113	J
256B.4	Section amended	SF 2438.113	J
256B.6	Subsection 5 amended	SF 2438.69	J
256B.9	Subsection 1, paragraphs b & d amended	SF 2438.70	J
256B.9	Subsection 8 amended	SF 2438.71	J
257.1*	Subsection 2, unnumbered paragraph 2 amended	SF 2449.5	A J
257.8*	Subsection 1 amended	SF 2082.1	1/1/97

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257.18*	Subsection 1 amended	HF 334.1	J
257.18*	Subsection 2, unnumbered paragraph 1 amended	HF 334.2	J
257.31	Subsection 16 amended	HF 2477.22	J
257.31	New subsection 17	HF 514.1	1/1/97
257B.1A*	Subsections 2 & 3 amended	HF 570.1**	J
257B.1A*	New subsections 4 & 5	HF 570.2**	J
257B.1A*	Subsections 2, 3, & 4 amended	HF 2477.23	VETO
259.3	Section amended	SF 2204.3	J
259.4	Subsections 3, 4, 5, 8, 9, 12, & 13 stricken	SF 2204.4	J
259.4	Subsection 6 amended	SF 2204.5	J
259.4	Subsection 11 amended	SF 2204.6	J
259.4	Subsection 15 amended	SF 2204.7	J
259.5	Section rewritten	SF 2204.8	J
259.7	Section amended	SF 2204.9	J
259.9	Section amended	SF 2204.10	J
260C.1	Section amended	SF 2438.113	J
260C.2	New subsection 2A	HF 2477.24	J
260C.4	Subsection 4, paragraph h amended	HF 2477.25	R 6/30/94
260C.14	New subsection 22	HF 2477.26	J
260C.18	Subsection 4 amended	HF 2477.27	J
260C.18A	New section	HF 2477.28	J
260C.18A	New section repealed	HF 2477.58	7/1/97
260C.18B	New section	HF 2477.29	J
260C.22	New subsection 4	HF 2477.30	IV
260C.24*	Section repealed	SF 2080.70**	J
260C.29*	Subsection 3, new paragraphs f & g	HF 2477.31	J
260C.34	Section amended	HF 2477.32	J
260C.39	Unnumbered paragraph 5 amended	HF 2477.33	J
260C.47	Subsection 1, unnumbered paragraph I amended	HF 2477.34	R 6/30/94
260C.49	New section	HF 2477.35	J
260D.12*	Section amended	SF 2080.16***	J
260D.	Chapter repealed	HF 2477.59	E
260D.*	Chapter repealed	HF 2477.59	F
260F.1	Section amended	SF 2351.9	J
260F.2	Section amended	SF 2351.10	J
260F.3	Section rewritten	SF 2351.11	J
260F.3	Section amended	SF 2409.23	J
260F.4	Section repealed	SF 2351.21	J
260F.5	Section repealed	SF 2351.21	J
260F.6*	Subsection 2 amended	SF 2351.12	J
260F.6A	New section	SF 2351.13	J
260F.7	Section amended	SF 2351.14	J
260F.7	Section amended	SF 2409.23	J
260F.8	Section amended	SF 2351.15	J
261.12*	Subsection 1, paragraph b amended	HF 2477.36	J
261.12*	New subsection 1A	SF 2470.4	J
261.12*	Subsection 2 amended	SF 2470.5	J
261.13	Section amended	SF 2470.6	J
261.21	New section	HF 2477.37	J
261.25*	Subsections 1 & 3 amended	HF 2477.38	J
261.37	Subsections 3 & 6 amended	SF 2157.1	J

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261.45	Section repealed	HF 2477.59	J
261.48	Unnumbered paragraph 4 stricken	HF 2477.39	J
261.52A	Section repealed	HF 2477.59	J
261.71*	Subsection 1, paragraph d amended	SF 2157.2	J
261.71*	Subsection 2 amended	SF 2157.3	J
261.72	New section	SF 2157.4	J
261B.2	Subsection 1 amended	SF 2157.5	J
261B.2	New subsection 1A	SF 2157.6	J
261B.3	Section amended	SF 2157.7	J
261B.3A	New section	SF 2157.8	J
261B.4	Subsections 2 & 11 amended	SF 2157.9	J
261B.4	New subsection 13	SF 2157.10	J
261B.8	Section amended	SF 2157.11	J
261B.10	Section amended	SF 2157.12	J
261B.11	New subsections 9 & 10	SF 2157.13	J
261C.6	Subsection 2, unnumbered paragraph 2 amended	HF 2477.40	J
262.9*	Subsection 4, unnumbered paragraph 1 amended	HF 2477.41	J
262.9*	Subsection 4, paragraphs a, b, & c stricken	HF 2477.42	J
262.9*	Subsection 10 stricken	HF 2477.43	J
262.9*	New subsection 30	HF 2477.44	VETO
262.34A	Section amended	HF 2477.45	VETO
263.8A	Section amended	HF 570.3	J
263.9	Section amended	SF 2438.72	J
263.10	Section amended	SF 2438.73	J
263.11	Section amended	SF 2438.74	J
272.2	New subsection 15	HF 455.1**	J
272.2	New subsection 15 amended	HF 2477.46	J
272.33	Section amended	SF 2159.1	J
272C.1	Subsection 6, paragraph aa amended	SF 2013.40	J
273.3	Subsection 12 amended	HF 2477.47	J
273.3	New subsection 22	HF 2477.48	J
273.10	New section	HF 2477.49	J
273.11	New section	HF 2477.50	J
279.8A	New section	SF 2470.70	J
279.51*	Section amended	SF 2409.23	J
279.51*	Subsection 1, unnumbered paragraph 1 amended	SF 2470.7	J
279.51*	Subsection 1, paragraphs b, c, d, e, & f amended	SF 2470.8	J
279.51*	Subsection 1, paragraph g rewritten	SF 2470.9	J
279.51*	Subsection 1, unnumbered paragraphs 3 & 4 stricken	SF 2470.10	J
280.8	Section amended	SF 2438.75	J
280.13B	New section	HF 121.1	J
282.4*	Subsection 3 amended	HF 2477.51	J
282.5*	Section amended	HF 2477.52	J
282.18	Subsection 2 amended	SF 2201.1	J
282.18	Subsections 7, 8, & 18 amended	SF 2201.2	J
282.18	Subsection 12 stricken	SF 2201.3	J
285.1*	Section amended	SF 2438.113	J

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285.10	Section amended	SF 2438.113	J
285.11	Section amended	SF 2438.113	J
294.10B	New section	SF 2245.79	J
294.15	Section repealed	HF 2477.59	J
294A.13	Section amended	SF 2080.17	J
294A.25*	Subsections 7 & 8 amended	IIF 2477.53	J
295.1	New section	SF 2063.1	J
295.2	New section	SF 2063.2	J
295.3	New section	SF 2063.3	J
295.4	New section	SF 2063.4	J
295.5	New section	SF 2063.5	J
295.	Chapter repealed	SF 2063.5	7/1/2001
298.9*	Section amended	HF 2477.54	J
298.18A	New section	SF 2357.1	J
299.18	Section amended	SF 2438.76	J
299.19	Section amended	SF 2438.77	J
301.1	Unnumbered paragraph 2 amended	SF 2158.1	J
303.9A	New section	HF 514.2	1/1/97
303.18*	Section repealed	SF 2080.70	J
303.33*	Unnumbered paragraph 1 amended	SF 2080.18	J
303C.4*	Section amended	SF 2438.113	J
306.19*	Subsection 6 amended	HF 2419.1	J
306C.18	Subsection 4 amended	HF 2421.34	J
307.10	Subsection 1 rewritten	HF 2421.35	VETO
307A.2	Subsection 12 amended	HF 2207.1	J
307A.2	Subsection 13 amended	HF 2419.2	J
309.57	Section amended	HF 419.1	J
312.2	Subsection 18 stricken	HF 2421.36	J
312.2A	Section repealed	HF 2421.70	J
314.9	Section amended	HF 2419.3	J
321.1*	Subsection 32, paragraph f amended	SF 2072.1	E
321.1*	Section amended	SF 2438.113	J
321.11	Section amended	IIF 2462.1	9/13/97
321.17	Section amended	SF 2266.1	1/1/97
321.19*	Subsection 1, unnumbered paragraph 2 amended	HF 2416.33	J
321.19*	Subsection 2, unnumbered paragraph 3 amended	HF 2140.1	R 1/1/96
321.19*	Subsection 2, unnumbered paragraph 3 amended	SF 2080.19	J
321.20A*	Section amended	HF 2350.1	J
321.20A*	Section amended	SF 2266.2	J
321.23	Subsection 4 amended	SF 2085.1	J
321.34*	Subsection 4 amended	HF 2113.1	J
321.34*	Subsection 7 amended	SF 2085.2	J
321.34*	Subsections 7, 8, 9, 12, 13, & 14 stricken	HF 514.8	1/1/97
321.34*	Subsection 11 amended	HF 514.3	1/1/97
321.34*	New subsections 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, & 28	HF 514.4**	1/1/97
321.34	New subsection 27, paragraph b amended	SF 2470.21	J
321.34	New subsection 28, paragraph a rewritten	SF 2470.22	J
321.34	New subsection 28, paragraph b stricken	SF 2470.22	J
321.34	New subsection 28, paragraph c amended	SF 2470.23	J
321.34	New subsection 28, paragraph d stricken	SF 2470.24	J
321.44A	New section	SF 2110.3	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
321.52A*	Section amended	HF 2433.1	J
321.69*	Subsection 3 amended	SF 2266.3	J
321.89*	Section amended	HF 2419.4	J
321.109	New subsection 3	SF 2266.4	1/1/97
321.109	Section amended	SF 2438.113	J
321.123*	Unnumbered paragraph 1 amended	SF 2266.5	J
321.123*	Subsection 1, unnumbered paragraph 1 amended	SF 2266.6	J
321.124	Section amended	SF 2438.113	J
321.166	Subsection 2 amended	HF 514.5	1/1/97
321.166	Subsection 2 amended	SF 2266.7**	1/1/97
321.166	Subsection 2 amended	SF 2470.25	J
321.166	Subsection 6 amended	SF 2085.3	J
321.166	New subsection 9	SF 2266.8	1/1/97
321.166	New subsections 9 & 10	HF 514.6	1/1/97
321.176A	Subsection 2 amended	SF 2266.9	J
321.180A	Subsection 1 amended	SF 2438.78	J
321.181	Section amended	SF 2266.10	J
321.189*	Subsection 7 rewritten	HF 2225.1	E
321.189*	Subsection 8, paragraph a amended	HF 2225.2	E
321.189*	Subsection 9 amended	HF 2225.3	E
321.190	Subsection 1, paragraph b amended	SF 2266.11	J
321.190	Subsection 2 stricken	SF 2186.2	J
321.191	Subsection 9 amended	SF 2266.12	J
321.205	Unnumbered paragraph 2 stricken	HF 2421.58	E
321.208*	Subsections 7 & 8 amended	SF 2266.13	J
321.209	Unnumbered paragraph 1 amended	SF 2266.14	J
321.209	Subsection 8 stricken	HF 2421.59	E
321.210	Subsection 1, unnumbered paragraph 2 amended	SF 2266.15	J
321.212	Subsection 1, paragraph d amended	HF 2421.60	E
321.213*	Section amended	HF 2421.61	E
321.213A*	Section amended	SF 2080.20**	J
321.213A*	Section amended	HF 2421.62	E
321.213B	Section amended	SF 2266.16	J
321.215*	Subsection 1, unnumbered paragraph 2 amended	HF 2421.63	E
321.215*	Subsection 2, unnumbered paragraph 1 amended	SF 2266.17**	J
321.215*	Subsection 2, unnumbered paragraph 1 amended	HF 2421.64	E
321.215*	Subsection 2, paragraph d amended	HF 2421.65	E
321.216	Section amended	SF 2186.3	J
321.216A	Section rewritten	SF 2186.4	J
321.216B	Section amended	SF 2186.5	J
321.218*	Subsections 1, 4, & 5 amended	SF 2186.6	J
321.218*	Subsection 2 stricken	SF 2186.7	J
321.232	Subsection 3 amended	SF 482.41	J
321.240	Section repealed	SF 2266.26	J
321.285	Subsection 6 amended	HF 2419.5	J
321.285	Subsection 6 amended	SF 2140.1	E
321.383	Subsections 2 & 3 amended	SF 2266.18	J

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A - Applicability provisions

R - Retroactive applicability

* - Code Supplement 1995

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, 1996

00-00-00 - Specified effective date

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
321.423*	Subsection 1, paragraph c amended	SF 2080.21	J
321.423*	Subsection 4 amended	SF 2080.22	J
321.423*	Subsection 7, paragraphs a & b amended	SF 2080.23	J
321.445	Subsection 5 amended	SF 2438.79	J
321.449*	Unnumbered paragraph 5 amended	HF 2001.1	E
321.457	Subsection 2, paragraph d stricken	HF 2350.2	J
321.457	Subsection 2, paragraph f amended	HF 2066.1**	E
321.457	Subsection 2, paragraph f amended	SF 2470.26	J
321.457	Subsection 2, paragraphs g, i, & j amended	HF 2350.3	J
321.463*	New unnumbered paragraph	HF 2350.4	E
321.484*	Unnumbered paragraph 2 amended	SF 2080.24	J
321.491	Unnumbered paragraph 7 stricken	HF 2421.66	E
321.492A	Section amended	SF 2080.25	J
321.560*	Section amended	SF 2080.26	J
321.561*	Section amended	SF 2080.27	J
321A.17*	Subsection 5 amended	HF 2421.67	E
321E.1	Unnumbered paragraph 1 amended	HF 2350.5	J
321E.1	Unnumbered paragraph 1 amended	SF 2266.19	J
321E.2	Section amended	HF 2350.6	J
321E.7	Subsection 2 amended	HF 2350.7	J
321E.7	Subsection 2 amended	SF 2266.20	J
321E.7	Subsection 3 stricken	HF 2350.8	J
321E.9	Subsection 2 amended	SF 2266.21	J
321E.9A	New section	HF 2350.9	J
321E.14	Unnumbered paragraph 1 amended	HF 2350.10	J
321E.16	Section amended	SF 2186.8	J
321E.28	Unnumbered paragraph 1 amended	HF 2350.11	J
321E.30	Section repealed	SF 2266.26	J
321J.4*	Subsection 1, unnumbered paragraph 1 amended	SF 2186.9	J
321J.4*	Subsection 2 amended	SF 2186.10	J
321J.4*	Subsection 8 amended	SF 2186.11	J
321J.4*	Subsection 8 amended	SF 2266.22	J
321J.4*	Subsection 8 amended	HF 2331.1	VETO
321J.4B*	Subsection 12 amended	SF 482.42	J
321J.4B*	Subsections 13 & 16 amended	SF 482.43	J
321J.10	Subsection 7 amended	SF 482.44	J
321J.12*	Subsection 2 amended	SF 2186.12	J
321J.20*	Subsection 1 amended	HF 2331.2	VETO
321L.1	Subsections 4 & 6 amended	SF 2085.4	J
321L.1	Subsection 7 rewritten	SF 2085.5	J
321L.2*	Subsection 1, paragraph a amended	HF 514.7	1/1/97
321L.2*	Subsections 1 & 2 amended	SF 2085.6	J
321L.2*	Subsection 3 rewritten	SF 2085.7	J
321L.2*	New subsections 4, 5, & 6	SF 2085.7	J
321L.3	Section amended	SF 2085.8	J
321L.4	Section amended	SF 2085.9	J
321L.5	Subsection 3, paragraph c amended	SF 2085.10	J
321L.5	Subsection 4, paragraph b amended	SF 2085.11	J
321L.8	Section amended	SF 2085.12	J
321L.9	Section amended	SF 2085.13	J
321L.10	Section repealed	SF 2085.15	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
322.3	Section amended	SF 2186.13	J
322G.15*	Section amended	SF 2062.10	J
323.1*	Subsection 4 amended	SF 2080.28	J
324A.1	Subsection 7 amended	SF 2438.80	J
324A.3	Subsection 3 amended	SF 2438.81	J
325.6	Subsection 5, unnumbered paragraph 1 amended	SF 2438.82	J
328.26	Section amended	SF 2266.23	J
328.46	Section amended	SF 2266.24	J
328.51	Section amended	SF 2266.25	J
331.302	Subsections 7, 8, & 10 amended	HF 2190.1	J
331.324	Subsection 1, paragraph n amended	SF 2438.83	J
331.325	New section	HF 2491.1	J
331.361	New subsection 2A	SF 2464.30	J
331.381	Section amended	SF 2438.113	J
331.384	Subsection 1, paragraph c amended	SF 2464.25	J
331.424*	Subsection 1, paragraph a, subparagraph (1) amended	SF 2470.102	E
331.424*	Subsection 1, paragraph a, subparagraph (3) amended	SF 2438.84	J
331.424A*	Subsection 2 amended	HF 2427.33	J
331.424A*	Subsection 4 amended	SF 2030.1**	E
331.424A*	Subsection 4 amended	SF 2470.103	J
331.424B	New section	HF 2491.2	J
331.438*	Subsection 1 amended	SF 2030.2	E
331.438*	Subsection 4, paragraph b, unnumbered paragraph 1 amended	HF 2427.34	J
331.438*	Subsection 4, paragraph b, subparagraph (2) amended	HF 2427.35	J
331.438*	Subsection 4, paragraph c, subparagraph (10) amended	HF 2427.36	J
331.438*	Subsection 4, paragraph c, new subparagraphs (15), (16), & (17)	HF 2427.37	J
331.439*	Subsection 3 amended	SF 2030.3	A 7/1/97
331.440*	New subsection 2A	HF 2427.38	J
331.441*	Subsection 2, paragraph b, subparagraph (10) amended	SF 2464.35	J
331.502	Section amended	SF 2438.113	J
331.552*	Section amended	SF 2438.113	J
331.557	Subsection 3 amended	HF 569.1	A 1/1/97
331.602*	Subsection 10 amended	SF 2080.29	J
331.602*	Section amended	SF 2409.23	J
331.605	Subsection 2, unnumbered paragraph 1 amended	SF 2080.30	J
331.606	Subsection 1 amended	HF 2299.1	J
331.653*	New subsection 65A	HF 2456.1	J
331.653*	Section amended	SF 2409.23	J
331.653*	Section amended	SF 2438.113	J
331.655	Subsection 1, paragraph c amended	SF 2438.85	J
331.657	Section amended	SF 2438.113	J
331.756*	Subsection 4 amended	SF 2269.1	J
331.756*	Subsection 69 stricken	SF 2080.31	J
331.756*	New subsection 83A	HF 2456.2	J
331.756*	Section amended	SF 2409.23	J
331.756*	Section amended	SF 2438.113	J
331.802	Subsection 2 amended	SF 2359.1	J

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A - Applicability provisions

R - Retroactive applicability

* - Code Supplement 1995

C - Conditional effective date

VETO - Entire Bill section vetoed

** - Section amended by subsequent bill

E - Effective upon enactment

TV - Part of bill section vetoed

*** - Bill section repealed by subsequent bill

J - Effective July 1, 1996

00-00-00 - Specified effective date

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
331.805	Subsection 3, paragraph b amended	SF 259.11	J
331.909	New section	SF 2294.1	J
335.25	Section amended	SF 2438.113	J
356.7	New section	SF 2352.1**	J
356.7	New section amended	SF 2470.71	J
357A.14	Subsection 1 amended	HF 2187.1	J
357E.2	Section amended	HF 2258.1	J
357E.10	Section amended	HF 2258.2	J
358C.1*	Subsection 2, paragraphs c & d amended	SF 2464.1	E
358C.2*	Section repealed	SF 2464.12	E
358C.3*	Subsection 6 amended	SF 2464.2	E
358C.4*	Subsection 2, paragraph i amended	SF 2464.3	E
358C.10*	New subsection 4	SF 2464.4	E
358C.13*	Subsection 5 amended	SF 2080.32	J
358C.13*	New subsections 1A, 2A, 6, & 7	SF 2464.5	E
358C.16*	Subsection 4 amended	SF 2464.6	E
358C.17*	Subsection 1 amended	SF 2080.33	J
358C.17*	Subsection 1 amended	SF 2464.7	E
358C.17*	New subsections 4 & 5	SF 2464.8	E
358C.24	New section	SF 2464.9	E
359.28	Section amended	HF 2491.3	J
364.12A	New section	SF 2464.26	J
364.22	Subsection 5, paragraph a amended	SF 2155.1	J
368.24	New section	SF 2464.10	E
380.7	Subsection 2 amended	HF 2190.2	J
380.9	Section amended	HF 2190.3	J
384.20	New unnumbered paragraph	SF 2131.1	J
384.24	Subsection 2, paragraph k amended	SF 2438.86	J
384.24	Subsection 3, paragraph u amended	SF 2464.36	J
384.38	Subsection 3 amended	HF 2259.1	J
392.6	Unnumbered paragraph 2 amended	SF 2074.1	J
392.6	Unnumbered paragraph 3 amended	SF 2074.2	J
400.8	Subsection 1 amended	SF 2245.99	J
403.2	Subsection 3 amended	SF 2464.13	E
403.5	Subsection 2, unnumbered paragraph 1 amended	SF 2464.14	E
403.5	Subsection 3 amended	SF 2464.15	E
403.5	Subsection 4, paragraph b, subparagraph (1) amended	SF 2464.16	E
403.6	New unnumbered paragraph	SF 2464.17	E
403.9	Subsection 3, new unnumbered paragraph	SF 2464.18	E
403.9	Subsection 4 amended	SF 2464.19	E
403.10	Section amended	SF 2464.20	E
403.17	Subsection 9 amended	HF 2177.1	A J
403.17	Subsection 9 amended	SF 2464.21	E
403.17	Section amended	SF 2438.113	J
403.19	Subsection 1, paragraph c amended	SF 2351.16	J
403.19	Subsection 2 amended	SF 2464.22	E
403.19	Subsection 5 amended	HF 2426.1	J
403.19	Subsection 7 stricken	SF 2464.23	E
403.22	New section	SF 2464.24	E
403A.2	Subsection 6, paragraphs d, c, f, & g amended	SF 2438.87	J
403A.7	Section amended	SF 2438.88	J

<u>Section</u>	<u>Action Taken</u>	<u>Use/Sen File #</u>	<u>Effective</u>
403A.7	Section amended	SF 2438.113	J
404.2	Subsection 2, paragraph f, unnumbered paragraph 1 amended	SF 2464.38	E
404.2	Subsection 6 amended	SF 2464.39	E
404.5	New unnumbered paragraph	SF 2464.40	A 1/1/95
404A.1	New section	SF 2464.37	J
410.14	Section amended	SF 2438.89	J
411.1A	Section amended	SF 2438.90	J
411.5	New subsection 13	SF 2245.100	J
411.6	Subsection 3 amended	HF 2153.3	J
411.6	Subsection 5, paragraph a amended	HF 2153.4	J
411.6	Subsection 7, paragraph a, unnumbered paragraph 1 amended	SF 2245.101	J
411.6	Subsection 12, paragraphs a, b, & c rewritten	SF 2245.102	7/1/97
411.6	Subsection 12, new paragraph e	SF 2245.103	J
411.13	Section amended	SF 2245.104	J
411.31	New section	SF 2245.105	J
411.37	Subsection 2 amended	SF 2245.106	J
411.38	Subsection 1, paragraph b, unnumbered paragraph 1 amended	SF 2245.107	J
411.40	New section	SF 2245.108	J
412.4	Section amended	HF 2365.1	J
414.22	Section amended	SF 2438.113	J
419.1	Subsection 12, paragraph a, subparagraph (13) amended	SF 2438.91	J
421.17*	New subsection 15	SF 2455.1	R 1/1/96
421.17A*	Subsection 1, paragraph b amended	SF 2080.34	J
421.17A*	Subsection 2 amended	SF 2062.11	J
421.27	New subsection 5A	SF 2455.2	R 1/1/96
421.31*	Subsection 9 amended	SF 2080.35	J
421.38	Subsection 1 amended	SF 2367.3	E
422.3*	Subsection 4 amended	SF 2168.2	R 1/1/95
422.4	Subsection 1, paragraph a amended	SF 2449.1	R 1/1/96
422.4	Subsection 1, paragraph d stricken	SF 2449.2	R 1/1/96
422.4	Subsection 2, paragraph a amended	SF 2449.3	R 1/1/96
422.4	New subsection 17A	SF 2449.13	R 1/1/96
422.5	Subsection 1, paragraph j amended	SF 2449.14**	R 1/1/96
422.5	Subsection 1, para. j, new subpara. (2), subpara. subdivision (b) amended	SF 2470.27	J
422.5	Subsection 1, paragraph k, unnumbered paragraph 4 amended	SF 2449.15	R 1/1/96
422.5	New subsection 12	SF 2168.3	R 1/1/92
422.7*	Subsection 28 amended	SF 2324.7	J
422.7*	Section amended	SF 2409.23	J
422.7*	Section amended	SF 2438.113	J
422.8	Subsection 2 amended	SF 2449.16	R 1/1/96
422.8	New subsection 6	SF 2449.17	R 1/1/96
422.9*	Subsection 2, paragraph f stricken	SF 2467.1	R 1/1/96
422.12*	Subsection 2, unnumbered paragraph 1 amended	SF 2467.2	R 1/1/96
422.16A*	Section amended	SF 2351.17	J
422.34A	New section	HF 2166.1	R 1/1/96
422.35*	Section amended	SF 2438.113	J
422.45*	Subsection 22, paragraphs a & c amended	SF 2438.92	J

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A - Applicability provisions R - Retroactive applicability * - Code Supplement 1995
 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, 1996 00-00-00 - Specified effective date

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
422.45*	Subsection 27 amended	HF 2165.1	E
422.45*	Subsection 47 stricken	SF 2080.36	J
422.45*	New subsection 50	HF 2422.1	J
422.45*	New subsection 50	SF 2097.1	A J
422.47A	Section repealed	SF 2080.70	J
422.47B	Section repealed	SF 2080.70	J
422.47C	Section repealed	SF 2080.70	J
422.69	Subsection 3 stricken	SF 2080.37	J
422.73	New subsection 3	HF 2114.11	VETO
422.120	New section	SF 2449.19	R 1/1/96
422.121	New section	SF 2449.20	R 1/1/96
422.122	New section	SF 2449.21	R 1/1/96
423.2	Section amended	HF 569.2	A 1/1/97
423.4	New subsection 16	HF 569.3	A 1/1/97
423.6	Subsection 1 amended	HF 569.4	A 1/1/97
423.7A	New section	HF 569.5	A 1/1/97
423.24*	Subsection 1, unnumbered paragraph 1 amended	HF 569.6	A 1/1/97
425.1	Subsection 1 amended	SF 2449.8	VETO
425.20	Unnumbered paragraph 2 amended	SF 2455.3	R 1/1/96
425.23	Subsection 3, paragraph a amended	SF 2455.4	R 1/1/96
425.23	Subsection 3, paragraph b amended	SF 2438.93	J
425.39	Section amended	SF 2449.9	VETO
425A.2	Subsection 4 amended	HF 560.1	1/1/96
426A.1	Section amended	SF 2449.10	VETO
426B.1*	Subsection 1 amended	SF 2080.38	J
426B.1*	New subsection 3	SF 2470.104	J
426B.2*	Subsection 1, paragraph c amended	SF 2030.4	E
426B.2*	Subsection 1, new unnumbered paragraph	SF 2030.5	J
426B.2*	Subsection 5 amended	SF 2442.40	VETO
427.1*	Subsection 4 amended	SF 2080.39	J
427.1*	Subsection 27 stricken	SF 2455.5	J
427.1*	Subsection 34 amended	SF 2438.94	J
427B.17*	Subsection 6 stricken	HF 2165.2	R 1/1/95
427B.17*	Subsection 7 amended	HF 2165.3	E
427B.17*	Subsection 7 amended	SF 2351.18	J
427B.19*	New subsections 5 & 6	HF 2165.4	E
427B.19A*	Subsection 3 amended	HF 2165.5	E
427B.19A*	New subsections 4 & 5	HF 2165.6	E
427B.19C	New section	HF 2165.7	E
427B.19D	New section	HF 2165.8	E
428A.1	Unnumbered paragraph 1 amended	SF 2455.6	J
428A.2*	Subsection 14 amended	HF 2370.1	J
428A.8	Section amended	SF 2464.34	VETO
435.22	Subsection 5, unnumbered paragraph 1 amended	SF 2455.7	R 1/1/96
441.21*	Subsection 9, paragraph b amended	SF 2080.40	J
444.25	Subsection 4, paragraph b, subparagraph (3) amended	SF 2080.41	J
444.25A*	Subsection 2, paragraph e, unnumbered paragraph 2 amended	SF 2470.105	J
444.25B*	Subsection 1, unnumbered paragraph 1 amended	SF 2470.106	J
444.25B*	Subsection 2, new paragraph dd, subsequent paragraph relettered	SF 2470.107	J
444.25B*	Subsection 2, paragraph c, unnumbered paragraphs 1 & 2 amended	SF 2470.108	J
444.25B*	New subsection 5	SF 2470.109	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
444.26*	Section amended	SF 2062.12	J
446.19A	New section	SF 2464.31	J
448.12	Section amended	SF 2438.113	J
450.4	Subsection 6 amended	SF 2324.8	J
450.94	Subsections 6 & 7 stricken	SF 2080.42	J
452A.2*	Subsections 2, 15, & 21 amended	HF 2140.2	R 1/1/96
452A.3*	Subsection 3 amended	SF 2080.43	J
452A.5*	Unnumbered paragraph 2 amended	HF 2140.3	R 1/1/96
452A.8*	Subsection 2, unnumbered paragraph 1 amended	HF 2140.4	R 1/1/96
452A.8*	Subsection 2, paragraph a, unnumbered paragraph 1 amended	HF 2140.5	R 1/1/96
452A.8*	Subsection 2, paragraph c amended	HF 2140.6	R 1/1/96
452A.8*	Subsection 2, paragraph e, unnumbered paragraph 2 amended	HF 2140.7	R 1/1/96
452A.17*	Subsection 1, paragraph a, unnumbered paragraph 1 amended	HF 2140.8	R 1/1/96
452A.17*	Subsection 1, paragraph a, subparagraph (8) amended	HF 2140.9	R 1/1/96
452A.17*	Subsection 1, paragraph b, subparagraph (7) amended	HF 2140.10	R 1/1/96
452A.17*	Subsection 3, paragraph b amended	HF 2140.11	R 1/1/96
452A.21*	Unnumbered paragraph 3 amended	HF 2140.12	R 1/1/96
452A.57*	Subsections 5 & 10 amended	SF 2080.44	J
452A.63*	Unnumbered paragraph 1 amended	HF 2140.13	R 1/1/96
452A.67	Section amended	HF 2140.14	R 1/1/96
452A.71*	Section amended	HF 2140.15	R 1/1/96
452A.71*	Section amended	SF 2080.45	J
452A.72	Section amended	HF 2140.16	R 1/1/96
452A.74*	Subsections 1 & 6 amended	HF 2140.17	R 1/1/96
452A.74*	Subsection 8, unnumbered paragraph 1 amended	HF 2140.18	R 1/1/96
452A.74A*	Subsection 2, unnumbered paragraph 1 amended	HF 2140.19	R 1/1/96
452A.74A*	Subsection 3 amended	HF 2140.20	R 1/1/96
455A.18	Subsection 3, unnumbered paragraph 1 amended	SF 2446.31	7/1/97
455A.21	New section	SF 2446.32	J
455B.103	Subsection 4, paragraph d, subparagraph (2) amended	SF 482.45	J
455B.171*	Subsection 28 amended	SF 2062.13	J
455B.174	Subsection 5, unnumbered paragraph 1 amended	SF 2062.14	J
455B.177	Subsection 1 amended	SF 2062.15	J
455B.179	Section amended	SF 2062.16	J
455B.333	Section amended	SF 2080.68	J
455B.433	New section	HF 2421.53	IV
455D.11	New subsection 8	HF 2433.2	J
455D.11C	New section	HF 2433.3	J
455D.11C	New section repealed	HF 2433.8	7/1/2002
455D.11D	New section	HF 2433.4	J
455D.11D	New section repealed	HF 2433.8	7/1/2002
455D.11E	New section	HF 2433.5	J
455D.11E	New section repealed	HF 2433.8	7/1/2002
455D.11F	New section	HF 2433.6	J
455D.11F	New section repealed	HF 2433.8	7/1/2002
455D.11G	New section	HF 2433.7	J
455D.11G	New section repealed	HF 2433.8	7/1/2002

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A - Applicability provisions R - Retroactive applicability * - Code Supplement 1995
 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, 1996 00-00-00 - Specified effective date

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
455D.11H	New section	HF 2433.8	J
455D.11H	New section repealed	HF 2433.8	7/1/2002
455D.19	Section amended	SF 2287.1	J
456A.22	Section repealed	SF 2278.1	J
456A.36	Subsection 1, paragraph c amended	SF 2212.1	1/1/97
456A.36	Subsection 2, unnumbered paragraph 2 rewritten	SF 2212.2	1/1/97
456A.37	New section	SF 2035.1	J
457B.1	Section amended	SF 2219.1	J
462A.77	Subsection 3 amended	SF 2259.1	J
462A.82	New subsection 3	SF 2259.2	J
465B.4	Subsection 1 amended	HF 2421.37	VETO
468.185	Section repealed	HF 2297.1	J
468.513	Section amended	SF 2438.95	J
476.1	Unnumbered paragraph 7 amended	SF 2370.1	J
476.1A	Subsections 5 & 6 amended	SF 2370.2	J
476.1A	Unnumbered paragraph 2 amended	SF 2370.3	J
476.1B	Subsection 1, paragraphs k & l amended	SF 2370.4	J
476.1B	Subsection 2 amended	SF 2370.5	J
476.1C	Subsection 1, unnumbered paragraph 2 amended	SF 2370.6	J
476.1D*	Subsection 10 amended	SF 2470.73	J
476.2	Subsections 5, 6, & 7 rewritten	SF 2370.7	E
476.6	Subsection 17 rewritten	SF 2370.8	J
476.6	Subsection 19, paragraphs a - f rewritten	SF 2370.9	J
476.10A	Section amended	SF 2370.10	J
476.46	New section	SF 2370.11	E
476.65	Section repealed	SF 2370.14	J
476.78	Section amended	SF 2370.12	J
476.83	Section rewritten	SF 2370.13	J
477C.1	Section amended	SF 2438.96	J
481A.38	Subsection 1, unnumbered paragraph 2 amended	SF 2438.97	J
483A.3	Subsection 1 amended	SF 2438.98	J
483A.4	Section amended	SF 2438.99	J
483A.19	Section amended	SF 2080.46	J
483A.20	Section amended	SF 2080.47	J
483A.24	Subsections 2, 3, 4, 5, 6, & 7 rewritten	HF 2383.1	J
483A.24	Subsections 12 & 17 amended	SF 2438.100	J
484B.10	Subsection 1 amended	SF 2165.1	E
486.32	Section amended	SF 2438.113	J
490.121	Subsection 1, paragraph a stricken	HF 2370.2	J
490.125	Subsection 3 amended	HF 2370.3	J
490.401	Subsection 4, unnumbered paragraph 1 amended	HF 2370.4	J
490.502	Subsection 1, paragraphs b & d stricken	HF 2370.5	J
490.503	Section amended	HF 2370.6	J
490.504	Subsection 3 rewritten	HF 2370.7	J
490.902	Section amended	HF 2370.8	J
490.1420	Subsection 1 stricken	HF 2370.9	J
490.1420	Subsection 2 amended	HF 2370.10	J
490.1421	New subsection 5	HF 2370.11	J
490.1422	Subsection 1 amended	HF 2370.12	J
490.1422	Subsection 2, paragraph a amended	HF 2370.13	J
490.1503	Subsection 2 amended	HF 2370.14	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
490.1506	Subsection 4 amended	HF 2370.15	J
490.1508	Subsection 1, paragraphs b & d stricken	HF 2370.16	J
490.1509	Section amended	HF 2370.17	J
490.1520	Subsection 2, paragraph e stricken	HF 2370.18	J
490.1530	Subsection 2 stricken	HF 2370.19	J
490.1622	Subsection 1, paragraph d amended	HF 2370.20	J
490.1622	Subsection 1, paragraphs e, f, g, & h stricken	HF 2370.21	J
490A.1301*	Subsection 3 amended	HF 2370.22	J
499.5	New subsection 4	HF 2036.1	J
499.29	Section amended	SF 2283.1	J
499.30*	Subsection 2, paragraph b amended	SF 2283.2	J
499.46	Section amended	SF 2283.3	J
501.101	New section	SF 2135.3	J
501.102	New section	SF 2135.4	J
501.103	New section	SF 2135.5	J
501.104	New section	SF 2135.6	J
501.105	New section	SF 2135.7	J
501.106	New section	SF 2135.8	J
501.107	New section	SF 2135.9	J
501.108	New section	SF 2135.10	J
501.201	New section	SF 2135.11	J
501.202	New section	SF 2135.12	J
501.203	New section	SF 2135.13	J
501.204	New section	SF 2135.14	J
501.301	New section	SF 2135.15	J
501.302	New section	SF 2135.16	J
501.303	New section	SF 2135.17	J
501.304	New section	SF 2135.18	J
501.305	New section	SF 2135.19	J
501.306	New section	SF 2135.20	J
501.307	New section	SF 2135.21	J
501.401	New section	SF 2135.22	J
501.402	New section	SF 2135.23	J
501.403	New section	SF 2135.24	J
501.404	New section	SF 2135.25	J
501.405	New section	SF 2135.26	J
501.406	New section	SF 2135.27	J
501.407	New section	SF 2135.28	J
501.408	New section	SF 2135.29	J
501.501	New section	SF 2135.30	J
501.502	New section	SF 2135.31	J
501.503	New section	SF 2135.32	J
501.601	New section	SF 2135.33	J
501.602	New section	SF 2135.34	J
501.603	New section	SF 2135.35	J
501.604	New section	SF 2135.36	J
502.102	Subsection 14 amended	SF 2363.1	J

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R - Retroactive applicability

* - Code Supplement 1995

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, 1996

00-00-00 - Specified effective date

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
502.202	Subsection 1 amended	SF 2363.2	J
502.202	Subsection 8 amended	SF 2363.3	J
502.203	Subsection 2, paragraph b amended	SF 2363.4	J
502.203	New subsection 18	SF 2363.5	J
502.206	Subsection 4 amended	SF 2363.6	J
502.301	Subsection 1, paragraph b, subparagraph (1) amended	SF 2363.7	J
502.302	Subsection 1 amended	SF 2363.8	J
502.304	Subsection 1, new paragraph n	SF 2363.9	J
502.304	Subsection 2 amended	SF 2363.10	J
502.304	Subsection 4 amended	SF 2363.11	J
502.304	Subsection 5 amended	SF 2363.12	J
502.502	New subsection 7	SF 2363.13	J
502.604	Subsection 2 amended	SF 2363.14	J
507C.30	Subsection 2 amended	HF 2310.1	J
507E.3*	Subsection 2 amended	HF 2310.2	J
507E.7	Subsection 1, new paragraph c	HF 2310.3	J
508.5*	Section amended	SF 2395.1	J
508.9*	Section amended	SF 2395.2	J
510.18	Section amended	SF 2123.1	J
511.8	Subsection 8, paragraph b, subparagraph (2) amended	HF 2211.1	J
511.8	Subsection 21, paragraph a, subparagraph (1) amended	SF 2368.1	7/1/97
513C.4*	Subsection 2 amended	SF 2080.48	J
514.1	Section amended	SF 2080.68	J
514.5	Section amended	SF 2080.68	J
514.8	Section amended	SF 2080.68	J
514.17	Section amended	SF 2080.68	J
514C.11	New section	HF 2144.1	J
514C.11	New section	HF 2369.1	J
514E.7	Section amended	SF 2438.113	J
514I.1	New section	SF 2442.41	J
514I.2	New section	SF 2442.42	J
514I.3	New section	SF 2442.43	J
514I.4	New section	SF 2442.44	J
514I.5	New section	SF 2442.45	J
514I.6	New section	SF 2442.46	J
514I.7	New section	SF 2442.47	J
515.8*	Section amended	SF 2395.3	J
515.10*	Section amended	SF 2395.4	J
515.12A	New section	SF 2395.7	J
515.29	Section amended	HF 2310.4	J
515.35	Subsection 2, paragraphs b & c amended	SF 2368.2	7/1/97
515.51	Section amended	HF 2310.5	J
515.69	Section amended	SF 2395.5	J
515.76	Section amended	SF 2395.6	J
515D.4	Section amended	HF 2310.6	J
518.14*	Subsection 2, paragraph c amended	SF 2368.3	7/1/97
518A.12*	Subsection 2, paragraph c amended	SF 2368.4	7/1/97
520.9	Section amended	SF 2395.8	J
521A.14*	Subsection 2, new paragraph c	HF 2363.1	J
521A.14*	New subsection 7	HF 2363.2	J
521E.1	New section	SF 2395.9	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Scn File #</u>	<u>Effective</u>
521E.2	New section	SF 2395.10	J
521E.3	New section	SF 2395.11	J
521E.4	New section	SF 2395.12	J
521E.5	New section	SF 2395.13	J
521E.6	New section	SF 2395.14	J
521E.7	New section	SF 2395.15	J
521E.8	New section	SF 2395.16	J
521E.9	New section	SF 2395.17	J
521E.10	New section	SF 2395.18	J
521E.11	New section	SF 2395.19	J
521E.12	New section	SF 2395.20	J
523A.2*	Subsection 1, paragraph c, new unnumbered paragraph	HF 2498.1	J
523A.2*	Subsection 1, paragraph d amended	HF 2498.2	J
523A.8*	Subsection 1, paragraph k amended	SF 2101.1	J
523A.8A	New section	SF 2101.2	J
523A.10	Subsections 4 & 5 amended	HF 2498.3	J
523A.11	New subsection 1A	HF 2498.4	J
523A.12	Subsection 1, new paragraph f	HF 2498.5	J
523A.14	Section amended	HF 2498.6	J
523A.19	Subsection 2 amended	HF 2498.7	J
523A.23*	Section repealed	HF 2498.20	J
523B.8	Subsections 1 & 4 amended	HF 2498.8	J
523B.8	New subsection 2A	HF 2498.9	J
523C.16	New subsection 5	HF 2498.10	J
523E.2*	Subsection 1, paragraph c, new unnumbered paragraph	HF 2498.11	J
523E.2*	Subsection 1, paragraph d amended	HF 2498.12	J
523E.8*	Subsection 1, paragraph k amended	SF 2101.3	J
523E.10	Subsections 3 & 4 amended	HF 2498.13	J
523E.11	New subsection 1A	HF 2498.14	J
523E.12	Subsection 1, new paragraph f	HF 2498.15	J
523E.14	Section amended	HF 2498.16	J
523E.19	Subsection 2 amended	HF 2498.17	J
523E.22*	Section repealed	HF 2498.20	J
523I.1*	Subsection 4 amended	SF 2080.49	J
523I.3*	Subsections 2 & 3 amended	HF 2498.18	J
524.103*	Subsection 8 amended	HF 2409.1	J
524.107*	Subsection 3 amended	HF 2409.2	J
524.211*	Subsections 2, 3, & 4 amended	HF 2409.3	J
524.215*	Subsection 5 amended	HF 2409.4	J
524.220*	Subsections 1 & 2 amended	HF 2409.5	J
524.302*	Subsection 3 amended	HF 2409.6	J
524.306*	Subsection 2 amended	SF 2080.50	J
524.401*	Subsections 1 & 2 amended	HF 2409.7	J
524.608*	Unnumbered paragraph 1 amended	HF 2409.8	J
524.706*	Subsection 1 amended	HF 2409.9	J
524.904*	Subsections 2, 3, 4, & 5 amended	HF 2409.10	J
524.1007	Subsection 3 amended	HF 2409.11	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
524.1008	Subsections 1, 3, & 4 amended	HF 2409.12	J
524.1201*	New subsection 2A	HF 2409.13	J
524.1201*	Subsection 3 amended	HF 2409.14	J
524.1205	New section	HF 2409.15	J
524.1213	New subsections 4A & 4B	HF 2409.16	J
524.1415*	Subsection 1 amended	SF 2080.51	J
524.1801	Section rewritten	HF 2409.17	J
524.1804	Section amended	HF 2409.18	J
524.1805	Section rewritten	HF 2409.19	J
524.1901	Section repealed	HF 2409.24	J
524.1902	Section repealed	HF 2409.24	J
524.1903	Section repealed	HF 2409.24	J
524.1904	Section repealed	HF 2409.24	J
524.1905*	Section repealed	IIF 2409.24	J
524.1906	Section repealed	HF 2409.24	J
524.1907	Section repealed	HF 2409.24	J
524.1908	Section repealed	HF 2409.24	J
524.1909	Section repealed	HF 2409.24	J
524.1910	Section repealed	HF 2409.24	J
524.1911	Section repealed	HF 2409.24	J
524.1912	Subsection 2 amended	HF 2409.20	J
527.5*	Subsection 2, paragraph d amended	SF 2353.1	J
527.5*	Subsection 8 stricken	SF 2353.2	J
529.1	New section	SF 482.34	J
529.2	New section	SF 482.35	J
529.3	New section	SF 482.36	J
529.4	New section	SF 482.37	J
533.4	Subsections 1, 4, 5, & 19 amended	SF 376.1**	J
533.4	Subsection 1 amended	SF 2470.28	J
533.6	Subsection 2 amended	SF 376.2	J
533.16	Subsection 3 amended	SF 376.3	J
533.16	Subsection 4, paragraph c rewritten	SF 376.4	J
533.17	Subsection 1, unnumbered paragraph 1 amended	SF 376.5	J
533.17	Subsection 2 amended	SF 376.6	J
533.18	Section amended	SF 376.7	J
533.49	New section	SF 376.8	J
533.49A	New section	SF 376.9	J
533.49B	New section	SF 376.10	J
533.49C	New section	SF 376.11	J
533.49D	New section	SF 376.12	J
533.61	Subsection 2, new paragraph f	SF 376.13	J
533.62	Subsection 4 rewritten	SF 376.14	J
535.3	Section amended	SF 2344.33	J
535B.2	New subsection 13	HF 2409.21	J
535B.3	Subsections 1 & 3 amended	HF 2409.22	J
536A.12	Section amended	HF 2453.1	J
536A.19	Section amended	IIF 2453.2	J
536A.22	Section amended	IIF 2453.3	J
537.2501	Subsection 1, paragraph f, unnumbered paragraph 1 amended	HF 511.1	J
537.2501	Subsection 2, paragraph b, subparagraph (2) amended	HF 511.2	J
537.2502	Subsection 4 amended	HF 511.3	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
537.2502	Subsection 5 amended	HF 511.4	J
537.2502	Subsection 6 amended	HF 511.5	J
537.3205	New subsection 6	SF 2282.1	J
539.1	Section amended	SF 2270.17	J
539.2	Section amended	SF 2270.18	J
541A.2	Subsection 2, paragraph d amended	SF 2324.9	J
541A.2	Subsections 4, 5, 6, 7, & 8 amended	SF 2324.10	J
541A.3	Subsections 1 & 2 amended	SF 2324.11	J
541A.4	Subsection 1 amended	SF 2324.12	J
541A.4	Subsection 2, paragraph g, subparagraph (3) stricken	SF 2324.13	J
541A.5	Section amended	SF 2324.14	J
542B.1*	Section amended	HF 2318.4	J
542B.3	Section amended	HF 2318.5	J
542B.6	Section amended	HF 2318.6	J
542B.10	Section amended	HF 2318.5	J
542B.10	Section amended	HF 2318.6	J
542B.11	Section amended	HF 2318.5	J
542B.11	Section amended	HF 2318.6	J
542B.13*	Section amended	HF 2318.7	J
542B.14*	Section amended	HF 2318.7	J
542B.15	Section amended	HF 2318.6	J
542B.16	Section amended	HF 2318.1	J
542B.17*	Section amended	HF 2318.7	J
542B.18	Section amended	HF 2318.5	J
542B.18	Section amended	HF 2318.6	J
542B.18	Section amended	HF 2318.8	J
542B.19	Section amended	HF 2318.6	J
542B.20	Section amended	HF 2318.5	J
542B.20	Section amended	HF 2318.6	J
542B.20	Section amended	HF 2318.9	J
542B.21*	Section amended	HF 2318.7	J
542B.21*	Section amended	HF 2318.10	J
542B.21*	Section amended	HF 2318.11	J
542B.25	Section amended	HF 2318.6	J
542B.26*	Section amended	HF 2318.4	J
542B.26*	Section amended	HF 2318.7	J
542B.27	New section	HF 2318.2**	J
542B.27	New section amended	SF 2470.29	J
542B.30	Section amended	HF 2318.6	J
542B.35	Section amended	HF 2318.5	J
542C.2	Section amended	HF 2247.1	J
542C.3	Subsection 4, paragraph d stricken	HF 2247.2	J
542C.3	Subsection 5, paragraph b stricken	HF 2247.3	J
542C.3	New subsection 5A	HF 2247.4	J
542C.3	Subsection 6 amended	HF 2247.5	J
543B.7*	New subsection 11	HF 2202.1	J
543B.46*	Subsection 3 amended	HF 2127.1	J

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E - Effective upon enactment	IV - Part of bill section vetoed	*** - Bill section repealed by subsequent bill
J - Effective July 1, 1996	00-00-00 - Specified effective date	

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
543B.56*	Subsection 3, paragraph b amended	HF 2202.2	J
544A.15	Section amended	HF 2318.3	J
547.1	Section amended	HF 2370.23	J
549.1	New section	HF 230.1	J
549.2	New section	HF 230.2	J
549.3	New section	HF 230.3	J
549.4	New section	HF 230.4	J
549.5	New section	HF 230.5	J
549.6	New section	HF 230.6	J
549.7	New section	HF 230.7	J
549.8	New section	HF 230.8	J
549.9	New section	HF 230.9	J
554.1105	Subsection 2 amended	SF 2270.19	J
554.1105	Subsection 2 amended	SF 2368.5	7/1/97
554.1206	Subsection 2 amended	SF 2368.6	7/1/97
554.2512	Subsection 1, paragraph b amended	SF 2270.20	J
554.4104*	Subsection 1, paragraph f amended	SF 2368.7	7/1/97
554.5102	Section rewritten	SF 2270.1	J
554.5103	Section rewritten	SF 2270.2	J
554.5104	Section rewritten	SF 2270.3	J
554.5105	Section rewritten	SF 2270.4	J
554.5106	Section rewritten	SF 2270.5	J
554.5107	Section rewritten	SF 2270.6	J
554.5108	Section rewritten	SF 2270.7	J
554.5109	Section rewritten	SF 2270.8	J
554.5110	Section rewritten	SF 2270.9	J
554.5111	Section rewritten	SF 2270.10	J
554.5112	Section rewritten	SF 2270.11	J
554.5113	Section rewritten	SF 2270.12	J
554.5114	Section rewritten	SF 2270.13	J
554.5114	Subsection 2, unnumbered paragraph 1 amended	SF 2368.8	C 7/1/97
554.5114	Subsection 2, paragraph a amended	SF 2368.9	C 7/1/97
554.5115	Section rewritten	SF 2270.14	J
554.5116	Section rewritten	SF 2270.15	J
554.5117	Section rewritten	SF 2270.16	J
554.8102	Section rewritten	SF 2368.10	7/1/97
554.8103	Section rewritten	SF 2368.11	7/1/97
554.8104	Section rewritten	SF 2368.12	7/1/97
554.8105	Section rewritten	SF 2368.13	7/1/97
554.8106	Section rewritten	SF 2368.14	7/1/97
554.8107	Section rewritten	SF 2368.15	7/1/97
554.8108	Section rewritten	SF 2368.16	7/1/97
554.8109	New section	SF 2368.17	7/1/97
554.8110	New section	SF 2368.18	7/1/97
554.8111	New section	SF 2368.19	7/1/97
554.8112	New section	SF 2368.20	7/1/97
554.8113	New section	SF 2368.21	7/1/97
554.8114	New section	SF 2368.22	7/1/97
554.8115	New section	SF 2368.23	7/1/97
554.8116	New section	SF 2470.30	7/1/97
554.8201	Section amended	SF 2368.24	7/1/97

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
554.8202	Section amended	SF 2368.25	7/1/97
554.8203	Section amended	SF 2368.26	7/1/97
554.8204	Section amended	SF 2368.27	7/1/97
554.8205	Section amended	SF 2368.28	7/1/97
554.8206	Section amended	SF 2368.29	7/1/97
554.8207	Section amended	SF 2368.30	7/1/97
554.8208	Section amended	SF 2368.31	7/1/97
554.8209	New section	SF 2368.32	7/1/97
554.8210	New section	SF 2368.33	7/1/97
554.8301	Section rewritten	SF 2368.34	7/1/97
554.8302	Section rewritten	SF 2368.35	7/1/97
554.8303	Section rewritten	SF 2368.36	7/1/97
554.8304	Section rewritten	SF 2368.37	7/1/97
554.8305	Section rewritten	SF 2368.38	7/1/97
554.8306	Section rewritten	SF 2368.39	7/1/97
554.8307	Section rewritten	SF 2368.40	7/1/97
554.8308	Section repealed	SF 2368.81	7/1/97
554.8309	Section repealed	SF 2368.81 -	7/1/97
554.8310	Section repealed	SF 2368.81	7/1/97
554.8311	Section repealed	SF 2368.81	7/1/97
554.8312	Section repealed	SF 2368.81	7/1/97
554.8313	Section repealed	SF 2368.81	7/1/97
554.8314	Section repealed	SF 2368.81	7/1/97
554.8315	Section repealed	SF 2368.81	7/1/97
554.8316	Section repealed	SF 2368.81	7/1/97
554.8317	Section repealed	SF 2368.81	7/1/97
554.8318	Section repealed	SF 2368.81	7/1/97
554.8319	Section repealed	SF 2368.81	7/1/97
554.8320	Section repealed	SF 2368.81	7/1/97
554.8321	Section repealed	SF 2368.81	7/1/97
554.8401	Section amended	SF 2368.41	7/1/97
554.8402	Section amended	SF 2368.42	7/1/97
554.8403	Section rewritten	SF 2368.43	7/1/97
554.8404	Section rewritten	SF 2368.44	7/1/97
554.8405	Section rewritten	SF 2368.45	7/1/97
554.8406	Section rewritten	SF 2368.46	7/1/97
554.8407	Section rewritten	SF 2368.47	7/1/97
554.8408	Section repealed	SF 2368.81	7/1/97
554.8501	New section	SF 2368.48	7/1/97
554.8502	New section	SF 2368.49	7/1/97
554.8503	New section	SF 2368.50	7/1/97
554.8504	New section	SF 2368.51	7/1/97
554.8505	New section	SF 2368.52	7/1/97
554.8506	New section	SF 2368.53	7/1/97
554.8507	New section	SF 2368.54	7/1/97
554.8508	New section	SF 2368.55	7/1/97
554.8509	New section	SF 2368.56	7/1/97

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* - Code Supplement 1995
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 *** - Bill section repealed by subsequent bill

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
554.8510	New section	SF 2368.57	7/1/97
554.8511	New section	SF 2368.58	7/1/97
554.9103	Subsection 1, paragraph a amended	SF 2270.21	J
554.9103	Subsection 6 rewritten	SF 2368.59	7/1/97
554.9104	Paragraph l amended	SF 2270.22	J
554.9104	New paragraph m	SF 2270.23	J
554.9105	Subsection 1, paragraphs h & i amended	SF 2368.60	7/1/97
554.9105	Subsection 2 amended	SF 2368.61	7/1/97
554.9105	Subsection 3 amended	SF 2368.62	7/1/97
554.9105	Subsection 3 amended	SF 2270.24	J
554.9106	Section amended	SF 2270.25	J
554.9106	Section amended	SF 2368.63	7/1/97
554.9115	New section	SF 2368.64	7/1/97
554.9116	New section	SF 2368.65	7/1/97
554.9203	Subsection 1 amended	SF 2368.66	7/1/97
554.9301	Subsection 1, paragraph d amended	SF 2368.67	7/1/97
554.9302	Subsection 1, paragraphs b, f, & g amended	SF 2368.68	7/1/97
554.9302	Subsection 1, new paragraph h	SF 2368.69	7/1/97
554.9303	Subsection 1 amended	SF 2368.70	7/1/97
554.9304	Section amended	SF 2270.26	J
554.9304	Subsections 1, 4, & 5 amended	SF 2368.71	7/1/97
554.9305	Section amended	SF 2270.27	J
554.9305	Section amended	SF 2368.72	7/1/97
554.9306	Subsection 1 amended	SF 2368.73	7/1/97
554.9306	Subsection 3, paragraph b amended	SF 2368.74	7/1/97
554.9306	Subsection 3, new paragraph c, paragraphs relettered	SF 2368.75	7/1/97
554.9309	Section amended	SF 2368.76	7/1/97
554.9312	Subsections 1 & 7 amended	SF 2368.77	7/1/97
554.9401*	Subsection 6 amended	SF 2080.52	J
554.10104	Subsection 2 stricken	SF 2368.78	7/1/97
556.1*	Subsection 2 amended	HF 2499.1	J
556.1*	New subsection 8A	HF 2499.2	J
556.2*	Subsection 4 stricken	HF 2499.3	J
556.2A	New section	HF 2499.4	J
556.2B	New section	HF 2499.5	J
556.5	Section rewritten	HF 2499.6	J
556.13	Section rewritten	HF 2499.7	J
558.2	Section amended	SF 2422.1	J
558.3	Section amended	SF 2422.2	J
558.39	Subsection 3 amended	SF 2422.3	J
558.39	Subsection 3A amended	SF 2422.4	J
558.39	Subsection 6 amended	SF 2422.5	J
558.39	Subsection 7 amended	SF 2422.6	J
558.39	Subsection 9 amended	SF 2422.7	J
558.39	Subsection 13 amended	SF 2422.8	J
558A.4	Subsection 1 amended	SF 2464.11	E
561.19*	Section amended	SF 2080.53	J
562A.8	Subsections 1 & 3 stricken	SF 2372.1	J
562A.8	Subsection 2 amended	SF 2372.2	J
562A.29A	Unnumbered paragraph 1 amended	SF 2372.3	J
562B.9	Subsections 1 & 3 stricken	SF 2372.4	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
562B.9	Subsection 2 amended	SF 2372.5	J
562B.27A	Unnumbered paragraph 1 amended	SF 2372.6	J
566A.3*	Unnumbered paragraph 1 amended	HF 2498.19	J
566A.15*	Section amended	SF 2080.54	J
569.8	Subsection 1 amended	SF 2464.32	J
573.15A	New section	HF 2419.6	J
586.1	Subsections 1 & 2 amended	HF 2081.2	J
587.12	Section amended	SF 2438.113	J
589.6	Section amended	SF 2422.9	J
597.6	Section amended	SF 2438.113	J
597.9	Section amended	SF 2438.113	J
598.2A	New section	SF 2344.26	J
598.7A*	Section amended	SF 2265.1	J
598.14	Unnumbered paragraph 2 amended	SF 2344.27	J
598.17	Unnumbered paragraph 3 amended	SF 2438.101	J
598.19A	New section	SF 2265.2	1/1/97
598.21*	Subsection 4, paragraph c, subpara. (2), unnumbered para. 2 amended	SF 2324.17	7/1/97
598.21*	Subsection 4A, paragraph c, subpara. (2), unnumbered para. 2 amended	SF 2344.7	J
598.21*	Subsection 8, unnumbered paragraph 1 amended	SF 2344.28	J
598.21*	Subsection 9, unnumbered paragraph 1 amended	SF 2344.29	J
598.21A	New section	SF 2324.18	7/1/97
598.35	New subsection 7	HF 2150.1	J
600.7A	New section	HF 2050.7	J
600.13	New subsection 7	SF 13.11***	1/1/97
600.17	Section amended	SF 2438.102	J
600A.4	Subsection 4 amended	SF 13.12***	1/1/97
600A.6	New subsection 7	HF 2050.8	J
600A.9	New subsection 5	SF 13.13***	1/1/97
600B.31	Section amended	SF 2344.30	J
600B.34	Section amended	SF 2344.31	J
602.1101	Subsection 8 amended	SF 2413.2	J
602.1211	Subsection 3 amended	SF 2413.3	J
602.1213	Subsection 1 amended	SF 2413.4	J
602.1304*	Subsection 2, paragraph b amended	SF 2080.55	J
602.1304*	Subsection 2, paragraph c amended	HF 2472.29	J
602.1610	Subsection 1, paragraph c amended	SF 2413.5	J
602.6201*	Subsection 10 amended	HF 2472.30	J
602.6301*	Section amended	SF 2252.1	E
602.6306	Subsection 2 amended	SF 2269.2	J
602.6404	Subsection 1 amended	SF 2413.6	J
602.6405	Subsection 1 amended	SF 482.46	J
602.7103	Subsection 2 amended	SF 2420.5	J
602.8102*	Subsection 41 amended	SF 2438.103	J
602.8102*	Section amended	SF 2438.113	J
602.8103	Subsection 2 amended	SF 2405.2	J
602.8103	Subsection 4, paragraph c amended	SF 2405.3	J
602.8103	Subsection 4, new paragraph j	SF 2405.4	J

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<u>Section</u>	<u>Action Taken</u>	<u>Use/Sen File #</u>	<u>Effective</u>
602.8107*	Subsection 2, paragraph d amended	SF 2470.72	J
602.8108	Subsection 2 amended	HF 2421.38	7/1/97
602.8108	Subsection 3, new paragraph c	HF 2472.31	J
602.8108	New subsection 5	HF 2421.39	7/1/97
602.8108A*	Subsection 1 amended	HF 2472.32	E
602.9111	Section amended	SF 2245.109	J
607A.3	New subsection 2A	SF 2207.1**	J
607A.3	New subsection 2A amended	SF 2470.31	J
607A.5	Section amended	SF 2438.104	J
607A.8	Section amended	SF 2207.2**	J
607A.8	Section amended	SF 2470.32	J
610A.1*	Section amended	SF 2062.17	J
610A.4*	Section amended	SF 2062.18	J
613.17	Section amended	SF 2470.74	J
614.8	Section amended	SF 2438.113	J
614.19	Section amended	SF 2438.113	J
614.27	Section amended	SF 2438.113	J
618.11	Section amended	HF 2190.4	J
622.69	Unnumbered paragraph 1 amended	SF 2207.3	J
622B.4	Section amended	SF 2321.1	J
626.29	Section amended	SF 2409.23	J
626A.2	Section amended	SF 2344.32	J
627.6	New subsection 14	SF 2396.1	J
631.4*	Subsection 2, paragraph c amended	SF 2372.7	J
633.18	Subsection 2 amended	SF 2413.7	J
633.31	Section amended	SF 2438.113	J
633.63	Subsection 1, paragraph a amended	SF 2438.105	J
633.89	Unnumbered paragraph 1 amended	SF 2368.79	7/1/97
633.123	Subsection 2, unnumbered paragraphs 3 & 4 stricken	HF 2365.2	J
633.123A	New section	HF 2365.3	J
633.130	Section repealed	SF 2368.82	7/1/97
633.131	Section repealed	SF 2368.82	7/1/97
633.132	Section repealed	SF 2368.82	7/1/97
633.133	Section repealed	SF 2368.82	7/1/97
633.134	Section repealed	SF 2368.82	7/1/97
633.135	Section repealed	SF 2368.82	7/1/97
633.136	Section repealed	SF 2368.82	7/1/97
633.137	Section repealed	SF 2368.82	7/1/97
633.138	Section repealed	SF 2368.82	7/1/97
633.699A	New section	HF 2500.1	J
633.707	Subsection 4 amended	SF 2438.106	J
633.709	Section amended	SF 2438.113	J
654.12B*	Section amended	SF 2305.1	R 7/1/95
657.11*	New subsection 3A	SF 2375.1	J
657A.1	Subsections 1, 3, & 4 amended	SF 2464.27	J
657A.2	Subsections 1 & 2 amended	SF 2464.28	J
657A.4	Section amended	SF 2464.29	J
665.4	Subsections 2 & 3 amended	SF 2420.6	J
669.2	Subsection 4, unnumbered paragraph 1 amended	SF 2289.1	J
681.27	Section amended	SF 2438.113	J
690.2	Section amended	SF 2211.1	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
692.2*	Subsections 1, 2, 3, 4, & 5 rewritten	HF 2448.3	J
692.2*	Subsection 6 amended	HF 2448.4	J
692.3*	Section repealed	HF 2448.10	J
692.5	Unnumbered paragraph 3 amended	HF 2448.5	J
692.7	Subsection 1 amended	HF 2448.6	J
692.8A	New section	HF 2448.7	J
692.12*	Section amended	SF 2080.56	J
692.15*	New subsection 8	HF 2316.1	J
692.18	Unnumbered paragraph 2 amended	HF 2448.8	J
692.20	Section amended	HF 2448.9	J
692.21*	Section amended	SF 2080.57	J
692A.1*	Subsection 2 amended	SF 2080.58	J
692A.1*	Subsection 3, paragraph k amended	SF 2208.1	J
692A.1*	Subsection 6, new paragraphs d, c, & f	SF 2208.2	J
692A.1*	Subsection 6, paragraph d amended	SF 2208.3	J
692A.2*	Subsection 1 amended	SF 2420.7	J
692A.5*	Subsection 1, unnumbered paragraph 1 amended	SF 2420.8	J
692A.5*	Subsection 2, new unnumbered paragraph	SF 2208.4	J
692A.5*	Subsection 2 amended	SF 2420.9	J
692A.10*	Subsection 4 amended	SF 2080.59	J
692A.13*	Subsections 1, 3, & 5 amended	SF 2080.60	J
692A.13*	New subsection 8	SF 2208.5	J
692A.15*	Section amended	SF 2080.61	J
694.1	Subsection 1 amended	SF 2438.107	J
706A.1	New section	SF 482.26	J
706A.2	New section	SF 482.27	J
706A.3	New section	SF 482.28	J
706A.4	New section	SF 482.29	J
706A.5	New section	SF 482.30	J
706B.1	New section	SF 482.31	J
706B.2	New section	SF 482.32	J
706B.3	New section	SF 482.33	J
707.7	Unnumbered paragraphs 1, 2, & 4 amended	HF 2109.1	J
707.8	Section amended	HF 2109.2	J
707A.1	New section	SF 2066.1**	J
707A.1	New section, subsection 1 amended	SF 2062.19	J
707A.2	New section	SF 2066.2	J
707A.3	New section	SF 2066.3	J
708.2A*	Section amended	SF 2269.3	J
708.3A*	Section amended	SF 2080.62***	J
708.3A*	Section amended	SF 2167.1	J
709.8	Subsection 3 amended	SF 2423.1	J
709.18	New section	SF 2088.1	J
709C.1	Section repealed	HF 2316.7	J
709C.2	Section repealed	HF 2316.7	J
709C.2A*	Section repealed	HF 2316.8	J
709C.3	Section repealed	HF 2316.7	J

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709C.4	Section repealed	HF 2316.7	J
709C.5*	Section repealed	HF 2316.8	J
709C.6	Section repealed	HF 2316.7	J
709C.7	Section repealed	HF 2316.7	J
709C.8	Section repealed	HF 2316.7	J
709C.9	Section repealed	HF 2316.7	J
709C.10	Section repealed	HF 2316.7	J
709C.11*	Section repealed	HF 2316.8	J
709C.12*	Section repealed	HF 2316.8	J
710.8	New subsection 4	SF 2470.75	J
710.10	New subsection 3	HF 2316.2	J
714.8	New subsection 16	SF 2122.2	J
714.19	Subsection 5 amended	SF 2438.108	J
715A.2	Subsection 1, new paragraph d	SF 284.2	J
715A.2	Subsection 2, paragraph a amended	SF 284.3	J
715A.2A	New section	SF 284.4	J
715A.6A	New section	SF 2331.1	J
719.1*	Subsection 1 amended	SF 2080.63	J
723A.1*	Subsection 1, new paragraph h	SF 2420.10	J
724.2A	New section	SF 2299.1	J
726.6	Subsection 1, unnumbered paragraph 1 amended	SF 2438.109	J
726.6A	Section amended	SF 2438.110	J
727.11	Subsection 2, paragraph a amended	SF 2080.64	J
805.5*	Section amended	SF 2080.65	J
805.8*	Subsection 2, paragraph h amended	SF 2186.14	J
805.8*	Subsection 2, paragraph l amended	SF 2186.15	J
805.8*	Subsection 2, paragraph u amended	SF 2186.18	J
805.8*	Subsection 2, new paragraphs z, aa, bb, & cc	SF 2186.16	J
805.8*	Subsection 5, paragraphs c & d amended	SF 2062.20	J
805.8*	Subsection 5, paragraph k amended	SF 2062.21	J
805.8*	New subsection 5B	SF 2035.2	J
805.8*	New subsection 12	SF 2186.17	J
809.1*	Subsection 2 stricken	SF 482.47	J
809.4	Section amended	SF 482.48	J
809.6	Section repealed	SF 482.53	J
809.7	Section repealed	SF 482.53	J
809.8	Section repealed	SF 482.53	J
809.9	Section repealed	SF 482.53	J
809.10	Section repealed	SF 482.53	J
809.11	Section repealed	SF 482.53	J
809.12	Section repealed	SF 482.53	J
809.12A	New section	SF 482.49	J
809.13	Section repealed	SF 482.53	J
809.14	Section repealed	SF 482.53	J
809.15	Section amended	SF 482.50	J
809.16	Section amended	SF 482.51	J
809.17	Section amended	SF 482.52	J
809A.1	New section	SF 482.1	J
809A.2	New section	SF 482.2	J
809A.3	New section	SF 482.3	J
809A.4	New section	SF 482.4	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
809A.5	New section	SF 482.5	J
809A.6	New section	SF 482.6	J
809A.7	New section	SF 482.7	J
809A.8	New section	SF 482.8	J
809A.9	New section	SF 482.9	J
809A.10	New section	SF 482.10	J
809A.11	New section	SF 482.11	J
809A.12	New section	SF 482.12	J
809A.13	New section	SF 482.13	J
809A.14	New section	SF 482.14	J
809A.15	New section	SF 482.15	J
809A.16	New section	SF 482.16	J
809A.17	New section	SF 482.17	J
809A.18	New section	SF 482.18	J
809A.19	New section	SF 482.19	J
809A.20	New section	SF 482.20	J
809A.21	New section	SF 482.21	J
809A.22	New section	SF 482.22	J
809A.23	New section	SF 482.23	J
809A.24	New section	SF 482.24	J
809A.25	New section	SF 482.25	J
814.9	Section amended	HF 2458.6	J
814.10	Section amended	HF 2458.7	J
815.7	Section amended	HF 2458.8	J
815.9	Subsection 1, paragraph c amended	HF 2458.9	J
815.9	Subsection 1, new paragraph d	HF 2458.10	J
815.9	Subsection 3 amended	HF 2458.11	J
815.9A	Unnumbered paragraph 1 rewritten	HF 2458.12	J
815.9A	Subsection 2 amended	HF 2458.13	J
815.9A	New subsection 3	HF 2458.14	J
815.10*	Section amended	HF 2429.5	R 7/1/95
822.9	Section rewritten	SF 2087.1	J
901.3	New subsection 7	SF 2066.4	J
901.5	New subsection 10	HF 2421.68	E
901A.1	New section	HF 2316.3	J
901A.1	New section	HF 2458.15	J
901A.2	New section	HF 2316.4	J
901A.3	New section	HF 2316.5	J
901A.4	New section	HF 2316.6	J
902.11	Unnumbered paragraph 1 amended	SF 2114.1	J
902.11	Subsection 1 amended	SF 2114.2	J
902.12	New section	SF 2114.3	J
903A.2	Unnumbered paragraph 1 amended	SF 2114.4	J
904.108	Subsection 1, paragraph d amended	SF 2438.111	J
904.108	Subsection 6 amended	HF 2456.3	J
904.108	New subsection 7	SF 2470.76	J
904.201	Section amended	SF 2438.113	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
904.205	Section amended	SF 2438.112	J
904.503	Section amended	SF 2438.113	J
904.513	Section rewritten	SF 2289.2	J
904.701*	Subsection 3 amended	HF 2472.33	J
904.702*	Unnumbered paragraph 1 amended	SF 2289.3	J
905.1	Subsection 2 amended	HF 2458.16	J
906.18	New section	SF 2289.4	J
907.3*	Subsection 1, unnumbered paragraph 1 amended	HF 2458.17	J
907.3*	Subsection 2 amended	HF 2458.18	J
907.3*	Subsection 3 amended	SF 2269.4**	J
907.3*	Subsection 3 amended	HF 2458.19	J
907.6	Section amended	HF 2458.20	J
909.10	Subsection 2 amended	SF 2080.66	J
910.1	New subsection 1A	HF 210.1	J
910.1	Subsection 3 amended	HF 210.2	J
910.2*	Section amended	HF 210.3	J
910.2*	Section amended	HF 2458.21	J
910.3A	New section	SF 2359.2	J
910.4*	Section amended	HF 2458.22	J
910.5*	Section amended	HF 2458.23	J
910A.1	New subsection 1A	HF 2456.4	J
910A.5	New unnumbered paragraph	SF 2430.4	J
910A.5	Section amended	HF 2456.5	J
910A.6	Subsection 1 amended	HF 2456.6	J
910A.6	New subsections 6, 7, & 8	HF 2456.7	J
910A.7A	Section amended	HF 2456.8	J
910A.8	New subsection 4	HF 2456.9	J
910A.9	New subsections 6 & 7	HF 2456.10	J
910A.9A*	Subsection 1 amended	SF 2080.67**	J
910A.9A*	Section amended	SF 2470.33	J
910A.16	Subsection 4 amended	SF 2399.5	E
911.2	Unnumbered paragraph 1 amended	HF 2472.34	J
912.3	Section amended	SF 2409.23	J
912.6*	New subsection 6A	HF 2472.36	J
912.14	Section amended	HF 2472.35	J

1996 ACTS - Listed by Bill Number

Bill/Section	Action	Sen/Hse File No.	Effective
SF 13.2	Section amended	HF 2050.1	J
SF 13.3	Section repealed	HF 2050.9	J
SF 13.4	Section amended	HF 2050.2	J
SF 13.6	Section amended	HF 2050.3	J
SF 13.6	Section amended	HF 2050.4	J
SF 13.7	Section amended	HF 2050.5	J
SF 13.1	Section amended	HF 2050.6	J
SF 13.11	Section repealed	HF 2050.9	J
SF 13.12	Section repealed	HF 2050.9	J
SF 13.13	Section repealed	HF 2050.9	J
SF 376.1	Section amended	SF 2470.28	J
SF 2013.4	Section amended	SF 2470.20	J
SF 2030.1	Section amended	SF 2470.1	J
SF 2066.1	Section amended	SF 2062.19	J
SF 2080.16	Section repealed	HF 2477.57	J
SF 2080.2	Section amended	HF 2421.62	E
SF 2080.62	Section repealed	SF 2470.38	J
SF 2080.67	Section amended	SF 2470.33	J
SF 2080.7	Subsection 1 amended	HF 2477.56	J
SF 2207.1	Section amended	SF 2470.31	J
SF 2207.2	Section amended	SF 2470.32	J
SF 2266.7	Section amended	SF 2470.25	J
SF 2266.17	Section amended	HF 2421.64	E
SF 2269.4	Section amended	HF 2458.19	J
SF 2348.15	Subsection 1 amended	SF 2470.34	J
SF 2351.3	Section repealed	SF 2470.39	J
SF 2352.1	Section amended	SF 2470.71	J
SF 2442.1	Subsection 2, paragraph a amended	SF 2470.59	J
SF 2449.14	Section amended	SF 2470.27	J
HF 455.1	Section amended	HF 2477.46	J
HF 514.4	Section amended	SF 2470.21	J
HF 514.4	Section amended	SF 2470.22	J
HF 514.4	Section amended	SF 2470.23	J
HF 514.4	Section amended	SF 2470.24	J
HF 570.1	Section amended	HF 2477.23	VETO
HF 570.2	Section amended	HF 2477.23	VETO
HF 2066.1	Section amended	SF 2470.26	J
HF 2114.2	New unnumbered paragraph	SF 2470.2	E
HF 2306.1	Subsection 2 amended	SF 2470.36	J
HF 2308.4	Section amended	SF 2470.19	J
HF 2318.2	Section amended	SF 2470.29	J
HF 2421.45	Subsection 5 amended	SF 2470.37	VETO
HF 2448.2	Section amended	HF 2458.3	J
HF 2448.2	Section amended	HF 2458.4	J
HF 2472.21	Subsection 2, paragraph b, unnumbered paragraph 2 amended	SF 2470.60	J
HF 2477.12	Subsection 3, paragraph a amended	SF 2470.35	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 1995
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, 1996 00-00-00 - Specified effective date

1995 ACTS AMENDED

Chap/Section	Action	Sen/Hsc File No.	Effective
33.1	Section amended	HF 2152.1	E
118.22	Section repealed	HF 2225.5	E
118.37	Section repealed	HF 2225.4	E
184.12	Section repealed	SF 2351.19	J
186.9	Section amended	SF 2062.22	R 5/22/95
215.34	Section amended	SF 2080.69	R 5/24/95
216.27	Section repealed	SF 2130.1	E
220.31	New unnumbered paragraph	HF 2421.40	J

1994 ACTS AMENDED

Chap/Section	Action	Sen/Hsc File No.	Effective
1038.3	Section amended	HF 2152.1	E
1087.14	Section repealed	HF 2303.1	J
1102.4	Section repealed	HF 2225.4	E
1199.10	New unnumbered paragraph	HF 2421.40	J
1199.52	Section repealed	HF 2225.4	E

1993 ACTS AMENDED

Chap/Section	Action	Sen/Hsc File No.	Effective
	1993 ACTS		
55.1	Subsection 3 amended	SF 2448.17	J

1991 ACTS AMENDED

Chap/Section	Action	Sen/Hsc File No.	Effective
Chapter/Section	1991 ACTS		
127.2	Section repealed	HF 2303.1	J
169.9	Section amended	SF 2213.1	E
169.	Chapter repealed	SF 2213.1	6/30/2000

PROPOSED CONSTITUTIONAL AMENDMENT

Constitution of the State of Iowa, Article 1, Section 11, unnumbered paragraph 1	HJR 11.1	upon approval of 77th General Assembly and voters
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