

2001 SUMMARY OF LEGISLATION

IOWA GENERAL ASSEMBLY
IOWA LEGISLATIVE SERVICE BUREAU

REGULAR AND EXTRAORDINARY SESSIONS



SUMMARY OF LEGISLATION ENACTED IN THE YEAR 2001 BY THE FIRST REGULAR SESSION AND THE EXTRAORDINARY SESSION OF THE SEVENTY-NINTH GENERAL ASSEMBLY AND SIGNED BY THE GOVERNOR

Prepared by the Legislative Service Bureau

PURPOSE

This summary of legislation enacted by the 2001 General Assembly has been prepared for the use of legislators and other interested parties. The summary of each legislative enactment has been assigned to a major subject category. This compilation provides interested persons with quick reference to legislation enacted in specific areas and generally informs persons of the contents and effective date of the legislation.

HOW TO FIND A SUMMARY

If you know the original file number of a particular bill, you may refer to the chart on pages v and vii to locate the category in which the summary will be found. Otherwise, each subject category begins with a table of contents listing the file number and the chapter title from the 2001 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, 2001, unless otherwise specified in an individual summary.

FISCAL YEAR

For purposes of this summary of legislation, "fiscal year 2001-2002," and "FY 2001-2002," for example, both describe the fiscal year beginning July 1, 2001, and ending June 30, 2002.

VETOED BILLS

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

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LOCATION OF SUMMARIES BY FILE NUMBER

Senate Files

<u>Number</u>	<u>Major Subject</u>	<u>Number</u>	<u>Major Subject</u>
SF 57	Taxation	SF 372	Local Government
SF 62	Agriculture	SF 384	State Government
SF 63	Children & Youth	SF 392	Children & Youth
SF 65	Appropriations	SF 393	Criminal Law, Procedure & Corrections
SF 66	Appropriations	SF 407	Natural Resources & Outdoor Recreation
SF 81	Economic Development	SF 410	Environmental Protection
SF 83	Criminal Law, Procedure & Corrections	SF 412	Education
SF 84	Natural Resources & Outdoor Recreation	SF 418	Labor & Employment
SF 94	Criminal Law, Procedure & Corrections	SF 433	Health & Safety
SF 98	Labor & Employment	SF 449	Taxation
SF 102	Business, Banking & Insurance	SF 452	Business, Banking & Insurance
SF 114	Human Services	SF 453	Local Government
SF 125	Natural Resources & Outdoor Recreation	SF 458	Children & Youth
SF 140	Taxation	SF 462	Energy & Public Utilities
SF 141	Taxation	SF 465	Transportation
SF 146	Civil Law, Procedure & Court Administration	SF 470	Agriculture
SF 168	Local Government	SF 473	Business, Banking & Insurance
SF 169	Business, Banking & Insurance	SF 476	Education
SF 184	Local Government	SF 479	Health & Safety
SF 185	State Government	SF 480	Education
SF 186	Local Government	SF 486	Criminal Law, Procedure & Corrections
SF 198	Human Services	SF 497	State Government
SF 203	Education	SF 499	Civil Law, Procedure & Court Administration
SF 209	Agriculture	SF 500	Business, Banking & Insurance
SF 211	Agriculture	SF 509	Appropriations
SF 222	Civil Law, Procedure & Court Administration	SF 511	Local Government
SF 242	Health & Safety	SF 515	Energy & Public Utilities
SF 258	Business, Banking & Insurance	SF 516	Taxation
SF 259	Criminal Law, Procedure & Corrections	SF 519	Taxation
SF 265	Transportation	SF 520	Taxation
SF 267	Appropriations	SF 521	Taxation
SF 276	Business, Banking & Insurance	SF 523	Civil Law, Procedure & Court Administration
SF 279	Energy & Public Utilities	SF 524	Agriculture
SF 313	Local Government	SF 525	Appropriations
SF 323	State Government	SF 526	State Government
SF 336	Education	SF 527	Appropriations
SF 337	Civil Law, Procedure & Court Administration	SF 528	Appropriations
SF 339	Natural Resources & Outdoor Recreation	SF 530	Appropriations
SF 344	State Government	SF 531	Appropriations
SF 346	Criminal Law, Procedure & Corrections	SF 532	Business, Banking & Insurance
SF 347	Civil Law, Procedure & Court Administration	SF 533	Appropriations
SF 350	Transportation	SF 535	Appropriations
SF 354	Civil Law, Procedure & Court Administration	SF 537	Appropriations
SF 355	Children & Youth	SF 543	Criminal Law, Procedure & Corrections

Senate Joint Resolutions

<u>Number</u>	<u>Major Subject</u>
SJR 3	Criminal Law, Procedure & Corrections
SJR 6	Natural Resources & Outdoor Recreation
SJR 7	Alcohol Regulation & Substance Abuse
SJR 8	Alcohol Regulation & Substance Abuse

LOCATION OF SUMMARIES BY FILE NUMBER

House Files

<u>Number</u>	<u>Major Subject</u>	<u>Number</u>	<u>Major Subject</u>
HF 1	Taxation	HF 561	Transportation
HF 43	Natural Resources & Outdoor Recreation	HF 564	Agriculture
HF 73	State Government	HF 566	Elections, Ethics & Campaign Finance
HF 89	Education	HF 567	Civil Law, Procedure & Court Administration
HF 103	Economic Development	HF 569	Business, Banking & Insurance
HF 154	Labor & Employment	HF 577	Energy & Public Utilities *
HF 178	Children & Youth	HF 579	State Government
HF 179	Health & Safety	HF 581	Agriculture
HF 180	Civil Law, Procedure & Court Administration	HF 590	Health & Safety
HF 191	Education	HF 597	Natural Resources & Outdoor Recreation
HF 192	Health & Safety	HF 598	Children & Youth
HF 194	State Government	HF 624	Local Government
HF 222	Business, Banking & Insurance	HF 628	Agriculture
HF 225	Agriculture	HF 635	Labor & Employment
HF 228	Human Services	HF 636	Environmental Protection
HF 229	Criminal Law, Procedure & Corrections	HF 637	Education
HF 230	Economic Development	HF 643	Education
HF 256	Health & Safety	HF 647	Transportation
HF 259	State Government	HF 654	Civil Law, Procedure & Court Administration
HF 267	Environmental Protection	HF 655	Health & Safety
HF 269	Business, Banking & Insurance	HF 656	State Government
HF 270	Education	HF 662	Children & Youth
HF 272	Criminal Law, Procedure & Corrections	HF 663	Local Government
HF 286	Business, Banking & Insurance	HF 670	Education
HF 287	Criminal Law, Procedure & Corrections	HF 674	Education
HF 292	State Government	HF 680	Children & Youth
HF 293	Education	HF 686	State Government
HF 294	Education	HF 687	State Government
HF 301	Local Government	HF 694	Economic Development
HF 309	Local Government	HF 695	Education
HF 310	Human Services	HF 696	Labor & Employment *
HF 324	Transportation	HF 698	Appropriations *
HF 325	Business, Banking & Insurance	HF 705	Taxation
HF 326	Civil Law, Procedure & Court Administration	HF 706	Appropriations
HF 327	Criminal Law, Procedure & Corrections	HF 707	Taxation
HF 341	Health & Safety	HF 711	Local Government
HF 349	Economic Development	HF 712	Taxation
HF 352	State Government	HF 713	Local Government
HF 353	Education	HF 714	Taxation
HF 354	Civil Law, Procedure & Court Administration	HF 715	Taxation
HF 356	Labor & Employment	HF 716	Taxation
HF 383	State Government	HF 718	Appropriations
HF 384	Economic Development	HF 719	Appropriations
HF 389	Education	HF 720	Natural Resources & Outdoor Recreation
HF 400	State Government	HF 722	Environmental Protection
HF 413	Appropriations	HF 723	Taxation
HF 451	State Government	HF 724	Transportation
HF 458	Criminal Law, Procedure & Corrections	HF 725	Appropriations
HF 462	Education	HF 726	Appropriations
HF 469	Agriculture	HF 727	Human Services
HF 470	State Government	HF 731	Taxation
HF 481	Elections, Ethics & Campaign Finance	HF 732	Appropriations
HF 502	Agriculture	HF 733	Business, Banking & Insurance
HF 526	State Government	HF 736	Taxation
HF 535	Local Government	HF 737	Taxation
HF 549	Business, Banking & Insurance	HF 739	Taxation
HF 550	Criminal Law, Procedure & Corrections	HF 740	Appropriations
HF 560	Children & Youth	HF 742	Appropriations

HF	745	Agriculture
HF	746	Appropriations
HF	755	Appropriations
HF	757	Taxation *
HF	758	Elections, Ethics & Campaign Finance *

House Joint Resolutions

<u>Number</u>	<u>Major Subject</u>
HJR 5	Taxation
HJR 11	Natural Resources & Outdoor Recreation

AGRICULTURE

- SENATE FILE 62 - Processing, Storage, and Distribution of Honey — Residences
- SENATE FILE 209 - Control of Infectious or Contagious Diseases in Cattle and Other Animals — Paratuberculosis
- SENATE FILE 211 - Department of Agriculture and Land Stewardship — Miscellaneous Changes
- SENATE FILE 470 - Infectious and Contagious Diseases in Animals — Regulation and Remedies
- SENATE FILE 524 - Grape and Wine Development
- HOUSE FILE 225 - Election of State Fair Board Directors
- HOUSE FILE 469 - Termination of Agricultural Equipment Dealership Agreements — Repurchases Required of Supplier
- HOUSE FILE 502 - Offenses Against Animal Facilities or Crop Operations
- HOUSE FILE 564 - Cooperative Associations — Reversion of Disbursements
- HOUSE FILE 581 - Drainage or Levee District Election Districts — Size
- HOUSE FILE 628 - Grain Dealer Regulation — Exceptions
- HOUSE FILE 745 - Regulation of Foot and Mouth Disease

RELATED LEGISLATION

- SENATE FILE 84 - Purple Loosestrife — Ban on Import, Sale, or Distribution
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act prohibits the importation, sale or distribution of purple loosestrife (*lythrum virgatum*).
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State and includes replacement of a State General Fund appropriation for soil conservation with an appropriation for this purpose made from the Environment First Fund.
- HOUSE FILE 286 - Cooperative Associations — Members, Nonmembers, and Memberships — Fictitious Names
SEE BUSINESS, BANKING & INSURANCE. This Act amends a number of Code provisions providing for business associations, including cooperative associations. The Act provides for non-members, the use of fictitious names, and subscriptions for common stock or membership.
- HOUSE FILE 324 - Transportation — Miscellaneous Provisions
SEE TRANSPORTATION. This Act makes several changes relating to the transportation of tracked implements of husbandry.
- HOUSE FILE 549 - Agricultural Liens
SEE BUSINESS, BANKING & INSURANCE. This Act amends provisions in Code Chapters 579A and 579B providing for agricultural liens upon commodities produced under contract at an agricultural operation, including a feedlot as specifically provided in Code Chapter 579A, by eliminating requirements for perfecting security interests that are inconsistent with the requirements contained in revised Article 9 of the Uniform Commercial Code under Code Chapter 554, and providing for the super priority status of liens perfected under those chapters.
- HOUSE FILE 716 - Ethanol Blended Gasoline — Related Taxes
SEE TAXATION. This Act promotes the production and consumption of ethanol. The Act provides for the refund of investment tax credits provided to cooperatives producing ethanol. It provides an income tax credit for retail dealers of gasoline. The tax credit is available to a dealer if 60 percent of all gasoline sold at a service station is ethanol blended gasoline. The tax credit equals 2.5 cents for each gallon that is more than the 60 percent threshold requirement. The Act also amends provisions providing an excise tax for motor fuel by adjusting the general rate and the rate for ethanol blended motor fuel based on the consumption of ethanol blended motor fuel.

- HOUSE FILE 723** - Sales and Use Taxes on Irrigation Equipment
SEE TAXATION. This Act exempts irrigation equipment from sales and use taxes when purchased by a contractor or farmer if the equipment will be primarily used in agricultural operations. The Act takes effect May 18, 2001, and applies retroactively to April 1, 1995. Because of the retroactive application, any claims for refunds of taxes paid are limited to \$25,000 in the aggregate.
- HOUSE FILE 725** - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by making appropriations to support related entities. The Act also makes statutory changes. The Act appropriates moneys from the Brucellosis and Tuberculosis Fund to the Department of Agriculture and Land Stewardship to be used as is necessary to implement security measures for outbreaks of foreign agricultural animal diseases such as foot and mouth disease. The Act amends Code Chapter 169, regulating of livestock brands by the department, including by providing a \$25 fee for recording and renewing a brand, establishing a Branding Administration Fund for use by the department in administering and enforcing the Code chapter, and providing for the deposit of the fees into the fund.
- HOUSE FILE 755** - Miscellaneous Appropriations, Reductions, and Other Provisions
SEE APPROPRIATIONS. Division II of this Act eliminates the \$500 standing appropriation for the poultry show exhibition reimbursement beginning with FY 2001-2002.

AGRICULTURE

SENATE FILE 62 - Processing, Storage, and Distribution of Honey — Residences

BY COMMITTEE ON AGRICULTURE. Code chapter 137F provides for the regulation of food establishments and food processing plants by the Department of Inspections and Appeals, including the inspection and licensing of premises where food products are prepared and distributed. This Act amends provisions in the chapter to exempt from regulation the premises of a residence in which honey is stored; prepared; packaged, including by placement in a container; labeled; or from which honey is distributed.

SENATE FILE 209 - Control of Infectious or Contagious Diseases in Cattle and Other Animals — Paratuberculosis

BY JENSEN. This Act provides for the regulation of livestock, including by providing for the control of paratuberculosis and the marketing of dairy cattle.

PARATUBERCULOSIS. Sometimes referred to "John's disease," paratuberculosis affects livestock, but most often cattle and especially dairy cattle. The Act creates a new chapter requiring the Department of Agriculture and Land Stewardship to establish procedures to determine whether cattle are infected with the disease. The Act requires the owner of infected cattle to mark the right ears of the cattle with the letter "C" as required by the department. The Act prohibits a person from selling infected cattle other than directly to a slaughtering establishment or to a concentration point for sale directly to a slaughtering establishment.

The Act also establishes a paratuberculosis task force for the purposes of studying the prevalence of paratuberculosis in this state and advising the department regarding methods required to control it. The task force is composed of persons representing the department, Iowa State University, the Iowa Veterinary Medical Association, the Iowa Dairy Products Association, the Iowa Cattlemen's Association, and the Livestock Marketing Association. The task force must submit a report containing findings and recommendations to the Governor and General Assembly by January 10, 2002.

MARKETING OF DAIRY CATTLE. The Act creates a new chapter regulating the marketing of dairy cattle. The Act requires that if a livestock market accepts dairy cattle upon express written condition that the dairy cattle are to be moved directly to slaughter, the dairy cattle must be segregated with other livestock to be moved directly to slaughter until sold to a slaughtering establishment. This requirement does not supersede requirements relating to the movement or marketing of livestock infected with an infectious or contagious disease.

PENALTIES. In cases where a person violates provisions regulating paratuberculosis or the marketing of dairy cattle, the person is subject to a civil penalty of at least \$100 but not more than \$1,000. In addition, the Act authorizes the department to file a petition in district court seeking injunctive relief.

SENATE FILE 211 - Department of Agriculture and Land Stewardship — Miscellaneous Changes

BY COMMITTEE ON AGRICULTURE. This Act amends and eliminates a number of provisions related to the powers and duties of the Department of Agriculture and Land Stewardship.

Code Section 7A.3 requires a number of agencies, including the department, to file financial and operational reports on a biennial basis with the Governor and General Assembly. This Act strikes the requirement for the department and provides conforming changes to Code Section 455E.11 relating to the expenditure of moneys from the Groundwater Protection Fund.

Code Section 99D.22 provides for a special day of pari-mutuel racing limited to Iowa-foaled horses or Iowa-whelped dogs in which a percentage of the purse is used to promote the horse and dog breeding industries. The amount is required to be paid to the department, which in turn must pay it by December 31 to the breeder of the winning Iowa-foaled horse or Iowa-whelped dog. This Act changes the December 31 date to March 31. It also provides that the breeder of a quarter horse or standardbred horse is considered to be the owner of a brood mare at the time the foal is dropped rather than at the time of breeding.

Code Chapter 192 is amended to change the dates of publications used in regulating milk production, including those entitled "Grade 'A' Pasteurized Milk Ordinance, 1995 Revision"; "Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers 1995"; and "Method of Making Sanitation Ratings of Milk Supplies, 1995 Revision." This Act amends the chapter to refer to the 1999 updated editions of those publications. The Act authorizes the Code Editor to eliminate a number of references appearing at the beginning of the chapter that have been repealed or transferred to other sections in order to enhance the chapter's readability.

The Act repeals Code Section 159.10, which requires the department to publish "the Iowa book of agriculture"; Code Section 159.15, which requires the department to make a biennial report to the Governor regarding the finances and administration of

the department; Code Section 159.30, which requires the department to designate, promote and market packaging products which are degradable; and Code Section 159.37, which requires the department to establish a special quality grains electronic bulletin board system.

SENATE FILE 470 - Infectious and Contagious Diseases in Animals — Regulation and Remedies

BY COMMITTEE ON AGRICULTURE. This Act amends Code Chapter 163, which provides for the general regulation of infectious and contagious diseases in animals (livestock) by the Department of Agriculture and Land Stewardship. The chapter regulates a number of practices including the shipment or movement of livestock; the sale of infected livestock; the issuance of certificates related to movement, such as a certificate of health or certificate of inspection; feeding garbage to livestock; the identification of swine consigned to slaughter; and licenses required to breed bulls.

A number of penalties apply to violations of these provisions, including both criminal and civil penalties. The criminal penalty is generally a simple misdemeanor. Several provisions provide that a violation is a fraudulent practice under Code Chapter 714. Penalties range from a simple misdemeanor to a class "C" felony, based on the value of the property involved in the commission of the offense. This Act eliminates those penalties and authorizes the department to establish, by rule, civil penalties. The Act provides that a person violating a provision of Code Chapter 163, or a rule adopted pursuant to the Code chapter, is subject to a civil penalty of at least \$100 but not more than \$1,000. In the case of a continuing violation, each day of the continuing violation is a separate violation. The Act provides that a person shall not be subject to a civil penalty totaling more than \$25,000. The Act also carves out one area where higher penalties are applicable. The Act provides that a person who falsifies a health certificate, veterinarian inspection certificate, or certificate of inspection is subject to a civil penalty of not more than \$5,000 for each reference to an animal falsified on the certificate, with a maximum civil penalty of \$25,000.

The Act authorizes the department or the Attorney General acting on behalf of the department to apply to the district court for injunctive relief in order to restrain a person from acting in violation of the Code chapter.

The Act repeals current provisions that refer to penalties and directs the Code Editor to reorganize the chapter into subchapters as appropriate.

SENATE FILE 524 - Grape and Wine Development

BY COMMITTEE ON APPROPRIATIONS. This Act creates a new Code chapter that provides for grapes and wine development. The Act establishes a Grape and Wine Development Commission within the Department of Agriculture and Land Stewardship. The commission is composed of four nonvoting, ex officio members, including the Secretary of Agriculture, the Dean of the College of Agriculture of Iowa State University, the Director of the Department of Economic Development, and the Director of the Department of Natural Resources, or their designees. The commission includes five voting members appointed by the Secretary of Agriculture based on a list of nominations submitted by organizations representing growers and winemakers (with two appointees each) and retail sellers (with one appointee), with Senate confirmation.

The Act provides for the operation of the commission and the powers and duties of both the department and the commission. The department is responsible for administering the provisions of the chapter, including establishing grape and wine development programs, reporting to the commission regarding the status of grape and wine production, providing facilities for the commission to meet and carry out its functions, and adopting rules as required. The commission is responsible for monitoring the grape and wine industries and establishing relationships with governmental agencies and interested associations. The commission may also contract with a viticulturist or oenologist to provide technical assistance under grape and wine development programs as provided in the Act, and approve or disapprove applications for financial assistance under those programs.

The Act requires that the department, in cooperation with the commission, establish grape and wine development programs by assisting persons in establishing, improving or expanding vineyards or winemaking operations, including wineries. The programs may provide for technical assistance, including viticultural assistance to increase the size of vineyards, improve yield, and enhance the character, composition and condition of grapes. It also provides for oenological assistance to produce, preserve and transport commercially viable wines. The Act provides for financial assistance programs to assist persons beginning or engaged in grape growing or winemaking.

The Act establishes a Grape and Wine Development Fund in the State Treasury under the control of the department. The fund includes moneys deposited in the fund derived from the wine gallonage tax as provided in Code Section 123.183. The Act amends the section by providing that of the revenue collected from the tax on wine imported into this state for sale at wholesale and sold in this state at wholesale, which is in excess of the revenue estimated to be collected from such tax as last agreed to by the state Revenue Estimating Conference during the previous fiscal year, not more than \$75,000 must be deposited into the fund each year.

HOUSE FILE 225 - Election of State Fair Board Directors

BY BRAUNS. This Act amends Code Chapter 173, which provides for the Iowa State Fair, including its administration by the Iowa State Fair Board. The board is vested with authority over the Iowa State Fair and other events held on the Iowa state fairgrounds, and is also responsible for the fairgrounds.

The Iowa State Fair Board is composed of the Governor, the Secretary of Agriculture, and the President of Iowa State University (or their designees), and elected members referred to as "congressional directors" because two members are elected from each of Iowa's five congressional districts. A congressional district director serves a term of two years, and each year, one successor from each congressional district is elected at a convention to serve on the board.

The Act abolishes the congressional districts in favor of six districts modeled after regions used to select the State Soil Conservation Committee (see 27 IAC 1.20), including northwest, north central, northeast, southwest, south central, and south-east regions of the state.

The Act provides that the current State Fair Board retains all its powers and is required to discharge its responsibilities as required in Code Chapter 173 as it did immediately prior to July 1, 2001. It requires the board to organize an election of all district directors and requires the convention held in 2001 to elect 12 district directors to the board. The board may propose and the convention must establish staggered terms of office for the elected directors as provided in Code Section 173.5.

HOUSE FILE 469 - Termination of Agricultural Equipment Dealership Agreements — Repurchases Required of Supplier

BY COMMITTEE ON AGRICULTURE. This Act requires a supplier of agricultural equipment who has an agricultural equipment dealership agreement with a dealer of agricultural equipment to repurchase certain unencumbered items from the dealer upon termination of the agreement by cancellation or nonrenewal. The Act requires the supplier to repurchase at its amortized value any specific computer hardware or software that the supplier required the dealer to purchase within the last five years.

The Act also requires the supplier to repurchase special repair tools that were unique to the supplier's product line and that are in complete and resalable condition. The supplier must pay the dealer 75 percent of the net cost of such tools if purchased within the last three years and 50 percent of the net cost if purchased within the last four to six years.

HOUSE FILE 502 - Offenses Against Animal Facilities or Crop Operations

BY COMMITTEE ON AGRICULTURE. This Act amends Code Chapter 717A, which prohibits a person from injuring animals or interfering with animal facilities. The chapter specifically prohibits a person, without the consent of the owner, from willfully destroying the property of an animal facility or injuring an animal maintained there. It prohibits such a person from exercising control over an animal facility or an animal maintained there with intent to deprive the animal facility of an animal or property. It also prohibits a person from entering onto or into an animal facility related to agricultural production, educational or scientific purposes, or veterinary care, or from remaining there if the person has notice that the facility is not open to the public and the person has an intent to disrupt its operations. A person convicted under the chapter is subject to criminal penalties ranging from a class "C" felony to a simple misdemeanor in part based on the amount of loss caused by the violation. A person suffering damages resulting from the loss has a cause of action against the violator for an amount equaling three times all actual and consequential damages plus court costs and reasonable attorney fees.

The Act makes three fundamental changes to the chapter. It amends a number of definitions, including by providing that an animal specifically includes pelt-bearing mammals and honey bees. It also provides a definition for "agricultural production" that refers to the maintenance of an agricultural animal, which the Act defines as an animal maintained for its parts or products having commercial value or any animal classified as part of the equine species. Secondly, the Act provides that the willful injury of an animal includes the transmission of a disease, including a contagious or infectious disease as provided under Code Chapter 163.

Finally, the Act prohibits persons from destroying crops and disrupting crop operations. The provisions are similar to those applying to animal facilities. The Act defines "crop" to mean grain and forage crops, but also includes trees, shrubs, vines, berry plants, and greenhouse plants. "Crop operation property" is defined to mean a crop field, orchard, nursery, greenhouse, garden, elevator, seedhouse, barn, warehouse, or a vehicle used to transport a crop. The Act provides a special definition for a "research crop" that is maintained for scientific research.

The Act allows a person suffering damages to recover in the same manner as a person suffering damages resulting from the injury to an animal or destruction of property associated with an animal facility. The Act also provides special damages for losses related to a research crop, including damages accounting for loss of the crop's expected scientific value. The criminal penalties are different for crops and crop operation property than for animals and animal facilities. For the destruction or damage to a crop or crop operation property, the penalties are the same as under Code Chapter 716 (criminal mischief), ranging from a class "C"

felony to a simple misdemeanor based on the dollar amount of the loss. For exercising control over a crop or crop operation property, the penalty is an aggravated misdemeanor unless a research crop is involved and then it is a class "D" felony. For entering onto or remaining on crop operation property, the penalty is a serious misdemeanor unless a research crop is involved and then it is an aggravated misdemeanor.

HOUSE FILE 564 - Cooperative Associations — Reversion of Disbursements

BY COMMITTEE ON AGRICULTURE. This Act creates an exception to requirements that property considered abandoned must be turned over to the Treasurer of State.

Generally under Code Chapter 556, the Treasurer of State takes custody of any stock, shareholding, or other intangible ownership interests in a business association such as a corporation or cooperative association (cooperative) that is considered abandoned. Custody extends to any dividend or other distribution (e.g., dividends from common stock, patronage dividends, earnings, or other sum accruing from that equity interest). If unclaimed, this property is marketed, if necessary, and the property or proceeds are forfeited to the General Fund of the State. This Act provides that a cooperative association (cooperative) organized under Code Chapter 490 or 499 may retain the dividend or other distribution (referred to as a "disbursement").

The Act provides that once a person's membership or stock, subscription, or other ownership interest in a cooperative association is deemed abandoned under Code Chapter 556, the cooperative may retain the disbursement held by the cooperative for or owing to the person. The cooperative may also deliver the disbursement to the Treasurer of State as abandoned property. If the cooperative elects to retain the disbursement, it must deposit it into a reversion fund. Any disbursement that is retained by the cooperative is forfeited to the cooperative if the cooperative publishes at least one notice in a publication designed to reach the cooperative's membership and the disbursement is not claimed according to procedures required by the cooperative within six months from the first publication date. The cooperative retains the discretion to pay a claimant even after forfeiture. Otherwise, the disbursement must be used by the cooperative for purposes related to education or economic development.

HOUSE FILE 581 - Drainage or Levee District Election Districts — Size

BY COMMITTEE ON AGRICULTURE. This Act increases the size of a drainage or levee district required to have election districts from 3,000 acres or more to 20,000 acres or more.

HOUSE FILE 628 - Grain Dealer Regulation — Exceptions

BY COMMITTEE ON AGRICULTURE. This Act amends Code Chapter 203, which provides for the regulation of grain dealers by the Department of Agriculture and Land Stewardship. The Act amends Code Section 203.1, to add an exception to the definition of "grain dealer." The Act provides that a grain dealer does not include a limited liability company if it meets certain requirements: (1) a majority of voting rights in the limited liability company must be held by producers; (2) the purpose of the limited liability company is to produce renewable fuel; (3) the limited liability company only purchases grain from its member producers; and (4) the limited liability company does not resell grain that it purchases.

HOUSE FILE 745 - Regulation of Foot and Mouth Disease

BY RANTS. This Act authorizes the Department of Agriculture and Land Stewardship to establish security measures to control outbreaks of foot and mouth disease in this state. The department may provide for the prevention, suppression and eradication of the disease. In exercising its authority, the department may provide for the quarantine, condemnation or destruction of the animal. The department may establish quarantined areas and regulate activities in the quarantined areas; inspect or examine animal premises; test animals; compel persons who own or control animals to provide information regarding the animals, including information regarding its movement or vaccination status; and provide for cleaning and disinfection of real or personal property.

The Act provides that if the department determines that there is a suspected outbreak, it must immediately notify the Governor or the Governor's designee and the administrative unit of the U.S. Department of Agriculture responsible for controlling outbreaks in this state. If an outbreak is confirmed, the department must cooperate with the Governor, federal agencies such as the U.S. Department of Agriculture, and other state agencies such as the Department of Public Defense in order to provide the public with timely and accurate information regarding the outbreak.

Finally, the Act provides for the compensation of owners for the loss of animals condemned and destroyed under its provisions in the same manner as owners are compensated under Code Section 163.15. That section authorizes the Executive Council to compensate owners for losses resulting from the condemnation and destruction of animals infected with other contagious or infectious diseases. The Act provides that upon the request of the Executive Council, the department is required to develop and submit a plan for the compensation of owners of property other than animals who inadvertently incur a loss as a result of the department's regulation of activities in a quarantined area. The Act provides for the approval of the plan and allows implementation retroactively, but not earlier than May 1, 2001, which is the Act's effective date.

ALCOHOL REGULATION AND SUBSTANCE ABUSE

- S.J.R. 7 - World Food Prize Awards Ceremony
- S.J.R. 8 - Food Safety and Genetic Engineering Educational Program

RELATED LEGISLATION

- SENATE FILE 458 - Services and Proceedings Involving Juvenile Delinquents and Other Children
SEE CHILDREN & YOUTH. This Act relates to children's programs and provisions involving the Department of Human Services and the juvenile court, including allowing an ex parte order for removal of a child when the child's caretaker refuses or fails to comply with requests for drug tests of the child, the caretaker, or a person living in the child's home.
- SENATE FILE 525 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002. The Act includes funding for various substance abuse and drug enforcement programs.
- SENATE FILE 530 - Appropriations — Justice System
SEE APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 to the departments of Justice, Corrections, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, the Office of Public Defender, and the Board of Parole. The Act also requests the Legislative Council to study the civil commitment of persons with a substance abuse problem, and limits the drug courts to persons who have been convicted of a criminal offense and grants priority in the program to felony offenders.
- SENATE FILE 537 - Tobacco Settlement Fund Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust for various health services providers and related programs.
- HOUSE FILE 178 - Child Abuse and Protection — Drug Manufacture or Possession in Child's Presence
SEE CHILDREN & YOUTH. This Act applies child in need of assistance and child abuse provisions of the Juvenile Justice Code to children whose parent, guardian or caregiver has manufactured or possessed a dangerous substance in the presence of a child.
- HOUSE FILE 726 - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Office of Drug Control Policy, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs. This Act increases the Drug Abuse Resistance Education (DARE) surcharge from \$5 to \$10 for operating while intoxicated offenses and offenses relating to the possession, manufacture or delivery of controlled substances. Revenues from the DARE surcharge shall be utilized for the DARE Program and other similar programs.
- HOUSE FILE 732 - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and includes various provisions affecting substance abuse services, including authorization for a dual diagnosis mental illness/substance abuse program at the Mount Pleasant Mental Health Institute and managed care for substance abuse service coverage under Medicaid.

ALCOHOL REGULATION AND SUBSTANCE ABUSE

SENATE JOINT RESOLUTION 7 - World Food Prize Awards Ceremony

BY IVERSON AND GRONSTAL. This Joint Resolution authorizes the consumption of wine at an awards ceremony to be held by the World Food Prize Foundation at the State Capitol on or around October 18, 2001.

SENATE JOINT RESOLUTION 8 - Food Safety and Genetic Engineering Educational Program

BY IVERSON, KRAMER AND GRONSTAL. This Joint Resolution authorizes the consumption of wine at a dinner to be held by the State Legislative Leaders Foundation and Iowa State University at the State Capitol on or around June 22, 2001.

APPROPRIATIONS

- SENATE FILE 65 - Appropriations — Supplemental Funding for Low-Income Home Energy Assistance
- SENATE FILE 66 - General Fund Expenditure Limitation Requirements — VETOED BY THE GOVERNOR
- SENATE FILE 267 - Supplemental Appropriations and Reductions
- SENATE FILE 509 - Supplemental Appropriations — Department of Transportation — Road Salt
- SENATE FILE 525 - Federal Block Grant Appropriations
- SENATE FILE 527 - Appropriations — Judicial Branch
- SENATE FILE 528 - Appropriations — Transportation
- SENATE FILE 530 - Appropriations — Justice System
- SENATE FILE 531 - Appropriations — Administration and Regulation
- SENATE FILE 533 - Tobacco Settlement Trust Fund — Appropriations to Iowa's Health Account
- SENATE FILE 535 - Appropriations — Education
- SENATE FILE 537 - Tobacco Settlement Fund Appropriations
- HOUSE FILE 413 - Student Achievement and Teacher Quality Program — Appropriations and Allocations
- HOUSE FILE 698 - Appropriations — Regulatory and Expenditure Matters — EXTRAORDINARY SESSION
- HOUSE FILE 706 - Appropriations — Energy Conservation Programs Funding
- HOUSE FILE 718 - Appropriations — Economic Development
- HOUSE FILE 719 - Appropriations — State Government Technology and Operations
- HOUSE FILE 725 - Appropriations — Agriculture and Natural Resources
- HOUSE FILE 726 - Appropriations — Health and Human Rights
- HOUSE FILE 732 - Appropriations — Human Services
- HOUSE FILE 740 - Senior Living Trust Fund Appropriations and Nursing Facility Reimbursement
- HOUSE FILE 742 - Appropriations — Infrastructure and Capital Projects
- HOUSE FILE 746 - Compensation for Public Employees
- HOUSE FILE 755 - Miscellaneous Appropriations, Reductions, and Other Provisions

RELATED LEGISLATION

- SENATE FILE 524 - Grape and Wine Development
SEE AGRICULTURE. This Act in part amends the wine gallonage tax law by providing that of the revenue collected from the tax on wine imported into this state for sale at wholesale and sold in this state at wholesale, which is in excess of the revenue estimated to be collected from such tax as last agreed to by the state Revenue Estimating Conference during the previous fiscal year, not more than \$75,000 must be deposited into the Grape and Wine Development Fund each year to support programs to establish, improve or expand vineyards or winemaking operations in this state as provided in the Act.
- HOUSE FILE 694 - Housing Trust — VETOED BY THE GOVERNOR
SEE ECONOMIC DEVELOPMENT. This bill would have created a Housing Trust Fund and would have annually appropriated moneys from the fund to the Iowa Finance Authority and the Department of Economic Development for housing-related programs.
- HOUSE FILE 745 - Regulation of Foot and Mouth Disease
SEE AGRICULTURE. This Act, authorizing the Department of Agriculture and Land Stewardship to establish security measures to control outbreaks of foot and mouth disease in this state, provides that the Executive Council may compensate owners for the loss of animals condemned and destroyed under its provisions and may approve a plan to compensate owners of property other than animals inadvertently destroyed as a result of the department's regulation. The Act takes effect May 1, 2001.

APPROPRIATIONS

SENATE FILE 65 - Appropriations — Supplemental Funding for Low-Income Home Energy Assistance

BY COMMITTEE ON APPROPRIATIONS. This Act provides supplemental appropriations from state sources for the federal block grant for the Low-Income Home Energy Assistance Program (LIHEAP) for FY 2000-2001.

The funding sources used for the appropriations include the Innovations Fund used for state government improvement projects and the Groundwater Protection Fund. In addition, existing session law for FY 2000-2001 is amended to restrict the amount of the federal and state LIHEAP moneys that may be used for weatherization and for administrative costs at the state level and for the community action program agencies at the local level.

The Act takes effect February 6, 2001.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

An appropriation made from the Housing Program Fund administered by the Iowa Finance Authority.

SENATE FILE 66 - General Fund Expenditure Limitation Requirements — VETOED BY THE GOVERNOR

BY COMMITTEE ON APPROPRIATIONS. This bill would have amended Code Section 8.54, relating to the budget transmission and passage provision of the State General Fund expenditure limitation. The section, which sets forth Iowa's expenditure limitation law, establishes uniform requirements used by the Governor and General Assembly in the budget process for the General Fund of the State.

The bill would have eliminated a requirement that the Governor in submitting a budget, and the General Assembly in passing a budget, not have recurring expenditures in excess of recurring revenues. Rather, the bill would have required that the budgets transmitted by the Governor and passed by the General Assembly not exceed the State General Fund expenditure limitation.

The bill also would have prohibited the Governor from transmitting a budget with recommended appropriations in excess of the State General Fund expenditure limitation and the General Assembly from passing a budget with appropriations in excess of the limitation. The bill provided, in applying the expenditure limitation requirements, that the Governor and the General Assembly could not rely on any anticipated reversion of appropriations in order to meet the expenditure limitation.

The Governor's veto message states that the expenditure limitation law has worked well, and that the bill's changes are unnecessary and are unworkable in some cases.

SENATE FILE 267 - Supplemental Appropriations and Reductions

BY COMMITTEE ON APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State, making a supplemental appropriation, and transferring and crediting certain other appropriations.

The supplemental appropriation is made to the Department of Revenue and Finance for compliance activities.

Moneys credited to the Enhanced Court Collections Fund during FY 2000-2001 prior to the Act's effective date are transferred to the General Fund of the State along with moneys that would have been credited to the collections fund for the remainder of the fiscal year. The collections fund was created to be used for judicial branch technology projects and other measures to improve the administration of justice. The maximum balance for the collections fund in a fiscal year is \$4 million.

The Act reduces appropriations for the following:

- To the Department of General Services for the Capitol Planning Commission.
- To the Department of Economic Development for business development operations, community assistance, tourism operations and advertising, and business refunds under the School-to-Career Program.
- To the Department of Workforce Development for the Division of Labor Services.
- To the Department of Human Services for maintenance of the Healthy and Well Kids in Iowa (HAWK-I) Program, purchase of local services for those persons with mental illness, mental retardation, or developmental disabilities (MH/MR/DD) who are a state payment responsibility, and risk pool funding for services provided to persons with MH/MR/DD who are a county funding responsibility.
- To the Iowa Department of Transportation for airport engineering studies and improvement projects and for the Rail Assistance Program and to provide economic development funding.

In addition, appropriations made to the Department of Agriculture and Land Stewardship from the General Fund of the State for the Soil Conservation Division are reduced and replaced with an appropriation made from the Environment First Fund.

The Act takes effect March 13, 2001.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A 1 percent across-the-board reduction of most appropriations made from the General Fund of the State. Exceptions from this reduction were made under the Act for appropriations made for the judicial and legislative branches, the State School for the Deaf and the Iowa Braille and Sight Saving School, various entitlement programs administered by the Department of Human Services, debt payments for correctional facility construction or enhancement projects, state unemployment compensation and certain public employment retirement system obligations, certain federal obligations, various property tax credits and replacement funding, the Iowa Veterans Home, Iowa Communications Network debt service, tuition replacement used for debt services for projects at the state's public universities, and for various types of school funding. The Governor's veto message stated that the education and human services programs would bear the brunt of the cuts and that the Governor had requested the General Assembly to provide targeted cuts rather than an across-the-board approach.
2. A reduction to the state contribution to the Judicial Retirement System for FY 2000-2001 and subsequent fiscal years. The Governor raised concerns about reducing the contribution when the system is not yet actuarially sound. See S.F. 527 for a one-time reduction in the contribution rate for FY 2001-2002.

SENATE FILE 509 - Supplemental Appropriations — Department of Transportation — Road Salt

BY COMMITTEE ON APPROPRIATIONS. This Act makes a supplemental appropriation for FY 2000-2001 to the Iowa Department of Transportation (IDOT) from the Primary Road Fund for the purchase of salt to restock IDOT's year-end salt inventory.

The Act takes effect March 30, 2001.

SENATE FILE 525 - Federal Block Grant Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys to various state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002, from the following federal block grants: Substance Abuse Prevention and Treatment, Community Mental Health Services, Maternal and Child Health Services, Preventive Health and Health Services, Drug Control and System Improvement, Stop Violence Against Women, Local Law Enforcement, Residential Substance Abuse Treatment for State Prisoners, Community Services, Community Development, Low-Income Home Energy Assistance, Social Services, Mental Health Services for the Homeless, and Child Care and Development. See H.F. 732 for appropriations of the federal Temporary Assistance for Needy Families (TANF) Block Grant.

The Act requires that moneys be distributed in accordance with the applicable federal requirements. The Act establishes a procedure if more or less federal funding is received than predicted. In addition, the Act appropriates other federal grants, receipts and funds, and other nonstate grants, receipts and funds available in whole and in part for the state fiscal year beginning July 1, 2001, and ending June 30, 2002.

SENATE FILE 527 - Appropriations — Judicial Branch

BY COMMITTEE ON APPROPRIATIONS. The Act makes appropriations for FY 2001-2002 to the judicial branch.

The Act includes a reduction in the percentage of the state's contribution to the Judicial Retirement Fund for FY 2001-2002.

The Act requires the judicial branch to transfer certain moneys in the Enhanced Court Collections Fund to the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights and the Information Technology Department for the continued development of the justice data warehouse.

The Act provides that up to \$317,450 of the moneys deposited in the Enhanced Court Collections Fund may be used to compensate judicial hospitalization referees.

SENATE FILE 528 - Appropriations — Transportation

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 from the General Fund of the State, the Road Use Tax Fund, and the Primary Road Fund to the Iowa Department of Transportation. The Act also makes related Code language changes.

The Act appropriates moneys from the General Fund of the State for airport engineering studies and improvement projects and for the Rail Assistance Program and to provide economic development project funding.

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

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

The Act amends Code Section 312.2 to allow the annual allocation for county treasurers' equipment and support to be used for automation and telecommunications equipment and support for vehicle registration and titling and driver licensing rather than only for data processing equipment and support for vehicle registration and titling.

The Act amends Code Section 315.3 to provide that the State Transportation Commission may temporarily transfer funds from the Revitalize Iowa's Sound Economy (RISE) Fund to the Primary Road Fund to meet road construction costs for which there are inadequate funds in the Primary Road Fund. The transferred funds must be repaid to the RISE Fund within six months of transfer.

The Act amends Code Section 321.196 to remove provisions allowing a person to renew the person's driver's license by mail. The Act also removes a corresponding reference in Code Section 321.189.

SENATE FILE 530 - Appropriations — Justice System

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 to the departments of Justice, Corrections, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, the Office of Public Defender, and the Board of Parole. Under the Act the total appropriation to the justice system of \$358.4 million reflects a decrease in appropriations from the General Fund of the State of approximately \$5.9 million or 1.6 percent from the FY 2001-2002 appropriations.

DEPARTMENT OF JUSTICE. The Act appropriates \$13.6 million to the Department of Justice, which represents a decrease of \$1.3 million compared to the estimated FY 2001-2002 appropriations. These appropriations include amounts to the Office of the Attorney General, the Prosecuting Attorneys Training Program, for victim assistance grants, and for the Prosecuting Attorneys Program. The Act also provides an appropriation to the Office of the Attorney General to provide legal services for persons in poverty grants.

DEPARTMENT OF CORRECTIONS. The Act decreases the State General Fund appropriation to the Department of Corrections by \$8.8 million compared to the estimated FY 2001-2002 appropriations.

INDIGENT DEFENSE. The Act appropriates \$34.6 million for indigent defense and the State Public Defender's Office, which represents a decrease of \$1 million from the FY 2001-2002 appropriations.

LAW ENFORCEMENT ACADEMY. The Act appropriates \$1.36 million to the Law Enforcement Academy, which represents a decrease of \$95,000 from the estimated FY 2001-2002 appropriations.

BOARD OF PAROLE. The Act appropriates \$1.02 million to the Board of Parole, which represents a decrease of \$60,000 from the estimated FY 2001-2002 appropriations.

DEPARTMENT OF PUBLIC DEFENSE. The Act appropriates \$5.19 million to the Department of Public Defense, which represents a decrease of \$42,000 from the estimated FY 2001-2002 appropriations.

DEPARTMENT OF PUBLIC SAFETY. The Act appropriates \$59.4 million to the Department of Public Safety, which represents a decrease of \$4.9 million from the estimated FY 2001-2002 appropriations. The Act permits the Department of Public Safety to add two full-time equivalent positions (FTEs) for the prevention of crime against the elderly, provided that federal grant moneys have been secured. The Act provides that the additional FTEs are to be eliminated if the federal moneys are discontinued.

The Act makes a supplemental appropriation to the Fort Madison Correctional Facility for FY 2000-2001. The supplemental appropriation takes effect May 30, 2001.

The Act requires drug courts to be offered only to offenders if an adjudication of guilt has been entered, and that the drug courts give priority to felony offenses over misdemeanors. The Act requires the Department of Corrections, in cooperation with the judicial districts, to implement procedures to evaluate the drug courts.

The Act requires the departments of Justice and Corrections to assist local regional jail development authorities in issuing a report regarding the development of regional jails.

The Act amends the 1998 Iowa Acts to extend the use of Wireless E911 Emergency Communications Fund moneys for purposes of the Emergency Management Division for another fiscal year.

STATUTORY CHANGES. The Act provides that the Department of Corrections is not required to pay the depreciation expense to the Depreciation Replacement Fund for replacements and additions to the motor vehicle fleet.

The Act appropriates moneys to a Sick Leave Benefits Fund created in new Code Section 80.42, to be paid upon the retirement or disability of Department of Public Safety employees or beneficiaries who are eligible to receive monthly an accrued sick leave benefit. The Act also provides that unobligated funds and any accrued interest do not revert to the General Fund of the State, and the department may transfer moneys to the Sick Leave Benefits Fund to meet anticipated accrued sick leave benefits which may be paid to employees during the fiscal year.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Section 6, subsection 7, which required the Department of Corrections and all eight judicial district departments of correctional services to prepare a report on the violator program.
2. Section 6, subsection 9, which required the Department of Corrections and all eight judicial district departments of correctional services to prepare a report on the use of intermediate criminal sanctions.
3. Sections 18, 19 and 20, which changed the rate of reimbursement to counties for temporary confining work release, parole, and OWI violators.

SENATE FILE 531 - Appropriations — Administration and Regulation

JOINT COMMITTEE ON APPROPRIATIONS. This Act relates to and appropriates \$81.5 million from the General Fund of the State for FY 2001-2002 to various state departments, agencies, and certain other interstate and national entities. The Act also appropriates an additional \$22.3 million from funds other than the General Fund of the State.

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, Office of State-Federal Relations, and Treasurer of State.

The Act also appropriates moneys for the state's membership in the National Governors Association and for the Department of Personnel's Ready to Work Program coordinator.

The Act also provides for the transfer of any moneys in excess of the maximum balance in the Economic Emergency Fund to the General Fund of the State and to the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund at the conclusion of the fiscal years beginning July 1, 2000, and July 1, 2001. At the conclusion of the fiscal year beginning July 1, 2000, the first \$163.8 million is transferred to the General Fund of the State, the next \$40 million is transferred to the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund, and the remainder is transferred to the General Fund of the State. At the conclusion of the fiscal year beginning July 1, 2001, any excess funds shall be transferred to the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund, but the total amount transferred shall not exceed the difference between \$40 million and the amount transferred to the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund at the conclusion of the fiscal year beginning July 1, 2000.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

Section 24, subsection 1, unnumbered paragraph 3, which would have provided that not more than \$2,500 shall be used to pay the expenses of the Marshall County deputy auditor to serve on a task force for elections reform for the elections center.

SENATE FILE 533 - Tobacco Settlement Trust Fund — Appropriations to Iowa's Health Account

JOINT COMMITTEE ON APPROPRIATIONS. This Act provides for the deposit of moneys in and the appropriation of moneys to the Tobacco Settlement Trust Fund. The Act provides for the deposit of money from gambling revenues, following deposits in the General Fund of the State, the Vision Iowa Fund, and the School Infrastructure Fund, for the fiscal period beginning July 1, 2001, and ending June 30, 2007, in the endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund. The Act also appropriates moneys from the General Fund of the State to the Tobacco Settlement Trust Fund for each year of the fiscal period beginning July 1, 2001, and ending June 30, 2007.

The effective date of the Act is the effective date of the receipt of the bond proceeds, following securitization of the Master Settlement Agreement payments, by the Tobacco Settlement Authority and the deposit of the proceeds of the tax-exempt bonds and the taxable bonds in the respective accounts of the Tobacco Settlement Trust Fund.

SENATE FILE 535 - Appropriations — Education

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for FY 2001-2002 from the General Fund of the State to the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions. This year's Act appropriates over \$920.7 million and provides 17,395.1 full-time equivalent positions (FTEs), which is \$59.3 million under, and 41.3 FTEs over, the FY 2000-2001 estimated net appropriations. However, the Governor item vetoed provisions relating to tuition grants and scholarships to restore \$2.65 million in state education funding.

COLLEGE STUDENT AID COMMISSION. Compared to FY 2000-2001, the commission's appropriation is reduced by \$5.8 million. The number of FTEs is unchanged. The Act includes appropriations for general administrative purposes, forgivable loans to Iowa students attending the Des Moines University—Osteopathic Medical Center, an initiative directing primary care physicians to areas of the state experiencing physician shortages, student aid programs, the Accelerated Career Education Grant Program, the National Guard Educational Assistance Program, the Chiropractic Graduate Student Forgivable Loan Program, and the Teacher Shortage Forgivable Loan Program. The Act nullifies the \$2.75 million standing appropriation for the Iowa Work-Study Program for FY 2001-2002.

DEPARTMENT OF CULTURAL AFFAIRS. The Act funds the Arts, Historical and Administration Divisions, historic sites, and Community Cultural Grants. In comparison with FY 2000-2001, the Act reduces state moneys for department administration, the Arts and Historical Divisions, and for cultural grants by 6 percent and for historic sites by 7 percent — a total reduction in state funding to the commission of \$386,288, or 6.1 percent.

DEPARTMENT OF EDUCATION. The Act appropriates moneys for purposes of the department's general administration; vocational education administration; the Board of Educational Examiners; the Division of Vocational Rehabilitation Services; independent living; the State Library for general administration and the Enrich Iowa Program; the regional library system, which under H.F. 637 (see Education) becomes the library service area system; the Public Broadcasting Division; vocational education to secondary schools; school food service; the Iowa Empowerment Fund; textbooks of nonpublic school pupils; the Vocational Agriculture Youth Organization and other youth activities; for connecting education and workforce development; and community colleges.

Programs that were funded in the prior fiscal year but are not funded in this year's Act include the Family Resource Center Demonstration Program, Education Innovation Project Grants, the Local Arts Comprehensive Educational Strategies (LACES) Program, employability skills assessments reimbursements, Jobs for America's Graduates, and the Americorps After-School Initiative. However, these latter two are funded in Division V of H.F. 755. With the following exceptions, funding for the majority of programs is reduced by 6 percent: for the Board of Educational Examiners, a reduction of 75.1 percent; for independent living, a reduction of 18.4 percent; for Iowa Public Television, a reduction of 8 percent; and for the State Library, a reduction of 46.1 percent. The Act increases funding for the Enrich Iowa Program by 88 percent. The department's total appropriation is decreased by 12.7 percent from FY 2000-2001.

Enrich Iowa. The Act directs the Commission of Libraries to develop rules governing the allocation of state moneys for the Enrich Iowa Program to provide direct state assistance to public libraries and to fund the Open Access and Access Plus Programs. A library that receives funding under the Enrich Iowa Program must provide the Open Access Program to its patrons. The Act also requires that the amount of state assistance distributed to eligible libraries not be less than the amount distributed in the prior fiscal year.

Board of Educational Examiners. As in prior years, the Act permits the Board of Educational Examiners to use, for its own purposes, up to 85 percent of any funds received resulting from licensing fee increases implemented after July 1, 1997.

Iowa Empowerment Fund. The 6 percent reduction in School Ready Children Grants Account funds will be distributed based on whether a designated community empowerment area first received funds in FY 2000-2001, or prior to that year. Those receiving funds in FY 2000-2001 receive 94 percent of the amount received in that year, while those first receiving funds prior to FY 2000-2001 receive 75.185 percent of the amount the area received in FY 2000-2001, adjusted for annualization. The Act requires an area board to submit to the Iowa Empowerment Board a written plan amendment extending by one year the area's comprehensive school ready children grant plan.

Family Resource Center Demonstration Program. The Act repeals the Code language establishing this program.

Phase III. In statutory language, the Act continues for FY 2001-2002 Phase III funding for the Iowa Mathematics and Science Coalition. Phase III funding is also provided for the National Assessment of Education Progress and for the Ambassador to Education (Teacher of the Year) position.

STATE BOARD OF REGENTS. The Act appropriates moneys for board operations, tuition replacement, the Southwest Iowa Graduate Studies Center, the Tristate Graduate Center, the Quad-Cities Graduate Studies Center, the State University of Iowa, Iowa State University of Science and Technology, the University of Northern Iowa, the Iowa School for the Deaf, the Iowa Braille and Sight Saving School, and for tuition and transportation costs for students residing in the Iowa Braille and Sight Saving School and the Iowa School for the Deaf. Division IV of H.F. 755 appropriates funds in lieu of those appropriated in this Act for tuition replacement. The total appropriation for the board and its institutions is reduced by 5.8 percent from FY 2000-2001.

Student Health Centers. The Act prohibits student health centers at regents universities from using state moneys to fund medically induced termination of a pregnancy.

State Hospital-School. The Act changes the name of the state hospital-school to the Center for Disabilities and Development.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision directing the board of directors of a community college to obtain authorization from the State Board of Education prior to entering into any agreement or contract for the sale of a radio broadcast license or station owned by the community college.
2. A provision directing the State Board of Regents to obtain authorization from the Executive Council prior to entering into any agreement or contract for the sale of a radio broadcast license or station owned by the community college.
3. A provision reducing the standing appropriations for tuition grants, scholarships, and vocational-technical tuition grants.

SENATE FILE 537 - Tobacco Settlement Fund Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and makes appropriations of moneys received from the Tobacco Master Settlement Agreement and deposited in the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust.

The Act makes appropriations to the Department of Human Services (DHS) for FY 2001-2002 for all of the following:

1. Unless otherwise provided, to maintain the Medicaid Program reimbursement rate for all noninstitutional providers at the rate paid under the federal Medicare Program during FY 2000-2001, and for continuation of the resource-based relative value system.
2. To maintain the Medicaid reimbursement rate for dental services at the usual and customary rate as provided during FY 2000-2001.
3. To maintain the Medicaid cost-of-living adjustment for rehabilitative treatment and support services to children providers as provided during FY 2000-2001.
4. To maintain the cost-of-living adjustment for adoption, independent living, shelter care, and home studies services providers as provided during FY 2000-2001.
5. To maintain the Medicaid reimbursement rate for hospitals as provided during FY 2000-2001.
6. To maintain the Medicaid reimbursement rate for home health care services at the rate provided to such agencies as provided during FY 2000-2001.
7. To maintain the Medicaid reimbursement rate for critical access hospitals at the rate provided such hospitals under the federal Medicare Program during FY 2000-2001.
8. To maintain the expansion of home health care services and habilitative day care under the Medical Assistance Program for children with special needs.
9. To maintain the expansion of respite care services provided through home and community-based waiver services under the Medical Assistance Program.
10. To maintain the reimbursement rate as provided during FY 2000-2001 for service providers under the purview of DHS.

The Act provides for supplementation of the appropriation for the Children's Health Insurance Program and for the appropriation for the Medical Assistance Program. The Act appropriates funds to DHS to provide coverage under the Medical Assistance Program to certain women who require treatment for breast or cervical cancer. The Act also codifies language to include this optional category of coverage under the Medical Assistance Program.

The Act appropriates funds to the Iowa Department of Public Health for the Tobacco Use Prevention and Control Program and for additional substance abuse treatment. The Act also appropriates funds to the department for development of a Healthy Iowans 2010 plan and designates funding for core public health functions including home health care and public health nursing services; for the implementation and support of a coordinated system of delivery of trauma and emergency medical

services; for the Poison Control Center; for development of scientific and medical expertise in environmental epidemiology; for prevention strategies to address the leading causes of deaths of Iowans; and for the Childhood Lead Poisoning Prevention Program. The Act also appropriates funds to the department for grants to free health clinics to provide smoking cessation products.

The Act appropriates funds to the Department of Corrections for day programming and the Drug Court Program.

The Act appropriates funds to the Property Tax Relief Fund for FY 2001-2002 for assistance to counties with limited county mental health, mental retardation, and developmental disabilities services fund balances to pay reimbursement increases in the same amount as provided in FY 2000-2001. The Act provides that any moneys remaining at the end of the fiscal year from the appropriation for FY 2000-2001 for assistance to counties with limited county mental health, mental retardation, and developmental disabilities services fund balances to pay reimbursement increases are to not revert, but are to be deposited in the Healthy Iowans Tobacco Trust to be used for the purposes of the trust.

The Act appropriates funds from the Savings Account for Healthy Iowans created within the Tobacco Settlement Endowment Fund created in Code Section 12.65, to the Iowa Empowerment Fund for FY 2001-2002, for deposit in the School Ready Children Grants Account and directs distribution of the moneys as provided in S.F. 535.

The Act appropriates funds from the Savings Account for Healthy Iowans to the Iowa Department of Public Health for FY 2001-2002 for establishing and operating a substance abuse treatment facility and providing staffing for the facility to be used to provide substance abuse treatment for persons on probation and under the supervision of a judicial district department of correctional services. The Act provides that the Iowa Department of Public Health and the Department of Corrections shall enter into a Code Chapter 28E agreement to assist the Iowa Department of Public Health in establishing security for the facility. The Act provides that a judicial district may, with the approval of the Iowa Department of Public Health and the Department of Corrections, place a person who is on probation at the substance abuse treatment facility to assist the person in complying with the terms and conditions of probation.

The Act also amends Code Section 12.65, the Tobacco Settlement Endowment Fund, to rename the fund the Healthy Iowans Tobacco Trust. The Act provides that moneys appropriated from the Healthy Iowans Tobacco Trust from the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund established in Code Section 12E.12 and from any other source are to be deposited in the Healthy Iowans Tobacco Trust. The Act eliminates the Savings Account for Healthy Iowans that was established within the Tobacco Settlement Endowment Fund.

The Act establishes a Substance Abuse Treatment Facility Advisory Council within the Iowa Department of Public Health to advise and make recommendations to the Director of Public Health. The members of the council consist of the directors of the eight judicial district departments of correctional services and representatives of the judicial branch, the Iowa Department of Public Health, the Department of Corrections, and the Governor's Office of Drug Control Policy.

The Act provides that moneys appropriated in the Act that are unexpended or unencumbered at the end of FY 2001-2002 are to revert to the Healthy Iowans Tobacco Trust.

The Act provides that references in the Act to the Tobacco Settlement Endowment Fund and to the Savings Account for Healthy Iowans are to the fund and the account as created in Code Section 12.65, and that unless otherwise provided, appropriations from the fund and the account are from moneys in the fund and the account on or before June 30, 2001, and such moneys are to remain available for appropriation in FY 2001-2002 as provided in the Act.

The Act provides that the section of the Act relating to nonreversion of moneys appropriated for purchase of service contract providers and the section of the Act relating to the transfer of moneys remaining in the Savings Account for Healthy Iowans on June 30, 2001, to the Healthy Iowans Tobacco Trust take effect May 29, 2001.

HOUSE FILE 413 - Student Achievement and Teacher Quality Program — Appropriations and Allocations

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates \$40 million from the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund, established in S.F. 532 (see Business, Banking & Insurance), to the Department of Education for FY 2001-2002 for purposes of the Student Achievement and Teacher Quality Program as enacted by S.F. 476 (see Education). The Act amends numerous provisions enacted in S.F. 476.

The Act provides that any moneys in excess of the maximum balance in the Economic Emergency Fund after the distribution of the surplus in the General Fund of the State at the conclusion of FY 2000-2001 and FY 2001-2002 shall be transferred to the endowment. The amount transferred shall not exceed a total of \$40 million.

The Act amends S.F. 476 to provide the following:

- By July 1, 2003, each school district shall participate in the program if the General Assembly appropriates moneys for purposes of the program.
- For the next two school years, a school district is eligible to receive state assistance for a beginning teacher mentoring and induction program whether or not the district participates fully in the Student Achievement and Teacher Quality Program.
- Moneys received by a school district under an allocation formula based upon the district enrollment and the number of teachers employed by the district as provided in the Act must be used to raise teacher salaries as provided under the Iowa Teacher Career Path enacted by S.F. 476.
- For the school year beginning July 1, 2001, if the licensed employees of a school district or area education agency (AEA) are organized for collective bargaining purposes, state moneys received to raise teacher salaries must be distributed using a formula agreed to by the school board and the certified bargaining representative. In the event the parties reach an impasse, the school board must divide the funds remaining after minimum salaries have been reached among full-time teachers employed by the district or AEA whose regular compensation is equal to or greater than the minimum career teacher salary specified in S.F. 476.
- The members of the regional review panels who evaluate advanced teacher candidates, perform random audits of comprehensive evaluations, and randomly review performance-based evaluation models developed by school districts are entitled to receive mileage and per diem compensation by the department.
- Moneys that S.F. 476 requires a school district to pay to practitioners who become certified evaluators under the program will be paid from moneys allocated under this Act. Cash awards provided under the Team-based Variable Pay Pilot Program established by S.F. 476 will be paid from moneys allocated to an approved school district as provided in this Act.
- If the General Assembly provides sufficient funding, the department shall provide for a comprehensive independent evaluation of the Student Achievement and Teacher Quality Program and shall report the results to the General Assembly and various stakeholders by January 1, 2007.
- A program allocation formula, which allocates moneys in the following priority order: for team-based variable pay pilot programs, the issuance of national board certification awards, beginning teacher mentoring and induction programs, establishing an evaluator training program, implementing a career development program and the review panel requirements set forth in S.F. 476, the fees and costs incurred by the Board of Educational Examiners in administering the Praxis II examination, and raising the salaries of teachers employed by school districts and AEAs.
- If a school district is unable to raise minimum teacher salaries to the level required under S.F. 476, the district may apply to the department for a waiver that allows the district to use moneys it receives under the Early Intervention and School Improvement Technology Block Grant Programs to meet the minimum teacher salary requirements if the difference between the funds allocated to the school district under the Student Achievement and Teacher Quality Program and the amount required to comply with the beginning and career teacher minimum salaries is less than \$10,000.
- If a school district does not choose to participate in the program during the school year beginning July 1, 2001, the allocation of state moneys for use in raising teacher salaries must be held for the school district by the department until June 30, 2003, or until the school district participates in the program, whichever occurs earlier.
- A request that the Legislative Council authorize up to \$75,000 for the expenses of the Legislative Education Accountability and Oversight Committee, which S.F. 476 requests the council to establish.

HOUSE FILE 698 - Appropriations — Regulatory and Expenditure Matters — EXTRAORDINARY SESSION

BY COMMITTEE ON APPROPRIATIONS. This Act relates to regulatory and expenditure matters by providing an appropriation for additional utility regulatory staffing, creating a state workforce attrition program and fund, authorizing the Treasurer of State to create bond reserve funds for the Vision Iowa and School Infrastructure Funds, and authorizing the Department of General Services to take various actions involving development of a parking structure and office facilities on the Capitol Complex.

With the enactment of H.F. 577 (see Energy & Public Utilities), relating to energy generating facilities, the Utilities Board and the Consumer Advocate are authorized to employ additional staff to perform regulatory activities relating to the development of the facilities.

The Department of Management is directed to establish a Workforce Attrition Program and Workforce Attrition Fund for fiscal year 2001-2002. Unless an exception is authorized by the department, if an executive branch employee voluntarily retires during the fiscal year, the agency must transfer to the fund the unused funding attributable to that employee. In addition, the agency's table of organization must be revised to eliminate the positions in which the voluntary retirements occurred. However, if the agency determines eliminating a position would severely impact the agency's mission or services, the agency may appeal

to the department for an exception. If the department concurs with the agency's determination, the exception is to be made. Any balance in the fund is to be transferred to the General Fund of the State at the close of the fiscal year and the moneys cannot be transferred or used for any other purpose once they are credited to the fund.

Current law authorizes the Treasurer of State to create bond reserve funds for both the Vision Iowa and School Infrastructure Funds. The reserve funds are to be used to secure the sale of bonds and notes for the Vision Iowa Program and the School Infrastructure Program. The Act continues the authorization but provides more specific requirements, including prohibitions against withdrawals below a certain balance, allowing for transfer of income derived from the reserve fund, and requiring the Treasurer of State to annually certify amounts needed to be appropriated, if any, to restore reserve fund balances if they fall below required amounts.

The Department of General Services is authorized to sell the state property, including structures, located on the Capitol Complex at the northwest corner of Grand and Pennsylvania Avenues upon which a parking structure is being developed. The department may enter into an agreement with a public or private entity for development, operation or maintenance of the parking structure and for a long-term lease of office space located adjacent to the parking structure. The Act allows previous appropriations made in 1998 and 1999 for parking structure development to be used for the agreement and lease and for reimbursements received to be credited to those appropriations.

The Act takes effect July 5, 2001, and applies retroactively to July 1, 2001.

HOUSE FILE 706 - Appropriations — Energy Conservation Programs Funding

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for FY 2001-2002 from the Energy Conservation Trust, which receives deposits of settlements from oil overcharge refunds, to the Division of Community Action Agencies of the Department of Human Rights for energy conservation programs for low-income persons, and to the Department of Natural Resources for the State Energy Program and for administration of petroleum overcharge programs.

HOUSE FILE 718 - Appropriations — Economic Development

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

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

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

The Act appropriates moneys from the Iowa Community Development Loan Fund to the Department of Economic Development for the Community Development Program.

The Act appropriates moneys from the Job Training Fund to the Department of Workforce Development for phaseout funding for exiting labor management projects and for transfer to the Workforce Development Fund. The Act also appropriates moneys from the Workforce Development Fund Account to the Workforce Development Fund for purposes of the Workforce Development Fund. The Act allows up to \$400,000 from the Workforce Development Fund to be used by the Department of Workforce Development for administrative purposes. The Act amends the allocation of moneys in the Workforce Development Fund to be used for the Job Training Fund and for the High Technology Apprenticeship Program.

The Act appropriates moneys from the Administrative Contribution Surcharge Fund to the Department of Workforce Development for workforce development centers and for conducting labor market surveys. The Act appropriates any moneys remaining in the fund on June 30, 2001, and the entire amount collected during FY 2001-2002.

The Act appropriates moneys from the Special Employment Security Contingency Fund to the Department of Workforce Development for the Division of Workers' Compensation, immigration service centers, and the collection of labor market information.

The Act appropriates moneys from the Community Attraction and Tourism Fund to the Department of Economic Development for tourism operations.

The Act requires the liquidation, dissolution or sale of the Iowa Seed Capital Corporation to be completed by December 31, 2001.

The Act amends provisions from the 1999 and 2000 Iowa Acts by adding or extending nonreversion language to certain appropriations relating to Welfare-to-Work Grants, the New Employment Opportunity Fund, workforce development centers, and immigration service centers. These provisions take effect May 30, 2001.

The Act amends the statutory amount that shall be transferred to the Workforce Development Fund Account from \$8 million in any year to \$4 million in any year and makes corresponding amendments.

The Act amends the age requirements for participants in amateur boxing contests to be consistent with the age requirements of USA Boxing Incorporated, or its successor organization.

The Act amends the provisions of the Job Training Fund to allow moneys in the fund to be used by a community college to conduct entrepreneur development and support activities.

The Act, for FY 2001-2002, moves \$3 million of certificate of title surcharge moneys from the Road Use Tax Fund to the General Fund of the State.

The Act provides that the Department of Economic Development shall explore allocating shelter assistance moneys to homeless shelter programs based in part on their ability to move their clients toward self-sufficiency.

The Act requires the departments of Economic Development and Workforce Development to submit budget proposals in the traditional format as well as in the budgeting for results format.

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

The Act reduces the standing limited appropriation for School-to-Career Program employer refunds from \$500,000 to \$35,000 for FY 2001-2002.

THE GOVERNOR ITEM VETOED THE FOLLOWING PROVISIONS:

1. A provision prohibiting the Department of Workforce Development from allocating any additional penalty and interest revenue prior to January 30, 2002.
2. A provision appropriating moneys from the Iowa Finance Authority to the Department of Economic Development for purposes of providing technical assistance to communities and local financial institutions to help meet local housing needs and for the Shelter Assistance Fund.
3. A provision requiring the Iowa Finance Authority to transfer \$1.2 million to the Department of Economic Development for deposit in the Community Development Block Grant Account to be used as state matching funds for the federal HOME Program.

HOUSE FILE 719 - Appropriations — State Government Technology and Operations

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

The Act makes appropriations for FY 2001-2002 from the General Fund of the State for debt service for the Iowa Communications Network (ICN), for subsidization of operations of the network as a result of charging authorized users video rates which generate less revenue than necessary to cover associated costs of the network, for support functions related to the network provided by the Public Broadcasting Division of the Department of Education, for regional telecommunications councils for information technology services provided by the Information Technology Department to other state agencies, and for the support of specified full-time equivalent positions.

The Act appropriates \$13 million from the Rebuild Iowa Infrastructure Fund to the Pooled Technology Account under the control of the Information Technology Department for the purpose of supporting various technology programs. Designated amounts are allocated from the Pooled Technology Account in descending priority order to the Department of Education for transfer to the Community College Vocational-Technical Technology Improvement Program, the University of Northern Iowa

(UNI) for developing a Twenty-First Century Learning Initiative, the Department of Education for the purpose of making technology available to students of accredited nonpublic schools, the Iowa Telecommunications and Technology Commission for maintenance and lease costs associated with Part III connections of the ICN, the Information Technology Department for costs related to the Justice Data Warehouse Technology Project, the Information Technology Department for implementation of an enterprise data warehouse, the Secretary of State's Office to replace the voter registration system, the Department of Workforce Development for automation of the unemployment system, and the Department of Agriculture and Land Stewardship for the E-Commerce Electronic Licensing Project. The Act provides that remaining amounts in the Pooled Technology Account shall be allocated to implement the recommendations of the Information Technology Council.

The Act provides funding of \$1 million for lowAccess. The funding is provided by the transfer to the Information Technology Department of the first \$1 million collected by the Iowa Department of Transportation for transactions involving the furnishing of a certified abstract of a vehicle operating record. The Act provides that the Information Technology Council shall report the establishment of a new rate to be charged for access to and for value-added services performed through lowAccess, or a change in the level of an existing rate, to the Department of Management, and the department must notify the Legislative Fiscal Bureau regarding the rate establishment or change.

The Act provides that the Information Technology Department may establish a pilot project for fee collection for the fiscal years beginning July 1, 2002, and ending June 30, 2005, with revenue deposited into the Pooled Technology Account.

The Act modifies provisions in Code Section 304.13A regarding electronic records to provide that an agency which produces or makes available for public inspection written reports or newsletters on and after July 1, 2001, shall maintain the report or newsletter in an electronic form.

The Act amends the 2000 Iowa Acts to allocate \$1.4 million for debt service for the ICN.

The Act provides that certain appropriations made for FY 2000-2001 are not to revert but are to be used for the purposes for which appropriated for FY 2001-2002.

The Act requests that the Legislative Council establish an interim study committee relating to distance learning and related ICN educational issues with the objective of the study being to evaluate the viability of establishing the state of Iowa as a distance learning center.

Provisions of the Act dealing with allocations of appropriations previously made for FY 2000-2001 take effect May 30, 2001.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Language requiring the Information Technology Department to notify the Department of Management prior to any fee increases.
2. Allocations from amounts contained in the Pooled Technology Fund for the enterprise data warehouse, justice data warehouse, Department of Agriculture and Land Stewardship e-commerce electronic licensing, and the Department of Workforce Development automated unemployment system.
3. A provision prohibiting the Information Technology Department from spending any pooled technology dollars on asynchronous transfer mode network conversion for the ICN, an enterprise resource planning system, or digital broadcasting facilities for Iowa Public Television.
4. A provision exempting UNI from consulting with the Information Technology Department to ensure that purchases and contracts for twenty-first century learning infrastructure are compatible with other state agencies.
5. An allocation of fees that the judicial branch collects for online information transactions into the Pooled Technology Fund.
6. Language establishing that amounts contained in the Pooled Technology Fund may be utilized for the Community College Vocational-Technical Improvement Program in future years.

HOUSE FILE 725 - Appropriations — Agriculture and Natural Resources

BY COMMITTEE ON APPROPRIATIONS. This Act relates to agriculture and natural resources by making appropriations to support related entities, including the Department of Agriculture and Land Stewardship and the Department of Natural Resources (DNR). Generally, moneys are appropriated from the General Fund of the State. However, in some cases, moneys are appropriated from special funds and accounts and fees. The Act contains several special effective dates.

GENERAL FUND OF THE STATE APPROPRIATIONS. The Act appropriates moneys from the General Fund of the State to the Department of Agriculture and Land Stewardship and the DNR. For the Department of Agriculture and Land Stewardship, moneys are appropriated to support the Administrative Division, the Regulatory Division, the Laboratory Division, and the Soil

Conservation Division. For the DNR, moneys are appropriated to Administrative and Support Services, the Parks and Preserves Division, the Forests and Forestry Division, the Energy and Geological Resources Division, and the Environmental Protection Division.

The Act appropriates moneys from the General Fund of the State to support a number of programs. Moneys are specifically appropriated to the Department of Agriculture and Land Stewardship to support the Farmers' Market Coupon Program; the State Apiarist; livestock market news reporting; the eradication of gypsy moth infestations; and the operations of commercial feed programs, pesticide programs, and fertilizer programs. The Act also appropriates moneys to support programs related to animal health and industry, including for the eradication of pseudorabies and to support the racing horse and dog industries in the state.

APPROPRIATIONS FROM SPECIAL FUNDS AND ACCOUNTS AND FEES. The Act appropriates moneys from the Brucellosis and Tuberculosis Eradication Fund to the Department of Agriculture and Land Stewardship to be used as necessary to implement security measures for outbreaks of foreign agricultural animal diseases such as foot and mouth disease.

The Act makes an appropriation from special funds and accounts and fees to support a number of activities by the DNR. It appropriates moneys from the State Fish and Game Protection Fund to support the Fish and Wildlife Division. Of this amount, moneys are allocated to support retiring conservation peace officers. An appropriation is made from the Unassigned Revenue Fund administered by the Iowa Comprehensive Underground Storage Tank Fund Board to the DNR for administration and expenses of the Underground Storage Tank Section.

TRANSFERS. The Act provides for a number of transfers, including transfers of snowmobile and vessel fees to the Fish and Game Protection Fund for purposes of administration and enforcement of related laws and programs. The Act appropriates moneys from marine fuel tax receipts to the DNR for purposes of maintaining and developing boating facilities and access to public waters. The Act appropriates moneys collected by the DNR for issuing stormwater discharge permits for use by the Energy and Geological Resources Division and the Environmental Protection Division. The Act authorizes the DNR to use the additional moneys for staffing as is necessary to reduce the department's floodplain permit backlog and implement the Federal Total Maximum Daily Load Program. The Act also appropriates moneys from the Hazardous Substance Remedial Fund to pay the department's workers' compensation insurance premium.

MISCELLANEOUS. The Act requests the Legislative Council to establish an interim study committee to study the quality of the state's surface and subsurface waters. The Act requires that the DNR keep open state parks with moneys produced from the department's increases in fees for parks and recreation areas. It also requires that the department continue to process permit applications notwithstanding staffing considerations.

CODE CHANGES. The Act amends Code Chapter 169, regulating of livestock brands by the Department of Agriculture and Land Stewardship, including by providing a \$25 fee for recording and renewing a brand, establishing a Branding Administration Fund for use by the department in administering and enforcing the chapter, and providing for the deposit of the fees into the fund.

EFFECTIVE DATES. The following provisions take effect May 25, 2001:

- A provision appropriating moneys from stormwater discharge permit fees to support the DNR's Energy and Geological Resources Division and Environmental Protection Division.
- A provision that appropriates moneys from the Brucellosis and Tuberculosis Eradication Fund to the Department of Agriculture and Land Stewardship to support security measures to control foreign agricultural animal diseases.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision appropriating moneys from stormwater discharge permit fees to support the DNR's Energy and Geological Resources Division and Environmental Protection Division
2. A provision that appropriates moneys from the Forestry Management and Enhancement Fund to the Department of Agriculture and Land Stewardship for the eradication of gypsy moth infestations.

HOUSE FILE 726 - Appropriations — Health and Human Rights

BY COMMITTEE ON APPROPRIATIONS. This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Office of Drug Control Policy, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs. Generally, moneys are appropriated from the General Fund of the State. However, in some cases, moneys are appropriated from special funds and accounts.

CIVIL RIGHTS COMMISSION. The Act authorizes the commission to exceed its designated staffing level to hire additional staff to process employment and housing complaints if the anticipated amount of federal funding actually received is greater than anticipated.

DEPARTMENT OF ELDER AFFAIRS. The Act appropriates funds to the Department of Elder Affairs for aging programs to provide Iowans 60 years of age and older with case management for the frail elderly, Alzheimer's support, retired senior volunteer programs, resident advocate committee coordination, employment, and other services that may include, but are not limited to, mental health outreach, adult day care, respite care, chore services, telephone reassurance, information and assistance, home repair services, including the winterizing of homes, and for the construction of entrance ramps that make residences accessible to the physically handicapped.

The Act provides the intent of the General Assembly that the Iowa chapters of the Alzheimer's Association and Case Management Program for Frail Elders collaborate and cooperate fully to assist families in maintaining family members with Alzheimer's disease in the community for the longest period of time possible.

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

GOVERNOR'S OFFICE OF DRUG CONTROL POLICY. The Act appropriates funds to the Governor's Office of Drug Control Policy, including statewide coordination of the Drug Abuse Resistance Education (DARE) Program.

DEPARTMENT OF PUBLIC HEALTH. The Act appropriates funds to the Iowa Department of Public Health, including funds for addictive disorders related to reducing the use of tobacco, alcohol and other drugs, and treating individuals affected by addictive disorders, including gamblers; for adult wellness, relating to maintaining or improving the health status of adults with target populations between the ages of 18 and 60; for child and adolescent wellness, relating to promoting the optimum health status for children and adolescents from birth through 21 years of age; for chronic conditions, relating to serving individuals identified as having chronic conditions or special health care needs; for community capacity, relating to strengthening the health care delivery system at the local level; and for elderly wellness, for optimizing the health of persons over 60 years of age.

The Act also appropriates funds for public protection, relating to protecting the health and safety of the public through the establishment of standards and the enforcement of regulations. The department may expend funds received from licensing fees if those additional expenditures are directly the result of a scope of practice review committee, or unanticipated litigation costs approved by the Director of the Department of Management in an amount not to exceed 5 percent of the average annual fees collected for the previous two fiscal years.

The Act further authorizes the department to retain fees collected from the certification of lead inspectors and lead abaters to support the certification program, and also authorizes the department to retain fees collected from the licensing, registration, authorization, accreditation, and inspection of x-ray machines used for diagnostic mammography to support the department's regulation of radiation machines and radiation materials. The Act also allows the department to retain fees charged to shippers of radioactive material waste containers transported across Iowa for oversight and regulation purposes.

The Act also authorizes the department to retain fees collected from shippers of radioactive waste material containers transported across Iowa if the department does not obtain funding to support the oversight and regulation of this activity, and for x-ray radiology examination fees collected by the department and reimbursed to a private organization conducting the examination.

The Act also authorizes the department to retain and expend moneys for lease and maintenance expenses for the relocation of licensure boards from the Executive Hills State Office Building from fees collected by the boards of Dental, Pharmacy, Medical, and Nursing Examiners for FY 2001-2002. The Act authorizes the department to retain and expend moneys from fees collected by the Board of Medical Examiners for reduction of the number of days necessary to process medical license requests and for reduction of the number of days needed for consideration of malpractice cases. The Act additionally authorizes the Board of Dental Examiners, for FY 2001-2002, to retain and expend moneys from licensing and examination revenues.

Effective May 24, 2001, the Act also provides that for the period ending June 30, 2002, the State Board of Medical Examiners, the State Board of Pharmacy Examiners, the State Board of Dental Examiners, and the State Board of Podiatry Examiners shall not take any action against licensees who use an automatic dispensing system for prescription drugs in the absence of a pharmacist or practitioner provided that certain conditions are met. The Act also provides that the aforementioned boards shall meet to identify a statutory resolution of the issues raised by the use of automated dispensing systems for prescription drugs and submit their findings and legislative recommendations to the Governor and the General Assembly by December 1, 2001.

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

COMMISSION OF VETERANS AFFAIRS. The Act appropriates funds to the Commission of Veterans Affairs for the Commission of Veterans Affairs administration and the Iowa Veterans Home and allows the Iowa Veterans Home to retain reimbursements for medication costs obtained from the federal Department of Veterans Affairs for FY 2001-2002 in an amount sufficient for the payment of new and increased pharmaceutical costs and lease payments on a unit dose machine.

GAMBLING TREATMENT FUND APPROPRIATIONS. The Act appropriates funds available in the Gambling Treatment Fund to the Iowa Department of Public Health for the Addictive Disorders Program and for transfer to the Commission of Veterans Affairs for the Iowa Veterans Home. Any funds remaining in the Gambling Treatment Fund after the aforementioned appropriations are to be used for funding of administrative costs and programs which may include, but are not limited to, outpatient and follow-up treatment for persons affected by problem gambling, rehabilitation and residential treatment programs, information and referral services, education and preventive services, and financial management services.

The Act further provides that an amount of the tax revenue received by the State Racing and Gaming Commission equal to 0.3 percent of the gross sum wagered by the pari-mutual method is to be deposited into the Gambling Treatment Fund for FY 2001-2002.

OTHER PROVISIONS. The Act amends Code Section 135.102, regarding the Childhood Lead Poisoning Prevention Program in the Department of Public Health. The Act requires the department to adopt rules regarding model regulations to be used in instances in which a child is confirmed lead poisoned.

The Act increases the Drug Abuse Resistance Education (DARE) surcharge from \$5 to \$10 for operating while intoxicated offenses and offenses relating to the possession, manufacture or delivery of controlled substances. The Act also provides that revenues from the DARE surcharge may be utilized for the DARE Program and other similar programs.

The Act provides for a study regarding comprehensive cancer control in the state. The study shall be conducted by the Director of Public Health, in consultation with an ad hoc committee comprised of public health officials, health care providers, consumer groups, educators, representatives from the state cancer registry, representatives from the cancer chapter team of Healthy Iowans 2010, and other members deemed appropriate by the director.

The Act requires the Iowa Veterans Home to submit a report to the Legislative Fiscal Committee by December 1, 2001, regarding funding and budget practices.

The Act extends the Vital Records Modernization Project until June 30, 2002, and allows until that date the continued collection of increased fees for birth, marriage, death, and other vital records which are part of the project.

HOUSE FILE 732 - Appropriations — Human Services

BY COMMITTEE ON APPROPRIATIONS. This Act provides appropriations to the Department of Human Services (DHS) for FY 2001-2002 and includes provisions relating to human services and health care.

EARLY CHILDHOOD. The Act provides that federal Temporary Assistance for Needy Families (TANF) Block Grant moneys appropriated in 1998 and 2000 are to be used for funding of community-based programs targeted to children from birth through five years of age and developed by community empowerment areas. The Act allows DHS to transfer federal TANF funds to the Child Care and Development Block Grant and then allocate funding to community empowerment areas based upon criteria in the Act. Moneys not distributed or which otherwise remain unobligated or unexpended at the end of the fiscal year revert to the fund for federal grants in the state treasury. The Act provides a funding formula for distribution of the moneys.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT (TANF). The Act appropriates moneys from the TANF Block Grant Fund for the state fiscal year beginning July 1, 2001. Uses for the moneys appropriated include the following: the Family Investment Program; field operations; general administration; local administrative costs; child care assistance, including provision of educational opportunities to registered child care home providers; emergency assistance; mental health and developmental disabilities community services; child and family services; child abuse prevention; pregnancy prevention grants to be based on criteria specified in the Act; technology needs and other resources to meet federal welfare reform requirements; volunteers; individual development accounts; and Healthy Opportunities for Parents to Experience Success (HOPEs) Program.

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

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

The Act directs the department to continue expansion of the Electronic Benefits Transfer (EBT) Program with a target date for statewide implementation of October 1, 2002. The Act provides that it is the intent of the General Assembly that electronic funds transfer system equipment provided by a retailer be utilized to the extent practicable for EBT transactions for the purchase of food from the retailer. The Act provides that TANF funds allocated for the EBT Program that remain unexpended or unobligated at the close of FY 2000-2001 are to remain available for this purpose in the succeeding fiscal year. This provision takes effect May 31, 2001.

EMERGENCY ASSISTANCE. The Act increases the previous level of funding for the Emergency Assistance Program. The Act continues the maximum grant level of \$500 per family in any 12-month period. The Act requires DHS to continue the process for retaining and redistributing refunds or rent deposits returned to the state under the Emergency Assistance Program. The Act continues the allocation to the Community Voice Mail Program and the requirement for the submission of semiannual reports to DHS regarding participation in the program.

CHILD SUPPORT RECOVERY. The Act decreases the previous level of funding for child support recovery. The Act requires the Child Support Recovery Unit (CSRU) to continue to work with the judicial branch to determine the feasibility of a pilot project using a court-appointed referee for determination of child support awards, if initiated by the judicial branch. The Act directs DHS to expend up to \$51,000, including federal financial participation, to continue the Child Support Public Awareness Campaign located in the Office of the Attorney General, and provides that surcharges paid by obligors and received by CSRU, as a result of referral of support delinquencies by CSRU to any private collection agency, are appropriated to DHS to pay the costs of any contracts with the collection agencies. The Act also directs the department to issue federal access and visitation grant moneys directly to private not-for-profit agencies that provide services designed to increase compliance with the child access provisions of court orders, including but not limited to neutral visitation site and mediation services.

MEDICAL ASSISTANCE (Medicaid). Overall the Act increases the appropriation for medical assistance (MA) in comparison with the FY 2000-2001 appropriation. In addition, appropriations affecting reimbursements to various MA services providers were made from Tobacco Settlement Funds (see S.F. 537) and in the Senior Living Trust Fund legislation (see H.F. 740). The Act does all of the following:

- Continues the authorization for DHS to transfer funds appropriated for MA to a separate account for expenditures required to provide case management services under MA for mental health, mental retardation, and developmental disabilities services that are jointly funded by the state and county, pending final settlement of expenditures.
- Provides for the continuation of the previously established AIDS/HIV Health Insurance Premium Payment Program.
- Transfers \$950,000 from the Iowa Department of Public Health to the MA Program for continuation of the Integrated Substance Abuse Managed Care System.
- Directs DHS, in administering the MA home and community-based waiver for persons with physical disabilities, to provide that the total number of openings for persons with physical disabilities served at any one time is limited to the number approved in the waiver by the Secretary of the U.S. Department of Health and Human Services. The openings are to be filled on a first-come, first-served basis.
- Directs DHS, in consultation with the Iowa Department of Public Health and the Department of Education, to continue to utilize the Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) funding under MA to the extent possible to implement the screening component of the EPSDT Program through the school system, and utilize maternal and child health centers, the Public Health Nursing Program, or school nurses.
- Directs DHS to continue the MA waiver for home and community-based services to allow children with mental retardation, who would otherwise require ICF/MR care, to be served in out-of-home settings of up to eight beds.
- Directs DHS to continue working with county representatives in aggressively implementing the rehabilitation option for services to persons with chronic mental illness under the MA Program and provides that county funding shall be used to provide the match for federal funding, except for individuals with state case status for whom state funding shall provide the match.
- Directs DHS, if the Health Care Financing Administration of the U.S. Department of Health and Human Services approves a waiver request from DHS, to provide a period of 24 months of guaranteed eligibility for MA family planning services, regardless of the change in circumstances of a woman who was an MA recipient when the pregnancy ended.
- Provides that the department may establish up to eight full-time equivalent (FTE) positions to replace fiscal agent staff positions within the medical review and pharmacy units.
- Directs the department to aggressively pursue options for providing MA or other assistance to individuals with special needs who become ineligible to continue receiving services under the EPSDT Program due to reaching 21 years of age,

who have been approved for additional assistance under the exception to policy provisions but who have health care needs in excess of funding available through the exceptions to policy process.

- Provides that \$200,000 shall be used to increase reimbursement of child protection centers.
- Directs the department to adopt rules to provide that an individual applying for the Medically Needy Program is not required to reapply for the program unless the income disclosed in the initial application changes. The Act also directs that to the greatest extent possible, the application and continuing eligibility requirements for all MA-related programs shall be consistent.
- Provides that if federal funding is received, the department may participate in the federal Home Telecare Pilot Program.

HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. The Act provides an increase in the appropriation compared with FY 2000-2001 for the Health Insurance Premium Payment Program.

CHILDREN'S HEALTH INSURANCE PROGRAM. The Act appropriates \$8.4 million to DHS for maintenance of the State Children's Health Insurance Program and receipt of federal financial participation. The Act authorizes DHS to transfer funds appropriated to be used to expand health care coverage to children under MA. The Act provides that moneys in the HAWK-I Trust Fund are appropriated and shall be used to offset any program costs for FY 2001-2002.

MEDICAL CONTRACTS. The Act provides an increase in the appropriation compared with FY 2000-2001. The Act provides that the Director of Human Services may establish up to eight FTE positions to replace fiscal agent staff positions within the medical review and pharmacy units.

The Act provides that in any managed care contract for mental health or substance abuse services entered into or extended by DHS on or after July 1, 2001, the request for proposals shall provide for coverage of dual diagnosis mental health and substance abuse treatment provided by the State Mental Health Institute at Mount Pleasant. Additionally, to the extent possible, DHS is to amend any such contract existing on July 1, 2001, to provide for such coverage.

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

CHILD CARE ASSISTANCE. This appropriation maintains the current level of funding from the State General Fund for child care assistance. However, the TANF appropriation is significantly increased. The appropriation provides funding for the State Child Care Assistance Program and child day care resource and referral services. The Act requires DHS to use moneys deposited in the Child Care Credit Fund for the State Child Care Assistance Program.

JUVENILE INSTITUTIONS. The Act makes appropriations to the Iowa Juvenile Home at Toledo and the State Training School at Eldora. The appropriation to the State Training School at Eldora continues the limitation on the population levels to the population guidelines established in 1990 as adjusted for additional beds developed at the institutions and provides for use of funds appropriated for grants for adolescent pregnancy prevention services.

CHILD AND FAMILY SERVICES. The Act decreases this appropriation compared with the previous fiscal year. The Act provides for continuation of the funding cap for group foster care and provides that if annualization of a region's current expenditures indicates that the region is at risk of exceeding its overall expenditure target by more than 5 percent, DHS and Juvenile Court Services are to examine current group foster care placements to identify children who may be appropriate for termination from the program. Dispositional hearings are to be set for those so identified. The provision relating to the expenditure targets takes effect May 31, 2001. The Act limits the amount that may be expended under the appropriation for psychiatric medical institutions for children (PMICs) and provides that all or a portion of the moneys allocated for PMICs may be transferred to the appropriation for medical assistance. However, S.F. 458 (see Children & Youth) prohibits inclusion of PMICs other than substance abuse PMICs in the medical assistance managed care contract without specific legislative authorization.

The Act allocates funding for 50 highly structured juvenile program beds (informally known as "boot camp" beds), and provides that if the authorized number of beds is not utilized, the remaining funds may be used for group foster care. The Act provides that the statutory requirements relating to the funding cap for group foster care, which apply to the juvenile court, are to continue to apply instead to the Juvenile Court Services staff. The Act directs DHS to continue the goal that not more than 15 percent of children placed in federally funded foster care be placed for more than 24 months.

The Act authorizes DHS to continue decategorization of child welfare services funding; authorizes the use of funding for emergency family assistance in certain circumstances; limits funding for shelter care services; provides funding for improving DHS staffing of foster care and adoption services; provides for adoption of administrative rules by DHS, in consultation with child welfare services providers, to implement outcome-based child welfare services pilot projects; directs DHS to continue to make adoption presubsidy and adoption subsidy payments available at the beginning of the month for the current month and provides that if DHS receives any bonus or incentive payments from the federal government relating to adoption that may be used to supplement state funds, the department shall use a specified portion for adoption recruitment; provides that any federal funds received by the state during state fiscal year 2001-2002 as a result of state funds appropriated during the previous state fiscal year for a service or activity funded under the Child and Family Services Section are to be used as additional funding for the services provided under the section and are to remain available until June 30, 2003; directs DHS and Juvenile Court Services to continue to develop criteria for the department regional administrator and chief juvenile court officer to grant exceptions to extend eligibility, within the funds allocated, for intensive tracking and supervision and for supervised community treatment to delinquent youth beyond age 18 who are subject to release from an out-of-home placement; provides funding for clinical assessment services; provides funding for protective child care assistance; provides funding for court-ordered services provided to juveniles (the portion of this provision relating to determination of allocation of this funding among regions takes effect May 31, 2001); eliminates special funding to reduce the number or length of out-of-home placements known as the "Wrap-Around Funding Program"; provides funding for school-based supervision of children adjudicated delinquent and directs that to the extent possible, school-based supervision personnel shall be prepared with training or experience relating to gender-specific programming; directs DHS to maximize the capacity to draw federal funding under the federal Title IV-E Program; and provides that the department may operate a subsidized guardianship program if the program can be operated under a waiver from the federal government without loss of Title IV-E funds.

JUVENILE DETENTION HOME FUND. The Act creates a Juvenile Detention Home Fund consisting of funds collected by the Iowa Department of Transportation (IDOT) at the time IDOT suspends, revokes or bars a person's motor vehicle license or nonresident operating privileges. Moneys in the fund are to be used for the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes. The Act provides for distribution of the moneys in the fund as follows: an amount equal to 10 percent of the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in the fiscal year beginning July 1, 2000, up to the amount appropriated for eligible detention homes; \$80,000 for renewal of a grant to a county with a population between 168,000 and 175,000 for implementation of a county's runaway treatment plan; for grants to counties implementing a runaway treatment plan; and the remainder for additional allocations to county or multicounty juvenile detention homes.

CENTRAL INTAKE FOR CHILD PROTECTION. The Act appropriates \$250,000 to DHS to establish a statewide central intake unit to receive child abuse reports, if statutorily authorized by the General Assembly in the 2002 Legislative Session.

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

FAMILY SUPPORT SUBSIDY PROGRAM. The Act increases the program funding relative to the previous fiscal year.

MENTAL HEALTH INSTITUTES. The Act provides appropriations to institutes at Cherokee, Clarinda, Independence, and Mount Pleasant. The Act directs the institute at Independence to continue the 30-bed PMIC facility under the net state budgeting approach and in a manner that does not expend state funds in excess of the funds appropriated or make counties responsible for the costs. The Act designates the revenues attributable to PMIC beds that are to be deposited in the institute's account. The Act directs the Mount Pleasant institute to continue the dual diagnosis unit to provide psychiatric treatment and substance abuse treatment simultaneously on a net budgeting basis, designates the revenues attributable to dual diagnosis which are to be deposited in the institute's account, provides that the cost of treating a dual diagnosis is to be charged one half to the patient's county of residence and the other half to the state, and specifies payment provisions relating to county payment of dual diagnosis treatment. The Act authorizes DHS to provide persons being discharged from an institute with assistance in obtaining federal Supplemental Security Income benefits.

STATE RESOURCE CENTERS. This appropriation is an increase for the State Resource Center at Glenwood and a decrease for the State Resource Center at Woodward compared with appropriations for the previous fiscal year. The Act directs DHS to continue operating the state resource centers with a net State General Fund appropriation. Subject to the approval of DHS, revenues attributable to the state resource centers for FY 2001-2002 are to be deposited into each center's account, and the Act designates the funding sources that are to be so deposited.

SPECIAL NEEDS GRANTS AND STATE CASES. The Act maintains the current level of funding for the Special Needs Grants Program. The appropriation for MH/DD state cases is decreased compared with the previous year's appropriation.

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES (MH/DD) SERVICES FUNDING. The Act includes a number of provisions affecting provision of state funding of MH/DD services provided by counties, including the following:

- The months in which counties receive the property tax relief payments of approximately \$90 million annually are changed from September to July and from March to January.
- Under current law, the state is required to annually provide funding for the growth in county MH/DD services expenditures. The Act changes the amounts and the distribution of the approximately \$26.5 million appropriated for growth and the approximately \$19.5 million appropriated for the MH/DD Community Services Fund. The first appropriation is reduced by \$1.6 million and the total of both appropriations is reduced by approximately \$15.5 million.
- In order to spread the \$15.5 million reduction among counties, the Act provides that the funding formulas for the appropriations are applied as though the appropriations were not reduced, but then a withholding factor is applied to each county's formula amount, based upon a sliding scale according to the relative size of the ending balance in the county's MH/DD services fund.
- Unless a county complies with an existing statutory requirement for the December 1 filing of the annual financial statement with the state, the county is not eligible for any MH/DD growth or community services fund distribution.

PERSONAL ASSISTANCE. This appropriation is a decrease in the funding level for this pilot program for adult persons with physical disabilities in an urban and a rural area compared with the previous fiscal year. The Act prohibits the pilot project and any federal home and community-based waiver developed under the MA Program from being implemented in a manner that would require additional county or state costs for assistance provided. The Act also provides that beginning July 1, 2001, new applicants shall not be accepted and an individual receiving services as of June 30, 2001, is to continue receiving services until the individual voluntarily leaves the project or until a program with similar services exists.

SEXUALLY VIOLENT PREDATORS. This appropriation provides for payment of costs associated with the commitment and treatment of sexually violent predators. The Act also provides that \$350,000 of the moneys appropriated for FY 2000-2001 for the program that remain unexpended or unobligated at the close of that fiscal year shall not revert to the General Fund of the State but shall remain available in the succeeding fiscal year for the purposes of the program. The provision relating to nonreversion of funds takes effect May 31, 2001.

FIELD OPERATIONS, GENERAL ADMINISTRATION, AND VOLUNTEERS. The appropriation for field operations is decreased compared with the appropriation for FY 2000-2001. The Act provides that priority in filling FTE positions shall be given to those positions related to child protection services and provides that the appropriation includes increased funding of \$1,212,197 to address staffing issues related to child protection services.

The appropriation for general administration is a decrease compared with the prior fiscal year. The Act allocates \$57,000 for the Prevention of Disabilities Council.

The appropriation for volunteers maintains the previous fiscal year appropriation.

ADDITIONAL FEDERAL FUNDING. The Act authorizes DHS to pursue approval of a state Medical Assistance Program plan amendment to use MA funding for targeted case management services to children at risk of maltreatment or in need of protective services. The Act appropriates any additional federal financial participation to DHS. Amounts in excess of \$3 million may be used for additional child protection staff, administrative costs, and community grants.

MEDICAL ASSISTANCE, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES. The Act establishes reimbursement rates for social services providers. However, see S.F. 537 and H.F. 740 for increases in reimbursements to some of these providers.

The Act provides all of the following for fiscal year 2001-2002:

- Reimbursement for nursing facilities shall be determined under a case mix reimbursement system.
- Pharmacy dispensing fees shall be reimbursed using a single rate of \$5.17 per prescription or the pharmacy's usual and customary fee, whichever is lower. The department is directed to implement a series of prospective drug utilization review edits on targeted drugs to facilitate the cost-effective use of drugs and implement the edits in a manner that does not change the therapy or the therapeutic outcome for the patient. Beginning October 1, 2001, the department shall implement a state maximum allowable cost list for prescription drugs. The Governor's veto message cautions that the short implementation period is very ambitious.

- Reimbursement rates for hospitals for inpatient and outpatient service, home health care agencies, dental services, and community mental health services are to be reduced by 3 percent from the rates in effect on June 30, 2001.
- DHS is required to continue the revised MA payment policy for reimbursement for costs of screening and treatment provided in a hospital emergency room pursuant to the prospective payment methodology developed by DHS for payment of outpatient services under the MA Program.
- Rural health clinics, hospices, independent laboratories, and acute mental hospitals reimbursement rates are to be increased in accordance with increases under the federal MA Program or as supported by Medicare-audited costs.
- Federally qualified health centers shall receive cost-based reimbursement for 100 percent of the reasonable costs of services.
- The maximum reimbursement rates for PMICs shall remain at the rate in effect on June 30, 2001, based on per day rates for actual costs.
- Unless otherwise specified, all noninstitutional medical assistance provider reimbursement rates are reduced by 3 percent from the rates in effect on June 30, 2001, with the exception of area education agencies, local education agencies, infant and toddler services providers, and those providers whose rates are required to be determined under Code Section 249A.20, relating to reimbursement of noninstitutional health providers.
- Notwithstanding Code Section 249A.20, excluding anesthesia and dental services, the average reimbursement rates for health care providers eligible for use of the reimbursement methodology under that section shall be reduced by 3 percent from the rate in effect on June 30, 2001.
- The maximum reimbursement rate for residential care facilities shall not be less than \$24.50 per day for the time period July 1, 2001, through December 31, 2001, and shall not be less than \$25.14 per day for the time period January 1, 2002, through June 30, 2002. The flat reimbursement rate for facilities electing not to file cost reports is established as not less than \$17.50 per day for the time period July 1, 2001, through December 31, 2001, and not less than \$17.96 per day for the time period January 1, 2002, through June 30, 2002.
- The maximum reimbursement for providers reimbursed under the in-home health-related care program shall be at least \$471.06 per month for the time period July 1, 2001, through December 31, 2001, and shall be at least \$483.31 per month for the time period January 1, 2002, through June 30, 2002.
- The foster family basic daily maintenance rate and the maximum adoption subsidy rate is \$14.28 for children ages 0 through 5 years, \$15.07 for children ages 6 through 11 years of age, \$16.83 for children ages 12 through 15, and \$16.83 for children over 16 years of age. These rates reflect 70 percent of the U.S. Department of Agriculture regional cost of raising a child.
- The maximum reimbursement rates for social service providers are to remain at the rates in effect on June 30, 2001, unless a specific exception applies.
- The group foster care reimbursement rate for children placed outside of the state is to be calculated in the same manner as is used for in-state providers, unless the Director of Human Services determines that care cannot be provided within the state, and the rate must be based on the actual number of days in a calendar month.
- The maximum reimbursement rates for rehabilitative treatment and support services providers are to remain at the rates in effect on June 30, 2001.
- The reimbursement rate for shelter care providers is to be calculated using a cost report and the maximum rate shall be \$83.69 per day. However, if the provider's cost report justifies the maximum rate, but DHS would reimburse the provider at less than that rate, DHS is to reimburse a shelter care provider at the provider's actual and allowable unit cost, plus inflation, not to exceed the maximum reimbursement rate.
- The department is to calculate the reimbursement rate for intermediate care facilities for persons with mental retardation at the 80th percentile.
- Beginning July 1, 2001, DHS is to set child care provider reimbursement rates based on the rate reimbursement survey completed in December 1998. The rates are to be set in a manner so as to provide incentives for nonregistered providers to become registered.
- The department may modify reimbursement rates for providers reimbursed by the department if funding is allocated for that purpose from the Senior Living Trust Fund or as specified in appropriations from the Tobacco Settlement Endowment Fund (see S.F. 537 and H.F. 740).

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

FRAUD AND RECOUPMENT ACTIVITIES. The Act permits DHS to expend funds recovered through fraud and recoupment investigations to perform additional fraud investigations as long as the additional investigations are anticipated to recover moneys in excess of both the costs of performing the investigations and the amount recovered in fiscal year 1996-1997. The Act limits the number of additional investigative staff to five.

ADDITIONAL PROVISIONS. The Act also does all of the following:

- Provides that moneys appropriated for the fiscal year beginning July 1, 2000, for home health care services, home health care services and habilitative day care for children with special needs, and respite care services provided through home and community-based waiver services which are unexpended or unencumbered at the close of the fiscal year shall not revert but are to remain available to be used in the succeeding fiscal year to supplement the MA appropriation made in the Act. This provision takes effect May 31, 2001.
- Provides that moneys appropriated for the fiscal year beginning July 1, 2000, for purchase of service contract providers which are unexpended or unencumbered at the close of the fiscal year shall not revert but are to remain available to be used in the succeeding fiscal year to supplement the medical assistance appropriation made in the Act. This provision takes effect May 31, 2001.
- Provides for additional options for accreditation of PMICs by an accrediting organization that is acceptable under federal regulation.
- Extends the repeal of the Prevention of Disabilities Council to July 1, 2006.
- Creates the Iowa Marriage Initiative Grant Fund within the state treasury for the purposes of funding services to support marriage and to encourage the formation and maintenance of two-parent families that are secure and nurturing. Federal moneys provided to the state for the express purpose of supporting marriage or two-parent families are to be credited to the fund.
- Creates a Juvenile Detention Home Fund in the state treasury. The fund is to consist of funds deposited from the collection of fines by the Iowa Department of Transportation (IDOT) at the time IDOT suspends, revokes or bars a person's motor vehicle license or nonresident operating privilege. The moneys in the fund are to be used for the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes in accordance with annual appropriations made by the General Assembly from the fund.
- Provides that the reimbursement of a retailer providing electronic funds transfer system equipment for transactions is reduced from 15 cents to 7 cents for each approved transaction and provides that the reimbursement of a retailer providing electronic funds transfer system equipment for transactions who makes cash disbursements is reduced from 15 cents to 7 cents for each cash disbursement transaction.
- Permits the Department of Inspections and Appeals to provide access to a single contact repository for criminal and abuse history checks made by employers, agencies, and other persons authorized access to child abuse information who are required by law to perform such checks.
- Eliminates the specified exemption for individuals with disabilities from participation in a family investment agreement and provides for exemption if rules adopted by the department so provide.
- Provides that funds derived from the settlement with a previous fiscal agent for the MA Program are not to revert to the General Fund of the State but are to remain available for supplementation of the program.
- Provides that funds appropriated in the previous fiscal year for the Pharmacy Case Management Program that remain unencumbered or unobligated at the close of the fiscal year do not revert to the General Fund of the State but are to remain available until the close of FY 2001-2002.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. An appropriation of \$500,000 for the Iowa Marriage Initiative Grant Program.
2. Language requiring DHS to report how TANF funding is used to fulfill the four purposes outlined in federal law for the TANF Block Grant.
3. A statement of legislative interest that the EBT Program include the capability for child care service providers to submit billings electronically and to receive payment through electronic funds transfer, and the capability to include electronic verification for medical assistance eligibility. The Governor states that resources for implementation were not provided.
4. Language directing DHS to continue the case study for outcome-based performance standards for programs serving persons with mental retardation or other developmental disabilities. The Governor states that this study has been completed and delivered to the General Assembly.
5. Language directing DHS, in cooperation with the Drug Utilization Review Commission, to review the use of non-sedating antihistamines for children and submit a report to the Governor and the General Assembly on or before November 14, 2001, regarding such use and recommendations regarding application of prior authorization requirements to these drugs. The Governor states that the commission has already reviewed these drugs and further review would not be productive.
6. Language directing DHS to provide a report to the Healthy and Well Kids in Iowa (HAWK-I) Board and to the General Assembly by January 15, 2002, specifying the actual cost reported by each participating insurer of providing monthly coverage to children under the HAWK-I Program.

7. Language directing DHS to seek a federal waiver to permit families with children who are eligible for the Medicaid Program to elect to participate under the HAWK-I Program in lieu of participation in Medicaid. The Act directed DHS to implement the provision if the waiver is approved. The Governor states that this proposal has been rejected by the federal government.
8. Language providing that DHS is to receive input from the chairpersons and ranking members of the Joint Appropriations Subcommittee on Human Services prior to extending any managed care contract for mental health or substance abuse services.
9. A statement of legislative intent that the Iowa Juvenile Home be used only for females beginning July 1, 2002, and directing DHS to develop service options to appropriately place males who would otherwise be placed at Toledo with an option for developing a child in need of assistance program for males at the State Training School at Eldora. The Governor states that funding was not provided to implement the change.
10. An allocation of funding for a parking lot project and for two additional security guard positions at Toledo.
11. Language requiring DHS to provide notice to the legislative branch when a juvenile institution receives a citation regarding noncompliance with a certification or regulatory requirement.
12. Language authorizing DHS to adopt emergency rules regarding the qualifications for rehabilitative treatment service providers and for implementing other recommendations for regulatory improvements.
13. An allocation of funding for day treatment and aftercare services for juvenile females.
14. An allocation of funding appropriated to the Mental Health Institute at Independence for two additional security guard staff positions.
15. A requirement for DHS to provide notice to the legislative branch when a state mental health institute receives a citation for noncompliance with a certification or regulatory requirement.
16. A requirement for DHS to provide notice to the legislative branch when a state resource center receives a citation for noncompliance with a certification or regulatory requirement.
17. An allocation to provide actuarial services for a pilot project to decategorize funding for adult mental health and developmental disabilities services. In addition, an implementation schedule for the pilot project and a related immediate effective date were item vetoed.
18. Language providing for elimination of the regional office administrative level within DHS field operations, beginning July 1, 2001, with transfer of essential staff to the county cluster offices. The language provided that regional geographic areas established as of July 1, 2000, would continue to be used for implementation of other departmental programs that utilize the regions for geographic purposes. The language also directed the Director of Human Services to assign any duties that are otherwise designated as duties of the regional administrator to an appropriate person.
19. Language stating legislative intent that DHS work to expand community partnerships for child protection using the Linn County approach with funding support from the Edna McConnell Clark Foundation and federal financial participation and to secure additional federal financial participation for activities currently funded with state, county or community moneys.
20. Language providing that DHS shall not implement savings reductions for general administration which reduce service funding for disability rehabilitation programs or statewide-supported employment programs or reduce drawdown of federal funding; requiring DHS to report to the Governor, the General Assembly, the Legislative Fiscal Bureau, and the Legislative Service Bureau within 30 days of the notice of future receipt of any bonus, incentive, or other payment that may be used to supplement state funds; and providing that it is the intent of the General Assembly that DHS negotiate with the state of Nebraska to maximize resources, including placement of children of Nebraska residents in an Iowa state resource center and utilization by the department and others of the child protection center in Omaha, Nebraska.
21. Language directing the department to increase efforts to collect pharmaceutical manufacturer rebates in order to meet the national average relative to collection of such rebates.
22. A directive for the department to implement a generic incentive patient copayment program to encourage the dispensing and use of less costly pharmaceutical alternatives and providing that the copayment amount shall be 50 cents for a generic medication and \$2 for a brand-name medication.
23. A directive for the department to review and report to specified persons regarding the disparity between the compensation provided to public employees who provide child welfare services relative to employees of private providers with comparable qualifications or job responsibilities.
24. A directive for DHS to eliminate nonessential equipment purchases for the balance of FY 2000-2001 beginning May 31, 2001, and providing that \$500,000 of the moneys appropriated for FY 2000-2001 relating to equipment purchases that are unexpended or unencumbered at the close of FY 2000-2001 do not revert to the General Fund of the State but remain available until the close of FY 2001-2002.

HOUSE FILE 740 - Senior Living Trust Fund Appropriations and Nursing Facility Reimbursement

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations from the Senior Living Trust Fund to the Department of Elder Affairs and Department of Human Services (DHS).

The appropriation to the Department of Elder Affairs includes funding for development of a comprehensive Senior Living Program, funding for recruitment and retention strategies for certified nurse aides, and funding for strategies for dependent adult abuse detection, training and services.

The appropriation to DHS includes funding for grants to provide assisted living or long-term care alternatives; for supplementation of the Medical Assistance (Medicaid) Program appropriation and to provide funding for reimbursement of health care services and rent expenses provided to persons through the Medical Assistance (Medicaid) Home and Community-based Services Waiver Program and the State Supplementary Assistance Program; and funding for reimbursement of nursing facility providers under a case-mix reimbursement methodology.

The Act establishes the modified price-based case-mix reimbursement formula to be used for reimbursement of nursing facilities. The Act also amends Code language to allow nursing facilities that have been approved providers under Medicaid for a two-year period, rather than the current three-year period, to apply for nursing facility conversion grants under the Senior Living Program.

The Act provides that nursing facility conversion grants awarded on or after July 1, 2001, are to provide a service delivery package that is affordable for individuals eligible for services under the Medical Assistance Home and Community-Based Services Waiver Program applicable to a minimum of 40 percent of the units.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision that required the department to adopt rules, regarding the evaluation of nursing facility conversion grant applications received on or after July 1, 2001, to give greater weight in the scoring methodology to nursing facility conversion projects that are primarily the renovation and remodeling of the existing nursing facility structure relative to the weight given to conversion projects that are primarily new construction.
2. A provision that required the department, beginning July 1, 2003, in determining the nondirect care cost component of the case-mix reimbursement rate to apply a bed occupancy factor of 85 percent.
3. A provision that allowed a nursing facility to request an exception to the application of a geographic wage index in determining the case-mix adjusted component of the modified price-based case-mix reimbursement for nursing facilities located in standard metropolitan statistical area counties.
4. A provision defining "affordable" relating to rates for payment of services for the purposes of Code Chapter 249H, the "Senior Living Program."

HOUSE FILE 742 - Appropriations — Infrastructure and Capital Projects

BY COMMITTEE ON APPROPRIATIONS. This Act makes and modifies prior appropriations from the Rebuild Iowa Infrastructure Fund for various capital and other projects. These appropriations include capital projects for the departments of Corrections, Cultural Affairs, Education, General Services, and Public Defense, and for the State Board of Regents and the Legislative Council.

The Act appropriates funds and modifies prior appropriations from the Environment First Fund to the departments of Agriculture and Land Stewardship, Economic Development, and Natural Resources. The Act appropriates \$10 million from the Environment First Fund to the Resources Enhancement and Protection Fund in lieu of the \$20 million appropriated from the General Fund of the State.

The Act makes appropriations for various capital projects from the Tax-Exempt Bond Proceeds Restricted Capital Funds Account of the Tobacco Settlement Trust Fund for FY 2001-2002 if the Tobacco Settlement Authority securitizes Tobacco Master Settlement Agreement payments sold to the authority pursuant to S.F. 532 (see Business, Banking & Insurance) and the bond proceeds are received by the authority and deposited in the Tax-Exempt Bond Proceeds Restricted Capital Funds Account on or before June 30, 2002. The Act provides that some of these appropriations are to be made from the Rebuild Iowa Infrastructure Fund if they cannot be made from the Tax-Exempt Bond Proceeds Restricted Capital Funds Account. The appropriations include appropriations to the departments of Corrections, Economic Development, Education, General Services, Natural Resources, Public Defense, and Transportation, and to the Iowa State Fair Authority, Iowa Telecommunications and Technology Commission, judicial branch, and State Board of Regents. The Act also provides for the temporary appropriation of funds from the Rebuild Iowa Infrastructure Fund for certain capital projects funded from the Tax-Exempt Bond Proceeds Restricted Capital Funds Account until bond proceeds are deposited into the account. The Rebuild Iowa Infrastructure Fund is to be reimbursed from the account upon deposit of the bond proceeds in the account.

The Act amends several Code sections as follows:

- Code Section 7E.5A, to require state agencies, within their five-year capital budget requests, to identify specific instances where the failure to address deferred maintenance has negatively impacted the agency's ability to implement its mission and the proposed costs for annual routine and preventive maintenance based on an industry standard of 1 percent of the estimated replacement cost of the agency's facilities.
- Code Section 7E.5A, to require an agency requesting state moneys for a vertical infrastructure project to actively pursue any federal funds for which the project may be eligible and demonstrate such pursuit prior to receiving state moneys for the project.
- Code Sections 8.57 and 99E.10, to provide that if the total amount of gambling revenues directed to be deposited in the Rebuild Iowa Infrastructure Fund is insufficient to make the designated deposits into the Vision Iowa Fund and the School Infrastructure Fund, the shortfall shall be paid from lottery revenues. These provisions take effect May 29, 2001.
- Code Section 12.73, to increase the amount of moneys allocated annually to the Department of Economic Development for administrative costs related to administration of the Vision Iowa Program.
- Code Sections 15F.202, 15F.204 and 15F.302, to provide that financial assistance under the Community Attraction and Tourism Program, the Vision Iowa Program, and the School Infrastructure Program shall be provided only from funds, rights and assets legally available to the Vision Iowa Board. The Act also adds provisions allowing such assistance to be in the form of credit enhancements and financing instruments and strikes provisions allowing such assistance to be in the form of guarantees. These provisions take effect May 29, 2001.

The Act strikes provisions in Code Sections 12.74 and 12.84 providing that the state pledges to and agrees with the holders of bonds or notes issued under the Vision Iowa or School Infrastructure Program that the state will not limit or alter the rights and powers vested in the Vision Iowa Board or the Treasurer of State to fulfill the terms of a contract made with respect to the bonds or notes, or in any way impair the rights and remedies of the holders until the bonds and notes, together with the interest on them, including interest on paid installments of interest, are fully met and discharged. These provisions take effect May 29, 2001.

The Act creates new Code Sections 161D.8 and 161D.13 that require the Loess Hills Development and Conservation Authority and the Southern Iowa Development and Conservation Authority, respectively, to submit annual reports on their operations, accomplishments, budgets, receipts, expenditures, assets and liabilities, and recommendations.

The Act amends a provision in H.F. 755 to provide that any cash balance in the Groundwater Protection Fund and in any of the accounts within the Groundwater Protection Fund not needed for expenditure in FY 2001-2002 shall be transferred to the General Fund of the State.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. FY 2001-2002 funding to the Iowa Department of Transportation for a grant to the Grundy County Conservation Board for a borrow pit recreational area project.
2. FY 2001-2002 funding to the Department of General Services for the construction of a pedestrian bridge across Court Avenue to provide pedestrian access across the Capitol Complex.
3. FY 2001-2002 funding to the Department of Public Safety for the location and purchase of land, a site survey, soil sampling, and site preparation for the construction of a new Iowa State Patrol post in Mason City.
4. A provision requiring public organizations receiving financial assistance for a project under the Vision Iowa Program to use competitive bidding procedures for construction of the proposed project.

HOUSE FILE 746 - Compensation for Public Employees

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and appropriates \$61.3 million from the General Fund of the State to fund salary adjustments and related benefits for state appointed nonelected officers, justices, judges, magistrates, employees subject to collective bargaining agreements, and certain noncontract employees. In addition, \$9 million is appropriated from the Unassigned Revenue Fund administered by the Iowa Comprehensive Underground Storage Tank Fund Board to the Salary Adjustment Fund to fund salary adjustments.

The Act also creates a Terminal Liability Health Insurance Fund to pay the expenses at the end of the current state health insurance contract and appropriates \$9 million from the Unassigned Revenue Fund administered by the Iowa Comprehensive Underground Storage Tank Fund Board to pay the state's share of the terminal liability of the state health insurance contract.

The proceeds of the Salary Adjustment Fund are to be distributed by the Department of Management to fund the collective bargaining agreements authorizing a 3 percent salary increase. The salaries of justices, judges, and judicial magistrates are increased approximately 3 percent as well as the pay plans for noncontract employees. An eligible noncontract employee may receive a step increase or its equivalent.

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

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

The Act allocates funds to the Department of Revenue and Finance to reimburse state agencies for overtime paid to employees of the patient care bargaining unit.

The Act provides for health insurance incentive programs for contract and noncontract employees and provides for an incentive payment to eligible employees. The Department of Personnel is authorized to collect an administration charge of \$2 per contract on all health insurance plans to pay the administrative costs of state benefit programs.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A sentence in new Code Section 421.46, subsection 2, which would have restricted the reimbursement received by state agencies for expenditures related to the payment of the health insurance plans surcharge for the terminal liability of the health insurance contract for state employees to the amount of moneys appropriated from the General Fund of the State for that purpose for the fiscal year.
2. A sentence in new Code Section 421.46, subsection 3, which would have reverted any remaining balance in the Terminal Liability Health Insurance Fund, upon total payment of the terminal liability of the existing health insurance contract administered by the Department of Personnel, to the credit of the Unassigned Revenue Fund administered by the Iowa Comprehensive Underground Storage Tank Fund Board.

HOUSE FILE 755 - Miscellaneous Appropriations, Reductions, and Other Provisions

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

Division I — MH/MR/DD — Allowed Growth

Division I appropriates money for FY 2002-2003 to the Department of Human Services (DHS) for distribution to counties of the county mental health, mental retardation, and developmental disabilities (MH/MR/DD) services allowed growth factor adjustment. See H.F. 732 for reductions in the FY 2001-2002 funding level for allowed growth. Those reductions are continued with the amount appropriated in this Act.

Division II — Standing Appropriations — Reductions

Division II reduces for FY 2001-2002 the following standing limited and unlimited appropriations in the following approximate amounts:

1. General Assembly and legislative agencies' budgets by \$1.5 million.
2. Performance of duty by the Executive Council by \$1 million.
3. State Appeal Board for claims against the state by \$2 million.
4. Secretary of State for printing constitutional amendments and public measures by \$2,565. This eliminates the appropriation for FY 2001-2002.
5. Area education agencies' (AEAs) funding by \$7.5 million. The Act requires the Department of Management to calculate the reduction on a prorated basis based upon the total each school district would have received if no reduction were imposed. The Act allows AEAs to use funds from the Media Services Program and the Educational Services Program to maintain the level required for the Special Education Support Services Program.
6. School technology by \$20 million.
7. At-risk children programs by \$1 million. This Act requires the reduction to be prorated among the grant programs.
8. Public transit assistance by \$660,000.
9. Indian settlement officer by \$25,000. This eliminates the appropriation for FY 2001-2002.
10. Department of Corrections for the payment of special court costs and attorney fees by \$66,000. This eliminates the appropriation for FY 2001-2002.
11. Poultry show exhibition — the \$500 standing appropriation for the poultry show exhibition reimbursement is eliminated.

Division III — Law Enforcement Physical Exams

Division III amends Code Section 400.8 to provide that the physical exam of applicants for law enforcement and fire fighter positions is to be conducted in accordance with the directives of the board of trustees of the Fire and Police Retirement System.

rather than by the appointed three-member medical board. This division also delays the effective date of 2000 Iowa Acts, Chapter 1077, Sections 87 and 94, from July 1, 2001, to July 1, 2002. These delayed sections relate to the makeup of the medical board under the Statewide Fire and Police Retirement System.

Division IV — Debt Service and Tobacco Fund Appropriations

Division IV makes contingent appropriations from the General Fund of the State and the Tobacco Settlement Trust Fund for purposes of tuition replacement debt service, and for costs relating to the Tobacco Master Settlement Agreement. The division includes State General Fund appropriations made in lieu of appropriations made for the same purposes in other enacted legislation, such as tuition replacement in S.F. 532 (see Business, Banking & Insurance) and ICN debt service in H.F. 715 (see Taxation). The division does not take effect unless the Tobacco Settlement Authority securitizes Tobacco Master Settlement Agreement payments made to the authority. The effective date of the division is the effective date of the receipt and deposit of bond payments by the authority.

Division V — Miscellaneous

Division V provides for the following:

1. Appropriates from the General Fund of the State to the Department of Education for FY 2001-2002 for the Americorps After-School Initiative and a Jobs for America's Graduates specialist.
2. Appropriates from the General Fund of the State to DHS to supplement the appropriation made in H.F. 732 for general administration expenses.
3. Requires that interest and earnings on moneys in the Iowa Economic Emergency Fund and Cash Reserve Fund be deposited into the General Fund of the State instead of the Rebuild Iowa Infrastructure Fund for FY 2001-2002.
4. Allows for certified hunter safety and ethics instructors to conduct hunter safety and ethics education courses on public school property.
5. Transfers unencumbered moneys on June 30, 2001, from the Groundwater Protection Fund and its accounts to the General Fund of the State.
6. Maintains the limit on program job credits under the Accelerated Career Education Program at the same level as FY 2000-2001 instead of increasing as currently provided in Code Section 260G.4B.
7. Makes psychiatric services provided by a licensed physician part of the medical services that may be provided under the Volunteer Health Care Provider Program.
8. Changes from "on November 1" to "by November 1" the time for a school district to determine its additional enrollment because of special education for purposes of the state school aid formula. The division also provides that a child over a compulsory age who is receiving private instruction may be registered in a public school for dual enrollment purposes and a pupil who is enrolled for dual enrollment purposes but is participating only in extracurricular activities shall only be counted as one-tenth of a pupil. The division allows a school district adjacent to a newly reorganized area education agency to join to it.
9. Requires that in a tax increment financing (TIF) district the county auditor must certify to a school district by July 1 if any revenues from the school district's physical plant and equipment levy (PPEL) are necessary to pay the principal and interest on bonds issued by a municipality prior to July 1, 2001, to fund an urban renewal project in the TIF district. However, indebtedness incurred to refund bonds issued prior to July 1, 2001, is not included in the certification. Prior law had the municipality certify the amount of PPEL revenues needed to pay principal and interest on indebtedness incurred prior to July 1, 2000. No reference to refund bonds was made. In addition, the Act provides a new limitation on municipalities acquiring PPEL revenues. The limitation provides that a municipality may only seek PPEL revenues in a fiscal year if it requested such revenues in FY 2001-2002 and the amount requested may not exceed the amount requested in FY 2001-2002. These changes in the TIF district law apply to property taxes due and payable in fiscal years beginning on or after July 1, 2002.
10. Changes the effective date of H.F. 259 (see State Government), relating to the duties of the Office of the Secretary of State in commissioning notarial officers from July 1, 2001, to January 1, 2002.

Division VI — Scheduled Violations

Division VI relates to scheduled violations. Senate File 499 (see Criminal Law, Procedure & Corrections) reorganizes the Code placement of scheduled fines in Code Chapter 805 and changes some of those fines. Currently several Code sections prescribe unspecified or specified simple misdemeanor penalties for violations of those sections but do not refer to the applicable scheduled fine for those simple misdemeanor penalties. The following Code sections are amended to delete the reference to an unspecified or specified simple misdemeanor penalty and to instead refer to the specific scheduled fine provided for the violation in S.F. 499: Code Sections 321.17, 321.98, 321.193, 321.216, 321.216B, 321.216C, 321L.3, 321L.7, and 452A.52.

Division VII — Corrective Amendments

Division VII provides corrective amendments to legislation enacted in the 2001 Legislative Session.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. *Division II — Provisions reducing the Early Intervention Block Grant standing appropriation by \$10 million, the nonpublic school transportation standing appropriation by approximately \$505,000, and the Education Excellence — Phase III standing appropriation by \$2 million.*
2. *Division V — Provisions expressing the intent that the Iowa Finance Authority provide funding for mental illness special services for FY 2001-2002 in the amount of \$121,220 to continue financing for existing community-based facilities, development of affordable community-based housing facilities, and construction and start-up costs to develop community living arrangements for homeless persons with mental illness; requiring the Department of Education to ascertain a maximum annual amount a school district would be required to use for the purchase of textbooks for accredited nonpublic schools; and amending S.F. 514, the Property Tax Limitation bill, to state that if there is more than one owner of a property, the owners would be limited to a single \$200,000 limitation, and if a person owns more than one property, that person would be limited to a single \$200,000 limitation on a statewide basis. This last provision was contingent upon enactment of S.F. 514, which did not occur.*

BUSINESS, BANKING AND INSURANCE

- SENATE FILE 102 - Charitable Gift Annuities
- SENATE FILE 169 - Real Estate Transactions by Attorney in Fact — Regulation — Multiple Similar Transactions
- SENATE FILE 258 - Tobacco Settlement Authority — Extension of Time
- SENATE FILE 276 - Licensure of Insurance Producers — Deregulation of Legal Expense Insurance
- SENATE FILE 452 - Uniform Prescription Drug Information Cards
- SENATE FILE 473 - Industries, Transactions, and Persons Regulated by Commissioner of Insurance
- SENATE FILE 500 - Insurance Regulation
- SENATE FILE 532 - Tobacco Settlement Program — Miscellaneous Changes
- HOUSE FILE 222 - Bank Offices and Branches
- HOUSE FILE 269 - Secured Consumer Loans for Motor Vehicles — Balloon Payments
- HOUSE FILE 286 - Cooperative Associations — Members, Nonmembers, and Memberships — Fictitious Names
- HOUSE FILE 325 - Regulation of Multiple Employer Welfare Arrangements
- HOUSE FILE 549 - Agricultural Liens
- HOUSE FILE 569 - Proposed Uniform Computer Information Transactions Act — Effect — Intent
- HOUSE FILE 733 - Health Insurance and Health Insurance Associations — Miscellaneous Changes

RELATED LEGISLATION

- SENATE FILE 98 - Unemployment Compensation — Natural Disasters
SEE LABOR & EMPLOYMENT. This Act provides that an employer shall be relieved of charges for unemployment benefits paid to an individual due to a major natural disaster declared by the President of the United States. The proposed relief of charges applies to a contributory employer but not to an employer who is required or has elected to reimburse the Unemployment Compensation Fund. The Act takes effect May 25, 2001, and applies retroactively to January 1, 2001.
- SENATE FILE 168 - City Cable Television Franchises
SEE LOCAL GOVERNMENT. This Act provides that if a city grants more than one cable television franchise, the terms and conditions shall not give undue preference or advantage to the new franchisee and the new franchisee shall be granted the same territory as the existing franchisee and a reasonable amount of time to build the new system throughout the territory.
- SENATE FILE 185 - Factory-Built Structures — Manufactured Home Installer Certification
SEE STATE GOVERNMENT. This Act modifies the definition of a factory-built structure to specifically include a mobile home, manufactured home, or a modular home and provides for the certification of manufactured home installers pursuant to rules of the State Building Code Commissioner. The commissioner may establish a fee for certification of installers.
- SENATE FILE 337 - Transfer of Structured Settlement Payment Rights — Tort and Workers' Compensation Claims
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act provides requirements and procedures for the transfer of structured settlement payment rights for tort and workers' compensation claims.
- SENATE FILE 384 - Credit Union Division Employee Compensation
SEE STATE GOVERNMENT. This Act provides that employees of the Credit Union Division of the Department of Commerce who are appointed by the Superintendent of Credit Unions to examine accounts shall be paid according to a pay plan that is substantially equivalent to that paid by the National Credit Union Administration and other federal supervisory agencies in this area in the United States.
- SENATE FILE 516 - Allocation of Income of S Corporation — VETOED BY THE GOVERNOR
SEE TAXATION. This bill would have increased to 100 percent the amount of an S corporation distribution received by a shareholder, which is used to pay federal income tax, and is not allocable

to Iowa. However, the bill would have taken effect only if Iowa's income tax receipts for FY 2001-2002, as estimated by the Revenue Estimating Conference, increase by \$7.9 million or more. This increase in Iowa's income tax receipts must be due to the enactment of federal income tax legislation.

- SENATE FILE 521** - Capital Gain Deduction for Sales of Capital Stock — **VETOED BY THE GOVERNOR**
SEE TAXATION. This bill would have provided a deduction under the individual income tax of 50 percent (25 percent for the 2001 tax year) of the capital gain from the sale or exchange of capital stock of a corporation acquired by the taxpayer on account of employment with the corporation. The bill would have applied retroactively to January 1, 2001, for tax years beginning on or after that date.
- SENATE FILE 526** - Unclaimed and Abandoned Property — Business Association Property
SEE STATE GOVERNMENT. This Act makes a change in the state's Disposition of Unclaimed Property Law to provide that "property" subject to the law does not include credits, advance payments, overpayments, refunds, or credit memoranda shown on the books of a business association with respect to another business association unless this type of property is held by a bank or financial institution.
- HOUSE FILE 324** - Transportation — Miscellaneous Provisions
SEE TRANSPORTATION. This Act makes several changes relating to vehicle manufacturers, distributors, dealers, and franchisers.
- HOUSE FILE 400** - Real Estate Appraiser Regulation
SEE STATE GOVERNMENT. This Act makes changes relating to the regulation of real estate appraisers, including changing the definition of the term "appraisal report" to include any communication of an appraisal, and to provide that the real estate appraiser certificate is to bear the signature or facsimile signature of the member or members of the Real Estate Appraiser Examining Board who are designated by the board to sign the certificate.
- HOUSE FILE 469** - Termination of Agricultural Equipment Dealership Agreements — Repurchases Required of Supplier
SEE AGRICULTURE. This Act requires a supplier of agricultural equipment who has an agricultural equipment dealership agreement with a dealer of agricultural equipment to repurchase certain unencumbered items from the dealer upon termination of the agreement by cancellation or nonrenewal.
- HOUSE FILE 564** - Cooperative Associations — Reversion of Disbursements
SEE AGRICULTURE. This Act creates an exception to requirements that property considered abandoned must be turned over to the Treasurer of State, by allowing a cooperative association to retain a dividend or other distribution that is considered abandoned for return to its owner or for forfeiture to the cooperative association according to procedures as provided in the Act.
- HOUSE FILE 628** - Grain Dealer Regulation — Exceptions
SEE AGRICULTURE. This Act amends provisions regulating grain dealers by excluding limited liability companies producing renewable fuel from regulation.
- HOUSE FILE 635** - Employee Compensation for Travel Time to and From Worksites
SEE LABOR & EMPLOYMENT. This Act provides that unless a collective bargaining agreement states otherwise, employees are not entitled to compensation for the time spent traveling to and from the worksite on transportation provided by the employer, when during that time no work is performed, the transportation is provided as a convenience for the employees, and the employees are not required by the employer to use that means of transportation.
- HOUSE FILE 654** - Property Exempt From Execution — Retirement Plan Contributions, Earnings, and Increases in Value
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act relates to the amount of contributions to and accumulated increases in the value of certain retirement plans that are exempt from a debtor's obligations.
- HOUSE FILE 695** - School-to-Career Program — Miscellaneous Changes
SEE EDUCATION. This Act amends the School-to-Career Program.
- HOUSE FILE 707** - Income Taxation of Foreign Corporations — Temporary Storage of Goods
SEE TAXATION. This Act provides that a foreign corporation is not required to file an income tax return if its only activity involves the storing of tangible personal property in Iowa for 60 consecu-

tive days or less in a warehouse located in Iowa if such storage is its only activity and the stored property is not delivered or shipped so as to be included as part of the corporation's gross sales within the state. The Act takes effect April 30, 2001, and applies retroactively to January 1, 2001, for tax years beginning on or after that date.

HOUSE FILE 714**- Community Development Program — Tax Credits — VETOED BY THE GOVERNOR**

SEE TAXATION. This bill would have established a Community Development Program, administered by the Department of Economic Development, to provide tax incentives to businesses that make contributions to projects in communities or neighborhoods that would benefit by these projects or make expenditures to provide child care benefits to their employees. The tax incentives would be in the form of tax credits of up to \$100,000 to offset the tax liability under the individual and corporate income taxes, the financial institution franchise tax, the insurance gross premiums tax, and the credit union moneys and credits tax.

HOUSE FILE 715**- Tax Administration and Related Matters**

SEE TAXATION. This Act amends various provisions of state and local laws to do the following:

- Allow a business that is eligible to receive benefits under the New Jobs and Income Act to file a claim for refund of sales and use tax paid by the contractor under a building contract within one year of the project's completion rather than the six months previously allowed.
- Specify that a seller of cigarettes who does not meet the definition of a retailer or wholesaler shall be considered a retailer for purposes of computing minimum price if the person is engaged in the business of selling cigarettes to a retailer or final consumer.
- Provide that for taxation as real property, fixtures used for cooking, refrigeration or freezing of value-added agricultural products or used in the processing of such products are not considered attached to real property. Because it is not considered attached, the fixture is not taxable as real property. This applies retroactively to January 1, 2000, for assessment years beginning on or after that date.

HOUSE FILE 732**- Appropriations — Human Services**

SEE APPROPRIATIONS. This Act provides appropriations to the Department of Human Services and includes provisions related to human services and health care and support for low-income workers. The Act includes continuation of the previously established AIDS/HIV Health Insurance Premium Payment Program, maintenance of the State Children's Health Insurance Program, and child care subsidies for working families.

HOUSE FILE 736**- Tax Administration — Additional Related Matters**

SEE TAXATION. This Act imposes the state sales tax on the gross receipts from sales of bundled services contracts; imposes the sales tax on mobile telecommunication service; requires out-of-state providers to collect Iowa sales or use taxes on communication services provided to consumers within the state; amends the definition of "retailer maintaining a place of business in this state" under the state use tax to specify that it includes lessors of tangible personal property within its terms; adds limited liability companies to the list of businesses that are exempt from the use tax for the transfer of vehicles subject to registration between businesses where the purpose of the transfer is to continue the business or where such transfer is made by a corporation as part of its liquidation to its shareholders if the shareholders retransfer the vehicles to another business owned by them for the purpose of continuing the business of the corporation; reduces the period for assessing the environmental protection charge or for filing a claim for refund of an environmental protection charge paid from five to three years; and reduces the requirement that depositors of underground petroleum must keep records from a period of five years to a period of three years for purposes of the environmental protection charge.

BUSINESS, BANKING AND INSURANCE

SENATE FILE 102 - Charitable Gift Annuities

BY COMMITTEE ON COMMERCE. This Act regulates charitable gift annuities. A charitable gift annuity is a transfer of property by a donor to a charitable organization in return for an annuity payable over one or two lives.

Specifically, the Act provides for a qualified charitable gift annuity, which is issued by a charitable organization and further defined in the federal Internal Revenue Code. The Act provides that a charitable organization must have a minimum value of either \$300,000 or five times the face amount of the total outstanding annuities in unrestricted cash, cash equivalents, or publicly traded securities.

The Act provides that the issuance of a qualified charitable gift annuity does not constitute engaging in the business of insurance in this state. The Act provides that this exception also applies to qualified charitable gift annuities issued before July 1, 2001, the effective date of the Act.

The Act provides that an agreement for a qualified charitable gift annuity executed by a charitable organization and a donor must be in writing. The annuity agreement must include a notice to donors stating that a qualified charitable gift annuity is not insurance under the laws of this state and is not subject to regulation by the Insurance Commissioner or protected by an insurance guaranty fund or association.

The Act provides that a charitable organization that issues a qualified charitable gift annuity must file a notice with the commissioner stating information regarding the organization and its status as a charitable organization.

Failure to comply with the new Code chapter's requirements does not prevent a charitable gift annuity from constituting a qualified charitable gift annuity. The Insurance Commissioner may send a letter to the organization demanding compliance with the Code chapter requirements or establish and impose civil penalties of not more than \$1,000 for each qualified charitable gift annuity issued until the charitable organization complies with the requirements.

The Act provides that the Insurance Commissioner may determine that the issuance of an annuity does not comply with the Code chapter's requirements, and that the entity issuing the annuity is subject to the penalties of Code Chapters 507A (Iowa Unauthorized Insurers Act) and 507B (Insurance Trade Practices). Issuance of a qualified charitable gift annuity does not constitute a violation of Code Chapter 507B, regulating unfair or deceptive practices in the insurance industry.

SENATE FILE 169 - Real Estate Transactions by Attorney in Fact — Regulation — Multiple Similar Transactions

BY COMMITTEE ON COMMERCE. This Act provides that a person acting as attorney in fact under a duly executed and acknowledged power of attorney from an owner for purposes of authorizing the final consummation and execution of any contract for the sale, leasing or exchange of real estate on behalf of the owner is subject to the requirements of the Code chapter that provides for the licensure and regulation of real estate brokers and salespersons if the person, in the regular course of a business operated in the nature of a property management or brokerage business, makes repeated and successive transactions of a like character for compensation. Currently, a person acting as attorney in fact under a duly executed and acknowledged power of attorney from an owner for purposes of authorizing the final consummation and execution of any contract for the sale, leasing or exchange of real estate is exempt from those requirements.

SENATE FILE 258 - Tobacco Settlement Authority — Extension of Time

BY COMMITTEE ON JUDICIARY. This Act provides for the extension of the existence of the Tobacco Settlement Authority Act, Code Chapter 12E, until December 31, 2001. The Act takes effect March 1, 2001.

However, S.F. 532 repeals the section amended in this Act that extends the existence of the authority to December 31, 2001, eliminating the provision that would end the existence of the authority on a certain date.

SENATE FILE 276 - Licensure of Insurance Producers — Deregulation of Legal Expense Insurance

BY COMMITTEE ON COMMERCE. This Act creates new Code Chapter 522B, relating to the licensing of persons acting as insurance producers, and makes certain changes to other statutes that relate to insurance producers and agents.

New Code Section 522B.1 provides definitions for the new chapter, including "business entity," "commissioner," "home state," "insurance," "insurance consultant," "insurance producer," "insurer," "license," "limited lines insurance," "limited lines producer," "negotiate," "person," "producer database," "sell," "solicit," "terminate," "uniform application," and "uniform business entity application."

The Act creates new Code Section 522B.2, which prohibits a person from selling, soliciting or negotiating insurance in this state for any line of insurance unless the person is licensed as an insurance producer. Also required to be licensed are persons who offer to the public for a fee or commission any advice, counsel or service with respect to the benefits, advantages or disadvantages promised under a policy of insurance.

New Code Section 522B.3 states that nothing in the chapter should be construed to require an insurer to obtain an insurance producer license, and provides a list of persons who are exempt from the licensure requirements.

New Code Section 522B.4 provides that an applicant for an insurance producer license must pass a written examination, unless previously licensed in another jurisdiction, as provided in new Code Section 522B.8. The Commissioner of Insurance is authorized to adopt rules related to development and conduct of the examination, and may make arrangements for administering examinations and collecting fees. A person applying for the examination shall remit a nonrefundable fee and must reapply for the examination if the person fails to appear, pass or remit all required fees and forms.

New Code Section 522B.5 provides that a person applying for a resident insurance producer license must be at least 18, not have committed any act that is a ground for denial, suspension or revocation as set forth in new Code Section 522B.11, pay a \$50 license fee, pass the examinations for the lines for which the person has applied, and have the requisite character and competence to receive a license as an insurance producer. A business entity may also obtain an insurance producer license by completing an application, paying the appropriate fees, and designating a licensed producer as responsible for the entity's compliance with state insurance laws and rules.

New Code Section 522B.6 provides that a license that is valid for three years and, so long as it is not suspended or revoked, remains in effect as long as all required fees are paid and continuing education requirements are met. Special provisions apply for late renewals and renewals affected by military service. The licensee must inform the commissioner of a change of address within 30 days or be subject to penalty. The commissioner may contract with a nongovernmental entity to perform ministerial functions related to the licensing procedures.

An insurance producer may qualify for a license in one or more of the following lines of authority: (1) life, including endowments, annuities, accident, and death benefits; (2) accident and health or sickness insurance, including bodily injury, accidental death, and disability; (3) property; (4) casualty, including death, injury, disability, or damage to property; (5) variable life and variable annuity products; (6) personal lines property and casualty insurance sold to individuals and families primarily for noncommercial purposes; (7) excess and surplus lines insurance provided by certain nonadmitted insurers; (8) credit insurance, including credit life, disability, property, unemployment, mortgage life, mortgage guarantee, mortgage disability, and guaranteed automobile protection insurance; and (9) any other line of insurance permitted under state law or by rule.

New Code Section 522B.7 relates to licensing for nonresidents. A nonresident producer license is issued if the person is licensed in good standing in the person's home state, has submitted the request and paid the fees for licensure, has submitted the application submitted in the person's home state or a uniform application, and the person's home state awards nonresident licenses on the same basis. Notwithstanding any other provision of the chapter, a person licensed as a limited lines producer in the person's home state shall receive a nonresident limited lines insurance producer license granting the same scope of authority as in the home state, upon application and payment of fees as previously described.

New Code Section 522B.8 provides that an individual who was previously licensed for the same lines of authority in another state shall not be required to complete an examination if the person is currently licensed in the other state or if the request for licensure is within 90 days of cancellation and the applicant was in good standing. Application to become a resident licensee in this state must be made within 90 days of establishing legal residency.

New Code Section 522B.9 requires an insurance producer doing business under any name other than the insurance producer's legal name to notify the commissioner prior to using the assumed name.

New Code Section 522B.10 allows the commissioner to issue a temporary insurance producer license for up to 180 days without an examination, if necessary, in certain cases specified in the Code section. The commissioner may by order limit the authority of a temporary licensee as necessary to protect insureds and the public, and may require the temporary licensee to have a sponsor who assumes responsibility for all acts of the temporary licensee. The commissioner may also revoke a temporary license if the public interest or that of insureds is endangered.

New Code Section 522B.11 addresses denial, nonrenewal and revocation of licenses. The commissioner may place on probation, suspend, revoke, or refuse to issue or renew a license or may levy a civil penalty for one or more of the following: (1) providing

incorrect, misleading, incomplete, or materially untrue information in the license application; (2) violating any insurance laws, or any regulation, subpoena or order of the commissioner of this or another state; (3) obtaining or attempting to obtain a license through misrepresentation or fraud; (4) improperly withholding, misappropriating or converting any moneys or properties received in the course of doing insurance business; (5) intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance; (6) having been convicted of a felony; (7) having admitted or been found to have committed any unfair insurance trade practice or fraud; (8) using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere; (9) having an insurance producer license or its equivalent denied, suspended or revoked in any other state, province, district, or territory; (10) forging another's name to an application for insurance or to any document related to an insurance transaction; (11) improperly using notes or any other reference material to complete an examination for an insurance license; (12) knowingly accepting insurance business from an individual who is not licensed; (13) failing to comply with an administrative or court order imposing a child support obligation; (14) failing to comply with an administrative or court order related to repayment of loans to the College Student Aid Commission; (15) failing to pay state income tax or comply with any administrative or court order directing payment of state income tax; and (16) failing or refusing to cooperate in an investigation by the commissioner.

The commissioner shall notify a person in writing of the reason for the nonrenewal of the license or denial of the application. The licensee or applicant may request a hearing. The license of a business entity may be suspended, revoked or refused if the commissioner finds, after hearing, that an individual licensee's violation was known or should have been known and was not reported to the commissioner, and corrective action was not taken. A person may also be subject to civil penalty.

New Code Section 522B.12 addresses commissions, and provides that an insurer or producer shall not pay a commission or other consideration for selling insurance if a person is required to be licensed and is not licensed. A person is prohibited from accepting a commission for selling insurance if the person is required to be licensed and is not licensed. Renewal commissions can be paid if the person was licensed at the time of the sale. An insurer or producer may assign a commission to an insurance agency or to a person who does not sell insurance, unless the payment would violate Code Chapter 507B, "Insurance Trade Practices," or Code Section 515.130, relating to prohibited rebates.

New Code Section 522B.13 requires that an insurance producer who acts as an agent of an insurer must be appointed by that insurer. A business entity is not required to be appointed. The appointing insurer must file a notice of appointment within 30 days from the date of the agency contract, and shall pay an appointment fee and renewal appointment fees for each insurance producer appointed.

New Code Section 522B.14 requires an insurer that terminates the appointment relationship with an insurance producer to notify the commissioner within 30 days of the effective date of the termination. The insurer may be obligated to report certain other information known about the producer to the commissioner. The insurance producer may file written comments concerning the substance of the insurer's notification, which shall become part of the commissioner's record. The Act provides that a civil cause of action shall not arise against the regulatory and enforcement agencies in the absence of actual malice as a result of any statement of information provided pursuant to this Code section. An insurer or producer that fails to report as required, or is found to have reported with actual malice by a court, may have its license or certificate of authority revoked after notice and hearing, or may be fined.

Documents and other information in the possession of the Insurance Division of the Department of Commerce are considered confidential records not subject to subpoena or civil discovery, and the commissioner and other persons who received the documents and other information are not required to testify in any civil action. The commissioner may share documents and other information with other state and federal regulatory agencies, law enforcement authorities, and the National Association of Insurance Commissioners, provided that confidentiality is maintained. Waiver shall not occur as a result of any disclosure.

New Code Section 522B.15 addresses reciprocity requirements for license applicants holding licenses in another state, including when continuing education requirements are considered satisfied.

New Code Section 522B.16 requires an insurance producer to report to the commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency within 30 days of the final disposition, and to report any criminal prosecution within 30 days of the initial pretrial hearing date, including any complaint filed and any other relevant legal documents.

New Code Section 522B.17 provides that an insurer or producer who, after hearing, is found to have violated Code Chapter 522B may be assessed a civil penalty pursuant to Code Chapter 507B. A person who sells insurance without proper licensing is subject to penalty according to the provisions of Code Chapter 507A, which provides for cease and desist orders and civil penalties for violations of those orders.

New Code Section 522B.18 provides that the commissioner may adopt rules as necessary to carry out the purposes of the chapter.

The Act repeals Code Chapter 522, relating to the licensing of agents, and Code Chapter 523F, relating to legal expense insurance.

The Act takes effect January 1, 2002.

SENATE FILE 452 - Uniform Prescription Drug Information Cards

BY COMMITTEE ON COMMERCE. This Act requires the issuance of a uniform prescription drug card or technology by providers of third-party payment or prepayment of prescription drug expenses. The Commissioner of Insurance is directed to adopt rules for the uniform prescription drug information card or other technology applicable to those entities subject to regulation by the commissioner, and the Director of Public Health is to adopt rules for the uniform prescription drug information card or other technology applicable to organized delivery systems. The Act specifies the content and the format of the card. The uniform card or other technology is to be issued upon enrollment and reissued upon any change in the insured's coverage that impacts data on the card or other technology. The Act directs the commissioner to review the National Council for Prescription Drug Programs Implementation Guide or successor document on an ongoing basis to determine changes and further directs the commissioner to modify or adopt rules determined appropriate.

The Act provides that the card or other technology may be used for any health insurance or health benefits coverage and that a provider need not issue a separate card or other technology for prescription drug benefits if the card or other technology can accommodate the information necessary to process claims.

The Act specifies exemptions to the requirements of the Act. The Act applies to a health insurance or health benefits policy or contract issued and delivered, amended or renewed on or after July 1, 2003. The Act directs the commissioner to enforce the Act.

SENATE FILE 473 - Industries, Transactions, and Persons Regulated by Commissioner of Insurance

BY COMMITTEE ON COMMERCE. This Act relates to industries under the jurisdiction of the Commissioner of Insurance, including the regulation of securities and of funeral merchandise and funeral services.

SECURITIES REGULATION. The Act amends a number of provisions in Code Chapter 502 regulating the sale of securities, including the following:

- Code Section 502.102, by amending a number of definitions, including the term "agent," by creating a condition for an exception to the term based on a person's failure to receive remuneration paid for solicitation. The Act amends the definition of "security" by providing that the term includes investment or ownership interest described in the section regardless of whether it is evidenced by a written instrument.
- Code Section 502.203, by creating additional exceptions from requirements for the registration of securities and filing prospectus or sales literature, based on securities that are exempt from registration under the federal Securities Act of 1933.
- Code Section 502.207A, by eliminating provisions allowing the commissioner to issue a stop order for small issuers under certain conditions.
- Code Section 502.302, by providing that that a person required to be licensed under the chapter (e.g., a broker-dealer, investment advisor, or agent) who obtains an initial or renewal license with an organization designated by the commissioner must pay any reasonable costs charged by the designee for processing the filings. The Act also amends provisions establishing fees, including by decreasing the filing fee for investment advisers.
- Code Section 502.304, by providing that a disciplinary order or action may be taken against a registrant or a person representing the registrant for a violation of the law of a foreign jurisdiction governing the business of insurance in the same manner as the business of securities or banking.
- Code Section 502.304, by adding to the list of grounds for the denial, revocation, suspension, and withdrawal of registration to include a cease and desist order issued by the federal Securities and Exchange Commission or another state. The Act increases the maximum civil penalties for violations of the section and increases the penalty ceiling that applies to a single proceeding.
- Code Section 502.603, by rewriting provisions requiring a person to attend and testify or produce evidence in an administrative proceeding notwithstanding a claim based on self-incrimination in a criminal proceeding.
- Code Section 502.604, by providing for the imposition of a civil penalty upon a person who is in violation of a provision in the chapter, a rule adopted, or an order issued under the chapter.
- Code Section 502.605, by eliminating a requisite element of knowledge by a person who willfully violates a provision of the chapter punishable as a felony. The Act also provides that a defendant has the burden of going forward in a criminal proceeding to prove a claim based on an exemption, exception, exclusion under a definition, or a preemption.

The Act creates a new Code Section 502.604B, authorizing the Securities Bureau to cooperate with law enforcement agencies, including agencies conducting criminal investigations.

The Act repeals Code Section 502.207B, a section that requires the Director of Revenue and Finance and the commissioner to file reports with the General Assembly regarding the expedited filing by registration system.

FUNERAL MERCHANDISE AND FUNERAL SERVICES REGULATION. The Acts repeals Code Chapter 523A, relating to funeral services and merchandise, and Code Chapter 523E, relating to cemetery merchandise, and combines the subject matter of those chapters in new Code Chapter 523A. The Act also substantially amends the provisions.

Subchapter 1 provides introductory provisions. Code Sections 523A.101 and 523A.102 provide the chapter's short title and definitions, including key terms such as "beneficiary," "burial account," "cemetery merchandise," "credit sale," "delivery," "funeral merchandise," "funeral services," "nonguaranteed," "provider," "purchase agreement," "purchase price," "purchaser," "seller," and "total purchase price." A purchase agreement is an agreement to furnish cemetery merchandise, funeral merchandise, or funeral services when performance or delivery may be more than 120 days following payment on the account.

Subchapter 2 provides for the establishment of trusts, deposit, and investment requirements. Code Sections 523A.201 through 523A.205 provide for the establishment of a trust fund; conditions for administering the fund and for the payment of refunds to purchasers in the event that a seller ceases doing business; require scheduled payments in the fund; provide for the management of the fund by a financial institution; provide reporting requirements for an establishment that advertises or sells cemetery merchandise, funeral merchandise, or funeral services and reporting requirements for financial institutions serving as a trustee; and authorize the commissioner to conduct audits of establishments and inspect relevant records.

Subchapter 3 provides for the disbursement of burial account funds, burial trust funds, and insurance or annuity proceeds. Code Sections 523A.301 through 523A.303 provide relevant definitions for the subchapter; require the identification of a provider of cemetery or funeral merchandise and funeral services; and provide for the disbursement of moneys from an irrevocable burial trust fund or from the proceeds of an insurance policy or annuity made payable to a seller or provider.

Subchapter 4 provides for trusting alternatives. Code Sections 523A.401 through 523A.405 provide for purchase agreements financed by insurance proceeds, annuity proceeds, or certificates of deposit; provide for merchandise delivered to a purchaser or warehoused; provide that trust requirements do not apply to payments for outer burial containers made of polystyrene or polypropylene or cemetery merchandise delivered to a purchaser or stored in an independent third-party storage facility; provide that lawn crypts may be delivered in lieu of trusting; place a number of conditions upon the delivery of cemetery and funeral merchandise to a purchaser or to be warehoused; and provide that a seller may file a surety bond with the commissioner in lieu of complying with the trusting requirements, subject to a number of conditions necessary to ensure the integrity of the security.

Subchapter 5 provides permit requirements for sellers of cemetery or funeral merchandise or funeral services. Code Sections 523A.501 through 523A.503 provide permit requirements for persons regulated by the chapter such as establishments or persons advertising or selling cemetery or funeral merchandise or funeral services, including procedures for application and approval or denial by the commissioner; and authorize the commissioner to deny a permit application or to suspend or revoke a permit issued under the chapter based on a number of grounds, including a fraudulent act, the violation of state or federal law, insolvency, or the avoidance of trusting requirements.

Subchapter 6 provides for purchase agreement requirements. Code Sections 523A.601 and 523A.602 provide stylistic requirements for purchase agreements (e.g., that they be written in a clear understandable language and using a certain font and type size); require that purchase agreements contain major terms and conditions; and grant purchaser rights of rescission, cancellation and refund.

Subchapter 7 provides for fraudulent practices. Code Sections 523A.701 through 523A.703 prohibit making false or misleading statements under the chapter; prohibit a seller from representing that the commissioner has approved the seller; and list a number of grounds constituting a fraudulent practice, including violations of the chapter.

Subchapter 8 provides for the administration and enforcement of the chapter by the commissioner. Code Sections 523A.801 through 523A.812 provide general enforcement authority to the commissioner; provide for the scope of the chapter, which covers any advertisement, sale, promotion, or offer made to furnish upon the future death of a person identified in a purchase agreement, cemetery or funeral merchandise, or funeral services; authorize the commissioner to make public or private investigations; require a person regulated under the chapter to cooperate with the commissioner and keep business records; authorize the commissioner to compel compliance, including by obtaining subpoenas, provide for mediation of disputes involving

purchase agreements, issue cease and desist orders, and bring actions in the district court in order to obtain injunctive relief; authorize a court to award injunctive relief, order the revocation or suspension of a permit, and order the production of records; provide that a violation of the chapter is a fraudulent practice; authorize the commissioner to cooperate with governmental law enforcement agencies; authorize the commissioner to adopt rules and issue orders; require a person regulated under the chapter to file relevant documents with the commissioner; authorize the commissioner or Attorney General to apply to the district court to establish a receivership for a seller's business; authorize the commissioner to create an Insurance Division Regulatory Fund in order to pay for administration of the chapter; and provide for the revocation or suspension of a license issued by the Board of Mortuary Science Examiners.

Subchapter 9 provides for liquidation procedures. Code Sections 523A.901 and 523A.902 provide grounds for liquidation; provide for the appointment of the commissioner as liquidator and provide for the commissioner's powers and duties; provide limitations on liability, require the listing of the failed business's assets, prohibit the fraudulent transfer of assets and provide for voidable preferences and liens; require the filing and verification of claims; provide for the priority of distribution and for the distribution of assets; provide for the termination of proceedings; and require the auditing of the liquidator's books.

EFFECTIVE DATE — REGULATION OF INSURANCE COMPANIES. The Act amends S.F. 500, as passed by the General Assembly, relating to insurance, by addressing the operation and regulation of insurance companies, mutual insurance associations, the Iowa Insurance Guaranty Association, and other insurance or risk-assuming entities. The Act amends Code Section 507B.4, providing for unfair methods of competition and unfair or deceptive acts or practices, by amending provisions requiring a good faith effort to effectuate prompt, fair and equitable settlements of claims. The Act makes the provision effective January 1, 2002.

SENATE FILE 500 - Insurance Regulation

BY COMMITTEE ON COMMERCE. This Act makes changes to various insurance-related provisions throughout the Code.

The Act amends Code Section 87.11 to provide that a political subdivision, including a city, county, community college, or school corporation, that is self-insured for workers' compensation is not required to submit a plan or program to the Commissioner of Insurance for review and approval. Current Code language requires employers to furnish certain proof of solvency and ability to pay to be exempted from workers' compensation insurance requirements.

Effective January 1, 2002, the Act repeals Code Section 432.12, regarding the premium tax credit for employer-sponsored health plan premium credit.

The Act deletes the requirement in Code Section 505.11 for the commissioner to certify to the Department of Revenue and Finance the amount of credit to be applied on future taxes due from a company that has overpaid amounts due to the state, and to notify the company of the amount. Current Code language gives the commissioner the power to refund the overpayment or apply it to current or future amounts due.

The Act amends Code Section 507.10 regarding the filing by the examiner of a verified written report of examination by deleting the words "under oath."

The Act deletes a provision in Code Section 507A.4 relating to unauthorized insurers, which exempts from that Code chapter any life insurance company organized and operated for the purpose of aiding educational or scientific institutions organized and operated without profit to any private shareholder or individual by issuing insurance and annuity contracts. This provision takes effect January 1, 2002.

The Act amends an unfair claim settlement practice in Code Section 507B.4 to include expressly a reference to another Code subsection on the payment of interest added by this Act, and adds an additional unfair claim settlement practice relating to the audit of health care claims. The Act adds an unfair practice relating to the payment of interest on health insurance claims an insurer fails to timely accept. This provision takes effect January 1, 2002.

The Act adds new Code Section 507B.4A, specifying a person's duty to respond timely to inquiries from the commissioner and a health insurer's duty to accept and pay or deny a claim, as defined by the new Code section. These provisions, and Code sections amended to refer to this new Code section, take effect January 1, 2002.

The Act strikes paragraphs in Code Section 513B.4 related to certain outdated restrictions on premiums, and strikes a subsection pertaining to premium rates variances for certain plans. The Act deletes the requirement in Code Section 513B.10 for a carrier or organized delivery system to offer health insurance coverage that constitutes a basic health benefit plan and a standard health benefit plan. The Act strikes a paragraph from Code Section 513B.13 dealing with initial appointments to the board for the

Small Employer Carrier Reinsurance Program. The Act repeals Code Section 513B.14, regarding basic and standard health benefit plan standards; Code Sections 513B.16 and 513B.18, applicability provisions relating to basic and standard health benefit plans; Code Section 513B.17A, regarding adoption of rules relating to restoration of small group health coverage; and Code Sections 513B.31 through 513B.43, relating to basic benefit coverage for small groups. Changes to Code Chapter 513B take effect January 1, 2002.

The Act modifies the language used in Code Section 514E.1 for the definition of "health insurance coverage."

The Act adds new Code Section 514J.3A, which requires notice of the availability of the internal appeal mechanism to be provided when a claim is denied, and notice of the external review process when a coverage decision is made. The Act amends terms used in Code Section 514J.5 relating to certification of a request for external review, and adds a paragraph relating to written notification of reasons for certification. The Act strikes existing Code Section 514J.7, relating to criteria for the external review process, and inserts a new criteria section that reorganizes certain current provisions and contains a more detailed process. The Act adds new Code Section 514J.15 to provide that a carrier who fails to comply with the provisions of Code Chapter 514J relating to the external review process, or related administrative rules, is subject to penalties provided under Code Chapter 507B relating to insurance trade practices.

The Act amends Code Section 515.35, to permit investments of up to 5 percent of the admitted assets of an insurance company other than a life insurance company, instead of 2 percent. The Act amends Code Section 515.51 to provide that all policies or contracts of insurance except surety bonds may be entered into with or without the seal of the company. The Act repeals Code Section 515.122, relating to required components of advertising by agents for insurance other than life insurance.

The Act adds residual value as a type of insurance coverage excluded from the scope of Code Chapter 515B, titled "Insurance Guaranty Association." The Act amends Code Section 515B.5 to specify that the Iowa Insurance Guaranty Association is not obligated to pay an amount in excess of the policy limitations of the insolvent insurer, regardless of whether the claim is based in contract or tort. The Act strikes current Code Section 515B.16, regarding actions against the Insurance Guaranty Association, and inserts revised language, including a provision that specifies that the Polk County District Court has exclusive jurisdiction and venue of such actions.

The Act creates new Code Section 515F.4A to provide a standard for judging the reasonableness of premiums charged to benefits provided under a credit personal property insurance policy. This provision takes effect January 1, 2002.

The Act amends Code Sections 518.23 and 518A.29 by deleting references to certified or registered mail, and specifying that a certificate of mailing constitutes proof of receipt of cancellation or nonrenewal of policies by a county mutual insurance association or a state mutual insurance association, respectively.

SENATE FILE 532 - Tobacco Settlement Program — Miscellaneous Changes

BY COMMITTEE ON APPROPRIATIONS. This Act provides for securitization of funding from the Tobacco Master Settlement Agreement. The Act amends Code Chapter 12E, relating to the Tobacco Settlement Authority, to provide for implementation of the program plan submitted by the Tobacco Settlement Authority to the Legislative Council and the Executive Council to provide a secure and stable source of funding for the purposes designated in Code Section 12.65, which establishes the Tobacco Settlement Endowment Fund, which is renamed by the Act as the Healthy Iowans Tobacco Trust. The Act directs the authority to sell tax-exempt bonds in specified amounts to be used for capital projects, certain debt service, and payment of attorney fees related to the Tobacco Master Settlement Agreement. The Act also authorizes the authority to issue taxable bonds or tax-exempt bonds to provide additional proceeds to be used for the purposes specified in Code Section 12.65.

The Act provides that the state reserves the right to alter, amend, repeal, or otherwise change the structure, organization, programs, or activities of the authority, except that no law is to be enacted that impairs any obligation made under a sales agreement or contract which would contravene constitutional provisions.

The Act amends the section of Code Chapter 12E relating to the Tobacco Settlement Trust Fund to provide for two separate accounts within the fund. The net proceeds of the tax-exempt bonds are to be deposited in the Tax-Exempt Bond Proceeds Restricted Capital Funds Account to be used to fund capital projects, certain debt service, and payment of attorney fees related to the Tobacco Master Settlement Agreement. The net proceeds of any taxable bonds or tax-exempt bonds issued to provide funds for the purposes specified in Code Section 12.65, any portion of the state's share which is not sold to the authority, and any other moneys appropriated by the state for deposit in the account are to be deposited in the Endowment for Iowa's Health Account.

The Act provides for a transfer of \$55 million from the Endowment for Iowa's Health Account to the Healthy Iowans Tobacco Trust for FY 2001-2002. For the fiscal year beginning July 1, 2002, and annually thereafter, a transfer of \$55 million plus an

inflationary factor of 1.5 percent of the amount transferred in the previous year is required to be transferred from the Endowment for Iowa's Health Account to the Healthy Iowans Tobacco Trust.

Moneys transferred from the Endowment for Iowa's Health Account and appropriated or transferred from any other source are to be deposited in the Healthy Iowans Tobacco Trust to be used in accordance with appropriations made from the Healthy Iowans Tobacco Trust for purposes related to health care, substance abuse treatment and enforcement, tobacco use prevention and control, and other purposes related to the needs of children, adults and families in the state. The Act eliminates the Savings Account for Healthy Iowans within the trust.

The Act provides that until the sale of the portion of the state's share is effective, the state's share is to be deposited in the Healthy Iowans Tobacco Trust. Upon the effective date of the sale, the state's share is to be transferred or deposited in accordance with the sales agreement and Code Chapter 12E.

The Act takes effect May 29, 2001.

HOUSE FILE 222 - Bank Offices and Branches

BY COMMITTEE ON COMMERCE AND REGULATION. This Act allows banks in Iowa to establish additional bank offices in two phases.

The first phase provides that, notwithstanding other restrictions in Code Chapter 524 to the contrary and subject to approval by the superintendent, a state bank can establish up to three bank offices at any location in Iowa in addition to the bank offices that can be established pursuant to Code Chapter 524. A branch of an out-of-state national or state bank is also permitted to establish up to three bank offices at any location in Iowa in addition to the bank offices that may be established under Code Chapter 524, provided that no more than a total of three such bank offices may be established by all branches, collectively, of an out-of-state bank.

In a related action, the Act provides that a bank that is converted to a principal place of business or to a bank office of a united community bank due to merger or consolidation after January 1, 2001, may establish the number of additional bank offices it would have been entitled to establish under Code Section 524.1202 prior to the merger or consolidation.

The Act also divides Code Section 524.1205 into subsections and deletes an outdated reference restricting interstate merger transactions under 12 U.S.C. § 1831(u) prior to June 1, 1997.

The second phase of the Act takes effect on July 1, 2004. At that time, Code Section 524.1201 is amended to provide that a state bank may establish any number of bank offices at any location in the state, subject to the approval and regulation of the superintendent. In a related action, Code Sections 524.1202 and 524.1213 (relating to united community bank offices) are repealed at that time. Code Section 534.214 is amended to delete a provision relating to the restrictions on the number of offices a bank may establish.

The Act takes effect February 21, 2001.

HOUSE FILE 269 - Secured Consumer Loans for Motor Vehicles — Balloon Payments

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends the Iowa Consumer Credit Code to exclude consumer loans secured by a certificate of title in a motor vehicle from the right to refinance the balloon payment without penalty and at terms no less favorable than the original loan transaction.

HOUSE FILE 286 - Cooperative Associations — Members, Nonmembers, and Memberships — Fictitious Names

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends a number of provisions in Code Chapter 499 providing for business associations (referred to as "associations"), including cooperative associations, organized under the chapter. The Act amends the following sections:

- Code Section 499.3, which provides for dealing with nonmembers. The Act eliminates a provision limiting the amount of business that an association may do with a nonmember, but provides that the association may elect to limit its business dealings with nonmembers.
- Code Section 499.4, which provides for the use of the term "cooperative." The Act provides that the chapter does not control the use of fictitious names, but requires a cooperative association to file a copy of the resolution adopting the fictitious name with the Secretary of State. The language is based on similar provisions governing names for partnerships (Code Section 487.102), corporations (Code section 490.401), limited liability companies (Code Section 490A.401), and nonprofit corporations (Code Section 504A.6).
- Code Section 499.14, which provides for membership in nonstock associations. The Act provides that a cooperative association is not required to charge an issuing price for such memberships.

- Code Section 499.16, which provides for subscriptions for common stock or membership in a cooperative association and subscribers' rights. The Act provides that an association is not required to charge for common stock or membership.

The Act takes effect March 14, 2001.

HOUSE FILE 325 - Regulation of Multiple Employer Welfare Arrangements

BY COMMITTEE ON COMMERCE AND REGULATION. This Act relates to regulation of multiple employer welfare arrangements (MEWAs) by the Commissioner of Insurance.

The Act repeals the sunset repeal date of July 1, 2001, thereby making regulation of MEWAs no longer subject to sunset.

The Act also amends Code Section 507A.4, subsection 10, which provides that MEWAs are excluded from consideration as an unauthorized insurer in the state if the conditions of the subsection are met. The subsection is amended to provide that one condition is that the arrangement has been in existence and provided health insurance specifically in Iowa for at least five years prior to July 1, 1997, rather than the previous requirement of providing the health insurance anywhere for at least five years prior to July 1, 1997.

In addition, a new paragraph is added to the subsection to provide that a MEWA meeting the conditions in the subsection will not be considered to be an insurance company or association under Code Section 432.1, a member of the Iowa Individual Health Benefit Reinsurance Association under Code Section 513C.10, or a member insurer of the Iowa Life and Health Insurance Guaranty Association under Code Section 508C.5, subsection 8.

MEWAs registered with the commissioner must annually file with the commissioner a copy of the report filed by the MEWA with the U.S. Department of Labor pursuant to 29 C.F.R. § 2520.101-2. In addition, until July 1, 2002, the MEWA is also required to file an annual report detailing certain information regarding the MEWA's operation. Until July 1, 2002, both reports must be compiled by the Insurance Division of the Department of Commerce and filed annually with the General Assembly, including computations of premium tax and reinsurance association assessments that would have been applicable if the MEWAs were insurance companies.

The Act also requests the Legislative Council to authorize an interim study committee to review the current status of the health insurance market in Iowa with regard to MEWAs.

The Act takes effect March 14, 2001.

HOUSE FILE 549 - Agricultural Liens

BY COMMITTEE ON AGRICULTURE. In 2000, the General Assembly enacted H.F. 2513 (2000 Iowa Acts, Chapter 1149) adopting revised Article 9 of the Uniform Commercial Code (Code Chapter 554) as proposed by the American Law Institute and the National Conference of Commissioners on Uniform State Laws, and conforming amendments to a number of articles within the chapter as well as other chapters providing for security interests and liens.

With limited exceptions, new Article 9 governs the creation, priority and enforcement of creditor's consensual liens, which are defined as security interests in personal property and fixtures. Revised Article 9, like its predecessor, provides generally for the effectiveness of security agreements and the rights and duties of creditors (i.e., secured parties), including parties having possession and control of collateral. Much of revised Article 9 provides for perfecting a security interest, usually accomplished by filing a financing statement. The article provides for the contents of financing statements and the location where such financing statements must be filed (e.g., with the Secretary of State). In perfecting a security interest, a debtor is generally assured rights in the collateral superior to a security interest perfected later in time.

Prior to the revision of Article 9, liens created in statutes outside Code Chapter 554 were not affected by its provisions. These liens include types of agricultural liens such as those created in Code Chapters 579A and 579B. Under Code Chapter 579A, the lien is created at the time cattle arrive at a feedlot, and must be preserved by filing a lien statement with the Secretary of State within 20 days. Under Code Chapter 579B, the lien is created at the time livestock arrive at a contract operation or the time that a crop is planted, and must be preserved by filing a lien statement with the Secretary of State. Revised Article 9 provides filing requirements for perfecting agricultural liens and therefore may control issues relating to priority of conflicting security interests and liens.

This Act amends both Code Chapters 579A and 579B by eliminating requirements for filing that are inconsistent with the requirements contained in revised Article 9. The Act expressly states that the two types of liens are agricultural liens, replaces references to lien statements with financing statements, and provides for their super priority status over other security interests and liens with the exception of veterinarian liens to the extent that these liens also have been perfected as agricultural liens under revised Article 9.

The Act provides that where a production contract provides for continuous arrival of livestock at a contract operation under Code Chapter 579B, the contract producer must file a financing statement within 180 days from the date of arrival. The Act provides for the priority of competing liens perfected as required under revised Article 9, or effective but not perfected under the article by following the first-in-time rule adopted under the Uniform Commercial Code.

HOUSE FILE 569 - Proposed Uniform Computer Information Transactions Act — Effect — Intent

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends certain provisions of a 2000 Act that relate to the Uniform Computer Information Transactions Act proposed by the National Conference of Commissioners on Uniform State Laws. It amends the effective date, from July 1, 2001, to July 1, 2002, for the repeal of a provision, relating to a choice of law clause in a computer information agreement, contained in the Iowa Uniform Electronic Transactions Act.

The Act also amends the 2000 Iowa Acts to provide that it is the intent of the General Assembly to consider the proposed Uniform Computer Information Transactions Act in the 2002 Regular Legislative Session, rather than in the 2001 Regular Legislative Session.

HOUSE FILE 733 - Health Insurance and Health Insurance Associations — Miscellaneous Changes

BY COMMITTEE ON WAYS AND MEANS. This Act amends sections of Code Chapters 513B, 513C and 514E, dealing with the Iowa Individual Health Benefit Reinsurance Association, the Iowa Comprehensive Health Insurance Association, and adjustment in coverage of basic and standard health benefit plans.

The Act amends Code Sections 513B.14 and 513C.8 to require the Insurance Commissioner to adjust the health plan standards at least every three years to reflect the current state of the applicable market.

The Act amends Code Section 513C.10 to provide that for policies written after January 1, 2002, rates for the basic and standard coverages shall be no lower than the maximum rate allowable by law. In addition, the Iowa Individual Health Benefit Reinsurance Association may increase cost sharing provisions with the approval of the commissioner.

The Act amends Code Section 514E.2 to make the Iowa Comprehensive Health Insurance Association responsible for administering the Iowa Individual Health Benefit Reinsurance Association pursuant to all of the terms and conditions contained in Code Chapter 513C, and amends current provisions in Code Section 513C.10 in accord with this change in location in the Code.

The Act also amends Code Section 514E.2 regarding the composition of the board of directors of the Iowa Individual Health Benefit Reinsurance Association, resulting in a merger of the boards of the Iowa Comprehensive Health Insurance Association and the Iowa Individual Health Benefit Reinsurance Association. The Act adjusts the total number of members of the merged board. The Act adds as member representatives the two largest domestic carriers of the individual health insurance in the state as of the calendar year ending December 31, 2000, measured by an earned premium standard, and representatives of the three largest carriers of health insurance in the state, measured by an earned premium standard, excluding Medicare supplement coverage premiums, that are not otherwise represented. These are the same groups deleted under Code Section 513C.10 as the board of directors for the Iowa Individual Health Benefit Reinsurance Association.

CHILDREN AND YOUTH

- SENATE FILE 63 - Child Endangerment
- SENATE FILE 355 - Custody of Newborn Infants — Release at Institutional Health Care Facilities — Parental Rights
- SENATE FILE 392 - Appeals From Juvenile Court
- SENATE FILE 458 - Services and Proceedings Involving Juvenile Delinquents and Other Children
- HOUSE FILE 178 - Child Abuse and Protection — Drug Manufacture or Possession in Child's Presence
- HOUSE FILE 560 - Regulation of Child Foster Care
- HOUSE FILE 598 - Child Protection Center Grant Program
- HOUSE FILE 662 - Community Empowerment Initiative
- HOUSE FILE 680 - Child and Dependent Adult Abuse Reporting

RELATED LEGISLATION

- SENATE FILE 412 - Compulsory School Attendance Age
SEE EDUCATION. This Act provides that if a child enrolled in a school district or accredited nonpublic school reaches the age of 16 on or after September 15, the child is deemed to be of compulsory attendance age for the entire academic year.
- SENATE FILE 525 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002. The Act includes funding for various programs involving children and families, including Child Care and Development, Maternal and Child Health Services, Community Services, and Social Services Block Grants.
- SENATE FILE 537 - Tobacco Settlement Fund Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust. The Act includes an appropriation to the Iowa Department of Public Health for the Tobacco Use Prevention and Control Program, which includes use of funds to promote and ensure retailer compliance with tobacco laws and ordinances relating to persons under 18 years of age, and for Iowa Community Empowerment School-Ready Children Grants.
- HOUSE FILE 180 - Dissolution of Marriage — Financial Information — Court-Approved Courses
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act provides that with regard to the course that is required to be completed by parties to an action which involves issues of child custody or visitation, if participation is waived or extended for good cause or is otherwise not required, the court may grant a final dissolution of marriage decree or enter a final custody order even though the parties have not completed the course. However, the court may order that the parties receive the information, in an alternative format, that would otherwise have been provided during participation in the course. The Act also provides that the court, in its discretion in a dissolution of marriage action, may order a trustee to provide information including but not limited to trust documents and financial statements relating to any beneficial interest a party to the pending action may have in the trust.
- HOUSE FILE 228 - State Building Code and Preemployment Records Checks
SEE HUMAN SERVICES. This Act relates to the performance of background checks on persons seeking employment at a residential care or nursing facility.
- HOUSE FILE 310 - Child Support Recovery Unit — Court Records Access — Setoff Payments for Support
SEE HUMAN SERVICES. This Act relates to child support enforcement. The Act authorizes the disclosure of certain official juvenile court records and orders relating to paternity, support, or the termination of parental rights to the Child Support Recovery Unit, upon request, without court order. The Act also makes changes relative to orders for support for which an obligation may have accrued during a time period for which a support order was not yet in force.

- HOUSE FILE 327** - Enticing Away and Sexual Exploitation of a Minor
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act makes changes to the criminal offenses of enticing away a child and sexual exploitation of a minor.
- HOUSE FILE 458** - Limitation of Criminal Actions — Incest — Sexual Exploitation
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act extends the statute of limitations period for filing a criminal charge of incest and sexual exploitation committed on or with a person under the age of 18 by a counselor or therapist.
- HOUSE FILE 567** - Adoptions — Interstate Legal Risk Placements and Standby Procedures
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act provides that in the case of an interstate adoption, a child may be placed in the home of a prospective adoptive parent under a legal risk placement prior to the termination of the parental rights of the biological parent of the child. The Act also establishes provisions for a standby adoption, in which a terminally ill parent consents to termination of parental rights and the issuance of a final adoption decree effective upon the death of the terminally ill parent or the request of that parent for the issuance of a final adoption decree.
- HOUSE FILE 714** - Community Development Program — Tax Credits — VETOED BY THE GOVERNOR
SEE TAXATION. This bill would have established a Community Development Program, administered by the Department of Economic Development, to provide tax incentives to businesses that make contributions to projects in communities or neighborhoods which would benefit by the projects or that make expenditures to provide child care benefits to their employees. The tax incentives would be in the form of tax credits of up to \$100,000 to offset the tax liability under the individual and corporate income taxes, the financial institution franchise tax, the insurance gross premiums tax, and the credit union moneys and credits tax.
- HOUSE FILE 726** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Office of Drug Control Policy, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs. The Act requires the Department of Public Health to adopt rules regarding model regulations to be used in instances in which a child is confirmed as lead poisoned.
- HOUSE FILE 732** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act provides appropriations to the Department of Human Services and includes provisions related to federal Temporary Assistance for Needy Families funds for Community Empowerment Initiative child care programming, child care emergency and start-up grants, assistance to providers of school-age child care, and provision of educational opportunities to child care providers; implementation of the Early and Periodic Screening, Diagnosis, and Treatment Program through the school system; the Medical Assistance Program (Medicaid) eligibility income limit for pregnant women and infants under the mothers and infants category; continued funding for the State Child Care Assistance Program and child care resource and referral services; funding for court-ordered services provided to juveniles and for child support enforcement; and numerous other provisions affecting children.

CHILDREN AND YOUTH

SENATE FILE 63 - Child Endangerment

BY COMMITTEE ON JUDICIARY. This Act relates to child endangerment violations and the penalties for these violations under the Criminal Code. The Act is popularly referred to as the "boyfriend bill."

The Act amends Code Section 726.6, relating to child endangerment, in several ways. Under current law, child endangerment violations can only be committed by a parent, guardian, or person having custody or control of a child or minor under the age of 18 with a mental or physical disability. In the Criminal Code, "child" is defined as a child who is under the age of 14. The Act adds a person who is a member of the household in which a child or minor resides as a potential child endangerment violator.

In addition, the term "person having control or custody of a child or minor" is defined to include any of the following: a person who has accepted, undertaken or assumed supervision of the child or minor from the parent or guardian; a person who has undertaken or assumed temporary supervision of the child or minor without explicit consent from the parent or guardian; or a person who operates a motor vehicle with a child or such a minor present in the vehicle.

The list of child endangerment acts is amended to include acts intended to cause bodily injury. Penalties are revised to provide that an act of child endangerment resulting in bodily injury is a class "D" felony and an act of child endangerment that does not result in bodily injury or serious injury is an aggravated misdemeanor.

Current law provides that a felonious act of child endangerment is a forcible felony. The Act provides that a class "D" felony act of child endangerment resulting in bodily injury is not a forcible felony.

SENATE FILE 355 - Custody of Newborn Infants — Release at Institutional Health Care Facilities — Parental Rights

BY COMMITTEE ON HUMAN RESOURCES. This Act, known as the "Newborn Safe Haven Act," allows a parent of a newborn infant to voluntarily release custody of that infant at an institutional health facility such as an emergency room or health care facility that is open 24 hours per day, seven days per week. "Newborn infant" means a child who is, or appears to be, less than 14 days of age or younger. The parent is immune from criminal charges for neglect or abandonment of the infant.

The parent may authorize another person to assist by relinquishing actual custody of the infant on behalf of the parent. A person who assists in this manner has civil and criminal immunity for reasonable acts made in good faith while assisting.

The Act does not require the parent or person assisting to relinquish physical custody directly to an individual on duty at the facility. However, the parent may telephone the facility or a 911 service to make someone aware that the infant has been left. For purposes of any judicial proceedings associated with the infant, the Act presumes that the person relinquishing custody is the infant's parent or that the person relinquishing custody is authorized to do so by the parent.

The Act requires an individual on duty at the health facility to take physical custody of the infant and that individual may request the parent or parent's name and medical history information. However, the parent or other person is not required to provide any information. The Act includes confidentiality protections prohibiting unauthorized disclosure of information regarding the custody release and a serious misdemeanor penalty. The confidentiality provisions allow the infant to later have access to any record made regarding the release of custody.

The Act provides that the health facility staff may perform reasonable actions to protect the health and safety of the newborn infant and provides civil and criminal immunity for these actions. The Department of Human Services (DHS) is responsible for reimbursing a facility's actual expenses in providing care to the infant.

The Act requires the institutional health facility staff to notify the department as soon as possible following assumption of physical custody of the infant and requires the department to act to assume custody of the infant. These actions include orally notifying the juvenile court and the county attorney, requesting an ex parte order to take custody of the infant, and providing written notification to the juvenile court and the county attorney of the department's actions within 24 hours of taking custody of the infant. The Act requires the county attorney, following receipt of notice, to file a petition alleging the infant is a child in need of assistance (CINA) and for termination of parental rights with respect to the infant. The Act requires the CINA hearing to be held at the earliest practicable time and the termination hearing to be held within 30 days of the date the infant was left at the facility, unless the juvenile court continues the hearing. An appeal of the termination order must be filed within 30 days of the order's issuance.

The Act requires notice of the petition to be provided to any known parent, any putative father registered with the state, the individual at the health facility who received custody of the infant, attorneys and guardians for the infant, and others required by the Juvenile Justice Code. Notice of the termination hearing must be published twice prior to the hearing. Either parent may

intervene in the hearings and request that the court grant custody of the child to the parent. In order for custody to be granted, the requestor must prove parentage of the child and the court must determine that granting custody is in the infant's best interest. If the court grants custody to the requestor, the court may order services for the infant and the parent.

The Act requires DHS to consult with the departments of Public Health and Justice in developing and distributing the following materials: an information card that a health facility may distribute to an individual who uses the Act to release custody of a newborn infant; educational materials, announcements, and other materials to develop public awareness of the Act; and signage to identify health facilities that may be used for releasing custody of a newborn infant.

The Act takes effect April 24, 2001.

SENATE FILE 392 - Appeals From Juvenile Court

BY COMMITTEE ON JUDICIARY. This Act relates to appeals filed in juvenile court proceedings. The Act provides that an appeal shall be heard by the appellate court at the earliest practicable time, if the order or decree from the juvenile court affects the custody of a child. The Act also authorizes the Supreme Court to prescribe new rules to expedite appeals from orders terminating parental rights.

SENATE FILE 458 - Services and Proceedings Involving Juvenile Delinquents and Other Children

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to children's programs and provisions involving the Department of Human Services (DHS) and the juvenile court, including the Foster Home Insurance Fund, group child care providers, juvenile delinquents and child in need of assistance (CINA) dispositions, termination of parental rights, staff qualifications for certain children's services providers, and psychiatric medical institutions for children.

FOSTER HOME INSURANCE FUND. The fund's provisions are amended to add coverage for guardians appointed on a voluntary petition filed under the Juvenile Justice Code.

CHILD CARE PROVISIONS. The Act strikes language applying a separate cap on the number of preschool children who may receive care from a joint group child care provider. Such a provider is limited to caring for up to 11 children at one time with not more than four of infant age.

Under current law, the department is operating a pilot project that combines registered family child care homes and group child care homes into a single registered child care home classification with four levels. The pilot project was authorized to operate in up to two counties in each of the department's five regions. The Act authorizes the department to implement the pilot project in additional counties where there is an interest.

JUVENILE DELINQUENCY PROVISIONS. Due to federal requirements for financial participation in the costs of out-of-home placements of children, Iowa law for CINA placements has required court orders to include determinations regarding the child's welfare and the reasonable efforts made to prevent or eliminate the need for the out-of-home placement. The Act authorizes the court, if the court deems it appropriate, to include child welfare and reasonable efforts determinations in an order under juvenile delinquency proceedings placing a child in an out-of-home placement in shelter care or detention, or transferring legal custody of the child to an adult relative, child placing agency, or other private agency, to DHS for foster care or state training school placement, or to a juvenile court officer for placement involving a community supervised treatment program. The Act provides a definition of the term "reasonable efforts" that is applicable to all juvenile delinquency proceedings and other provisions of the juvenile delinquency division of the Act. This definition is similar to the definition used for CINA proceedings.

The Act provides that a written court order for such an out-of-home placement may include the determination that the child remaining in the child's home would be contrary to the child's welfare and that reasonable efforts to prevent the permanent removal of the child have been made. The inclusion of such a finding is not to be deemed a prerequisite for entry of the order; however, the inclusion of the finding may assist DHS in obtaining federal funding for the placement.

The Act amends Code Section 232.53, relating to the duration of dispositional orders for out-of-home placements of juvenile delinquents, in regard to the filing of written reports by persons supervising the children who are subject to the orders. The Act makes the reports part of the record considered by the court in any delinquency permanency hearing.

The Act establishes a process for permanency hearings for the review of those out-of-home placements of a child in which the order included the finding that the child remaining in the child's home is contrary to the child's welfare.

CHILD IN NEED OF ASSISTANCE (CINA) PROVISIONS. The Act amends the requirements for temporary removal of a child from the child's home pursuant to an ex parte court order. The Act removes a prerequisite that required reasonable efforts to be made to prevent or eliminate the need for removal of the child. The court must still determine that the child remaining in the

child's home would be contrary to the child's welfare. In addition, the court must make this determination on a case-by-case basis and explicitly document in the order the grounds for making the determination.

One of the prerequisites in current law for obtaining an ex parte order is that it must appear that the child's immediate removal is necessary to avoid imminent danger to the child's life or health. The Act provides that indications of imminent danger include circumstances in which the person responsible for the care of the child refuses or fails to comply with the request of a peace officer, juvenile court officer, or DHS child protection worker to provide results of a physical or mental examination of the child, which may include a test for the presence of illegal drugs. Imminent danger is also indicated if the person responsible for the care of the child or another person who is present in the child's home refuses or fails to comply with the request from any of the same requestors for the person to submit to and provide the results of a drug test.

The Act amends requirements for emergency removal of a child without a court order. Under current law, the court must be informed of such an emergency removal. The Act provides that upon being informed, the court may enter an ex parte order for temporary removal of the child.

The Act amends provisions relating to hearings concerning temporary removal of a child or transfer of custody after a CINA adjudication. If the court determines that a child's removal from the home is to be continued or ordered, the court must determine that the child remaining in the child's home would be contrary to the child's welfare and that reasonable efforts have been made to prevent or eliminate the need for the removal. In addition, the court must make this determination on a case-by-case basis and explicitly document in the order the grounds for making the determination. However, the Act provides that preserving the child's safety is the paramount consideration and if there is imminent danger to the child's life or health at the time of the court's consideration, the court may continue the removal order or make the transfer without making the otherwise required determinations.

The Act makes the Code Section 232.102 definition of "reasonable efforts" applicable to the entire Child in Need of Assistance Division of Code Chapter 232. Current law provides that if aggravated circumstances exist, the court may waive the requirement for making reasonable efforts to eliminate the need for the out-of-home placement. The Act requires clear and convincing evidence of the existence of aggravated circumstances.

The Act makes the Code Section 232.102 definition of "reasonable efforts" applicable to the entire Child in Need of Assistance Division of Code Chapter 232. Current law provides that if aggravated circumstances exist, the court may waive the requirement for making reasonable efforts to eliminate the need for the out-of-home placement. The Act requires clear and convincing evidence of the existence of aggravated circumstances.

The Act amends the law relating to termination, modification, vacation, and substitution of dispositional orders in regard to notice of hearings. Under prior law, notice was required to be provided by personal service unless the court ordered it to be provided by certified mail. The Act provides instead that reasonable notice of this type of hearing is to be provided to the parties.

The Act amends the law relating to permanency hearings under the CINA division. The Act strikes a reference to permanency hearings for juvenile delinquency to conform with the permanency hearing provisions included in the Act for juvenile delinquency. In addition, the notice of the permanency hearings is to be reasonable rather than by personal service or certified mail. The Act modifies the law authorizing the court to order long-term foster care placement in a home or facility as an option. In lieu of long-term foster care placement, the court may order a "planned permanent living arrangement" for the child, provided DHS has documented to the court's satisfaction a compelling reason that none of these other options are in the child's best interest: transfer custody to a suitable person, transfer custody from one parent to another parent, or transfer custody to a suitable person for the purpose of long-term care.

REHABILITATIVE TREATMENT SERVICES STAFF QUALIFICATIONS. The Act directs DHS to change staff qualifications for therapeutic foster care services funded by the Medical Assistance (Medicaid) Program applicable to those staff providing therapy and counseling services, and psychosocial evaluation and behavioral management services. The change allows persons with a bachelor's degree from an accredited social work program to provide those services without the additional requirement of having full-time experience. The Act authorizes the department to take actions necessary to obtain federal approval for the change and to adopt rules using emergency procedures. This provision takes effect May 16, 2001.

TERMINATION OF PARENTAL RIGHTS. The Act revises a directive for the county attorney to petition for termination of parental rights. Under current law, unless certain conditions exist, the county attorney must file a petition if a child has been placed in foster care for 15 months or more of the most recent 22-month period. The Act provides that the petition must be filed by the end of the fifteenth month.

For Juvenile Justice Code hearings that are held following an adjudicatory hearing, the Act provides that reasonable notice must be provided to the persons who were required to be notified of the original adjudicatory hearing, except those who were notified and failed to appear. Current law requires notice to be provided by personal service or certified mail. In addition, in juvenile delinquency proceedings, reasonable notice is to be provided to relatives who are providing preadoptive care to a child and is to be waived for a person who was notified of the adjudicatory delinquency hearing and failed to appear.

PSYCHIATRIC MEDICAL INSTITUTIONS FOR CHILDREN (PMICs). The Act requires the department to work with private providers of PMIC services to eliminate or reduce the requirement that the providers must collect client financial participation in the cost of services. The Act requires the department to submit proposals to the Governor and General Assembly in order to achieve this purpose. Except for PMICs specialized to provide substance abuse treatment, the Act prohibits the department from including PMIC services in any managed care contract without express statutory authorization.

HOUSE FILE 178 - Child Abuse and Protection — Drug Manufacture or Possession in Child's Presence

BY COMMITTEE ON HUMAN RESOURCES. This Act applies child in need of assistance (CINA) and child abuse provisions of the Juvenile Justice Code to a child whose parent, guardian or caregiver has manufactured or possessed a dangerous substance in the presence of a child.

"Dangerous substance" means amphetamine or methamphetamine or precursors to these substances. In addition, the term also includes a chemical or combination of chemicals that pose a reasonable risk of causing a fire or explosion or other danger to the life or safety of persons in the vicinity while the chemical or combination is used or intended to be used in the process of manufacturing an illegal or controlled substance.

HOUSE FILE 560 - Regulation of Child Foster Care

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to child foster care regulations involving medical care and to foster family respite care delivered by child care providers.

The Act requires the Department of Human Services to adopt rules providing that if health records supplied under a child's case permanency plan are incomplete, steps will be taken to obtain the additional information from the child's parent or other source and to supply the information to the foster care provider. In addition, emergency health coverage must be provided for children in family foster care placement for situations in which the child is engaged in temporary out-of-state travel with the foster family.

The Act establishes an exception related to child care, which does not generally allow child care to be provided for a period of 24 hours or more, so that a registered or licensed child care facility may provide respite care to a licensed foster family home for a period of 24 hours or more.

The Act takes effect May 2, 2001.

HOUSE FILE 598 - Child Protection Center Grant Program

BY COMMITTEE ON HUMAN RESOURCES. This Act establishes a Child Protection Center Grant Program in the Iowa Department of Public Health. Implementation of the grant program is contingent upon the availability of funding for the program and state funding was not appropriated for FY 2001-2002.

Eligibility requirements for the program include use of national standards for child protection centers; having in place a memorandum of understanding with local Department of Human Services offices assigned to child protection, local law enforcement, county attorney, and other government entities involved with child protection activities, providing for local participation in the center and coordinating activities in the center; and providing for the use of a cooperative team approach in responding to child abuse, reducing the number of child interviews, and emphasizing the best interest of the child while providing comprehensive investigative, assessment and rehabilitative services.

The Director of Public Health is to use a broad-based committee of public and private interests to consider grant proposals and to make recommendations to the director.

HOUSE FILE 662 - Community Empowerment Initiative

BY COMMITTEE ON LOCAL GOVERNMENT. This Act relates to Iowa's Community Empowerment Initiative.

The Act authorizes an area education agency to serve as fiscal agent for a community empowerment area board.

The Act provides a grant distribution directive to the Iowa Empowerment Board in the event at least \$17.9 million is appropriated for deposit in the School Ready Children Grants Account of the Iowa Empowerment Fund for fiscal year 2001-2002. However, between S.F. 535 (see Appropriations) and S.F. 537 (see Appropriations), only \$15,817,250 was appropriated. Senate File 535, therefore, provides for a percentage reduction from an area's distribution amount for FY 2000-2001.

The Act provides legislative intent for the Legislative Council to convene a summit meeting during the 2001 legislative interim to consider the following issues: assessing the status of efforts for the existing programs directed to early childhood and funded by the state to achieve full cooperation; implementing an approach to move toward statewide equalization of funding directed to the initiative and to other state programs for similar purposes; and identifying other age groups or result areas that may be incorporated within or supported by the initiative.

The Act takes effect May 2, 2001.

HOUSE FILE 680 - Child and Dependent Adult Abuse Reporting

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to child and dependent adult abuse reporting, including mandatory reporters of abuse, abuse reporter training, and requirements involving false reports of child abuse.

The following employment categories are added as mandatory reporters of child abuse: all social workers (previously the law designated certain types of social workers), certified para-educators, holders of a school coaching authorization, employees or operators of Head Start programs, Family Development and Self-Sufficiency Grant Program providers, and Healthy Opportunities for Parents to Experience Success --- Healthy Families Iowa (HOPES -- HFI) Program providers.

For dependent adult abuse, similar to child abuse reporters, all social workers are made mandatory reporters. In addition, any mandatory reporter of dependent adult abuse is required to cooperate and assist in the evaluation of a reported case of dependent adult abuse, whether or not the person reported the case of dependent adult abuse being evaluated.

For both child and dependent adult abuse mandatory or permissive reporters, employers or supervisors are prohibited from applying a policy, work rule, or other requirement that interferes with a person making an abuse report. A person who knowingly interferes with the making of a report or applies a requirement that results in the failure to make a report is civilly liable for the damages caused by the failure.

If a fourth child abuse report is made by the same person who made earlier reports identifying the same child as the victim and the same person as the perpetrator and the earlier reports were determined to be entirely false or without merit, under current law, the Department of Human Services may terminate an assessment of the report. The Act requires the department, upon receiving such a report, to provide information regarding the reports to the county attorney for consideration of criminal charges. Knowingly providing false child abuse information is a simple misdemeanor.

Under prior law, although various licensed professions and licensed or registered facilities and programs were required to meet abuse identification and reporter training requirements, no specific entity was identified as being responsible for ensuring the requirements were met. Current law requires mandatory reporters to have initial training within six months of employment or self-employment and then to have at least two hours of additional training every five years. The Act assigns the responsibility for ensuring compliance with the training requirements to the following: for licensed professionals, to the examining boards for the licensed professions; for mandatory reporters that are in an unlicensed profession but employed in a program subject to state regulation, to the employer as a condition of regulation by the state agency; for peace officers, to the elected or appointed official heading the employing agency; and for state or local government employees, to the appropriate department director or local government administrator.

For mandatory reporters who are subject to a license examining board, the training requirement must be documented upon license renewal. An examining board may adopt rules providing for waiver or suspension of a person's compliance with the training requirement for various reasons.

The training program curriculums for child abuse, for dependent adult abuse, and for persons who report both types of abuse are subject to approval by the appropriate license examining board or by the abuse education review panel established pursuant to the Act by the Director of Public Health.

CIVIL LAW, PROCEDURE AND COURT ADMINISTRATION

- SENATE FILE 146 - Tobacco Settlement Agreement Modifications
- SENATE FILE 222 - Statute of Limitations — Unsafe or Defective Improvement to Real Property --- VETOED BY THE GOVERNOR
- SENATE FILE 337 - Transfer of Structured Settlement Payment Rights — Tort and Workers' Compensation Claims
- SENATE FILE 347 - Domestic Abuse Protective Orders — Plaintiff's Fees and Costs
- SENATE FILE 354 - Administration of Decedents' Estates — Medical Assistance Claims
- SENATE FILE 523 - Distribution of Estates by Affidavit — Taxation
- HOUSE FILE 180 - Dissolution of Marriage — Financial Information — Court-Approved Courses
- HOUSE FILE 326 - Civil Rights Actions — Mediation
- HOUSE FILE 354 - Determination and Pronouncement of Death
- HOUSE FILE 567 - Adoptions — Interstate Legal Risk Placements and Standby Procedures
- HOUSE FILE 654 - Property Exempt From Execution — Retirement Plan Contributions, Earnings, and Increases in Value

RELATED LEGISLATION

- SENATE FILE 184 - County Sheriff Services — Fees — Garnishment Release
SEE LOCAL GOVERNMENT. This Act increases the fees a county sheriff must collect for serving various notices, warrants, orders, summons, executions, and subpoenas, and increases the hourly or daily fees for attending property sales, summoning and attending juries, or conveying patients to and from public institutions.
- SENATE FILE 185 - Factory-Built Structures — Manufactured Home Installer Certification
SEE STATE GOVERNMENT. This Act modifies the definition of a factory-built structure to specifically include a mobile home, manufactured home, or a modular home and provides for the certification of manufactured home installers pursuant to rules of the State Building Code Commissioner. The commissioner may establish a fee for certification of installers. All fees collected are credited to the General Fund of the State and appropriated to the commissioner to pay the costs of administering the certification process.
- SENATE FILE 209 - Control of Infectious or Contagious Diseases in Cattle and Other Animals — Paratuberculosis
SEE AGRICULTURE. This Act provides for the regulation of livestock, including by providing for the control of paratuberculosis and the marketing of dairy cattle. Under the Act, a person who violates provisions regulating paratuberculosis or the marketing of dairy cattle is subject to a civil penalty of at least \$100 but not more than \$1,000. In addition, the Act authorizes the department to file a petition in the district court seeking injunctive relief.
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State and includes a permanent reduction in the state's contribution rate to the Judicial Retirement Fund that was vetoed by the Governor.
- SENATE FILE 355 - Custody of Newborn Infants — Release at Institutional Health Care Facilities — Parental Rights
SEE CHILDREN & YOUTH. This Act, known as the "Newborn Safe Haven Act," allows a parent of a newborn infant to voluntarily release custody of that infant at an institutional health facility. The Act includes various civil and criminal immunity provisions for persons involved with making or receiving the custody release.
- SENATE FILE 372 - Public Records and Documents
SEE LOCAL GOVERNMENT. This Act amends a number of Code sections relating to the recording of mortgage documents, liens, military veteran discharges, and other instruments with the county recorder. The Act also repeals several sections that require ruled columns and an index form for affidavits, mortgages, and other legal documents. The amendments and repeals are proposed to

remove impediments to the electronic recording of various legal instruments and improve recording procedures.

- SENATE FILE 392** - Appeals From Juvenile Court
SEE CHILDREN & YOUTH. This Act provides that an appeal shall be heard by the appellate court at the earliest practicable time if the order or decree affects the custody of a child. The Act also authorizes the Supreme Court to prescribe new rules to expedite appeals from orders terminating parental rights.
- SENATE FILE 412** - Compulsory School Attendance Age
SEE EDUCATION. This Act provides that if a child enrolled in a school district or accredited nonpublic school reaches the age of 16 on or after September 15, the child is deemed to be of compulsory attendance age for the entire academic year.
- SENATE FILE 453** - County Administrative Procedures, Filing Requirements, and Related Costs
SEE LOCAL GOVERNMENT. This Act amends various powers and duties of various county officers relating to the payment of county obligations by check in lieu of warrants, requires the county treasurer to dispose of the tax list after 10 years, establishes specific requirements relating to a certificate of change of title of real estate, and provides that service of notice on agents of nonresidents will be given by certified and regular mail in lieu of personal service. The Act also provides that the cost of a record search and cost of serving the notice by mail by a tax sale certificate holder is no longer added to the amount necessary to redeem a tax sale certificate. The amendment regarding record search and cost of service formerly charged by a tax sale certificate holder takes effect April 18, 2001.
- SENATE FILE 458** - Services and Proceedings Involving Juvenile Delinquents and Other Children
SEE CHILDREN & YOUTH. This Act relates to children's programs and provisions involving the Department of Human Services and the juvenile court, including hearings and orders for out-of-home placements of children, hearing notice requirements, and permanency hearings.
- SENATE FILE 470** - Infectious and Contagious Diseases in Animals — Regulation and Remedies
SEE AGRICULTURE. This Act amends Code Chapter 163 regulating infectious and contagious diseases in animals by providing that persons violating the chapter's provisions are subject to civil penalties in lieu of criminal penalties, and authorizing the Department of Agriculture and Land Stewardship or the Attorney General to apply to the district court for injunctive relief.
- SENATE FILE 486** - Law Enforcement Initiative Surcharge
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act provides for the assessment of a \$125 surcharge for deferred judgments and convictions of certain criminal offenses in addition to any other fine, surcharge, or court cost assessed in a criminal case.
- SENATE FILE 527** - Appropriations — Judicial Branch
SEE APPROPRIATIONS. This Act makes appropriations to the judicial branch for FY 2001-2002, reduces the state's contribution to the Judicial Retirement Fund, and provides that moneys from the Enhanced Court Collections Fund may be used for compensating judicial hospitalization referees.
- SENATE FILE 530** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 to the departments of Justice, Corrections, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, the Office of Public Defender, and the Board of Parole. The Act also requests the Legislative Council to study the civil commitment of persons with mental illness or a substance abuse problem.
- HOUSE FILE 270** - Campus Security and Sexual Abuse Policies and Reports
SEE EDUCATION. This Act strikes language that requires accredited postsecondary institutions in Iowa to file with the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights a copy of an annual campus crime statistics report, along with a copy of a written policy relating to sexual abuse that the institutions disseminate to students.
- HOUSE FILE 301** - Rural Fire Protection
SEE LOCAL GOVERNMENT. This Act limits the liability of a rural water district or association for failure to provide or maintain fire hydrants, facilities, or an adequate supply of water or water pressure for fire protection if the facilities, hydrants or water used is not for fire protection.

- HOUSE FILE 310** - Child Support Recovery Unit — Court Records Access — Setoff Payments for Support
SEE HUMAN SERVICES. This Act relates to child support enforcement. The Act authorizes the disclosure of certain official juvenile court records and orders relating to paternity, support, or the termination of parental rights to the Child Support Recovery Unit, upon request, without court order. The Act also makes changes relative to orders for support for which an obligation may have accrued during a time period in which a support order was not yet in force.
- HOUSE FILE 356** - Workers' Compensation and Other Liability — Miscellaneous Changes
SEE LABOR & EMPLOYMENT. This Act makes several changes to laws relating to workers' compensation, including the establishment of a new rate for the calculation of interest on certain tort judgments and decrees. The provision establishing the new rate takes effect April 26, 2001, and applies retroactively to February 28, 2001.
- HOUSE FILE 502** - Offenses Against Animal Facilities or Crop Operations
SEE AGRICULTURE. This Act amends Code Chapter 717A, which prohibits a person from injuring animals or interfering with animal facilities, by broadening the scope of the chapter's applicability, including broadening the types of animals and animal facilities and the types of injuries to animals covered by the chapter. The Act also prohibits the destruction of crops or related property and the disruption of crop operations, and provides for a cause of action and special damages and criminal penalties for violations of the prohibitions.
- HOUSE FILE 597** - Meat and Poultry Processors — Unclaimed Deer Venison
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act provides that any deer venison deposited for processing that remains unclaimed for two months after the licensed meat and poultry processor has attempted to contact the venison owner shall be presumed to be abandoned and may be donated to a local nonprofit, charitable organization. A licensed processor who reasonably inspects the meat at the time of donation and finds it fit for human consumption is exempt from civil or criminal liability arising from the condition of the meat.
- HOUSE FILE 624** - Mayor-Council City Government — Appointment and Dismissal of Police Chief or Marshal
SEE LOCAL GOVERNMENT. This Act provides that the marshal or chief of police of a city with a mayor-council form of government, and without civil service or an intergovernmental agreement providing another method of selection, shall be appointed and dismissed by the mayor with the consent of a majority of the city council.
- HOUSE FILE 680** - Child and Dependent Adult Abuse Reporting
SEE CHILDREN & YOUTH. This Act relates to child and dependent adult abuse reporting, including mandatory reporters of abuse, abuse reporter training, and provides for civil liability for employers or supervisors who apply a policy, work rule, or other requirement that interferes with a person making an abuse report.
- HOUSE FILE 713** - County Lease or Lease-Purchase Contracts and Records, Fees, and Tax Credits Affecting Real Property
SEE LOCAL GOVERNMENT. This Act provides for the division and transfer of property pursuant to a dissolution, annulment, or separate maintenance order.
- HOUSE FILE 726** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Office of Drug Control Policy, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs. The Act increases the Drug Abuse Resistance Education (DARE) surcharge from \$5 to \$10 for operating while intoxicated offenses and offenses relating to the possession, manufacture or delivery of controlled substances. Revenues from the DARE surcharge shall be utilized for the DARE Program and other similar programs.
- HOUSE FILE 727** - Mental Health, Mental Retardation, and Developmental Disabilities Services
SEE HUMAN SERVICES. This Act relates to mental health, mental retardation, and developmental disability services and services funding, and to court orders for placement of persons with a serious mental impairment.

HOUSE FILE 732

- Appropriations — Human Resources

SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and includes many child welfare, child support, and juvenile justice items, including foster care, adoption, and other child welfare services; funding for court-ordered services for juveniles and juvenile detention; directives to juvenile court services; and other provisions involving the juvenile court.

CIVIL LAW, PROCEDURE AND COURT ADMINISTRATION

SENATE FILE 146 - Tobacco Settlement Agreement Modifications

BY COMMITTEE ON JUDICIARY. This Act amends the provisions of the Code relating to the Master Settlement Agreement entered into by the state and leading U.S. tobacco product manufacturers. The Act makes changes to comply with the model Act provisions that were to be adopted by all states party to the agreement.

The Act takes effect March 30, 2001.

SENATE FILE 222 - Statute of Limitations — Unsafe or Defective Improvement to Real Property — VETOED BY THE GOVERNOR

BY COMMITTEE ON JUDICIARY. This bill would have reduced from 15 to 10 years the time in which civil actions arising out of the unsafe or defective condition of an improvement to real property based upon tort and implied warranty could be brought.

SENATE FILE 337 - Transfer of Structured Settlement Payment Rights — Tort and Workers' Compensation Claims

BY COMMITTEE ON COMMERCE. This Act creates new Code Chapter 682, titled the "Structured Settlement Protection Act," which provides requirements and procedures for the transfer of structured settlement payment rights for tort and workers' compensation claims.

The Act provides that not less than three days prior to the date on which a payee signs a transfer agreement, the transferee shall provide the payee with a separate disclosure statement.

The Act provides that a transfer of structured settlement payment rights shall not be effective unless the transfer has been approved in advance in a final court order or order of a responsible administrative authority based on certain express findings. The Act, under certain circumstances, requires in camera proceedings by the court or responsible administrative authority and prohibits certain information from being included in the order approving the transfer.

The Act provides that the structured settlement obligor and the annuity issuer shall be, as to all parties except the transferee, discharged and released from liability for the structured payments. The Act identifies the liabilities of the transferee in relation to the structured settlement obligor and the annuity issuer, and provides that the annuity issuer and the structured settlement obligor shall not be required to divide periodic payments.

The Act establishes the procedure that shall be followed in order to receive approval of a transfer of structured settlement payment rights, and provides for the venue where an application must be brought. The Act also provides certain notice provisions. The Act provides for maintaining the confidentiality of certain terms of a structured settlement agreement or transfer agreement.

The Act provides that the provisions of Code Chapter 682 shall not be waived. The Act includes jurisdictional provisions. The Act provides that a transfer shall not extend to payments that are life-contingent unless certain procedures are agreed to. A payee who proposes to make a transfer shall not incur any penalty, forfeit any fee, or incur any liability if the transfer does not meet the requirements of Code Chapter 682.

The Act applies to any transfer under a transfer agreement entered into on or after the thirtieth day after July 1, 2001, the effective date of this Act. Nothing in the Act shall imply that a transfer under a transfer agreement reached prior to that date is effective.

SENATE FILE 347 - Domestic Abuse Protective Orders — Plaintiff's Fees and Costs

BY COMMITTEE ON JUDICIARY. This Act eliminates filing and service of process fees for plaintiffs seeking relief from domestic abuse, and allows the court to determine whether these fees should be assessed to the defendant.

The Act also complies with the federal Violence Against Women Act funding certification requirements.

SENATE FILE 354 - Administration of Decedents' Estates — Medical Assistance Claims

BY COMMITTEE ON JUDICIARY. This Act places limits on the filing time for medical assistance claims against a decedent's estate to 15 months after the date of second publication of notice to creditors, or two months after service of notice by ordinary mail to the entity designated by the Department of Human Services, whichever is later. The Act applies to both testate and intestate estates.

SENATE FILE 523 - Distribution of Estates by Affidavit — Taxation

BY COMMITTEE ON WAYS AND MEANS. This Act amends Code Section 633.356 to permit, in cases where the value of the estate does not exceed \$25,000, distribution of an estate by affidavit, rather than probate. That section currently sets the cap

at \$10,000. The Act also makes corresponding amendments to Code Sections 450.4 and 450.44, increasing the value of a decedent's estate that is exempt from inheritance taxation from \$10,000 to \$25,000.

HOUSE FILE 180 - Dissolution of Marriage — Financial Information — Court-Approved Courses

BY COMMITTEE ON JUDICIARY. This Act provides that with regard to the course that is required to be completed by parties to an action which involves issues of child custody or visitation, if participation is waived or extended for good cause or is otherwise not required, the court may grant a final dissolution of marriage decree or enter a final custody order even though the parties have not completed the course. The Act also provides that under these circumstances, the parties are exempt from providing a certificate of completion of such course prior to the granting of the decree or the entry of the final order. The Act also provides that under these circumstances, the court may order that the parties receive, in an alternative format, the information that would otherwise have been provided during participation in the course.

The Act also provides that the court, in its discretion in a dissolution of marriage action, may order a trustee to provide information including but not limited to trust documents and financial statements relating to any beneficial interest a party to the pending action may have in the trust.

HOUSE FILE 326 - Civil Rights Actions — Mediation

BY COMMITTEE ON JUDICIARY. This Act amends mediation language in the Civil Rights Act to provide that formal mediation is not a mandatory step for every complaint filed with the Iowa Civil Rights Commission. The Act further provides that a mediator may be designated in writing by the commission to conduct formal mediation of a complaint filed with the commission. Once this designation is made, certain confidentiality provisions and privileges apply.

HOUSE FILE 354 - Determination and Pronouncement of Death

BY COMMITTEE ON JUDICIARY. This Act authorizes a physician assistant, a licensed practical nurse, or a registered nurse to pronounce death for a patient whose death occurs in a licensed hospital, a licensed health care facility, a Medicare-certified home health agency, or a Medicare-certified hospice program.

The Act also amends the Iowa Criminal Code to include the pronouncement of death by a physician assistant, a licensed practical nurse, or a registered nurse.

HOUSE FILE 567 - Adoptions — Interstate Legal Risk Placements and Standby Procedures

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to adoption.

The Act provides that in the case of an interstate adoption, a child may be placed in the home of a prospective adoptive parent under a legal risk placement prior to the termination of the parental rights of the biological parent of the child.

Under a legal risk placement, the prospective adoptive parents must provide a legal risk statement, in writing, acknowledging all of the following: that the placement is a legal risk placement; that the court of the state of the sending agency retains jurisdiction over the child for purposes of the termination of parental rights of the biological parents; that if termination of parental rights cannot be accomplished, the child must be returned promptly to the state of the sending agency; that the prospective adoptive parents assume full legal, financial and other risks associated with the legal risk placement and that the Department of Human Services is held harmless for any disruption or failure of the placement; and that the prospective adoptive parents are to provide support and medical and other appropriate care to the child pending termination of parental rights of the biological parents and assume liability for the costs associated with returning the child to the state of the sending agency if the placement is disrupted or fails.

The Act specifies the information to be included in a legal risk statement, defines "legal risk placement," and provides for other conforming changes in the Code to allow for a legal risk placement.

The Act also establishes provisions for a standby adoption, which is an adoption in which a terminally ill parent consents to termination of parental rights and the issuance of a final adoption decree effective upon the occurrence of a future event, which is either the death of the terminally ill parent or the request of that parent for the issuance of a final adoption decree.

HOUSE FILE 654 - Property Exempt From Execution — Retirement Plan Contributions, Earnings, and Increases in Value

BY COMMITTEE ON JUDICIARY. This Act relates to the amount of contributions to and accumulated increases in the value of certain retirement plans that are exempt from the payment of obligations of a debtor. The Act specifies that the amount of the contributions and accumulated increases in value of a federal Employee Retirement Income Security Act (ERISA) qualified retirement plan which is transferred to certain specified retirement plans is exempt from creditors. This includes Keogh plans, Roth individual retirement accounts and annuities, regular individual retirement accounts and annuities, simplified employee pension plans, and salary reduction simplified employee pension plans.

The Act provides that an individual may change brokers when transferring retirement funds from one qualified retirement plan to another without the risk that rolling over the retirement funds would make the retirement funds nonexempt.

The Act also increases the amount of the maximum exempt contribution to numerous non-ERISA qualified plans to the actual amount of the contribution deducted for individual retirement accounts and annuities or the maximum amount that could be contributed and deducted in the tax year of the contribution, whichever is less. The Act also provides for a two-year look-back provision limiting the maximum contribution to an amount that could be contributed to an individual retirement account.

House File 755 (see Appropriations) amends this Act to specify that the exemptions for contributions to numerous non-ERISA qualified plans shall not exceed, for each tax year of contributions, the actual amount of the contribution deducted on the debtor's tax return or the maximum amount which could be contributed to an individual retirement account and deducted in the tax year of the contribution, whichever is less. This provision takes effect July 1, 2001.

The Act takes effect April 25, 2001.

CRIMINAL LAW, PROCEDURE AND CORRECTIONS

- SENATE FILE 83 - Uniform Citation and Complaint — Verification
- SENATE FILE 94 - Sexually Violent Predators — Escape From Custody
- SENATE FILE 259 - Crime Victim Compensation Fund — Use of Moneys
- SENATE FILE 346 - Crimes, Reports of Crimes, and Department of Corrections Activities
- SENATE FILE 393 - Criminal Defendants' Restitution Plans — Petitions
- SENATE FILE 486 - Law Enforcement Initiative Surcharge
- SENATE FILE 499 - Scheduled Fines — Miscellaneous Changes
- SENATE FILE 543 - Criminal Sentencing — Miscellaneous Changes
- S.J.R. 3 - Sixth Judicial District Department of Correctional Services Lease-Purchase Agreement
- HOUSE FILE 229 - Reserve Peace Officers
- HOUSE FILE 272 - Felonious Misconduct by Public Officer or Employee — Falsified Writings
- HOUSE FILE 287 - Interstate Compact for Adult Offender Supervision
- HOUSE FILE 327 - Enticing Away and Sexual Exploitation of a Minor
- HOUSE FILE 458 - Limitation of Criminal Actions — Incest — Sexual Exploitation
- HOUSE FILE 550 - Sex Offender Registration — Criminal HIV Transmission

RELATED LEGISLATION

- SENATE FILE 63 - Child Endangerment
SEE CHILDREN & YOUTH. This Act relates to child endangerment violations and the penalties for these violations under the Criminal Code. The Act is popularly referred to as the "boyfriend bill."
- SENATE FILE 125 - Interstate Wildlife Violators Compact Membership
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act authorizes the Department of Natural Resources to enter into an Interstate Wildlife Violators Compact with one or more other states to enforce state laws and rules relating to the protection and conservation of wildlife.
- SENATE FILE 184 - County Sheriff Services — Fees — Garnishment Release
SEE LOCAL GOVERNMENT. This Act increases the fees a county sheriff must collect for serving various notices, warrants, orders, summons, executions, and subpoenas, and increases the hourly or daily fees for attending property sales, summoning and attending juries, or conveying patients to and from public institutions.
- SENATE FILE 265 - Nonoperative Air Bags — Installation, Distribution, or Sale — Penalty
SEE TRANSPORTATION. This Act prohibits a person from installing or reinstalling for compensation, distributing, or selling a nonoperative air bag that is part of an inflatable restraint system for a motor vehicle if the person knows that the air bag is nonoperative.
- SENATE FILE 339 - Hunting and Fishing Violations — Fines
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act provides that the scheduled fine of \$100 specified in Code Section 805.8, subsection 5, paragraph "e," does not apply to violations of Code Chapters 482 and 483A for which another scheduled fine is specified elsewhere in Code Section 805.8, subsection 5.
- SENATE FILE 350 - Transportation — Additional Miscellaneous Changes
SEE TRANSPORTATION. This Act makes several transportation-related Code changes. The Act amends Code Section 321J.13 to provide that a person shall prevail at a hearing to rescind the revocation of the person's driver's license or operating privilege for refusal to submit to chemical testing or failure of a chemical test if, in the criminal operating while intoxicated action, the court held that the peace officer provided false testimony affecting the determination of reasonable grounds to believe that an operating while intoxicated violation occurred. Such a holding is binding on the Iowa Department of Transportation if the holding includes written findings of fact based on testi-

mony under oath and that, in any criminal prosecution under Code Chapter 321J, the state shall not stipulate to facts without probable cause to support the facts in order to obtain such a holding.

- SENATE FILE 355** - Custody of Newborn Infants — Release at Institutional Health Care Facilities — Parental Rights
SEE CHILDREN & YOUTH. This Act, known as the "Newborn Safe Haven Act," allows a parent of a newborn infant to voluntarily release custody of that infant at an institutional health facility. The Act includes various civil and criminal immunity provisions for persons involved with making or receiving the custody release and requirements for the county attorney and the juvenile court.
- SENATE FILE 412** - Compulsory School Attendance Age
SEE EDUCATION. This Act provides that if a child enrolled in a school district or accredited nonpublic school reaches the age of 16 on or after September 15, the child is deemed to be of compulsory attendance age for the entire academic year.
- SENATE FILE 458** - Services and Proceedings Involving Juvenile Delinquents and Other Children
SEE CHILDREN & YOUTH. This Act relates to children's programs and provisions involving the Department of Human Services and the juvenile court, including hearings and orders for out-of-home placements of children determined to be delinquent, hearing notices, and permanency hearings.
- SENATE FILE 470** - Infectious and Contagious Diseases in Animals — Regulation and Remedies
SEE AGRICULTURE. This Act amends Code Chapter 163 regulating infectious and contagious diseases in animals by providing that persons violating the chapter's provisions are subject to civil penalties in lieu of criminal penalties, and authorizing the Department of Agriculture and Land Stewardship or the Attorney General to apply to the district court for injunctive relief.
- SENATE FILE 525** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002. The Act includes funding for various programs involving criminals and corrections, including Drug Control and System Improvement, Local Law Enforcement, and Residential Substance Abuse Treatment for State Prisoners Block Grants.
- SENATE FILE 530** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 to the departments of Justice, Corrections, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, the Office of Public Defender, and the Board of Parole. The Act also limits the drug courts to persons who have been convicted of a criminal offense and grants priority in the program to felony offenders.
- SENATE FILE 537** - Tobacco Settlement Fund Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust. The Act codifies a provision directing the Director of Public Health to establish and operate a substance abuse treatment facility for persons on probation and under the supervision of a judicial district department of correctional services. The Act appropriates funds to the Iowa Department of Public Health for the establishment, operation and staffing of the facility.
- HOUSE FILE 192** - Access to Criminal History and Abuse Information — Department of Inspections and Appeals
SEE HEALTH & SAFETY. This Act authorizes certain criminal history and abuse record and registry access to the Department of Inspections and Appeals for purposes of data verification and record checks of applicants for employment with the department.
- HOUSE FILE 341** - Abortion Informed Consent — **VETOED BY THE GOVERNOR**
SEE HEALTH & SAFETY. This bill would have established a new Code chapter, relating to a woman providing informed consent prior to an abortion and including criminal penalties for persons violating the chapter.
- HOUSE FILE 354** - Determination and Pronouncement of Death
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act amends the Iowa Criminal Code to provide that a physician assistant, a licensed practical nurse, or a registered nurse may make a pronouncement of death.

- HOUSE FILE 502** - Offenses Against Animal Facilities or Crop Operations
SEE AGRICULTURE. This Act amends Code Chapter 717A, which prohibits a person from injuring animals or interfering with animal facilities, by broadening the scope of the chapter's applicability, including broadening the types of animals and animal facilities and the types of injuries to animals covered by the chapter. The Act also prohibits the destruction of crops or related property and the disruption of crop operations, and provides for a cause of action and special damages and criminal penalties for violations of the prohibitions.
- HOUSE FILE 597** - Meat and Poultry Processors — Unclaimed Deer Venison
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act exempts a licensed processor from criminal liability arising from the condition of unclaimed deer venison donated to a local nonprofit, charitable organization if the donor reasonably inspects the meat at the time of donation and finds the venison fit for human consumption.
- HOUSE FILE 598** - Child Protection Center Grant Program
SEE CHILDREN & YOUTH. This Act establishes a Child Protection Center Grant Program in the Iowa Department of Public Health if funding is available for the program. The grant requirements for centers include involvement of law enforcement and the county attorney in operating the center.
- HOUSE FILE 680** - Child and Dependent Adult Abuse Reporting
SEE CHILDREN & YOUTH. This Act relates to child and dependent adult abuse reporting, including peace officers and other mandatory reporters of abuse, abuse reporter training, and requirements for submission of information to the county attorney regarding false reports of child abuse.
- HOUSE FILE 726** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Office of Drug Control Policy, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs. The Act increases the Drug Abuse Resistance Education (DARE) surcharge from \$5 to \$10 for operating while intoxicated offenses and offenses relating to the possession, manufacture or delivery of controlled substances. Revenues from the DARE surcharge shall be utilized for the DARE Program and other similar programs.
- HOUSE FILE 732** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act provides appropriations to the Department of Human Services and includes provisions related to human services and health care. The Act includes an appropriation for payment of costs associated with the commitment and treatment of sexually violent predators and for support of juvenile detention.
- HOUSE FILE 755** - Miscellaneous Appropriations, Reductions, and Other Provisions
SEE APPROPRIATIONS. Division II of this Act reduces the standing appropriation to the Department of Corrections for FY 2001-2002 for payment of special court costs and attorney fees. Division VI of this Act relates to scheduled violations. Senate File 499 reorganizes the Code placement of scheduled fines in Code Chapter 805 and changes some of those fines. Currently several Code sections prescribe unspecified or specified simple misdemeanor penalties for violations of those sections but do not refer to the applicable scheduled fine for those simple misdemeanor penalties. The following Code sections are amended to delete the reference to an unspecified or specified simple misdemeanor penalty and to instead refer to the specific scheduled fine provided for the violation in S.F. 499: Code Sections 321.17, 321.98, 321.193, 321.216, 321.216B, 321.216C, 321L.3, 321L.7, and 452A.52.

CRIMINAL LAW, PROCEDURE AND CORRECTIONS

SENATE FILE 83 - Uniform Citation and Complaint — Verification

BY COMMITTEE ON JUDICIARY. This Act amends Code Section 805.6, relating to the issuance of a uniform citation and complaint.

The Act requires a uniform citation and complaint to be issued under oath and certified by the chief officer of the law enforcement agency issuing the citation or the chief officer's designee. Under current law, which was ruled unconstitutional under Article I, Section 11, of the Iowa Constitution, the issuance of a uniform citation and complaint may be made by an unsworn written statement if the person making the statement certifies the matter is true under penalty of perjury.

A uniform citation and complaint is generally used for charging traffic violations under state law or local ordinance, and for charging misdemeanors designated as scheduled violations.

SENATE FILE 94 - Sexually Violent Predators — Escape From Custody

BY COMMITTEE ON JUDICIARY. This Act prohibits a person who has been placed in or committed to a facility from leaving or attempting to leave such a facility without being accompanied by authorized personnel unless the person has been released or discharged. The Act also prohibits a person from knowingly and voluntarily being absent from a place where the person should be present or leaving or attempting to leave the custody of personnel transporting or guarding the person while away from a facility.

The Act authorizes the Attorney General or the chief law enforcement officer of the jurisdiction where a violation occurs to notify the public if the person is unconfined and is at large. The Attorney General may also notify the victim or the family of the victim.

In addition, the Act does not prevent the state from transferring a person to another state under the Interstate Compact on Mental Health under Code Chapter 221.

A person who commits a violation of the Act commits a simple misdemeanor or may be subject to contempt. Any civil commitment proceeding or treatment process may be stayed by court order until a term of confinement is served for committing a violation of the Act.

SENATE FILE 259 - Crime Victim Compensation Fund — Use of Moneys

BY COMMITTEE ON JUDICIARY. This Act amends Code Section 915.94 relating to the Victim Compensation Fund. The Act expands the authority of the Department of Justice to allow use of moneys from the fund for supporting the department's prosecutor-based victim service coordination efforts. The Act allows the department to use up to \$100,000 from the fund for victim service provider training.

SENATE FILE 346 - Crimes, Reports of Crimes, and Department of Corrections Activities

BY COMMITTEE ON JUDICIARY. This Act makes several changes to statutory provisions involving the Department of Corrections and creates the offense of bestiality.

The Act provides that a person who performs or attempts to perform, or coerces or attempts to coerce another person to perform, a sex act with an animal commits an aggravated misdemeanor. The Act also expands the definition of "child abuse" to include the commission of bestiality in the presence of a minor.

The Act permits a peace officer or correctional officer to use deadly force against a person attempting to escape unless the officer knows the person is in custody due to a misdemeanor charge or conviction.

The Act requires the trial judge, prosecuting attorney, or presentence investigators to provide the department with any previously authorized presentence investigation report on any inmate sent to a correctional institution.

The Act establishes a training fund in the department and requires the department to provide in-service training to employees, including employees of a judicial district. The Act permits the department to recover the costs of the training from the judicial districts that send employees to the training courses.

The Act permits inmates to make donations for reimbursement of victims' travel expenses.

The Act permits the recording of testimony of certain investigations conducted by the department. However, if the case involving the testimony is appealed, or an interested party requests and pays the costs, the testimony shall be transcribed. The recording or transcription shall be filed and maintained for at least five years or until the employee involved in the investigation is no longer employed with the department, whichever is later.

SENATE FILE 393 - Criminal Defendants' Restitution Plans — Petitions

BY COMMITTEE ON JUDICIARY. This Act provides that upon the filing of a petition for a hearing on the defendant's restitution plan, the defendant, the county attorney, the victim, the Department of Corrections, if the defendant is confined in a correctional institution, and the office or the individual who prepared the defendant's restitution plan shall receive notice of the hearing prior to modifying the plan.

SENATE FILE 486 - Law Enforcement Initiative Surcharge

BY COMMITTEE ON JUDICIARY. This Act provides for the assessment of a \$125 surcharge for certain criminal offenses in addition to any other fine, surcharge, or court cost assessed in a criminal case.

The Act adds the surcharge to any drug-related criminal offense under Code Chapter 125, 155 or 453B. The surcharge is added to any burglary, forgery, credit card, or theft-related offense. The Act also adds the surcharge on any offense involving damage to property or trespass upon property under Code Chapter 716. The surcharge is added to offenses involving prostitution, pandering, pimping, or furnishing drugs to an inmate. The surcharge also applies to a person who receives a deferred judgment for any offense listed in the Act.

The Act further provides that the surcharge assessed shall be remitted by the clerk of the district court to the Treasurer of State for deposit in the General Fund of the State.

SENATE FILE 499 - Scheduled Fines — Miscellaneous Changes

BY COMMITTEE ON JUDICIARY. This Act makes changes to scheduled fines and reorganizes Code Section 805.8 relating to scheduled fines. The Act separates Code Section 805.8 into three new sections — 805.8A (motor vehicle and transportation-related offenses), 805.8B (navigation, recreation, hunting, and fishing offenses), and 805.8C (miscellaneous offenses). The Act does not change any scheduled fines for offenses moved to new Code Sections 805.8B and 805.8C; the offenses were merely reorganized from Code Section 805.8 into the new Code sections. The Act does, however, change certain scheduled fines in new Code Section 805.8A that relate to motor vehicle and transportation offenses. (Only one offense was moved from the recreation to the transportation offenses, that being the improper operation of an all-terrain vehicle, with a fine decrease from \$100 to \$50.) A scheduled violation is a simple misdemeanor that allows a defendant to pay a fixed fine plus court costs and surcharge without ever making a formal court appearance.

PARKING VIOLATIONS. The Act does not change the fine for parking violations. The Act does change violations under Code Sections 321L.3 (return of persons with disabilities parking permits) and 321L.7 (failure to provide persons with disabilities parking spaces) from simple misdemeanors to simple misdemeanors punishable as scheduled violations, but the fine remains at \$100.

REGISTRATION AND TITLE VIOLATIONS. The Act increases the fine from \$5 to \$10 for failure to carry a registration card (321.32), miscellaneous registration violations (321.34), failure to properly display plates (321.37), failure to properly maintain plates (321.38), and failure to give notice of name or address or special fuel change (321.41). The Act increases the fine from \$20 to \$30 for operating a vehicle that is not properly registered (321.17), failure to have required registration and financial liability coverage if doing business in the state (321.55), and operating or allowing to operate without registration (321.98). The Act decreases the fine from \$100 to \$30 for transfers of title by operation of law (321.47) and antique car registration violations (321.115). The Act also decreases the fine from \$100 to \$50 for failure to have proper plates by a manufacturer or dealer (321.57).

EQUIPMENT VIOLATIONS. The Act decreases the fine from \$20 to \$10 under Code Section 321.386 for failure to have or to comply with motorcycle headlight provisions. The Act increases the fine from \$10 to \$15 for failure to maintain certain windshield requirements (321.438). The Act decreases the fine from \$100 to \$20 for a violation of special restrictions on lamps (321.421). The Act increases the fine from \$25 to \$50 for movement of unsafe or improperly equipped vehicles (321.381). The Act decreases the fine from \$100 to \$50 for improper operation of a golf cart (321.247) and for improper operation of an all-terrain vehicle (321.234A). The Act changes the penalty under Code Section 321.381A (operation of a low-speed vehicle) from a simple misdemeanor to a simple misdemeanor punishable as a scheduled violation with a scheduled fine of \$50. The Act increases the fine from \$20 to \$35 for defective or improperly used brakes (321.430).

DRIVER'S LICENSE VIOLATIONS. The Act increases the fine from \$20 to \$30 for operating with an expired license (321.174A), instruction permit violations (321.180), graduated driver's license violations (321.180B), violations of restrictions placed on license (321.193), and violations of a school permit (321.194). The Act makes Code Section 321.216B (use of driver's license or nonoperator identification card to unlawfully obtain alcohol) a scheduled violation punishable by a \$100 fine. The Act also makes a violation of Code Section 321.216C (use of driver's license or nonoperator identification card to unlawfully obtain tobacco products) a scheduled violation punishable by a fine of \$100.

SPEED VIOLATIONS. The Act does not change the fines for speeding violations.

SPEED VIOLATIONS ON A BRIDGE. The Act increases the fine under Code Section 321.295 from \$15 to \$30.

OPERATING VIOLATIONS. The Act increases the fine from \$15 to \$20 under Code Section 321.236 for violations of certain local parking ordinances (designated one-ways, snow routes, U-turns, and processions). The Act increases the fine from \$15 to \$25 for motorcycle violations (321.275); failure to give continuous turn signal (321.315); failure to stop or suddenly decreasing speed (321.316); incorrect hand signal (321.363); driving with obstructed view or control (321.363); and coasting on a downgrade (321.365). The Act increases the fine from \$20 to \$35 for failure to maintain control (321.288). The Act increases the fine from \$15 to \$35 for driving on wrong side of highway (321.297); passing on wrong side of road (321.299); unsafe passing (321.303); passing too near a bridge, intersection, or railroad crossing (321.304); violating one-way traffic designation (321.305); improper use of lanes (321.306); turning from improper lane (321.111); making unsafe U-turn (321.312); unsafe turn or failure to give signal (321.314); unsafe backing on highway (321.323); driving in or through a safety zone (321.340); unsafe entry onto sidewalk or road (321.353); stopping on traveled portion of highway (321.354); and parking on certain roads without activating parking lights (321.395). The Act decreases the fine from \$100 to \$50 for overtaking on right (321.302) and acts prohibited on fully controlled-access roads (321.366).

FAILURE TO YIELD OR OBEY VIOLATIONS. The Act increases the fine from \$20 to \$35 for various failure to yield violations (321.257), failure to yield half of road (321.298), following too closely (321.307), following too closely by motor trucks or towing vehicles (321.308), unsafe starting of a stopped vehicle (321.313), failure to yield to vehicle on the right (321.319), failure to yield upon left turn (321.320), failure to yield upon entering a highway (321.321), and failure to yield to blind person (321.333). The Act increases the fine from \$20 to \$50 for failure to yield to a pedestrian (321.329). The Act decreases the fine from \$100 to \$35 for violation of a pedestrian's right-of-way (321.327).

TRAFFIC SIGN OR SIGNAL VIOLATIONS. The Act increases the fine from \$20 to \$35 for violations of certain local traffic ordinances (321.236), failure to obey traffic-control device (321.256), failure to maintain minimum speed when directed by police officer (321.294), violation of posted highway signs which direct traffic (321.304), and failure to obey a stop or yield sign (321.322).

BICYCLE OR PEDESTRIAN VIOLATIONS. The Act increases the fine from \$10 to \$15 for failure by a bicycle rider to ride on proper seat or for too many persons on a bicycle (321.234), local authority regulation of bicycles (321.236), failure by pedestrian or bicycle rider to obey walk light (321.257), failure by pedestrian to obey traffic-control device (321.325), pedestrian walking on wrong side of highway (321.326), pedestrian failure to use crosswalk (321.328), soliciting rides from within roadway (321.331), unlawful use of white cane (321.332), improper light on bicycle (321.397), and use of siren or whistle on a bicycle (321.434). The Act increases the fine from \$5 to \$15 for failure to display bicycle safety flag (321.275).

SCHOOL BUS VIOLATIONS. The Act increases the fine from \$25 to \$35 for violations by a school bus driver under Code Sections 321.285 and 321.372, subsections 1 and 2. The Act provides that an excessive speed violation by a school bus of more than 10 miles per hour in excess of the limit is not a scheduled violation.

EMERGENCY VEHICLE VIOLATIONS. The Act increases the fine from \$10 to \$35 for failure of a driver of an emergency vehicle to exercise caution (321.231). The Act increases the fine from \$20 to \$35 for failure to maintain distance from a fire fighting vehicle (321.367). The Act increases the fine from \$15 to \$35 for crossing an unprotected fire hose (321.368). The Act increases the fine from \$25 to \$50 for failure to yield to an emergency vehicle (321.324).

RESTRICTIONS ON VEHICLES. The Act increases the fine from \$25 to \$100 for width and length violations (321.454), excess side projection of load passenger vehicle (321.455), excess height (321.456), excess length (321.457), and excess projection from front of the vehicle (321.458).

MOTOR CARRIER VIOLATIONS. The Act increases the fine from \$50 to \$100 for improper hauling of food intended for human consumption (321.364) and hazardous material transportation (321.450). The Act increases the fine from \$15 to \$50 for failure to have proper carrier identification markings (327B.1). The Act increases the fine from \$100 to \$250 for failure to have proper evidence of interstate authority carried or displayed and failure to register, carry or display evidence that interstate authority is not required (327B.1).

LITTER AND DEBRIS VIOLATIONS. The Act increases the fine from \$25 to \$35 for littering (321.369) and failing to remove debris from the highway (321.370).

FAILURE TO OBEY A PEACE OFFICER. The Act increases the fine from \$20 to \$35 for failure to obey a peace officer (321.229).

SEAT BELT VIOLATIONS. The Act increases the fine from \$10 to \$25 for failing to wear a seat belt (321.445). The Act increases the fine from \$10 to \$35 for failing to secure a child in a vehicle (321.446).

OPEN CONTAINER VIOLATION. The Act increases the fine from \$50 to \$100 relating to open containers in a motor vehicle (321.284 and 321.284A).

RADAR-JAMMING DEVICES. The Act increases the fine from \$10 to \$50 relating to use of radar-jamming devices (321.232).

SENATE FILE 543 - Criminal Sentencing — Miscellaneous Changes

BY IVERSON AND GRONSTAL. This Act provides changes to criminal sentences for certain criminal offenses involving burglary in the third degree, creates a sentence of a determinate term of confinement and an additional indeterminate term of years for certain class "D" felonies, and extends the time for reconsideration of certain criminal sentences.

BURGLARY IN THE THIRD DEGREE. The Act changes the criminal penalties for burglary in the third degree or attempted burglary in the third degree for a burglary perpetrated upon an unoccupied motor vehicle, motor truck, or vessel. The Act provides that a person who commits a first offense burglary in the third degree on an unoccupied motor vehicle, motor truck, or vessel commits an aggravated misdemeanor and a person who commits a first offense attempted burglary in the third degree on an unoccupied motor vehicle, motor truck, or vessel commits a serious misdemeanor. Under the Act, a person who commits a second or subsequent offense or a burglary on any other type of unoccupied structure, which includes a personal residence, commits a class "D" felony.

DETERMINATE SENTENCING FOR CLASS "D" FELONIES. The Act provides the court with a determinate sentencing option if mitigating circumstances exist and those circumstances are stated specifically on the record. The court may, in its discretion, sentence a person to a term of confinement at an institution within the Department of Corrections for a determinate term less than the maximum indeterminate sentence of five years for a class "D" felony. The term of confinement shall be for not less than one year. However, if the sentence also carries a mandatory minimum sentence, the determinate term of confinement shall not be less than the mandatory minimum sentence required by law. The court is not authorized to defer or suspend the sentence, or enter a deferred judgment of a determinate sentence under this sentencing option.

The Act provides that if a person is sentenced to a determinate term of confinement, the person shall not be eligible for parole until one-half of the term has been served. Earned time accrued and not forfeited shall not apply to cause the person to become eligible for parole until the person has served one-half of the determinate term of confinement entered under this sentencing option. Determinate sentencing does not apply to an offense classified as a forcible felony, a felony under Code Section 321J.2, felonies in Code Chapters 707, 708 and 709, a person sentenced as a habitual offender, felonies listed in Code Section 901A.1, felonies listed in Code Section 902.12, or a felony committed by a person on parole or work release, or while in the custody of the Director of the Department of Corrections.

ADDITIONAL TERM OF YEARS FOR CLASS "D" FELONS. The Act also provides that if the person is sentenced to a determinate term of confinement under this sentencing option, the court shall also sentence the person to an additional indeterminate term of years not to exceed two years. The sentence of an additional indeterminate term of years commences immediately upon the expiration of the preceding determinate term of confinement and the person shall be assigned to the judicial district department of correctional services by the Department of Corrections.

The Act requires the district department to place a person serving an additional indeterminate term of years in a level of sanction and supervision appropriate to the person, pursuant to the district's intermediate criminal sanctions program under Code Chapter 901B. The district department may transfer a person along the continuum, if necessary and appropriate. If a person violates the terms and conditions of placement, the district department may transfer the person to a more restrictive placement as provided in the district department's program.

The Act provides that a person serving an additional indeterminate term of years may be discharged from the sentence in the same manner as a person serving probation may be discharged under Code Section 907.9.

The Act provides that a person serving an additional indeterminate term of years shall receive credit for any time served after expiration from the preceding determinate term of confinement against the person's sentence of an additional indeterminate term of years.

The Act also provides that if a person is paroled more than six months prior to the expiration of the person's determinate term of confinement, the person shall not serve an additional indeterminate term of years.

RECONSIDERATION OF SENTENCES. The Act provides that a felon's sentence other than a class "A" felony or where a minimum sentence of confinement is imposed may be reconsidered by the court within one year from the date of the felon's

sentence. Current law provides that a felon's sentence may be reconsidered by the court within 90 days from the date of the felon's sentence.

EDUCATION. The Act provides that the Department of Corrections, in cooperation with the Division of Criminal and Juvenile Justice Planning, the State Public Defender, and the Office of the Prosecuting Attorneys Training Coordinator, shall compile and provide information for distribution about the changes to criminal sentencing under the Act.

SENATE JOINT RESOLUTION 3 - Sixth Judicial District Department of Correctional Services Lease-Purchase Agreement BY COMMITTEE ON JUDICIARY. This Joint Resolution permits the Sixth Judicial District Department of Correctional Services to exercise an option in an existing lease-purchase agreement to purchase 10 acres of real property located in Linn County. In the alternative, the Joint Resolution permits the judicial district to enter into a new lease-purchase agreement to acquire such property.

The Joint Resolution takes effect May 7, 2001.

HOUSE FILE 229 - Reserve Peace Officers

BY COMMITTEE ON JUDICIARY. This Act establishes a reserve peace officer force with the judicial district departments of correctional services.

The Act permits the district board of a judicial district department of correctional services to create a force of reserve peace officers. The board may establish the force by entering into a Code Chapter 28E agreement or may create its own force within the judicial district. The applicable director of the judicial district department of correctional services is given supervisory authority over the reserve officers, subject to the standards of the Iowa Law Enforcement Academy. The Act also provides that if a reserve force is established, the department shall appoint a certified police officer as supervising officer. The reserve police force must be directly supervised by a certified police officer who is on duty. Under current law, a regular force officer must serve as supervising officer.

A reserve peace officer is a volunteer, nonregular, sworn law enforcement officer who serves at a minimum compensation rate of \$1 per year and has regular police powers.

HOUSE FILE 272 - Felonious Misconduct by Public Officer or Employee — Falsified Writings

BY COMMITTEE ON JUDICIARY. This Act relates to felonious misconduct by a public officer or employee. The Act prohibits a public officer or employee from falsifying a writing, or knowingly delivering a falsified writing, with the knowledge that the writing is falsified and that the writing will become a public record of a government body. The Act further provides a cross reference to the statutory definitions of "public record" and "government body" as defined in Code Chapter 22, the public records law. A public officer or employee convicted of a violation of this Act is guilty of a class "D" felony.

HOUSE FILE 287 - Interstate Compact for Adult Offender Supervision

BY COMMITTEE ON JUDICIARY. This Act establishes the Interstate Compact for Adult Criminal Offender Supervision.

The Act creates an interstate commission that will establish uniform procedures to manage the movement between states of adult offenders who have been placed on probation or parole. The commission shall oversee the interstate movement of offenders in the compacting states and monitor activities in noncompacting states that may significantly affect the compacting state. The Act provides that each state shall establish a state council to appoint the person who will represent the state on the interstate commission. The council is also responsible for developing policies and procedures related to the operation of the commission in this state.

Membership of each state council shall include five members, plus the compact administrator. At least one council member shall be from a minority group. The Chief Justice of the Supreme Court shall appoint one member to represent the judicial branch. The President of the Senate shall appoint one member to represent the Senate. The Speaker of the House of Representatives shall appoint one member to represent the House of Representatives. The Governor shall appoint one member to represent the executive branch and one member to represent victim groups. The Governor, in consultation with the judicial and legislative branches, shall appoint the compact administrator.

The Act provides that the commission shall receive notice of any court proceedings that may affect the responsibilities or actions of the commission and shall have standing to intervene in such proceedings.

The Act requires each compact state to pay an annual assessment to the commission. The assessment shall be based upon the population of the state and the volume of interstate movement of offenders from the state.

The Act takes effect July 1, 2002, or when 35 states have enacted the compact into law, whichever is later.

HOUSE FILE 327 - Enticing Away and Sexual Exploitation of a Minor

BY COMMITTEE ON JUDICIARY. This Act relates to the criminal offenses of enticing away a minor and sexual exploitation of a minor.

The Act changes the name of the crime of "enticing away a child" to "enticing away a minor," and makes changes to the penalties. The Act provides that a person commits a class "C" felony if the person entices away a minor under the age of 13, or a person believed to be under the age of 13, with the intent to commit sexual abuse or sexual exploitation. A person commits a class "D" felony if the person entices away a minor under the age of 16, or a person believed to be under the age of 16, with the intent to commit an illegal act. A person commits an aggravated misdemeanor if the person attempts to entice away a minor who is under the age of 16 or a person believed to be under the age of 16. Under current law, a person commits a class "D" felony for enticing away a minor and an aggravated misdemeanor for attempting to entice away a minor.

The Act also provides that the offense is considered committed in this state if the communication to entice away a minor or person believed to be a minor who is present in this state originates in another state, or the communication to entice away a minor or person believed to be a minor is sent from this state.

The Act adds "enticing away a minor under the age of 13" to the list of sexually predatory offenses in Code Chapter 901A. A person convicted of a sexually predatory offense will serve a greater sentence than if only convicted of the underlying offense. A person who commits enticing away a minor under the age of 13 must register as a sex offender.

The Act also makes changes to the definition of the criminal offense of "sexual exploitation of a minor." Under current law, it is unlawful to induce or permit a minor to engage in a sex act if the person knows or should have known that the sex act may be photographed, filmed, or otherwise preserved in a negative, slide, book, magazine, or other print or visual medium. The Act makes it also unlawful to induce or permit a minor to engage in a sex act if the person knows or should know that the sex act will be preserved in some manner on a computer, computer disk, or be placed in an electronic storage system, or in any other type of storage system. A person who commits sexual exploitation of a minor by unlawfully inducing or permitting a minor to engage in a sex act commits a class "C" felony.

Under current law, it is unlawful to knowingly purchase or possess images of a minor in a sex act if the image is in a negative, slide, book, or magazine, or other print or visual medium. The Act makes it also unlawful to knowingly purchase or possess images of a minor or what appears to be a minor engaged in a sex act if the images are contained in a computer, computer disk, or in an electronic storage system, or in any other type of storage system. The Act increases the penalty for purchasing or possessing sexually exploitive images from a serious misdemeanor to an aggravated misdemeanor. If a person commits a second or subsequent offense of purchasing or possessing sexually exploitive images, the person commits a class "D" felony. Under the Act, a second or subsequent offense means that prior to a conviction for the offense of sexual exploitation of a minor, the person either has a prior conviction or a deferred judgment of the same offense in this state or the person has a prior conviction, deferred judgment, or the equivalent of a deferred judgment in another jurisdiction for an offense substantially similar to the offense of sexual exploitation of a minor.

HOUSE FILE 458 - Limitation of Criminal Actions — Incest — Sexual Exploitation

BY COMMITTEE ON JUDICIARY. This Act extends the statute of limitations period for filing a criminal charge of incest and sexual exploitation by a counselor or therapist.

The Act provides that the statute of limitations shall be extended for filing a criminal charge of incest or sexual exploitation committed on or with a person under the age of 18 to 10 years after the person reaches the age of 18. The Act also extends the statute of limitations period for filing a criminal charge for all other incest and sexual exploitation cases to 10 years after the commission of the act. Under current law, the statute of limitations period is three years.

HOUSE FILE 550 - Sex Offender Registration — Criminal HIV Transmission

BY COMMITTEE ON JUDICIARY. This Act adds the offense of criminal transmission of human immunodeficiency virus through intimate contact to the list of aggravated offenses that require registration under the Sex Offender Registry. Current law generally requires a person to register as a sex offender for a period of 10 years. Persons convicted of aggravated offenses are required to register for life. A person who is convicted of criminal transmission of human immunodeficiency virus commits a class "B" felony.

The Act takes effect April 24, 2001.

ECONOMIC DEVELOPMENT

- SENATE FILE 81 - Criteria for State Economic Development Financial Assistance
- HOUSE FILE 103 - Written Promotional Material — VETOED BY THE GOVERNOR
- HOUSE FILE 230 - Iowa Economic Development Board Strategic Planning Duties
- HOUSE FILE 349 - Economic Development Programs — Investment Tax Credits — Enterprise Zones
- HOUSE FILE 384 - Economic and Community Development and Job Training Programs
- HOUSE FILE 694 - Housing Trust — VETOED BY THE GOVERNOR

RELATED LEGISLATION

- SENATE FILE 141 - Accelerated Career Education Program — Allocation of Program Job Credits
SEE TAXATION. This Act amends the Accelerated Career Education Program in relation to using program job credits to meet program job costs.
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State and includes various reductions in appropriations made to the departments of Economic Development and Workforce Development.
- SENATE FILE 525 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002. The Act includes funding for various economic development programs, including the Community Development Block Grant.
- HOUSE FILE 292 - Information Technology Department — Financial Operations and Transactions
SEE STATE GOVERNMENT. This Act authorizes the Information Technology Department to accept contributions and expend them in conducting departmental functions and to charge a negotiated fee to recover a share of the costs related to research and development, initial production, and derivative products of its proprietary software and hardware, telecommunications architecture design, and proprietary technology applications developed to support authorized users.
- HOUSE FILE 383 - Designation of Model Communities — Approval
SEE STATE GOVERNMENT. This Act provides requirements that must be met prior to any state financial support being disbursed to a person under the project, pilot project, or similar initiative undertaken by the Governor or the executive branch which includes the designation of a model community.
- HOUSE FILE 470 - Iowa Communications Network — Proprietary Interests
SEE STATE GOVERNMENT. This Act permits the Iowa Telecommunications and Technology Commission to charge a negotiated fee to recover a share of the costs related to research and development, initial production, and derivative products of its proprietary software and hardware, telecommunications architecture design, and proprietary technology applications developed to support authorized users.
- HOUSE FILE 695 - School-to-Career Program — Miscellaneous Changes
SEE EDUCATION. This Act amends the School-to-Career Program.
- HOUSE FILE 696 - Employment Security Administrative Contribution Surcharge — Computation — Use of Funds — EXTRAORDINARY SESSION
SEE LABOR & EMPLOYMENT. This Act relates to payment of the employment security administrative contribution surcharge and the permissible uses of the moneys in the Administrative Contribution Surcharge Fund. The Act takes effect June 26, 2001.
- HOUSE FILE 698 - Appropriations — Regulatory and Expenditure Matters — EXTRAORDINARY SESSION
SEE APPROPRIATIONS. This Act relates to regulatory and expenditure matters and includes authorization for the Treasurer of State to create bond reserve funds for the Vision Iowa Fund and for

the Department of General Services to take various actions involving development of a parking structure and office facilities on the Capitol Complex.

HOUSE FILE 714**- Community Development Program - Tax Credits — VETOED BY THE GOVERNOR**

SEE TAXATION. This bill would have established a Community Development Program, administered by the Department of Economic Development, to provide tax incentives to businesses that make contributions to projects in communities or neighborhoods that would benefit by these projects or make expenditures to provide child care benefits to their employees. The tax incentives would be in the form of tax credits of up to \$100,000 to offset the tax liability under the individual and corporate income taxes, the financial institution franchise tax, the insurance gross premiums tax, and the credit union moneys and credits tax.

HOUSE FILE 718**- Appropriations — Economic Development**

SEE APPROPRIATIONS. This Act makes a number of appropriations from the General Fund of the State, the Iowa Community Development Loan Fund, and the Community Attraction and Tourism Fund to the Department of Economic Development for the administration of the department and for specific programs and funds.

HOUSE FILE 742**- Appropriations — Infrastructure and Capital Projects**

SEE APPROPRIATIONS. This Act makes several changes related to the Community Attraction and Tourism Program, Vision Iowa Program, and School Infrastructure Program.

HOUSE FILE 755**- Miscellaneous Appropriations, Reductions, and Other Provisions**

SEE APPROPRIATIONS. Division V of this Act maintains the limit on program job credits under the Accelerated Career Education Program at the same level as FY 2000-2001 instead of increasing it as currently provided in Code Section 260G.4B.

ECONOMIC DEVELOPMENT

SENATE FILE 81 - Criteria for State Economic Development Financial Assistance

BY MILLER. This Act provides that a state agency may give additional consideration or additional points in the application of rating or evaluation criteria in providing financial assistance for economic development-related purposes to a person or business for whose benefit the financial assistance is to be provided if the person or business is located in an area that is a brownfield site, a blighted area, or is located in a city or county that meets the distress criteria provided under the Enterprise Zone Program.

HOUSE FILE 103 - Written Promotional Material — VETOED BY THE GOVERNOR

BY COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS. This bill would have required that any written material, including web sites, designed, produced or distributed by the Department of Economic Development for purposes of promoting the state in an attempt to recruit new businesses include a clear and conspicuous statement regarding the Right-to-Work Law contained in Code Section 731.1.

HOUSE FILE 230 - Iowa Economic Development Board Strategic Planning Duties

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act modifies the strategic planning duties of the Iowa Economic Development Board. The Act eliminates requirements that the board coordinate and implement a 20-year comprehensive economic development plan for the state and prepare a five-year strategic plan for state economic growth, and instead directs the board to prepare a three-year comprehensive strategic plan of specific goals, objectives and policies for state economic growth.

HOUSE FILE 349 - Economic Development Programs — Investment Tax Credits — Enterprise Zones

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act amends the Enterprise Zone Program administered by the Department of Economic Development.

The Act creates a new type of eligible business under the program. The Act provides that a development business is eligible to receive incentives and assistance under the program if the business constructs, expands or rehabilitates a building space with a minimum capital investment of at least \$500,000 in that part of a city or county in which there is a designated enterprise zone. The Act provides for two possible exemptions to the capital investment requirement. The Act provides that, upon completion of the construction, expansion or rehabilitation project, the building space shall not be occupied by retail business. A development business shall complete the construction, expansion or rehabilitation of the building space within three years from the time the business receives approval from the department. Prior to applying for assistance, an eligible development business shall enter into an agreement with at least one business for purposes of locating the business in all or a portion of the building space for a period of at least five years.

The Act provides that an eligible development business that has been approved to receive incentives and assistance shall be eligible to receive a new investment tax credit for up to a maximum of 10 percent of the new investment; a sales, services and use tax refund; and a property tax exemption for all or a portion of the value added to the property. The incentives and assistance may be received for a period of 10 years. The Act provides for the repayment of incentives and assistance received under the program if a development business fails to meet the requirements of the program or if the building space is sold or leased to a retail business within five years of the completion of construction, expansion or rehabilitation.

The Act provides that a business eligible to receive incentives and assistance under the other portion of the Enterprise Zone Program and located in a building for which a development business received incentives and assistance under the program shall receive reduced incentives and assistance. An eligible business shall not receive a benefit that has already been received by the eligible development business.

The Act amends the new investment tax credit under the New Jobs and Income Act that is also currently available under the Enterprise Zone Program. The Act amends the term "new investment directly related to new jobs created by the location or expansion of an eligible business under the program" to remove the requirement that the cost of improvements made to real property must be that which receives a partial property tax exemption for the actual value added. The Act provides a number of conforming amendments necessary as a result of adding the development business provisions to the Enterprise Zone Program.

The Act amends the housing business portion of the Enterprise Zone Program. The Act eliminates the \$120,000 maximum limit that a single-family home or each unit of a multiple dwelling unit containing three or more units may be worth after completion of the building or rehabilitation. The Act provides that new investment that may be used to compute the tax credit that a housing business may claim shall not exceed the new investment used for the first \$140,000 of value for each single-family home or for each unit of a multiple dwelling unit building containing three or more units.

The Act amends the sales, services and use tax refund allowed for eligible housing businesses to require that the refund is for taxes paid by an eligible business, including an eligible business acting as a contractor or subcontractor. This provision of the Act takes effect May 16, 2001, and is retroactively applicable to July 1, 1998. The remainder of the Act is retroactively applicable to January 1, 2001.

HOUSE FILE 384 - Economic and Community Development and Job Training Programs

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act eliminates a number of provisions of the Code related to duties and programs of the Department of Economic Development (DED). The Act eliminates the management duty of DED for the Iowa High Technology Council. The Act eliminates the Microenterprise Development Program and Revolving Fund. The Act eliminates the ability of DED to enter into cooperative agreements to provide funds under the terms of Section 123 of the federal Job Training Partnership Act of 1982.

The Act repeals Code sections and departmental duties relating to coordinating the formation of a statewide regional network of private sector small business economic development corporations; repeals the Rural Community 2000 Program and related Code sections; repeals Code sections related to local development corporations and financial assistance for such corporations; repeals Code sections and departmental duties related to the Iowa Seed Capital Corporation, the Iowa Export Trading Company, the Iowa Business Investment Corporation, and the Iowa Capital Investment Board; and repeals the Job Training Partnership Program. The Act makes conforming amendments to the Code as a result of Code provisions eliminated in the Act.

HOUSE FILE 694 - Housing Trust — VETOED BY THE GOVERNOR

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This bill related to housing by creating a Housing Trust Fund and a Housing Trust Commission.

The Iowa Finance Authority (IFA) and the Department of Economic Development (DED) would have jointly administered the Housing Trust Fund. Moneys in the fund would be used for any housing-related program administered by IFA and DED.

The bill would have required the nine-member Housing Trust Commission, in cooperation with IFA, DED, the Attorney General, and the Iowa Department of Public Health, to provide the General Assembly and the Governor with an interim process report regarding preliminary findings and a final report regarding the implementation of the consolidation of all housing programs under one agency. The bill would have required the commission to submit an annual written report to the General Assembly and the Governor regarding, at a minimum, the activities of the commission and any recommendations regarding legislation.

The bill would have repealed the provisions of the bill relating to the commission on June 30, 2004.

EDUCATION

- SENATE FILE 203 - School Finance — Miscellaneous Changes
- SENATE FILE 336 - State Regulation of Education Practitioner Rights, Responsibilities, Practices, and Ethics
- SENATE FILE 412 - Compulsory School Attendance Age
- SENATE FILE 476 - Student Achievement and Teacher Quality Program
- SENATE FILE 480 - Community College Faculty Licensing — Review
- HOUSE FILE 89 - School Curriculum and Telecommunications — Supervision of Students
- HOUSE FILE 191 - School Finance — Allowable Growth
- HOUSE FILE 270 - Campus Security and Sexual Abuse Policies and Reports
- HOUSE FILE 293 - School Board Duties — Officers — Annual Settlements
- HOUSE FILE 294 - Compensation of School Board Members
- HOUSE FILE 353 - Driver Education — Instruction Time
- HOUSE FILE 389 - School Board Duties — Suspension of Practitioners
- HOUSE FILE 462 - Area Education Agency Administrative Costs Reimbursement — Federal Individuals With Disabilities Education Act Funds
- HOUSE FILE 637 - Libraries, Library Services, and Administration and School Improvement Technology Funds
- HOUSE FILE 643 - Education — Miscellaneous Changes
- HOUSE FILE 670 - Alternative Licensure — **VETOED BY THE GOVERNOR**
- HOUSE FILE 674 - Area Education Agency Accreditation and Reorganization or Dissolution
- HOUSE FILE 695 - School-to-Career Program — Miscellaneous Changes

RELATED LEGISLATION

- SENATE FILE 141 - Accelerated Career Education Program — Allocation of Program Job Credits
SEE TAXATION. This Act amends the Accelerated Career Education Program in relation to using program job credits to meet program job costs.
- SENATE FILE 198 - Family Investment Program — Postsecondary Education Assistance
SEE HUMAN SERVICES. This Act revises the time period allowed for a Family Investment Program participant to complete postsecondary coursework.
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State and includes an across-the-board cut that was vetoed by the Governor.
- SENATE FILE 525 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002, including funding made available to the state for a number of education programs.
- SENATE FILE 535 - Appropriations — Education
SEE APPROPRIATIONS. This Act appropriates moneys for FY 2001-2002 from the General Fund of the State to the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions. This year's Act appropriates over \$920.7 million and provides 17,395.1 full-time equivalent positions (FTEs), which is \$59.3 million under, and 42.4 FTEs over, the FY 2000-2001 estimated net appropriations. However, the Governor item vetoed provisions relating to tuition grants and scholarships to restore \$2.65 million in state education funding.

- HOUSE FILE 73** - Military Honor Guard Services by Veterans Organizations
SEE STATE GOVERNMENT. This Act provides that an honor guard unit of members of a recognized military veterans organization shall be allowed to perform any honor guard service on public property.
- HOUSE FILE 413** - Student Achievement and Teacher Quality Program — Appropriations and Allocations
SEE APPROPRIATIONS. This Act appropriates \$40 million from the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund to the Department of Education for FY 2001-2002 for purposes of the Student Achievement and Teacher Quality Program as enacted by 2001 Iowa Acts, S.F. 476. The Act amends numerous provisions enacted in S.F. 476.
- HOUSE FILE 662** - Community Empowerment Initiative
SEE CHILDREN & YOUTH. This Act relates to Iowa's Community Empowerment Initiative and authorizes an area education agency to serve as the fiscal agent for a local board and provides for the Legislative Council to convene a summit meeting to address various community empowerment issues.
- HOUSE FILE 680** - Child and Dependent Adult Abuse Reporting
SEE CHILDREN & YOUTH. This Act relates to child and dependent adult abuse reporting, including new education-related mandatory reporters of abuse, and abuse reporter training, and provides for civil liability for employers or supervisors who apply a policy, work rule, or other requirement that interferes with a person making an abuse report.
- HOUSE FILE 698** - Appropriations — Regulatory and Expenditure Matters — EXTRAORDINARY SESSION
SEE APPROPRIATIONS. This Act relates to regulatory and expenditure matters and includes authorization for the Treasurer of State to create bond reserve funds for the School Infrastructure Fund.
- HOUSE FILE 718** - Appropriations — Economic Development
SEE APPROPRIATIONS. This Act makes appropriations from the General Fund of the State to the University of Iowa, the University of Northern Iowa, and Iowa State University. Beginning with FY 2001-2002, the Act reduces the standing limited appropriation for the School-to-Career Program employer refunds and allows moneys in the Job Training Fund to be used by a community college to conduct entrepreneur development and support activities.
- HOUSE FILE 719** - Appropriations — State Government Technology and Operations
SEE APPROPRIATIONS. This Act relates to state government technology and operations by making appropriations to a number of entities concerned with technology and by making appropriations for a number of specific technology projects. The Act makes appropriations for FY 2001-2002 from the General Fund of the State for the Iowa Communications Network (ICN) and for support functions related to the network provided by the Public Broadcasting Division of the Department of Education. The Act appropriates moneys from the Rebuild Iowa Infrastructure Fund to the Pooled Technology Account and allocates amounts from the account to the Department of Education for transfer to the Community College Vocational-Technical Technology Improvement Program and for the purpose of making technology available to students of accredited nonpublic schools, and to the University of Northern Iowa for developing a Twenty-First Century Learning Initiative. The Act requests that the Legislative Council establish an interim study committee relating to distance learning and related ICN educational issues. The Governor item vetoed provisions prohibiting the Information Technology Department from spending any pooled technology dollars on digital broadcasting facilities for Iowa Public Television, exempting UNI from consulting with the Information Technology Department to ensure that purchases and contracts for twenty-first century learning infrastructure are compatible with other state agencies, and establishing that amounts contained in the Pooled Technology Fund may be utilized for the Community College Vocational-Technical Improvement Program in future years.
- HOUSE FILE 732** - Appropriations - Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and includes provisions for grant funding to community empowerment areas.

- HOUSE FILE 736** - Tax Administration — Additional Related Matters
SEE TAXATION. This Act provides a more narrow application of the exemption of "educational institution" under the sales tax exemption for sales used by educational institutions. This results in the exemption being applied to those institutions which are primarily educational institutions as opposed to those institutions whose educational activities are an additional or incidental activity. This provision takes effect January 1, 2002.
- HOUSE FILE 739** - Application of Sales and Services Tax Receipts to Bonded Indebtedness — Political Subdivisions
SEE TAXATION. This Act provides that local sales and services tax for school infrastructure receipts may be applied by a political subdivision to reduce a levy for the payment of bonds.
- HOUSE FILE 755** - Miscellaneous Appropriations, Reductions, and Other Provisions
SEE APPROPRIATIONS. Division II of this Act reduces the standing appropriations for FY 2001-2002 for area education agencies by \$7.5 million, for school technology by \$20 million, and for at-risk children programs by \$1 million. Division V of this Act changes from "on November 1" to "by November 1" the time for a school district to determine its additional enrollment because of special education for purposes of the state school aid formula. The division also provides that a child over the compulsory school attendance age who is receiving private instruction may be registered in a public school for dual enrollment purposes and a pupil who is enrolled for dual enrollment purposes but is participating only in extracurricular activities shall be counted as only one-tenth of a pupil. The division allows a school district to join an adjacent, newly reorganized area education agency. The division also provides changes in requirements for a tax increment financing (TIF) district in which revenues from the school district's physical plant and equipment levy are necessary to pay the principal and interest on bonds issued by a municipality prior to July 1, 2001, to fund an urban renewal project in the TIF district.

EDUCATION

SENATE FILE 203 - School Finance — Miscellaneous Changes

BY COMMITTEE ON EDUCATION. This Act provides for the continuation and refinement of budget guarantee provisions currently in effect for school districts and additionally provides for reorganization incentives, on-time funding, and incentives for the formation of regional academics.

The Act provides for the reimposition of reorganization incentives for school districts, which had expired in the past few years. The incentives include reducing the uniform levy for school districts of 600 pupils or less that reorganize, granting supplementary weighting for school districts that enter into a whole grade sharing arrangement and commit to studying reorganization, and continuing the supplementary weighting after reorganization if the school district does reorganize.

The Act reauthorizes on-time funding for school districts experiencing increasing enrollment, and increases the level of on-time funding from the 50 percent level currently applicable to 100 percent of the difference between the actual enrollment and the budget enrollment.

The Act provides for supplementary weighting for school districts that establish regional academics. A regional academy would offer advanced-level courses and vocational-technical courses, and could also include a virtual academy. The total amount of supplementary weighting granted would not exceed the equivalent of 15 additional pupils.

The Act provides for a technical correction to change the date by which the Department of Management annually notifies county auditors of the level of the additional levy from June 1 to June 15.

The Act provides for the continuation of the 100 percent budget guarantee, currently applicable to school districts, for the next three years, commencing with the school budget year beginning July 1, 2001. This enables a school district to maintain 100 percent of the previous year's budget, adjusted to include the amount of the budget adjustment the district received in the previous year. Starting with the school budget year beginning July 1, 2004, school districts will no longer be eligible for the 100 percent "adjusted" guarantee, but will be eligible for a 101 percent guarantee without the adjustment for inclusion of the previous year's guarantee. The Act provides for an optional 10-year phaseout of the 100 percent adjusted guarantee for school districts that would lose money based on the change to a 101 percent nonadjusted guarantee. These school districts will be able to utilize a guarantee of 90 percent of the difference between the guarantee level calculated for the school district for the school budget year beginning July 1, 2003, and the amount calculated for the current year if the guarantee were calculated to include the "adjustment" language. This option is decreased by 10 percent annually, until July 1, 2013, when all school districts will receive a budget guarantee based on 101 percent, without the adjustment for the previous year's guarantee.

SENATE FILE 336 - State Regulation of Education Practitioner Rights, Responsibilities, Practices, and Ethics

BY COMMITTEE ON EDUCATION. This Act rewrites a Code provision that directs the Board of Educational Examiners to develop a professional code that, at a minimum, addresses the habitual failure of a practitioner to fulfill the practitioner's contractual obligations to a school district. The Act strikes the word "habitual" from the requirement, but requires the board to consider, when addressing failure to fulfill contractual obligations, factors beyond the practitioner's control.

SENATE FILE 412 - Compulsory School Attendance Age

BY COMMITTEE ON EDUCATION. This Act provides that if a child enrolled in a school district or accredited nonpublic school reaches the age of 16 on or after September 15, the child is deemed to be of compulsory attendance age for the entire academic year.

SENATE FILE 476 - Student Achievement and Teacher Quality Program

BY COMMITTEE ON EDUCATION. This Act establishes a Student Achievement and Teacher Quality Program with four major elements: beginning teacher mentoring and induction programs, career paths with compensation levels that strengthen the state's ability to recruit and retain teachers, a team-based variable pay plan that provides additional compensation when student performance improves, and professional development designed to support best teaching practices. House File 413 (see Appropriations), which appropriates and allocates \$40 million to fund the program in FY 2001-2002, amends a number of the provisions of this Act.

STATEWIDE TEACHING STANDARDS. The Act establishes teaching standards, but allows school districts to establish criteria based upon core knowledge and skill criteria models developed by the Department of Education.

SCHOOL DISTRICT RESPONSIBILITIES. The Act requires school districts to participate fully in the program by July 1, 2003. However, H.F. 413 provides that a school district is only required to participate if the General Assembly appropriates moneys for purposes of the program. A school district is eligible for state program assistance if the district agrees to commit and expend

local moneys, implement a beginning teacher mentoring and induction program, provide more contract days for professional development, and adopt teacher career paths, a teacher career development program, a teacher evaluation program, and a team-based variable pay plan.

MENTORING AND INDUCTION. The Act repeals Code Chapter 256E, which provided for a pilot teacher mentoring program, but replaces the program with a two-year statewide Beginning Teacher Mentoring and Induction Program. The Act requires school districts to provide such a program by July 1, 2002. Effective July 1, 2003, licensure beyond a provisional license is tied to successful completion of a program, though the Act exempts teachers employed by accredited nonpublic schools or from other states or countries who can document three recent years of successful teaching experience. A school district may offer a teacher a third year in the program at the district's expense. A probationary teacher who fails to successfully complete the program may appeal the determination of the board to an adjudicator and the adjudicator's decision may be appealed to the district court.

CAREER DEVELOPMENT PLANNING/CAREER PATH. The department is directed to coordinate a statewide network of career development for Iowa teachers. A school district participating in the program must demonstrate that its program meets the requirements listed in the Act and incorporate its career development plan into its comprehensive school improvement plan, aligning career development with the school district's long-term student learning needs. Each teacher, with the cooperation of the teacher's supervisor, must develop an individual teacher career development plan based upon the Iowa teaching standards and the needs of the teacher, students, attendance center, and the school district. The plan must be reviewed annually. The Act permits the State Board of Education to approve the provision of teacher career development by public and private entities.

CAREER PATH COMPENSATION. The Act establishes four teacher career levels: beginning, career, career II, and advanced. The Act requires that a teacher be comprehensively evaluated prior to advancing to the next level. Under the Act, a beginning teacher must be paid \$1,500 more than the previous year's beginning teacher salary unless the district's minimum salary for a first-year beginning teacher exceeds \$28,000, and a career teacher must be paid at least \$2,000 more than the average beginning teacher salary unless the minimum salary for a career teacher exceeds \$30,000. It is the intent of the General Assembly that school districts pay a career II teacher a salary that is at least \$5,000 more than the minimum career teacher salary and pay an advanced teacher, who possesses the skills and qualifications to assume leadership roles and has received the recommendation of a review panel, a salary at least \$13,500 greater than the minimum career teacher salary. No teacher shall receive less under the Act than the teacher receives for the 2001-2002 school year, but if a comprehensive evaluation in a career teacher's fifth year indicates that the teacher no longer meets the standards, another comprehensive evaluation will be conducted in the following school year. If that evaluation indicates that the teacher's practice fails to meet the standards, the teacher will be ineligible to receive any additional pay increase other than a cost-of-living raise.

EVALUATION REQUIREMENTS/REVIEW PANEL. By July 1, 2004, under the Act, a teacher's performance must be reviewed annually by a certified evaluator selected by the principal in consultation with the teacher. An administrator or the administrator's designee must comprehensively evaluate a teacher at least once every five years. A teacher denied advancement based upon a comprehensive evaluation may appeal the decision to an adjudicator, whose decision is final. The department is directed to establish up to five regional review panels for purposes of reviewing the portfolios of career II teachers seeking to receive an advanced designation and to perform random audits of the comprehensive evaluations conducted throughout the state. School districts and area education agencies may collaborate to establish a pool of evaluators. A teacher who does not receive a recommendation from a review panel may appeal to an administrative law judge located in the Department of Inspections and Appeals. The Act permits the use of Phase III moneys under the Educational Excellence Program to be used to pay teachers who participate on a peer review team or in peer coaching efforts.

EVALUATOR TRAINING PROGRAM. The department is directed to establish an evaluator training program to improve the skills of school district evaluators in making employment decisions and recommendations for licensure, and moving teachers through a career path. The programs may be provided by a public or private entity and the department must distribute a list of program providers to each school district. An administrator who conducts evaluations of teachers must complete the training. By July 1, 2002, under the Act, certification is a condition of administrator licensure renewal. The Act repeals language relating to an evaluator license. A practitioner other than an administrator may also enroll in the program. Under H.F. 413, a practitioner who achieves certification prior to July 1, 2004, will be compensated \$1,000 by the school district from moneys appropriated by the General Assembly.

VARIABLE PAY TEAM-BASED PILOT PROGRAM. The Act establishes a Team-Based Variable Pay Pilot Program for FY 2001-2002. An approved school district must administer assessments at the beginning and end of the school year to demonstrate growth in student achievement. The licensed practitioners employed at a participating attendance center demonstrating improvement in student achievement will share in a cash award to be paid from moneys appropriated by the General Assembly under H.F. 413. Other staff may also receive a cash award.

REPORT The Act requires the department to annually report statewide program progress to the Senate and House Education Committees, the Legislative Education Accountability and Oversight Committee, the deans of the colleges of education at approved practitioner preparation institutions, the state board, the Governor, and to school districts.

PRAXIS II. The Act requires the Board of Educational Examiners to administer the Praxis II examination for knowledge of pedagogies and one content area to each applicant for a provisional teaching license. The fees for the exam shall be paid, as provided in H.F. 413, by the board from funds appropriated by the General Assembly. The board is to compile and submit the results of Praxis examinations to the Senate and House standing committees on Education and the state board by December 1, 2003. The provision related to the Praxis examination is repealed effective June 30, 2001.

PRACTITIONER PREPARATION CREDIT TRANSFER STUDY. The Act requires the State Board of Regents to conduct a study of the transfer of credits between practitioner preparation institutions to determine whether the current situation is fair and consistent.

LEGISLATIVE IMPLEMENTATION COMMITTEE. The Act requests that the Legislative Council establish a two-year legislative implementation committee to conduct a comprehensive study of team-based variable pay.

SENATE FILE 480 - Community College Faculty Licensing — Review

BY COMMITTEE ON EDUCATION. This Act directs the Department of Education to establish a task force to conduct a comprehensive review of the licensing of community college faculty by the Board of Educational Examiners, including but not limited to related issues such as tenure and termination procedures. The department must submit its findings and recommendations to the Senate and House standing committees on Education by December 1, 2001.

HOUSE FILE 89 - School Curriculum and Telecommunications — Supervision of Students

BY COMMITTEE ON EDUCATION. This Act provides that the supervision of kindergarten through grade 12 students receiving curriculum via the Iowa Communications Network may be provided by the licensed teacher at the originating site or may be provided by the school district receiving the curriculum if the district decides it is advisable or if the originating site teacher requests it.

HOUSE FILE 191 - School Finance — Allowable Growth

BY COMMITTEE ON EDUCATION. This Act sets the state percent of growth under the State School Foundation Program at 4 percent for the school budget year beginning July 1, 2002. The Act is applicable for computing state school foundation aid for the school budget year beginning July 1, 2002.

HOUSE FILE 270 - Campus Security and Sexual Abuse Policies and Reports

BY COMMITTEE ON JUDICIARY. This Act strikes language that requires accredited postsecondary institutions in Iowa to file with the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights a copy of an annual report, required by the federal Student Right-To-Know and Campus Security Act, which relates to campus crime statistics. Under the Act, the institutions are no longer required to file with the division a copy of a written policy relating to sexual abuse that the institutions must disseminate to students.

HOUSE FILE 293 - School Board Duties — Officers — Annual Settlements

BY COMMITTEE ON EDUCATION. This Act eliminates language that requires the board of directors of a school district to appoint a secretary and treasurer and settle the books for the previous fiscal year by August 15. However, the Act requires a school board to settle the previous year's books on or after August 31 and prior to the organizational meeting held after the regular school election.

HOUSE FILE 294 - Compensation of School Board Members

BY COMMITTEE ON EDUCATION. This Act permits a school board member to receive compensation from the school board for part-time or temporary employment as long as the total amount of compensation paid to the board member by the school district does not exceed \$2,500 annually.

HOUSE FILE 353 - Driver Education — Instruction Time

BY COMMITTEE ON EDUCATION. This Act requires the Department of Education to limit the number of minutes of classroom instruction, per student per day, in an approved driver education course to 180 minutes. Rules adopted by the State Board of Education currently set the maximum at 120 minutes in a single day.

HOUSE FILE 389 - School Board Duties — Suspension of Practitioners

BY COMMITTEE ON EDUCATION. This Act provides a board of directors of a school district that is considering termination or continuance of a practitioner's contract with an additional option to suspend the practitioner with or without pay for a period specified by the board.

HOUSE FILE 462 - Area Education Agency Administrative Costs Reimbursement — Federal Individuals With Disabilities Education Act Funds

BY COMMITTEE ON EDUCATION. This Act provides that the 25 percent cap on the amount of federal medical assistance reimbursement that an area education agency (AEA) may retain for the administrative costs of implementing reimbursement for eligible services does not apply to those services the AEA provides under the Infants and Toddlers With Disabilities Program (Part C) of the federal Individuals With Disabilities Education Act.

The Act takes effect April 17, 2001.

HOUSE FILE 637 - Libraries, Library Services, and Administration and School Improvement Technology Funds

BY COMMITTEE ON EDUCATION. This Act changes the name of the regional library system to the library service areas, provides for the appointment of the library service area trustees rather than for election of the trustees, expands the duties of the areas, and requires the State Board of Education to develop a biennial unified plan of service and service delivery in consultation with the library service areas and the area education agency (AEA) media centers. The Act also adds to the list of expenditures an AEA may make using School Improvement Technology Block Grant moneys by allowing an AEA to enter into a lease or lease-purchase agreement for technology.

ADDITIONAL SERVICES TO LIBRARIES. Current law requires regional libraries to provide supporting services to libraries. The Act provides that the services shall include consulting, continuing education, interlibrary loan, and reference services to assure consistency of service statewide.

LIBRARY SERVICE AREA BOARDS OF TRUSTEES. Seven regional library trustees are currently elected to each of seven boards serving seven regions. Under the Act, the library service area trustees are chosen from geographic districts drawn upon the same county lines as the regional system. Board membership shall include at least a representative of an AEA media division, a public library trustee, a librarian, a community college representative, a person representing library patrons, and two persons representing the public at large. The terms of the elected regional library trustees expire under the Act on July 1, 2001. The Act requires that the trustees assume all outstanding obligations of the regional library and be liable for the valid contracts of the regional library that the library area replaces. The regional library is directed to transfer its assets and title to any real estate it owns to the library service area.

AEA MEDIA SERVICES SUPPORT TO SCHOOL LIBRARIES. The Act requires AEA boards to assist in facilitating interlibrary loans between school districts and other libraries. The Act directs the AEAs to include as a member on its media center advisory committee a library service area trustee or staff member appointed by the Commission of Libraries. The Act also permits a consortium of AEAs to cooperatively engage in the technology activities authorized under the School Improvement Technology Block Grant Program.

LIBRARY FUSION. The Act amends the Code chapter that provides for the establishment of county library districts to allow a library district to be established by one or more counties, one or more cities, or any combination of cities and counties.

DEPARTMENT OF MANAGEMENT STUDY. The Act directs the Department of Management to coordinate a study of city and county support of public library funding and determine whether cities and counties are in compliance with state funding requirements, identify inequities between city and county funding, and determine the adequacy of the current minimum levy. The department must submit its findings and recommendations to the Senate and House standing committees on Education and the Joint Appropriations Subcommittee on Education.

HOUSE FILE 643 - Education — Miscellaneous Changes

BY COMMITTEE ON EDUCATION. This Act makes the following statutory revisions relating to the Department of Education, school districts, and area education agencies (AEAs):

STATE BOARD OF EDUCATION. The Act strikes language that requires the State Board of Education to adopt rules providing that the educational program each school and accredited nonpublic school must provide to at-risk students be based on the Child Development Coordinating Council's definition of "at-risk student." The Act directs the state board to adopt rules requiring accredited schools and school districts to teach from and use a "gender fair," rather than the current "nonsexist," approach.

PROVISIONS RELATED TO ACCREDITED NONPUBLIC SCHOOLS AND SCHOOL DISTRICTS. The Act repeals a provision requiring school districts to adopt goals to improve student achievement and performance and transmit a plan for achieving its goals to the department, along with a periodic assessment for use in determining whether its goals have been achieved. The Act also strikes and replaces language that requires school districts to determine educational needs, develop goals, and evaluate and report progress, and requires the local board to appoint an advisory committee to make recommendations. The Act changes

language relating to the comprehensive school improvement plan that school districts and accredited nonpublic schools are required to submit to the department. The new language requires accredited schools and school districts to appoint a school improvement advisory committee to make recommendations to the board or authorities, which will be used by the board or authorities to determine the major educational needs, student learning goals, long-range and annual improvement goals, desired levels of student performance, and progress toward meeting the goals. The Act also requires that school districts incorporate into their comprehensive school improvement plan the criteria and procedures for identification and integration of at-risk children that districts have incorporated into their kindergarten admissions programs.

The Act eliminates a provision requiring a school district to submit a progress report under the School Improvement Technology Block Grant Program and requires licensed professional staff of the district to be responsible for technology integration throughout the district.

The Act changes the date of the enrollment count for children requiring special education from December 1 to November 1, and the date for a school district to certify to the department its additional enrollment because of special education is changed from December 15 to November 15. The Act also provides that a student shall not be included in a district's enrollment if the student was eligible to receive a diploma in the previous year of enrollment or if the student continues enrollment in the district to take courses for which the student may receive postsecondary course credit. In addition, the Act provides shared-time weighting for all students in grades 9 through 12 who are dual enrolled.

School districts that request additional allowable growth for programs for returning dropouts and dropout prevention must, under the Act, include in their program plans the qualifications required of personnel delivering the program.

The Act permits a school board to authorize its superintendent to sign teachers' contracts. The Act also requires school boards to provide not-for-profit, professional education associations equal access to teacher mailboxes for distribution of professional literature.

TRANSPORTATION ISSUES. The Act provides that when a school patron or school district board is dissatisfied with the decision of an AEA board regarding school transportation, the decision may be appealed to the Director of the Department of Education.

The Act strikes language that requires the department to adopt rules establishing criteria for issuing a statement of necessity, which a school board or a school administrator must provide if a student is to be issued a special minors' driver's license. However, a school board must adopt a policy establishing the criteria for approval or denial of a special minors' driver's license. The Act permits a student to appeal the decision of a school administrator to the school board. The decision of the school board is final.

ADDITIONAL REPEALS. Provisions creating and setting forth the duties of the Youth 2000 Coordinating Council are repealed. The Act also repeals provisions establishing a State Council on Vocational Education attached to the department.

HOUSE FILE 670 - Alternative Licensure — VETOED BY THE GOVERNOR

BY COMMITTEE ON EDUCATION. This bill would have allowed individuals possessing at least a bachelor's degree to be licensed as administrators in schools with enrollments of at least 5,500, and as teachers in vocational education fields or subject areas or in shortage areas, upon completion of two 12-semester-hour courses and an internship.

Under the bill, approved nontraditional practitioner preparation programs would be required to include coursework in education theory, instructional methods, and classroom management, and administrator preparation programs would be required to include coursework in education management, governance organization, and planning.

An institution providing nontraditional preparation programs would also be required to enter into a written agreement with a school district under which the school district would provide interns with a one-year classroom teaching experience or one year of administrative experience. Interns would be required to successfully complete the first 12-semester-hour course of study prior to beginning the teaching or administrator internship. Upon completion of the first course of study, the institution preparing an individual would have been required to submit to the Board of Educational Examiners a recommendation for licensure of the intern. If the institution recommended licensure, the intern would be issued a nontraditional conditional license by the board. The bill defined "nontraditional conditional license" to mean the authority given to allow a person to legally serve as a teacher or administrator on a temporary basis while the person completes a nontraditional practitioner preparation internship program.

The second course of study could be waived based upon the institution's comprehensive evaluation of the intern. The bill required that the intern be monitored by the institution during the intern's first nine weeks of employment as a teacher or during the intern's year of employment as an administrator.

Under the bill, individuals would be eligible for licensure as an administrator if, beyond successfully completing the preparation program, the individual possessed at least a master's degree in business administration, public administration, or a comparable degree, or possessed at least a bachelor's degree from an accredited postsecondary institution and life experience equivalent to a master's degree in a management field, and had been employed for at least 10 of the last 15 years in a management position.

An individual could be licensed to teach students in grades 9 through 12 in the vocational education field or subject area of the individual's academic background and employment experience, or in a teacher shortage area if, beyond successfully completing the preparation program, the individual possessed at least a bachelor's degree from an accredited postsecondary institution, had been employed for at least five consecutive years in an area requiring knowledge and practical application of the individual's postsecondary academic background, and could document successful experience working with children. In addition to these requirements, an individual seeking a nontraditional conditional license to teach special education students in grades 9 through 12 would need to document five years of successful experience working with children requiring special education. An individual issued a provisional teaching license after a successful teaching experience under a nontraditional license would be required to successfully complete a two-year beginning teacher mentoring and induction program.

The bill directed the Board of Educational Examiners to administer, for two years, the Praxis II examination for knowledge of pedagogies and content to each individual applying for a nontraditional teaching license.

The bill also required the Department of Education to compile and report, analyze and compare, in consultation with the Board of Educational Examiners, information relating to nontraditional practitioner preparation internship programs and the requirements for practitioner licensure or endorsement that require a master's degree and the master's degree requirements established by approved practitioner preparation graduate programs. The department was to have submitted its findings and recommendations in reports to the General Assembly.

HOUSE FILE 674 - Area Education Agency Accreditation and Reorganization or Dissolution

BY COMMITTEE ON EDUCATION. This Act extends the area education agency (AEA) accreditation approval period from three years to five years and permits two or more AEAs to voluntarily reorganize, allows an AEA to initiate dissolution procedures, and requires that an AEA initiate dissolution procedures if petitioned by at least 20 percent of the board members serving on each school district board within the area served.

Reorganization and attachment of an affected AEA's area can only take place if the areas affected are contiguous, 20 percent of the school districts within the affected AEAs file a petition for reorganization, a majority of the members of the affected AEA boards approve the reorganization, or, in the case of dissolution, if a majority of the members of the affected school districts voting approve of the dissolution.

PLANNING. The AEA boards contemplating a voluntary reorganization must develop and conduct studies of the agency resources and programs, survey school districts to determine current and future needs, hold public hearings, and consult with the Director of the Department of Education in the development of surveys and plans.

ASSETS AND LIABILITIES. The assets and liabilities of the affected AEAs become the responsibility of the board of the newly formed AEA.

DEPARTMENTAL REVIEW. The State Board of Education must review the plan and grant approval or return the plan with the state board's recommendations. An approved plan takes effect on the following July 1.

CONTRACTS AND COLLECTIVE BARGAINING. Current contracts for the administrator and teachers of an affected AEA are to be preserved in the formation of the new AEA. The collective bargaining agreement of the AEA with the largest basic enrollment for the year prior to the reorganization serves as the base agreement.

SCHOOL DISTRICT PETITION TO JOIN. The Act permits school districts contiguous to or within a newly reorganized AEA to petition to join a newly reorganized AEA or a contiguous AEA.

INITIAL BOARD. The Act provides for the appointment of AEA directors to the initial board of a newly reorganized agency. The initial board must call a director district convention to elect members of the regular board. The initial board has control of the employment of all personnel for the newly formed agency for the ensuing school year, and may establish policy, enter into contracts, and complete such planning and take such action as is essential for the efficient management of the newly formed AEA.

ACCREDITATION. A newly formed AEA is considered accredited for purposes of budget approval by the state board, but must meet state accreditation requirements and standards within one year of reorganizing. The state board must inform the new agency of the accreditation on-site visit schedule.

DISSOLUTION. If a dissolution proposal has been prepared by area school boards and is accompanied by a petition signed by at least 20 percent of the school district boards within the area served, the board of directors of an AEA must establish a dissolution commission.

DISSOLUTION COMMISSION. The commission must request statements from contiguous agencies outlining each agency's willingness to accept territory attachments and must meet with the contiguous agency boards and with local school boards in drawing up the dissolution proposal. Within one year, the commission must either send a copy of its dissolution proposal to the affected AEA board or inform the board that it cannot agree upon a dissolution proposal. An agency board that objects to an attachment of area must send its objections in writing to the commission within 10 days, and the commission may modify the dissolution proposal. A new commission may be formed if agreement cannot be reached on a dissolution proposal.

DISSOLUTION HEARING. Within 10 days following the filing of the dissolution proposal, the affected board must fix a date and publish notice for a hearing. The affected board must review hearing testimony and adopt, or amend and adopt, the dissolution proposal.

VOTE BY SCHOOL BOARD MEMBERS. Within 30 days of the hearing, the school boards of districts located within the affected AEA and within the area served by AEAs to which area of the affected AEA will be attached must vote on the dissolution proposal. The dissolution proposal must pass by a simple percent of the votes cast. An approved dissolution proposal must be forwarded to the state board for approval by November 1.

HOUSE FILE 695 - School-to-Career Program — Miscellaneous Changes

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act makes amendments to the School-to-Career Program.

The Act adds a definition of "employer," which means an employer or a consortium of two or more employers.

The Act eliminates two provisions that are currently required to be in an agreement between an employer and a participant for a certified program. The provisions relate to the two-year work requirement following the completion of the participant's postsecondary education required by the certified program.

The Act provides that, if an employer is a consortium of two or more employers, the employer shall not be subject to program requirements relating to payment of a participant's postsecondary education if tuition is included as part of a stipend paid by the employer to a participant.

The Act also amends a provision relating to the amount of a refund an employer may claim for each participant in the program employed by the employer.

ELECTIONS, ETHICS AND CAMPAIGN FINANCE

- HOUSE FILE 481** - Establishment of City Election Precincts
- HOUSE FILE 566** - Registered Voters, Eligible Electors, and Qualified Voters
- HOUSE FILE 758** - Congressional and Legislative Redistricting — EXTRAORDINARY SESSION

RELATED LEGISLATION

- HOUSE FILE 581** - Drainage or Levee District Election Districts — Size
SEE AGRICULTURE. This Act increases the size of a drainage or levee district required to have election districts from 3,000 acres or more to 20,000 acres or more.

ELECTIONS, ETHICS AND CAMPAIGN FINANCE

HOUSE FILE 481 - Establishment of City Election Precincts

BY GRUNDBERG. This Act concerns the requirements and process used for cities when they establish new or redrawn election precincts.

The Act requires cities to draw precincts in a manner that promotes electoral efficiency by requiring cities to avoid creating more precincts than is necessary to serve the convenience of the voters. In addition, the Act specifically authorizes the county commissioner of elections to suggest changes to a proposed reprecincting if the commissioner feels the changes would better promote electoral efficiency or better serve the voter. If the commissioner does suggest changes, the Act requires the city, if it does not make changes to its proposed reprecincting, to include reasons for rejecting the changes in the ordinance that adopts the new precincts.

The Act takes effect April 18, 2001.

HOUSE FILE 566 - Registered Voters, Eligible Electors, and Qualified Voters

BY COMMITTEE ON STATE GOVERNMENT. This Act makes several changes to the Iowa Code regarding use of the terms "eligible elector," "qualified elector," and "registered voter." Prior to 1994, the term "qualified elector" was defined in the Code as a person registered to vote. That term was changed to "registered voter" beginning in 1994. The Act changes "qualified voters" and "qualified electors" to "registered voters" in those Code sections overlooked in the original legislation.

The Act also changes from registered voters to eligible electors those persons qualified to sign a petition required or allowed by statute. Eligible electors are persons qualified to register to vote regardless of whether they have actually registered. Petition requirements amended by the Act include petitions regarding unified law enforcement districts, township officers, local school districts, land use districts, commission form of local government, county bonds, county libraries, county hospitals, city revenue bonds, local option sales taxes, and retention of district court clerks.

The Act also amends Code Section 53.37 to define "qualified voter" to mean, for purposes of absentee voting by the armed forces, a person described under the term "armed forces of the United States" who, except for meeting the residency requirement, is otherwise eligible to register to vote and to vote in Iowa. The Act retains the term "qualified" in Code Section 468.514 to describe those property owners eligible to vote on drainage district matters.

HOUSE FILE 758 - Congressional and Legislative Redistricting — EXTRAORDINARY SESSION

BY COMMITTEE ON STATE GOVERNMENT. This Act establishes congressional and legislative districts for the state effective during the 2002 and subsequent general elections. The districts are established based upon population pursuant to the results of the 2000 decennial census. Pursuant to the requirements of Code Section 42.4, the Act provides for the election of senators to the general assemblies which take office in 2003 and 2005 in conformity with the Iowa Constitution and provides for the filling of a vacancy for a member of Congress or the General Assembly if a special election is required prior to the 2002 general election. Refer to the appendices for maps of the Congressional, Senate and House districts, prepared by the Legislative Service Bureau.

The Act takes effect June 22, 2001.

ENERGY AND PUBLIC UTILITIES

- SENATE FILE 279 - Expenses Related to Regulation of Public Utilities — Assessments
- SENATE FILE 462 - Energy Loan Fund — Eligible Improvements
- SENATE FILE 515 - Public Utility Crossings — Railroad Rights-of-Way
- HOUSE FILE 577 - Electric Power Generation and Transmission — Miscellaneous Provisions — EXTRAORDINARY SESSION

RELATED LEGISLATION

- SENATE FILE 65 - Appropriations — Supplemental Funding for Low-Income Home Energy Assistance
SEE APPROPRIATIONS. This Act provides supplemental appropriations from state sources for the federal block grant for the Low-Income Home Energy Assistance Program for FY 2000-2001. The Act takes effect February 6, 2001.
- SENATE FILE 168 - City Cable Television Franchises
SEE LOCAL GOVERNMENT. This Act provides that if a city grants more than one cable television franchise, the terms and conditions shall not give undue preference or advantage to the new franchisee and the new franchisee shall be granted the same territory as the existing franchisee and a reasonable amount of time to build the new system throughout the territory.
- SENATE FILE 525 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002. The Act includes funding for the Low-Income Home Energy Assistance Program known as LIHEAP.
- HOUSE FILE 1 - Limited Sales and Use Tax Exemption for Residential Metered Gas and Electricity or Heating Fuel
SEE TAXATION. This Act exempts from the sales and use taxes, for approximately two months, the sale or furnishing of metered gas and of heating fuel for residential customers. The exemption applies to the sale of metered gas if the utility billing date is during March 2001 or April 2001 and applies to the sale of heating fuel if the sale or furnishing of it occurs during the period beginning on February 5, 2001, and ending March 31, 2001. A utility that cannot adjust its billing system to provide for the exemption in March can charge the tax but must give the customer a credit on the customer's next billing. The Act also provides for the phaseout of the sales tax, over a five-year period, on the sale and furnishing of metered gas and electricity residential customers and on the sale and furnishing of fuel, including propane and heating fuel, used in residential dwellings. The Act takes effect February 5, 2001.
- HOUSE FILE 301 - Rural Fire Protection
SEE LOCAL GOVERNMENT. This Act requires a rural water district or association to establish a rural fire protection program that provides access to designated soft-hose fill stations, periodic updated maps of soft-hose fill stations, and periodic informational meetings for all affected fire departments on procedures and facilities to enhance rural fire protection.
- HOUSE FILE 698 - Appropriations — Regulatory and Expenditure Matters — EXTRAORDINARY SESSION
SEE APPROPRIATIONS. This Act relates to regulatory and expenditure matters and includes an appropriation for additional regulatory staffing, contingent upon the passage of H.F. 577, relating to energy-generating facilities.
- HOUSE FILE 705 - Taxation of Electricity, Natural Gas, and Fuels Used for Residential Energy
SEE TAXATION. This Act exempts from the sales and use taxes the charges paid to deliver electricity or natural gas if the sale or use is exempt from sales and use taxes. The Act also amends a previously enacted sales tax exemption that phases out the sales tax on the sale or furnishing of metered gas, electricity and fuel (see H.F. 1 in Taxation).
- HOUSE FILE 706 - Appropriations — Energy Conservation Programs Funding
SEE APPROPRIATIONS. This Act appropriates moneys for FY 2001-2002 from the Energy Conservation Trust to the Division of Community Action Agencies of the Department of Human Rights for

energy conservation programs for low-income persons and to the Department of Natural Resources for the State Energy Program and for administration of petroleum overcharge programs.

HOUSE FILE 731**- Utility Replacement Tax**

SEE TAXATION. This Act makes various changes to Code Chapter 437A, "Taxes on Electricity and Natural Gas Providers," based on the proposal of the Utility Replacement Tax Task Force.

ENERGY AND PUBLIC UTILITIES

SENATE FILE 279 - Expenses Related to Regulation of Public Utilities — Assessments

BY COMMITTEE ON COMMERCE. This Act amends Code Section 476.10, which deals with allocation of expenses incurred by the Utilities Board of the Department of Commerce and the Consumer Advocate.

The Act provides that the board may allocate and directly charge to persons bringing or participating in a proceeding or matter before the board expenses attributable to the respective duties of the board and the Consumer Advocate. The board and the Consumer Advocate may consider the financial resources of the parties, the impact of assessment on participation by intervenors, the nature of the proceeding or matter, and the contribution to the public interest in making such direct assessments, and may decline to charge persons who intervene in a proceeding in good faith without expanding the scope of the proceeding. The board may bill the person during a proceeding or at the conclusion. Presentation of a bill constitutes notice of direct assessment and a demand for payment according to the time frame established in the Act.

This direct assessment procedure in the Act provides specific criteria for the board to consider in making an allocation, or in declining to allocate any expenses to intervenors; applies to all proceedings and matters for which the board is responsible under the law rather than a limited list of activities; applies to all persons before the board rather than just public utilities; and contains no limit on the yearly amount that a person may be assessed, rather than an annual limit of two-tenths of 1 percent of a public utility's gross operating revenues.

The Act also addresses quarterly assessments based on the actual expenses of the Utilities Division of the Department of Commerce, less the direct charges made to persons involved in proceedings or other matters before the board. This quarterly remainder assessment is made to all persons providing service over which the board has jurisdiction, in proportion to their respective gross operating revenues. Electric and gas public utilities that are not subject to rate regulation by the board under Code Chapter 76 are assessed at one-half the rate of other persons.

This quarterly remainder assessment procedure differs from current Code language on quarterly remainder assessments by applying the assessment process to all persons providing service over which the board has jurisdiction, rather than public utilities; by permitting expenses allocable to a particular type of utility to be assessed only to that type of entity over which the board has jurisdiction; by using fiscal year guidelines only and deleting references to specific dates in the procedure; and by not limiting the yearly amount that a person may be assessed, rather than an annual limit of two-tenths of 1 percent of a public utility's gross operating revenues from intrastate public utility operations during the calendar year, and a total of three-tenths of 1 percent of the gross operating revenues in the last preceding year for both the direct and remainder assessments.

The Act requires direct charges or remainder assessments to be paid within 30 days of notice of the amount due, unless an objection is filed. The board is required to set the matter of a filed objection for hearing and issue an order in accordance with the procedures in Code Chapter 476. The order is subject to review according to the procedures in the Code chapter. The Act differs from current Code language regarding payment by requiring that the board provide notice, instead of mailing notice.

The Act requires the Utilities Board to submit a written report to the General Assembly on or before March 1, 2002, regarding the effect of statutory changes on the direct and remainder assessments actually made on utilities. The report shall address the amount of the assessment, the party to whom it was assessed, a comparison of the assessments made to the same party under the previous statute, and any additional information the board deems useful to the General Assembly in evaluating the statutory changes.

The Act takes effect March 14, 2001.

SENATE FILE 462 - Energy Loan Fund — Eligible Improvements

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act amends a provision of the Energy Loan Fund administered by the Department of Natural Resources (DNR). Out of the fund, the DNR makes loans to the state, state agencies, political subdivisions, school districts, area education agencies, community colleges, and nonprofit organizations for implementing energy conservation measures identified in a comprehensive engineering analysis. The Act strikes language requiring recoupment of energy conservation costs within an average of six years and provides that a loan shall be made for all cost-effective management improvements.

SENATE FILE 515 - Public Utility Crossings — Railroad Rights-of-Way

BY IVERSON AND GRONSTAL. This Act creates new Code Section 476.27, providing definitions and procedures for crossings of railroad rights-of-way by public utilities.

The Act directs the Utilities Board of the Department of Commerce, in consultation with the Iowa Department of Transportation, to adopt rules prescribing the terms and conditions for a railroad crossing. The rules are to address notification requirements, maintenance and repair requirements, insurance requirements, procedures for payment of certain costs and damages, emergency repair and maintenance requirements, engineering standards, expedited construction, and other necessary terms and conditions. The Act requires the railroad and public utility to each bear responsibility for each person's own acts and omissions, except that the public utility shall be responsible for any bodily injury or property damage typically covered by a standard railroad protective liability insurance policy.

A standard crossing fee of \$750 is established to cover the direct expenses of a railroad, to be paid by a public utility seeking to commence a crossing. The fee is a one-time charge per crossing in lieu of any license or other fee or charge and shall apply to all crossings except for crossings along the public roads of the state pursuant to Code Chapter 477. The utility shall also reimburse the railroad for any actual flagging expenses in addition to the standard crossing fee.

The Act provides that any rules adopted by the board shall not prevent a railroad and a public utility from negotiating different terms and conditions applicable to a crossing. The Act states that the new provisions shall not impair the authority of a public utility to secure crossing rights by easement pursuant to the exercise of the power of eminent domain.

The Act allows a railroad or public utility that believes special circumstances exist for a particular crossing to petition the board for relief, pursuant to which the board shall determine whether special circumstances exist that necessitate either a modification of the direct expenses to be paid or the need for additional terms and conditions for the crossing. A railroad or public utility that claims to be aggrieved by a determination of the board on the issue of damages for the rights granted to a public utility with respect to a crossing may appeal in essentially the same procedural manner as a party may appeal an appraisal of damages by a county compensation commission under the procedures in Code Chapter 6B for eminent domain. An appeal of any other determination regarding crossings by the board shall proceed pursuant to the provisions of the Iowa Administrative Procedure Act in Code Chapter 17A.

The Act provides that, pending resolution of a claim of special circumstances by the board, a public utility, upon securing the payment of any damages, may proceed with a crossing in accordance with rules adopted by the board unless the board determines, upon application for emergency relief, that intervention is necessary either to prevent a crossing that involves a significant and imminent likelihood of danger to the public health or safety, or to prevent a crossing that is a serious threat to the safe operation of the railroad or to the current use of the railroad right-of-way.

The Act also provides that new Code Section 476.27 applies to all public utility crossings as provided in the Code section, and that the provision governs over any other conflicting provision of law.

The Act applies to a crossing commenced prior to July 1, 2001, if an agreement concerning the crossing has expired or is terminated, and to a crossing commenced on or after July 1, 2001.

HOUSE FILE 577 - Electric Power Generation and Transmission — Miscellaneous Provisions — EXTRAORDINARY SESSION

BY COMMITTEE ON COMMERCE AND REGULATION. This Act makes changes to provisions related to electric utilities in Code Chapters 476 and 476A, as well as making related changes in other parts of the Code.

A new subsection is added to Code Section 476.6 regarding emissions from electric power generating facilities. Coal-fired facilities located in the state on July 1, 2001, are required to develop multiyear plans and budgets for managing regulated emissions from the facility in a cost-effective manner. The initial plan and budget must be filed by April 1, 2002, and updates shall be filed at least every 24 months. Copies of the initial plan, budget and updates shall be served on the Environmental Protection Division of the Department of Natural Resources (DNR) and the Consumer Advocate. The plan, budget and updates shall be considered in a contested case proceeding, and the DNR and the Consumer Advocate shall participate as parties. The DNR shall state whether the plan or update meets applicable state environmental requirements for regulated emissions, and if not, shall recommend amendments to bring the plan into compliance with requirements.

The Utilities Board of the Department of Commerce shall not approve a plan that does not meet applicable state requirements for regulated emissions. The board shall approve a plan or update and the associated budget if it is consistent with the legislative intent expressed under Code Section 476.53, and reasonably balances costs, environmental requirements, economic development potential, and the reliability of the electric utility and generation system. The board shall issue an order approving or rejecting a plan or update and the associated budget within 180 days after the filing, except that 30-day extensions may be granted upon a showing of good cause. The reasonable costs incurred in preparing and filing the plan or update and associated budget shall be included in regulated retail rates. The board may limit investments or expenditures under a plan,

update or budget that are proposed to be undertaken prior to the time the related environmental benefit would be required under federal or state law. The board shall report to the General Assembly by January 21, 2003, on requiring the municipal utilities and rural electric cooperatives to comply with emission management requirements comparable to those required by this Code section.

The Act adds new Code Section 476.47, regarding alternate energy purchase programs. Beginning January 1, 2004, all electric utilities are required to offer an alternate energy purchase program to customers based on energy produced by alternate energy production facilities in Iowa, and to file plans for such programs with the Utilities Board. Sixty days' notice to customers of the plan or any modification is required. Certain exceptions may be applicable, and consumer-owned utilities may apply for a waiver of the requirements.

The Act also amends Code Section 476.53 by inserting completely new language which states the intent of the General Assembly to attract the development of electric power generating facilities within the state in sufficient quantity to ensure reliable electric service to Iowa consumers and provide economic benefits to the state, implemented in a manner that is cost-effective and compatible with the environmental policies of the state, as expressed in the Code. The Act provides that if a rate-regulated utility files an application to construct in Iowa a baseload generating facility equal to or greater than 300 megawatts or a combined cycle facility, or an alternate energy production facility, or if a rate-regulated public utility leases or owns in Iowa in whole or in part a new such facility, the board shall specify in advance, by order issued after a contested case proceeding, the ratemaking principles that will apply when the costs of the facility are included in retail rates. The board is not limited to traditional ratemaking principles or cost-recovery mechanisms. The board must find that the utility has a board-approved energy efficiency plan in effect, and that the utility has demonstrated to the board that it has considered other sources for long-term electric supply and that the facility or lease is reasonable when compared to other feasible alternative sources of supply. These proof requirements may be met through a competitive bidding process established by rule. The utility may proceed with construction or withdraw its application for certification upon issuance of the order setting forth the ratemaking principles. The principles apply to the facility in any subsequent ratemaking proceeding.

The Act amends Code Section 476A.6 to provide that the board shall issue a certificate if it finds three criteria have been met: (1) the services and operations resulting from the construction of the facility are compatible with the electric energy policy and the economic development policy of the state as expressed in the Code and will not be detrimental to the provision of adequate and reliable electric service; (2) the applicant is willing to construct, maintain and operate the facility pursuant to the provisions of the certificate and Code Chapter 476A; and (3) the construction, maintenance and operation of the facility will be consistent with reasonable land use and environmental policy, and consonant with reasonable utilization of air, land and water resources, considering reasonably available technology.

These criteria replace prior statements regarding present or future public convenience, use and necessity; minimum adverse land use; aesthetic impact; beneficial purposes considering the economics of available alternatives; details of a comprehensive energy management program by the public utility, including load management, interruptible service, wheeling agreements and other energy sharing agreements, and energy efficiency and renewable energy services and programs; long-term electric supply; and nongeneration alternatives.

The Act amends Code Section 476A.15, to allow waiver by the Utilities Board of any of the requirements of Code Chapter 476A if it determines that the public interest would not be adversely affected. The Code currently allows waivers only for facilities with a capacity of 100 or fewer megawatts.

This Act creates a new subchapter of Code Chapter 476A, regarding electric power generators, that addresses joint agreements for the acquisition of ownership, and for the planning, financing, operation, and maintenance of joint facilities devoted to electric power generation and transmission, and providing for the bonding authority of electric power agencies. The new Code sections shall govern in the event of conflict.

The Act creates new Code Section 476A.20, which provides definitions for "electric power agency," "facility," and "public bond or obligation." "Electric power agency" means an entity as defined in Code Section 28F.2, which is an entity financing or acquiring electric power facilities pursuant to Code Chapter 28F or Code Chapter 28E. "Public bond or obligation" means an obligation as defined in Code Section 76.14, which is any obligation issued by or on behalf of the state, an agency of the state, or a political subdivision of the state. A "facility" is an electric power generating plant, or transmission line or system, as defined in Code Section 476A.1.

The Act creates new Code Section 476A.21, providing for the general authority of an electric power agency to enter into and carry out joint agreements with other participants for the acquisition of ownership of a joint facility, and for the planning, financing, operation, and maintenance of the joint facility.

The Act creates new Code Section 476A.22, providing for the electric power agency to exercise all powers necessary and appropriate that might be exercised by a natural person or private corporation for constructing or acquiring an electric power facility.

The Act adds new Code Section 476A.23, providing for the issuance of public bonds to carry out any purposes and powers, including the following: (1) the acquisition or construction of any project to be owned or leased by the electric power agency, or any interest in, or any right to the capacity of, such project; (2) the funding or refunding of the principal, interest, or redemption premiums relating to any public bonds or obligations issued by the electric power agency, whether or not the public bonds or obligations or interest have become due; (3) the establishment or increase of reserves to secure or to pay the public bond or obligations or interest; and (4) the payment of all other costs or expenses of the electric power agency necessary to carry out its purposes and powers. A transmission facility shall not be financed with the proceeds from public bonds or obligations, the interest on which is exempt from federal income tax, unless the public issuer of such public bonds or obligations promises that the issuer shall comply with the requirements of the Internal Revenue Code to preserve the tax exemption of interest payable on the bonds or obligations.

An electric power generating facility shall not be financed under the subchapter unless the following conditions are met: (1) the electric power generating facility is not designed to serve the requirements of retail customers of members that are municipal electric utilities established in Iowa after January 1, 2001; and (2) the electric power agency files annually with the board information regarding sales in sufficient detail to determine compliance with these provisions. The board shall report to the General Assembly if any provision is violated.

The Act enacts new Code Section 476A.24, regarding public bonds or obligations authorized by resolution of the board of directors of the electric power agency, or under a trust indenture or other security agreement, that must specifically address a list of facts about the bonds. The bonds may be issued in one or more series, and must not be subject to any restriction under other law regarding the amount, maturity, interest rate, or other terms of obligation of a public agency or private person. Code Chapter 75, regarding the authorization and sale of public bonds, does not apply to public bonds or obligations authorized under Code Section 476A.24.

This Act creates new Code Section 476A.25, regarding public bonds or obligations payable solely from agency revenues or funds. The principal of and interest upon any public bonds and obligations issued by an electric power agency shall be payable solely from the revenues or funds pledged or available for their payment. Each public bond or obligation shall contain all of the following terms: (1) that the principal of or interest on such public bonds or obligation is payable solely from revenues or funds of the electric power agency; (2) that neither the state, or a political subdivision of the state other than the electric power agency, nor a public agency that is a member of the electric power agency is obligated to pay the principal or interest on such public bonds or obligations; and (3) that the full faith and credit or the taxing power of the state or any political subdivision of the state or of any such public agency is not pledged to the payment of the principal of or the interest on the public bonds or obligations.

The Act creates new Code Section 476A.26, regarding sources for payment and security for public bonds and obligations. Public bonds or obligations are payable from the revenues or funds of the electric power agency, subject to any agreements with holders of particular public bonds or obligations pledging any particular revenues or funds. An electric power agency may issue types of public bonds or obligations as it may determine, including that where the principal and interest are payable exclusively from the revenues from one or more projects or from interest in such project or projects, or a right to capacity of such project or projects, or from any revenue-producing contract made by the electric power agency with any person. Any public bonds or obligations may be secured by a pledge of any grant, subsidy or contribution from any public agency or other person, or a pledge of any income or revenues, funds or moneys of the electric power agency from any other source.

The Act creates new Code Section 476A.27, which provides that public bonds or obligations of an electric power agency may be issued pursuant to the new Code sections established under Code Chapter 476A, and rates may be established in the same manner as provided in Code Section 28F.5 without the consent of any department of the state. New Code Section 476A.28 provides that all public bonds or obligations of an electric power agency shall be negotiable within the meaning of the Uniform Commercial Code.

New Code Section 476A.29 provides that the electric power agency may issue temporary bonds or obligations that shall be exchanged for the definitive bonds or obligations upon their issuance, and that public bonds or obligations may be issued and delivered notwithstanding that one or more of the officers executing them shall have ceased to hold office at the time when the public bonds or obligations are actually delivered.

New Code Section 476A.30 provides that public bonds or obligations of an electric power agency may be sold at public or private sale for a price and in a manner determined by the electric power agency. New Code Section 476A.31 provides that the

following persons may legally invest any debt service funds, money, or other funds belonging to such person or within such person's control in any public bonds or obligations issued pursuant to the new Code sections added to Code Chapter 476A: (1) a bank, trust company, savings association, building and loan association, savings and loan association, or investment company; (2) an insurance company, insurance association, or any other person carrying on an insurance business; (3) an executor, administrator, conservator, trustee, or other fiduciary; and (4) any other person authorized to invest in bonds or obligations of the state.

The Act creates new Code Section 476A.32, providing that the resolution, trust indenture, or other security agreement under which any public bonds or obligations are issued shall constitute a contract with the holders of the public bonds or obligations. Code Section 476A.32 also provides that the document may contain provisions, among others, that address the following terms: (1) the terms and provisions of the public bonds or obligations; (2) the mortgage or pledge of and the grant of a security interest in any real or personal property and all or any part of the revenue from any project or any revenue-producing contract made by the electric power agency with any person to secure the payment of the public bonds or obligations, subject to any agreements with the holders of public bonds or obligations which might then exist; (3) the custody, collection, securing, investment, and payment of any revenues, assets, money, funds, or property with respect to which the electric power agency may have any rights or interest; (4) the rates or charges for electric energy sold by, or services rendered by, the electric power agency, the amount to be raised by the rates or charges, and the use and disposition of any or all revenue; (5) the creation of reserves or debt service funds and the regulation and disposition of such reserves or funds; (6) the purposes to which the proceeds from the sale of any public bonds or obligations to be issued may be applied, and the pledge of the proceeds to secure the payment of the public bonds or obligations; (7) limitations on the issuance of any additional public bonds or obligations, the terms upon which additional public bonds or obligations may be issued and secured, and the refunding of outstanding public bonds or obligations; (8) the rank or priority of any public bonds or obligations with respect to any lien or security; (9) the creation of special funds or moneys to be held for operating expenses, payment or redemption of public bonds or obligations, reserves, or other purposes, and the use and disposition of moneys held in these funds; (10) the procedure by which the terms of any contract with or for the benefit of the holders of the public bonds or obligations may be amended or abrogated, the amount of public bonds or obligations the holders of which must consent to such amendment or abrogation, and the manner in which consent may be given; (11) the definition of the acts or omissions to act that shall constitute a default in the duties of the electric power agency to holders of its public bonds or obligations, and the rights and remedies of the holders in the event of default, including, if the electric power agency so determines, the right to accelerate the due date of the maturation of the public bonds or obligations or the right to appoint a receiver of the property or revenues; (12) any other agreements for the benefit of the holders of the public bonds or obligations; (13) the custody, safekeeping and insurance for any of the electric power agency's property or investments, including the use and disposition of insurance proceeds; (14) the vesting of rights, powers and duties in a trustee; the limiting or abrogating of the rights of the holders of any public bonds or obligations to appoint a trustee; or the limiting or the rights, powers and duties of such trustee; and (15) the appointment and establishment of duties and obligations of any paying agent or other fiduciary.

The Act creates new Code Section 476A.33, providing that the electric power agency may mortgage or execute deeds of trust of the whole or any part of its property for the security of public bonds or obligations issued or to be issued.

New Code Section 476A.34 provides that an official, director, member of an electric power agency, or any person executing public bonds or obligations shall not be personally liable on the public bonds or obligations, or be subject to personal liability or accountability by issuance of the public bonds or obligations.

New Code Section 476A.35 provides that an electric power agency may purchase public bonds or obligations out of any funds available for such purchase, and may hold, pledge, cancel, or resell the public bonds or obligations in accordance with any agreements with the holders.

New Code Section 476A.36 provides that an electric power agency may pledge its rates, rents, and other revenues as security for the repayment and payment of moneys due and owed by it under any contract.

The Act provides that the Code Editor may change the use of the term "this chapter" in the remainder of Code Chapter 476A to accommodate the addition of the new subchapter.

The Act also amends Code Section 478.3, regarding petitions for electric transmission lines, to address the federal regulatory process that governs many of the same activities regulated under state law, and to specify that the definition of "public" should not be limited to consumers of the state of Iowa.

The Act takes effect July 3, 2001.

ENVIRONMENTAL PROTECTION

- SENATE FILE 410 - Indoor Sources — Air Quality Requirements --- VETOED BY THE GOVERNOR
- HOUSE FILE 267 - Department of Natural Resources — Waste Management Assistance Division
- HOUSE FILE 636 - Underground Storage Tank Registration and Reporting -- Corrective Action Benefits
- HOUSE FILE 722 - Solid Waste — Tonnage Fees — Solid Waste Account Moneys

RELATED LEGISLATION

- SENATE FILE 81 - Criteria for State Economic Development Financial Assistance
SEE ECONOMIC DEVELOPMENT. This Act relates to economic development-related financial assistance for a person or business located in an area that is a brownfield site.
- SENATE FILE 462 - Energy Loan Fund -- Eligible Improvements
SEE ENERGY & PUBLIC UTILITIES. This Act strikes language relating to the Energy Loan Fund that requires recoupment of energy conservation costs within an average of six years and provides that a loan shall be made for all cost-effective management improvements.
- SENATE FILE 465 - Biodiesel Fuel Revolving Fund
SEE TRANSPORTATION. This Act creates a Biodiesel Fuel Revolving Fund to be administered by Iowa Department of Transportation (IDOT). The fund is to consist of moneys received from the sale of EPAAct credits by IDOT, moneys appropriated by the General Assembly, and any other moneys designated for such use. The Act defines "EPAAct credit" as a credit issued pursuant to the federal Energy Policy Act. The Act takes effect April 19, 2001.
- SENATE FILE 479 - On-Site Wastewater Systems Assistance Program
SEE HEALTH & SAFETY. This Act provides for a program to assist homeowners residing outside the boundaries of a city with improving on-site wastewater systems and establishes a fund to support the program.
- HOUSE FILE 725 - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by making appropriations to support related entities, including the Environmental Protection Division of the Department of Natural Resources. It provides for an interim study committee to consider issues related to water quality. It also requires that the department continue to process permits according to requirements unrelated to staff availability.
- HOUSE FILE 736 - Tax Administration — Additional Related Matters
SEE TAXATION. This Act reduces the period for assessing the environmental protection charge or for filing a claim for refund of an environmental protection charge paid from five to three years and reduces the requirement that depositors of underground petroleum must keep records from a period of five years to a period of three years for purposes of the environmental protection charge.

ENVIRONMENTAL PROTECTION

SENATE FILE 410 - Indoor Sources — Air Quality Requirements — VETOED BY THE GOVERNOR

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This bill related to the application of certain air quality requirements to indoor sources.

Under the bill, indoor sources would not be subject to certain notices of construction and other related requirements mandated for other air contaminant sources. The bill defined "indoor source" as any emission unit or air contaminant source which is not directly vented or directly exhausted to the outside atmosphere which includes, without limitation, any air exchange through general ventilation, windows, doors, and cracks. The bill would have allowed the Department of Natural Resources (DNR) to establish a permit by rule procedure that allows a facility to establish emission limits for indoor sources and to issue construction permits for indoor sources if requested by a facility.

The bill would have prohibited DNR from establishing any permit, registration, licensing, preconstruction notification, or recordkeeping requirements for indoor sources, but would not limit DNR's authority to implement the emission limitations adopted by the U. S. Environmental Protection Agency (EPA) under the federal Clean Air Act, the maximum achievable control technologies required pursuant to the federal Clean Air Act Amendments of 1990, and the prevention of significant deterioration regulations adopted by the EPA under the federal Clean Air Act.

HOUSE FILE 267 - Department of Natural Resources — Waste Management Assistance Division

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act changes the name of the Waste Management Assistance Division of the Department of Natural Resources to the Land Quality and Waste Management Assistance Division.

HOUSE FILE 636 - Underground Storage Tank Registration and Reporting — Corrective Action Benefits

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act amends provisions in the Innocent Landowners Fund in Code Chapter 455G, the Iowa Comprehensive Petroleum Underground Storage Tank Fund Act, and provisions relating to the reporting of underground storage tanks in Code Chapter 455B, Jurisdiction of Department of Natural Resources (DNR)

Currently, benefits for the costs of corrective action under the Innocent Landowners Fund are required to be provided to an owner of a petroleum-contaminated property who is not otherwise eligible to receive benefits under the Remedial Program of Code Chapter 455G. The Act expands provision of benefits from the Innocent Landowners Fund to an owner or operator of an underground storage tank, but makes provision of such benefits, which is currently mandatory with regard to property owners, discretionary with regard to property owners and owners or operators of underground storage tanks located on the property. The Act provides that benefits from the fund shall be for corrective action costs, rather than for total corrective action costs.

The Act amends the definition of "precorrective action value" to mean the purchase price of the tank site paid by the owner of the tank site after October 26, 1990. This term is used in Code Chapter 455G in relation to the recovery of remedial account benefits upon the sale of a tank site for which remedial account benefits were received if the sale meets certain requirements.

The Act amends Code Chapter 455B to eliminate a requirement that a person depositing a regulated substance in an underground storage tank notify an owner or operator of the tank regarding the owner's or operator's notification requirements. The Act provides that a person who sells, installs, modifies, or repairs a tank used or intended to be used as an underground storage tank shall notify the purchaser and the owner or operator of the tank in writing of the notification requirements.

The Act prohibits the deposit or acceptance of a regulated substance in an underground storage tank that has not been registered and issued permanent and annual tank management fee renewal tags. The Act also prohibits the deposit of a regulated substance in an underground storage tank after receiving notice from the DNR that the tank is not covered by an approved form of financial responsibility.

The Act eliminates an inspection requirement and related provisions for a person who conveys or deposits a regulated substance in an underground storage tank. The Act provides that an owner or operator failing to register or obtain annual renewal tags for a tank shall pay an additional fee of \$250 upon registration of the tank.

The Act permits the DNR to deny issuance of a registration or annual tank management fee renewal tag for failure of the owner or operator to provide proof that the underground storage tank is covered by an approved form of financial responsibility.

HOUSE FILE 722 - Solid Waste — Tonnage Fees — Solid Waste Account Moneys

BY COMMITTEE ON WAYS AND MEANS. This Act amends provisions of the Code relating to solid waste tonnage fees and the Groundwater Protection Fund.

The Act increases the amount a city, county, or public or private agency retains from the tonnage fee from \$.95 to \$1.20 if the 50 percent waste reduction goal has not been met by the solid waste planning area. The additional \$.25 retained shall be used for implementing waste volume reduction and recycling requirements of a comprehensive plan. If a planning area meets or exceeds the 25 percent waste reduction goal, but does not meet or exceed the 50 percent goal, the planning area may retain an additional \$.10 of the tonnage fee.

The Act provides that, of the tonnage fee moneys deposited in the Solid Waste Account of the Groundwater Protection Fund, \$1.55 of the tonnage fee is to be used by the Department of Natural Resources (DNR) for various purposes, by the University of Northern Iowa to develop and maintain the Iowa Waste Reduction Center for the Safe and Economic Management of Solid Waste and Hazardous Substances, and by the Iowa Department of Public Health. The remaining moneys from the tonnage fees shall be used for funding alternatives to landfills. The Act increases, from \$65,000 to \$165,000, the amount of the tonnage fees used by the Waste Management Assistance Division of the DNR for by-products and waste search service at the University of Northern Iowa.

The Act takes effect July 1, 2002, with the exception of the provision in the Act relating to an increase in tonnage fee moneys used by the Waste Management Assistance Division of the DNR for by-products and waste search service at the University of Northern Iowa.

GAMING

RELATED LEGISLATION

HOUSE FILE 726

- Appropriations — Health and Human Rights

SEE APPROPRIATIONS. This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Office of Drug Control Policy, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs. The Act appropriates funds available in the Gambling Treatment Fund to the Iowa Department of Public Health for the Addictive Disorders Program and provides for the transfer of fund moneys to the Commission of Veterans Affairs for the Iowa Veterans Home. The Act also provides that an amount of the tax revenue received by the State Racing and Gaming Commission equal to 0.3 percent of the gross sum wagered by the pari-mutuel method is to be deposited into the Gambling Treatment Fund for FY 2001-2002.

HOUSE FILE 742

- Appropriations — Infrastructure and Capital Projects

SEE APPROPRIATIONS. This Act amends the purposes for which lottery revenues may be used.

HEALTH AND SAFETY

- SENATE FILE 242 - Authentication Procedures for Medication and Standing Orders — Hospitals
- SENATE FILE 433 - Public Health Regulation
- SENATE FILE 479 - On-Site Wastewater Systems Assistance Program
- HOUSE FILE 179 - Animal Bites and Rabies — Law Enforcement Agency Dogs and Horses
- HOUSE FILE 192 - Access to Criminal History and Abuse Information — Department of Inspections and Appeals
- HOUSE FILE 256 - Health Care Facility Regulation
- HOUSE FILE 341 - Abortion Informed Consent — VETOED BY THE GOVERNOR
- HOUSE FILE 590 - Communicable and Infectious Diseases and HIV — Care Provider Exposure — Testing
- HOUSE FILE 655 - Adult Day Services

RELATED LEGISLATION

- SENATE FILE 63 - Child Endangerment
SEE CHILDREN & YOUTH. This Act relates to child endangerment violations and the penalties for these violations under the Criminal Code. The Act is popularly referred to as the "boyfriend bill."
- SENATE FILE 114 - Health Care Entities, Organizations, and Institutions — Names and Composition
SEE HUMAN SERVICES. This Act relates to the composition of the Medical Assistance Advisory Council, which advises the Director of Human Services concerning the Medicaid Program.
- SENATE FILE 185 - Factory-Built Structures — Manufactured Home Installer Certification
SEE STATE GOVERNMENT. This Act modifies the definition of a factory-built structure to specifically include a mobile home, manufactured home, or a modular home and provides for the certification of manufactured home installers pursuant to rules of the State Building Code Commissioner.
- SENATE FILE 186 - County Hospital Fund Tax Levy
SEE LOCAL GOVERNMENT. This Act authorizes a tax levy of \$2.05 per \$1,000 of taxable value for improvements and maintenance of a county hospital in a county having a population of more than 225,000, commencing with the levy of taxes payable in the fiscal year beginning July 1, 2001. The Act takes effect April 25, 2001.
- SENATE FILE 258 - Tobacco Settlement Authority — Extension of Time
SEE BUSINESS, BANKING & INSURANCE. This Act provides for the extension of the existence of the Tobacco Settlement Authority Act, Code Chapter 12E, until December 31, 2001. The Act takes effect March 1, 2001. However, S.F. 532 (see Business, Banking & Insurance) repeals the Code section this Act amends.
- SENATE FILE 265 - Nonoperative Air Bags — Installation, Distribution, or Sale — Penalty
SEE TRANSPORTATION. This Act prohibits a person from installing or reinstalling for compensation, distributing, or selling a nonoperative air bag that is part of an inflatable restraint system for a motor vehicle if the person knows that the air bag is nonoperative.
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State and includes reductions in certain health program appropriations.
- SENATE FILE 354 - Administration of Decedents' Estates — Medical Assistance Claims
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act provides time limitations on filing medical assistance claims against a decedent's estate.
- SENATE FILE 355 - Custody of Newborn Infants — Release at Institutional Health Care Facilities — Parental Rights
SEE CHILDREN & YOUTH. This Act, known as the "Newborn Safe Haven Act," allows a parent of a newborn infant to voluntarily release custody of that infant at an institutional health facility. The Act includes various civil and criminal immunity provisions for persons involved with making or receiving the custody release.

- SENATE FILE 452** - Uniform Prescription Drug Information Cards
SEE BUSINESS, BANKING & INSURANCE. This Act requires the issuance of a uniform prescription drug card or technology by providers of third-party payment or prepayment of prescription drug expenses and directs the Commissioner of Insurance to adopt rules for the information cards or other technology applicable to those entities subject to regulation by the commissioner, and directs the Director of Public Health to adopt rules for the information cards or other technology applicable to organized delivery systems. The Act specifies the content and the format of the card and specifies exemptions to the requirements of the Act. The Act applies to a health insurance or health benefits policy or contract issued and delivered, amended or renewed on or after July 1, 2003.
- SENATE FILE 525** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002. The Act includes funding for maternal and child health, preventive health and health services, substance abuse, and other health-related programs.
- SENATE FILE 532** - Tobacco Settlement Program — Miscellaneous Changes
SEE BUSINESS, BANKING & INSURANCE. This Act provides for securitization of funding received from the Tobacco Master Settlement Agreement. The Act takes effect May 29, 2001.
- SENATE FILE 537** - Tobacco Settlement Fund Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust for various health services providers and health programs.
- HOUSE FILE 154** - Paid Time Off for Injured Department of Public Safety Peace Officers
SEE LABOR & EMPLOYMENT. This Act provides that peace officer members of the Department of Public Safety who are excluded from the provisions of the Public Employment Relations Act shall receive paid time off in the same manner as peace officer members who are covered by a collective bargaining agreement when they are injured in the line of duty.
- HOUSE FILE 178** - Child Abuse and Protection — Drug Manufacture or Possession in Child's Presence
SEE CHILDREN & YOUTH. This Act applies child in need of assistance and child abuse provisions of the Juvenile Justice Code to children whose parent, guardian or caregiver has manufactured or possessed a dangerous substance in the presence of a child.
- HOUSE FILE 354** - Determination and Pronouncement of Death
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act authorizes a physician assistant, a licensed practical nurse, or a registered nurse to pronounce death for a patient whose death occurs in a licensed hospital, a licensed health care facility, a Medicare-certified home health agency, or a Medicare-certified hospice program.
- HOUSE FILE 526** - Reciprocity Standards for Barbers — Study
SEE STATE GOVERNMENT. This Act provides for a study regarding reciprocity standards for barbers in other states.
- HOUSE FILE 550** - Sex Offender Registration — Criminal HIV Transmission
SEE CRIMINAL LAW, PROCEDURE & CORRECTION. This Act includes persons who commit the offense of criminal transmission of human immunodeficiency virus in the Sex Offender Registry. The Act takes effect April 24, 2001.
- HOUSE FILE 560** - Regulation of Child Foster Care
SEE CHILDREN & YOUTH. This Act relates to child foster care regulations involving medical care and to foster family respite care delivered by child care providers.
- HOUSE FILE 598** - Child Protection Center Grant Program
SEE CHILDREN & YOUTH. This Act establishes a Child Protection Center Grant Program in the Iowa Department of Public Health if funding is available for the program. State funding was not appropriated for FY 2001-2002.
- HOUSE FILE 662** - Community Empowerment Initiative
SEE CHILDREN & YOUTH. This Act relates to Iowa's Community Empowerment Initiative and provides for the Legislative Council to convene a summit meeting to address various community empowerment issues.

- HOUSE FILE 663** - County Public Hospital Trustee Eligibility — Health Care Practitioners
SEE LOCAL GOVERNMENT. This Act amends provisions relating to qualifications for service as a trustee for a county public hospital.
- HOUSE FILE 680** - Child and Dependent Adult Abuse Reporting
SEE CHILDREN & YOUTH. This Act relates to child and dependent adult abuse reporting, including mandatory reporters of abuse, abuse reporter training, and training curriculum responsibilities by license examining boards and the Director of Public Health.
- HOUSE FILE 694** - Housing Trust — VETOED BY THE GOVERNOR
SEE ECONOMIC DEVELOPMENT. This bill would have required the Iowa Department of Public Health to cooperate with a newly created Housing Trust Commission in developing recommendations relating to housing issues.
- HOUSE FILE 726** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act provides for appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Governor's Office of Drug Control Policy, the Iowa Department of Public Health, the Department of Human Rights, and the Commission of Veterans Affairs. The Act requires the Department of Public Health to adopt rules regarding model regulations to be used in instances in which a child is confirmed as lead poisoned. The Act also provides for a study regarding comprehensive cancer control in the state, to be conducted by the Director of the Department of Public Health in consultation with an ad hoc committee comprised of public health officials, health care providers, consumer groups, educators, representatives from the state cancer registry, representatives from the cancer chapter team of Healthy Iowans 2010, and other members to be chosen by the director.
- HOUSE FILE 727** - Mental Health, Mental Retardation, and Developmental Disabilities Services
SEE HUMAN SERVICES. This Act relates to mental health, mental retardation, and developmental disability services and services funding, and to court orders for placement of persons with a serious mental impairment.
- HOUSE FILE 732** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act provides appropriations to the Department of Human Services and includes health care provisions involving use of the early and periodic screening, diagnosis, and treatment funding under the Medical Assistance (MA) Program (Medicaid) for screening through the school system; provides for reimbursement of health care providers under the MA Program; and provides for maintenance of the State Children's Health Insurance Program.
- HOUSE FILE 740** - Senior Living Trust Fund Appropriations and Nursing Facility Reimbursement
SEE APPROPRIATIONS. This Act makes appropriations from the Senior Living Trust Fund to the Department of Elder Affairs and Department of Human Services.
- HOUSE FILE 745** - Regulation of Foot and Mouth Disease
SEE AGRICULTURE. This Act authorizes the Department of Agriculture and Land Stewardship to establish security measures to control outbreaks of foot and mouth disease in this state, including measures for the prevention, suppression and eradication of the disease and the compensation of owners for the loss of condemned animals or other property resulting from departmental regulation. The Act takes effect May 1, 2001.
- HOUSE FILE 746** - Compensation for Public Employees
SEE APPROPRIATIONS. This Act creates and funds a Terminal Liability Health Insurance Fund to pay the expenses at the conclusion of the current state health insurance contract and provides for health insurance incentive programs for state employees.
- HOUSE FILE 755** - Miscellaneous Appropriations, Reductions, and Other Provisions
SEE APPROPRIATIONS. Division V of this Act makes psychiatric services provided by a licensed physician part of the medical services that may be provided under the Volunteer Health Care Provider Program.

HEALTH AND SAFETY

SENATE FILE 242 - Authentication Procedures for Medication and Standing Orders — Hospitals

BY COMMITTEE ON HUMAN RESOURCES. This Act directs the Iowa Department of Public Health to adopt rules that require hospitals to establish procedures for authentication of medication and standing orders by a practitioner within a period not to exceed 30 days following a patient's discharge. The Act is repealed June 30, 2007.

SENATE FILE 433 - Public Health Regulation

BY COMMITTEE ON HUMAN RESOURCES. This Act makes several technical and corrective changes relating to the administration of programs under the purview of the Iowa Department of Public Health and related health professional licensing and regulatory boards.

The Act provides for the following:

- Designates gamma-hydroxybutyric acid (GHB) a controlled substance.
- Permits the Director of Public Health to provide a per diem to public members serving on ad hoc advisory boards.
- Establishes a civil penalty provision for violation of the lead hazard notification process under Code Section 135.105C.
- Provides that the regulation of spas does not apply to facilities utilized exclusively for supervised medical purposes.
- Adds "registered nurse" and "licensed practical nurse professional" to the list of titles protected pursuant to Code Section 147.74.
- Allows the Iowa Department of Public Health to provide certain health professional licensure information electronically.
- Eliminates specific provisions regarding the continuing education requirements for optometry.
- Changes the preexpiration notice deadline from 75 days to 60 days for individuals licensed to practice optometry.
- Substitutes the term hearing aid "dispenser" for the term "dealer" throughout Code Chapter 154A.
- Changes provisions relating to the regulation of potable water purification systems.
- Eliminates outdated provisions regarding the licensure of barber assistants.

SENATE FILE 479 - On-Site Wastewater Systems Assistance Program

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act amends provisions enacted in 2000 creating water quality protection programs under Section 466.7 of the Code. The Act strikes and rewrites a provision of that section establishing a program to assist homeowners residing outside the boundaries of a city with improving on-site wastewater systems. This Act provides financing options to assist homeowners and authorizes the Department of Natural Resources to execute agreements with public or private entities required to administer the program.

The Act also establishes an On-Site Wastewater Systems Assistance Fund to support the program. The fund consists of a financing account used to assist homeowners and an administration account used to defray departmental expenses in carrying out the program. The Act provides that moneys in the fund include General Assembly appropriations, federal moneys available under the federal Clean Water Act, and moneys collected under loan agreements from homeowners. Of moneys deposited into the fund each year, the department must credit at least 96 percent of the moneys to the financing account and any remaining moneys to the administration account. Moneys in the fund do not revert and interest earned on the moneys remains in the fund.

The Act takes effect April 17, 2001.

HOUSE FILE 179 - Animal Bites and Rabies — Law Enforcement Agency Dogs and Horses

BY COMMITTEE ON JUDICIARY. This Act provides an exception to the provision requiring confinement of an animal that has bitten a person or is suspected of having rabies. The exemption provides that the local board of health does not have the authority to order the owner of a police service dog or horse to confine the animal if, while acting in the performance of its duties, the animal bites a person.

HOUSE FILE 192 - Access to Criminal History and Abuse Information — Department of Inspections and Appeals

BY COMMITTEE ON STATE GOVERNMENT. This Act authorizes certain criminal history and abuse record and registry access to the Department of Inspections and Appeals for purposes of data verification and record checks of applicants for employment with the department.

The Act amends Code Section 135C.33, relating to the single contact repository administered by the department for employment record checks of prospective employees of health care facilities, to authorize the department itself to access the repository to verify data transferred to the repository from the department's nurse aide registry and to conduct record checks of applicants for employment with the department.

The Act amends Code Section 235A.15, relating to the central child abuse registry, to authorize the department to have access to founded child abuse information for purposes of record checks of applicants for employment with the department. The Act authorizes the department, for the same purposes, to have access to dependent adult abuse information other than unfounded information. House File 732 (see Appropriations) authorizes the department to provide access to the registry to agencies required to perform abuse registry and criminal history checks for purposes of employment.

HOUSE FILE 256 - Health Care Facility Regulation

BY GRUNDBERG. This Act relates to regulation of health care facilities.

The Act provides that if the State Fire Marshal finds a deficiency during an inspection of a facility prior to issuance of a license, the State Fire Marshal is to provide notice which describes the nature of the deficiency, identifies the law, rule or standard violated, provides options for correction of the deficiency, and specifies the time allowed for correction of the deficiency at the end of which time the State Fire Marshal is to perform a follow-up inspection. The Act provides that rules and standards promulgated by the State Fire Marshal are to be promulgated in consultation with the Department of Inspections and Appeals and, to the greatest extent possible, are to be consistent with the rules adopted by the department under the Health Care Facilities Code chapter.

The Act provides that in adopting rules which establish minimum standards for health care facilities, the department is to consult with the State Fire Marshal. Rules relating to fire hazards and fire safety are to be promulgated by the State Fire Marshal in consultation with the department and are to be consistent with the rules adopted by the department.

HOUSE FILE 341 - Abortion Informed Consent — VETOED BY THE GOVERNOR

BY BODDICKER, MERTZ, HOVERSTEN, DE BOEF, JOHNSON, TYRRELL, BOAL, MANTERNACH, REKOW, BAUDLER, ALONS, RAYHONS, HEATON, DIX, O'BRIEN, BROERS, ROBERTS, DOLECHECK, KLEMM, GIPP, BRAUNS, BARRY, CORMACK, SUKUP, BRUNKHORST, RANTS, SHEY, SIEVERS, QUITK, EICHHORN, CARROLL, RAECKER, FINCH, TEIG, HOFFMAN, MILLAGE, LARSON, GARMAN, VAN FOSSEN, CHIDO, EDDIE, VAN ENGELHOFEN, TREMMEL, SENG, DRAKE, HORBACH, and OSTERHAUS. This bill would have established a new Code chapter, relating to a woman providing informed consent prior to an abortion, to be known and cited as the "Woman's Right to Know Act."

The bill would have specified the required informed consent provisions, including provision of certain information to a woman by the physician or an agent of the physician, required certification by the woman of provision to the woman of the required information, and receipt of the certification by the physician prior to the performance of an abortion. The bill would have required the Iowa Department of Public Health to publish information relating to options for managing a pregnancy by October 1, 2001.

The bill included alternatives to providing informed consent as required by the chapter in the case of a medical emergency.

The bill would have provided criminal penalties, including a criminal penalty of a simple misdemeanor for a person who knowingly or recklessly performs or attempts to perform an abortion in violation of the chapter. The bill would have prohibited the assessment of a criminal penalty against a woman upon whom an abortion is performed or attempted to be performed. The bill also would have prohibited the assessment of a criminal penalty against a woman for failure to comply with certification requirements if the department had not made the printed materials available as required. The bill would have provided for protection of privacy of court proceedings relating to an action under the chapter.

The bill would have taken effect October 1, 2001.

HOUSE FILE 590 - Communicable and Infectious Diseases and HIV — Care Provider Exposure — Testing

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the testing of individuals for communicable and infectious diseases or for the human immunodeficiency virus (HIV) when the individual has been assisted by a care provider.

The Act defines "care provider" under the "Communicable and Infectious Disease and Poisonings" chapter (Code Chapter 139A) and the "Acquired Immune Deficiency Syndrome (AIDS)" chapter (Code Chapter 141A) for the purposes of identifying who is to be notified if an individual to whom the care provider provided health care or other services is confirmed as having a contagious or infectious disease or HIV following testing of the individual. Care providers under the Act are individuals who are trained and authorized to provide health care services or services of any kind in the course of the provider's official duties, for compensation or in a voluntary capacity, who are health care providers, emergency medical care providers, fire fighters, or peace officers. Care providers also include individuals who render emergency care or assistance in an emergency or due to an accident as described in the section of the Code that provides immunity for certain good faith actions in emergency situations.

The Act provides for the deeming of consent by individuals who are provided health care or other services by a care provider to testing and to the notification of the care provider of the results of the test, if the care provider submits a report of exposure to the entity to which the individual is delivered by the care provider. These entities include hospitals, corrections institutions, and jails. The Act provides a procedure for the testing of an individual and for the notification of the care provider, for confidentiality of the testing and the test results, and provides immunity from civil and criminal liability for individuals acting in good faith compliance.

The Act directs the employer of the care provider to pay testing and counseling costs, as applicable under the specific Code chapter, resulting from an employee's report of exposure, and directs the Iowa Department of Public Health to pay the testing and counseling costs related to an exposure report of an individual who renders emergency care or assistance voluntarily and without compensation.

Under Code Chapter 139A, a violation of the provisions of the Act is a simple misdemeanor. Under Code Chapter 141A, a person who intentionally or recklessly makes an unauthorized disclosure is subject to a civil penalty of \$1,000.

HOUSE FILE 655 - Adult Day Services

BY COMMITTEE ON HUMAN RESOURCES. This Act directs the Department of Elder Affairs to develop a system of oversight for adult day services. The Act directs the department, in cooperation with the Department of Inspections and Appeals, the Department of Human Services, the Iowa Department of Public Health, the area agencies on aging, industry representatives, and consumers, to develop a system to address requirements for the operation of adult day services in the state; oversight measures, including evaluation of services and assessment of compliance with rules for adult day services; a system for formal investigation of consumer complaints relating to these services; and coordination of requirements and funding sources available to adult day services. The Act also directs the Department of Elder Affairs to adopt rules to implement the system.

The Act makes conforming changes throughout the Code that relate to the term "adult day services."

The Act provides that the Department of Elder Affairs is to implement the system on July 1, 2002, or at such time as the General Assembly appropriates sufficient funding for such implementation.

HUMAN SERVICES

- SENATE FILE 114 - Health Care Entities, Organizations, and Institutions — Names and Composition
- SENATE FILE 198 - Family Investment Program — Postsecondary Education Assistance
- HOUSE FILE 228 - State Building Code and Preemployment Records Checks
- HOUSE FILE 310 - Child Support Recovery Unit — Court Records Access — Setoff Payments for Support
- HOUSE FILE 727 - Mental Health, Mental Retardation, and Developmental Disabilities Services

RELATED LEGISLATION

- SENATE FILE 65 - Appropriations — Supplemental Funding for Low-Income Home Energy Assistance
SEE APPROPRIATIONS. This Act provides supplemental appropriations from state sources for the federal block grant for the Low-Income Home Energy Assistance Program for FY 2000-2001. The Act takes effect February 6, 2001.
- SENATE FILE 94 - Sexually Violent Predators — Escape From Custody
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act creates a criminal offense of escape from custody for persons civilly committed as sexually violent predators.
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State and includes reductions in certain human services programs.
- SENATE FILE 347 - Domestic Abuse Protective Orders — Plaintiff's Fees and Costs
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act eliminates filing and service of process fees for plaintiffs seeking relief from domestic abuse, and allows the court to determine whether these fees should be assessed to the defendant. The Act also complies with the federal Violence Against Women Act funding certification requirements.
- SENATE FILE 355 - Custody of Newborn Infants — Release at Institutional Health Care Facilities — Parental Rights
SEE CHILDREN & YOUTH. This Act, known as the "Newborn Safe Haven Act," allows a parent of a newborn infant to voluntarily release custody of that infant at an institutional health facility. The Act includes various responsibilities for the Department of Human Services.
- SENATE FILE 458 - Services and Proceedings Involving Juvenile Delinquents and Other Children
SEE CHILDREN & YOUTH. This Act relates to children's programs and provisions involving the Department of Human Services and the juvenile court, including the Foster Home Insurance Fund, child care requirements, child welfare service provisions, hearings and orders for out-of-home placements of children, hearing notice requirements, and permanency hearings.
- SENATE FILE 525 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002. The Act includes funding for maternal and child health, preventive health and health services, substance abuse programs, low-income energy assistance, mental health, child care, social services, and other health and human services-related programs.
- SENATE FILE 535 - Appropriations — Education
SEE APPROPRIATIONS. This Act appropriates moneys for FY 2001-2002 from the General Fund of the State to the College Student Aid Commission, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions. The amount appropriated to the Department of Education for the School Ready Children Grants Account of the Iowa Empowerment Fund is 6 percent less than the amount appropriated in FY 2000-2001. The reduction must be distributed based on whether a designated community empowerment area first received funds in FY 2000-2001 or prior to that year. Those receiving funds in FY 2000-2001 will receive 94 percent of the amount received in that year, while those first receiving funds prior to FY 2000-2001 will receive 75.185 percent of the amount the area received in FY 2000-2001, adjusted for annualization. The Act requires an area board to submit to the Iowa Empowerment Board a written plan amendment extending by one year the area's comprehensive school ready children grant plan.

- SENATE FILE 537** - Tobacco Settlement Fund Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Tobacco Settlement Endowment Fund and the Healthy Iowans Tobacco Trust for various health services providers and programs.
- HOUSE FILE 178** - Child Abuse and Protection — Drug Manufacture or Possession in Child's Presence
SEE CHILDREN & YOUTH. This Act applies child in need of assistance and child abuse provisions of the Juvenile Justice Code to a child whose parent, guardian or caregiver has manufactured or possessed a dangerous substance in the presence of a child.
- HOUSE FILE 192** - Access to Criminal History and Abuse Information — Department of Inspections and Appeals
SEE HEALTH & SAFETY. This Act authorizes certain criminal history and abuse record and registry access to the Department of Inspections and Appeals for purposes of data verification and record checks of applicants for employment with the department.
- HOUSE FILE 560** - Regulation of Child Foster Care
SEE CHILDREN & YOUTH. This Act relates to child foster care regulations involving medical care and to foster family respite care delivered by child care providers.
- HOUSE FILE 567** - Adoptions — Interstate Legal Risk Placements and Standby Procedures
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act provides that in the case of an interstate adoption, a child may be placed in the home of a prospective adoptive parent under a legal risk placement prior to the termination of the parental rights of the biological parent of the child. The Act also establishes provisions for a standby adoption, in which a terminally ill parent consents to termination of parental rights and the issuance of a final adoption decree effective upon either the death of the terminally ill parent or the request of that parent for the issuance of a final adoption decree.
- HOUSE FILE 598** - Child Protection Center Grant Program
SEE CHILDREN & YOUTH. This Act establishes a Child Protection Center Grant Program in the Iowa Department of Public Health if funding is available for the program. The grant requirements for centers include a center's involvement with the local Department of Human Services offices assigned to child protection activities. State funding was not appropriated for FY 2001-2002.
- HOUSE FILE 662** - Community Empowerment Initiative
SEE CHILDREN & YOUTH. This Act relates to Iowa's Community Empowerment Initiative and authorizes an area education agency to serve as the fiscal agent for a local board and provides for the Legislative Council to convene a summit meeting to address various community empowerment issues.
- HOUSE FILE 680** - Child and Dependent Adult Abuse Reporting
SEE CHILDREN & YOUTH. This Act relates to child and dependent adult abuse reporting, including mandatory reporters of abuse, abuse reporter training, and responsibilities of the Department of Human Services.
- HOUSE FILE 732** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act provides appropriations to the Department of Human Services and includes provisions related to human services and health care.
- HOUSE FILE 740** - Senior Living Trust Fund Appropriations and Nursing Facility Reimbursement
SEE APPROPRIATIONS. This Act makes appropriations from the Senior Living Trust Fund to the Department of Elder Affairs and Department of Human Services. The Act also establishes the modified price-based case-mix reimbursement formula to be used for reimbursement of nursing facilities.
- HOUSE FILE 755** - Miscellaneous Appropriations, Reductions, and Other Provisions
SEE APPROPRIATIONS. Division I of this Act appropriates money for FY 2002-2003 to the Department of Human Services (DHS) for distribution to counties of the county mental health, mental retardation, and developmental disabilities services allowed growth factor adjustment. The Act also supplements the appropriation made for FY 2001-2002 in H.F. 732 (see Appropriations) to DHS for general administration.

HUMAN SERVICES

SENATE FILE 114 - Health Care Entities, Organizations, and Institutions — Names and Composition

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the composition of the Medical Assistance Advisory Council, which advises the *Director of Human Services concerning the Medicaid Program*. The Act updates references to entities represented on the council due to name changes or termination of the existence of the entity. The Act also adds the Iowa chapter of the American Academy of Pediatrics, the Iowa Psychiatric Society, the Iowa chapter of the National Association of Social Workers, and the dean of Des Moines University—Osteopathic Medical Center to the composition of the council. The Act makes conforming changes in the Code to reflect the name changes.

SENATE FILE 198 - Family Investment Program — Postsecondary Education Assistance

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to Family Investment Program requirements for supported postsecondary education assistance.

The Act provides that for family investment agreements entered into on or after July 1, 1996, the maximum time period allowed for supported postsecondary education is a total of 24 months within a period of 48 consecutive months.

The Act provides for prospective application of the requirement and for retrospective application to those agreements containing postsecondary education provisions in effect on July 1, 2001, that were entered into before that date. The Act requires the Department of Human Services to amend those agreements that are subject to retrospective applicability as necessary to apply the 48-month maximum period within which the supported postsecondary education must be completed. Under prior requirements, the maximum time period allowed for supported postsecondary education was 24 months within 36 consecutive months.

HOUSE FILE 228 - State Building Code and Preemployment Records Checks

BY COMMITTEE ON JUDICIARY. This Act relates to the duties of the Department of Human Services (DHS) and to the Department of Public Safety.

Code Section 135C.33, concerning background checks on a person seeking employment at a residential care or nursing facility, is amended to require that DHS perform a dependent adult abuse record check on a person seeking employment at such a facility. The amended Code section also requires DHS to notify the facility about whether a person has a record of founded dependent adult abuse. Under current law, the Department of Public Safety must perform and provide notice of the dependent adult abuse record check.

Additionally, the amended Code section provides that if a person is to be employed at the facility and the person has a founded child or dependent adult abuse record, or has a criminal history, DHS shall only conduct an evaluation of the employability of the person if the facility requests such an evaluation. The amended Code section also provides that a person with an abuse record shall not be employed at a facility unless an evaluation has been performed. Under current law, if a person has a founded child or dependent adult abuse record or has a criminal history, and the person is to be employed by the facility, the facility is not required to request an evaluation of the employability of the person from DHS, but the department is required to conduct the evaluation.

Code Section 103A.12, concerning the applicability of the State Building Code, is amended to provide that if a governmental subdivision accepts the applicability of the State Building Code, the governmental subdivision must file a certified copy of the ordinance only with the Commissioner of Public Safety. Under current law, a governmental subdivision must also file a certified copy of the ordinance with the Secretary of State. In addition, if a governmental subdivision votes to withdraw from the applicability of the State Building Code, the governmental subdivision must file a certified copy of the vote only with the Commissioner of Public Safety. Under current law, the governmental subdivision must also file a certified copy of the vote with the Secretary of State.

HOUSE FILE 310 - Child Support Recovery Unit — Court Records Access — Setoff Payments for Support

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to child support enforcement.

The Act authorizes the disclosure of certain official juvenile court records and orders relating to paternity, support, or the termination of parental rights to the Child Support Recovery Unit of the Department of Human Services, upon request, without court order.

The Act also makes changes relative to orders for support for which an obligation may have accrued during a time period for which a support order was not yet in force, such as a time period when a child was receiving benefits under the Family Investment Program. The Act provides that, unless the periodic payment plan for retroactive modification provisions applies to an order, and notwithstanding a payor's compliance with a periodic payment plan, the entire amount of an accrued support order

is due and owing on the date of entry of the judgment and is delinquent for the purposes of tax refund setoff and for other available federal payment setoffs. This provision is effective April 25, 2001.

HOUSE FILE 727 - Mental Health, Mental Retardation, and Developmental Disabilities Services

BY COMMITTEE ON WAYS AND MEANS. This Act relates to mental health, mental retardation, and developmental disability (MH/MR/DD) services and services funding, and to court orders for placement of persons with a serious mental impairment.

SERVICES FUNDING. Under Iowa law enacted in 1994, 1995 and 1996, often referred to as S.F. 69, the state assumed a greater role in the funding of MH/MR/DD services by limiting the amount of property tax funding for these services. Growth funding for the costs of the services is a state responsibility with several funding pools used to distribute the growth funding to counties. Division I of the Act eliminates the incentive and efficiency pool and transfers the fiscal year 2000-2001 unused balance to the per capita expenditure target pool. This funding pool uses a formula based upon a county's MH/MR/DD services expenditures calculated on a per capita basis for the county's general population. The eligibility criteria for the per capita pool are revised to require a county to be levying the maximum amount allowed under law, the county's per capita expenditures to be below a certain amount, the county's services fund ending balance to be below a certain level, and the county to be in compliance with state requirements for reporting financial information.

This division revises basic requirements associated with the risk pool funding available to those counties with an unanticipated service cost that would cause the county's MH/MR/DD services fund balance to fall very low or to deficit. Those counties receiving risk pool funding that did not levy the maximum amount allowed are required to repay in the next succeeding fiscal year at least 50 percent of the assistance provided. The Department of Human Services (DHS) is required to provide the Risk Pool Board with pertinent fiscal information regarding funding sources and payments made.

This division also repeals law enacted in 2000 that restricted county use of the MH/MR/DD Services Fund for certain capital expenditures. The repeals are effective upon enactment, May 21, 2001, and are retroactively applicable to April 13, 2000. See H.F. 732 (in Appropriations) for related changes in FY 2001-2002 MH/MR/DD services funding distribution.

DISPUTED BILLINGS. Division II eliminates county responsibility to pay for certain disputed state billings for MH/MR/DD services provided at a state mental health institute or resource center or paid under the Medical Assistance (Medicaid) Program. The services had to be provided prior to July 1, 1997, and disputed prior to the division's effective date, May 21, 2001.

STATE DISTRIBUTION CHARGES. Division III relates to the billing and accounting of charges for the state resource centers and mental health institutes.

The Act requires various billings and charges to be remitted to or calculated by DHS in place of the Director of Revenue and Finance. In addition, the term "certificate" is changed to the term "certification statement."

MH/MR/DD SERVICE STANDARDS. Division IV provides that unless another governmental body sets standards for or licenses a service available to persons with mental illness, mental retardation, developmental disability, or brain injury, the Mental Health and Developmental Disabilities Commission is required to adopt standards for the service. A service provider's compliance with standards for a service that are set by a nationally recognized body is deemed to be compliance with the commission's standards for that service. In addition, the commission is required to review the licensing standards used by DHS or the Department of Inspections and Appeals for facilities providing services to persons with mental illness or developmental disabilities.

MI PLACEMENT HEARINGS. Division V amends Code Chapter 229, relating to involuntary hospitalization of persons with mental illness. This division was enacted in response to a federal court ruling, *Salcido v. Woodbury County* (119 F. Supp. 2d, 900 N.D. Iowa 2000), which found constitutional defects in Iowa law. The Act provides that a person who is subject to a placement order for involuntary hospitalization has a right to request a placement hearing to determine if a placement order or transfer of placement is appropriate. The placement hearing request must be filed within seven days of issuance of the placement order and the placement hearing must be held four to seven days following the filing of the request. The person has a right to an attorney for the hearing. If the person's placement expenses are payable in whole or in part by a county, the county may present evidence at the hearing. The court is required to determine an appropriate placement, taking into consideration evidence presented by all the parties. A placement order following the hearing is considered to be a placement authorized through the county single entry point process (generally referred to as the county central point of coordination process). Divisions V and VI make numerous conforming changes in Code Chapter 229 and other Code provisions.

LABOR AND EMPLOYMENT

- SENATE FILE 98 - Unemployment Compensation — Natural Disasters
- SENATE FILE 418 - Unemployment Compensation — Social Security Pensions — Employment by Indian Tribe
- HOUSE FILE 154 - Paid Time Off for Injured Department of Public Safety Peace Officers
- HOUSE FILE 356 - Workers' Compensation and Other Liability — Miscellaneous Changes
- HOUSE FILE 635 - Employee Compensation for Travel Time to and From Worksites
- HOUSE FILE 696 - Employment Security Administrative Contribution Surcharge — Computation — Use of Funds —
EXTRAORDINARY SESSION

RELATED LEGISLATION

- SENATE FILE 141 - Accelerated Career Education Program — Allocation of Program Job Credits
SEE TAXATION. This Act amends the Accelerated Career Education Program in relation to using program job credits to meet program job costs.
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State and includes a reduction to the appropriation made to the Department of Workforce Development for the Division of Labor Services.
- SENATE FILE 530 - Appropriations — Justice System
SEE APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 to the departments of Justice, Corrections, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, the Office of Public Defender, and the Board of Parole. The Act also creates a Sick Leave Benefits Fund in the Department of Public Safety for payout upon the retirement of certain department employees.
- HOUSE FILE 103 - Written Promotional Material — **VETOED BY THE GOVERNOR**
SEE ECONOMIC DEVELOPMENT. This bill would have required that any written material designed, produced or distributed by the Department of Economic Development for purposes of promoting the state in an attempt to recruit new businesses include a clear and conspicuous statement regarding the Right-to-Work Law contained in Code Section 731.1.
- HOUSE FILE 192 - Access to Criminal History and Abuse Information — Department of Inspections and Appeals
SEE HEALTH & SAFETY. This Act authorizes certain criminal history and abuse record and registry access to the Department of Inspections and Appeals for purposes of data verification and record checks of applicants for employment with the department.
- HOUSE FILE 384 - Economic and Community Development and Job Training Programs
SEE ECONOMIC DEVELOPMENT. This Act repeals the Job Training Partnership Program and makes conforming amendments.
- HOUSE FILE 389 - School Board Duties --- Suspension of Practitioners
SEE EDUCATION. This Act permits the board of directors of a school district to suspend a practitioner with or without pay for a period specified by the board.
- HOUSE FILE 680 - Child and Dependent Adult Abuse Reporting
SEE CHILDREN & YOUTH. This Act relates to child and dependent adult abuse reporting, including mandatory reporters of abuse; abuse reporter training; and provides for civil liability for employers or supervisors who apply a policy, work rule, or other requirement that interferes with a person making an abuse report.
- HOUSE FILE 695 - School-to-Career Program — Miscellaneous Changes
SEE EDUCATION. This Act amends the School-to-Career Program.
- HOUSE FILE 698 - Appropriations — Regulatory and Expenditure Matters — **EXTRAORDINARY SESSION**
SEE APPROPRIATIONS. This Act relates to regulatory and expenditure matters and includes creation of a state workforce attrition program and fund for state workforce reductions.

HOUSE FILE 718

- Appropriations — Economic Development

SEE APPROPRIATIONS. This Act makes a number of appropriations from the General Fund of the State, the Job Training Fund, the Workforce Development Fund, the Administrative Contribution Surcharge Fund, and the Special Employment Security Contingency Fund to the Department of Workforce Development for the administration of the department and for specific programs.

HOUSE FILE 755

- Miscellaneous Appropriations, Reductions, and Other Provisions

SEE APPROPRIATIONS. Division III of this Act amends Code Section 400.8 to provide that the physical exam of applicants for law enforcement and fire fighter positions is to be conducted in accordance with the directives of the board of trustees of the Fire and Police Retirement System rather than by the appointed three-member medical board. This division also delays the effective date of 2000 Iowa Acts, Chapter 1077, Sections 87 and 94, from July 1, 2001, to July 1, 2002. These delayed sections relate to the makeup of the medical board under the Statewide Fire and Police Retirement System.

LABOR AND EMPLOYMENT

SENATE FILE 98 - Unemployment Compensation — Natural Disasters

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act provides that an employer shall be relieved of charges for unemployment benefits paid to an individual due to a major natural disaster declared by the President of the United States. The proposed relief of charges applies to a contributory employer but not to an employer who is required or has elected to reimburse the Unemployment Compensation Fund.

The Act takes effect May 25, 2001, and applies retroactively to January 1, 2001.

SENATE FILE 418 - Unemployment Compensation — Social Security Pensions — Employment by Indian Tribe

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act makes changes in the Iowa Employment Security Law relating to unemployment compensation by providing that Social Security pensions are nondeductible from unemployment benefits as allowed by federal law and adding provisions governing unemployment compensation for employees of Indian tribes.

The Act provides that employment by an Indian tribe is covered under Iowa's unemployment compensation statute the same as for government entities unless an Indian tribe exercises the option to be treated as a private contributory employer or as a governmental reimbursable employer. The Act also provides that failure of an Indian tribe to make required unemployment compensation payments may result in cessation of unemployment compensation coverage of all employment by the Indian tribe until payment is made.

The Act takes effect May 3, 2001.

HOUSE FILE 154 - Paid Time Off for Injured Department of Public Safety Peace Officers

BY GIPP. This Act provides that peace officer members of the Department of Public Safety who are excluded from the provisions of the Public Employment Relations Act shall receive paid time off in the same manner as peace officer members who are covered by a collective bargaining agreement when they are injured in the line of duty.

HOUSE FILE 356 - Workers' Compensation and Other Liability — Miscellaneous Changes

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

The Act specifies that limited liability partnerships will be treated the same as partnerships and limited liability companies for purposes of the Workers' Compensation Law. The Act also provides that disputed medical expenses under the Iowa Occupational Disease Law and the Iowa Occupational Hearing Loss Act are treated the same as those under the Workers' Compensation Law.

The Act provides that parties may agree that lump sum settlement proceeds paid in a contested case settlement are intended to be paid at a rate over the employee's lifetime.

The Act provides that an application for a stay of agency review shall be filed in the district court, not in the Division of Workers' Compensation of the Department of Workforce Development.

The Act provides that the exemption of workers' compensation benefits from collection proceedings prevails over new sections in the Uniform Commercial Code that are effective July 1, 2001.

The Act establishes a new rate for the calculation of interest on certain judgments and decrees that is based upon the Treasury Constant Maturity Index published by the Federal Reserve. This provision takes effect April 26, 2001, and applies retroactively to February 28, 2001.

HOUSE FILE 635 - Employee Compensation for Travel Time to and From Worksites

BY COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS. This Act provides that unless a collective bargaining agreement states otherwise, employees are not entitled to compensation for the time spent traveling to and from the worksite on transportation provided by the employer when during that time no work is performed, the transportation is provided as a convenience for the employees, and the employees are not required by the employer to use that means of transportation.

HOUSE FILE 696 - Employment Security Administrative Contribution Surcharge — Computation — Use of Funds — EXTRAORDINARY SESSION

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act relates to payment of the employment security administrative contribution surcharge and the permissible uses of the moneys in the Administrative Contribution Surcharge Fund.

The Act requires the Department of Workforce Development to develop a surcharge formula that provides a target revenue level of not greater than \$6,525,000 annually. The Act requires the department to reduce the surcharge established for any calendar year proportionate to any federal government funding that provides an increased allocation of moneys for workforce development offices. Any administrative contribution surcharge revenue collected in calendar year 2002 in excess of \$6,525,000 shall be deducted from the amount to be collected in calendar year 2003 before the department establishes the administrative contribution surcharge. The Act caps the percentage surcharge at a maximum of \$7 per employee. The Act limits the use of any interest accrued and collected on surcharges and interest earned and credited to the fund.

The Act provides that, to the extent possible, the department shall colocate the rural and satellite departmental offices funded by the surcharge at available community college facilities throughout the state and if colocation is not feasible at a community college, then colocation in other government entities must be attempted.

The Act lists certain purposes for which moneys in the Administrative Contribution Surcharge Fund shall be used and lists certain prohibited uses.

The Act amends the repeal of the employment security administrative contribution surcharge provisions in the Code from July 1, 2001, to July 1, 2003.

The Act requires the department to establish performance measures for each workforce development office site based on the job seeker entered employment rate, the job seeker employment retention rate, the job seeker average wage at placement, the job seeker customer satisfaction rating, the number of employers served, and the employer customer satisfaction rating, and requires the department to conduct an annual review of the performance measures. The Act also requires the department to consider consolidation of offices and conduct a comprehensive analysis of the efficiency and effectiveness of the department's field office system. The Act provides reporting requirements related to the annual departmental offices reviews conducted by the department.

The Act requires the department to establish pilot projects for the purpose of evaluating the feasibility of charging and collecting fees for certain customized or enhanced employer services.

The Act takes effect June 26, 2001.

LOCAL GOVERNMENT

- SENATE FILE 57 - City Franchises — Utilities — Elections
- SENATE FILE 168 - City Cable Television Franchises
- SENATE FILE 184 - County Sheriff Services — Fees — Garnishment Release
- SENATE FILE 186 - County Hospital Fund Tax Levy
- SENATE FILE 313 - County Board of Supervisors Appointees — Removal
- SENATE FILE 372 - Public Records and Documents
- SENATE FILE 453 - County Administrative Procedures, Filing Requirements, and Related Costs
- SENATE FILE 511 - Legalization of City of Davenport Ordinances and Amendments
- HOUSE FILE 301 - Rural Fire Protection
- HOUSE FILE 309 - Instructional Support Program Participation — West Bend-Mallard School District
- HOUSE FILE 535 - City Enterprises — Funding of Child Care Center Construction and Equipment
- HOUSE FILE 624 - Mayor-Council City Government — Appointment and Dismissal of Police Chief or Marshal
- HOUSE FILE 663 - County Public Hospital Trustee Eligibility — Health Care Practitioners
- HOUSE FILE 711 - Drainage or Levee District Tax Assessment Levy
- HOUSE FILE 713 - County Lease or Lease-Purchase Contracts and Records, Fees, and Tax Credits Affecting Real Property

RELATED LEGISLATION

- SENATE FILE 81 - Criteria for State Economic Development Financial Assistance
SEE ECONOMIC DEVELOPMENT. This Act relates to economic development-related financial assistance for a person or business located in an area that is a blighted area or is located in a city or county that meets the distress criteria provided under the Enterprise Zone Program.
- SENATE FILE 185 - Factory-Built Structures — Manufactured Home Installer Certification
SEE STATE GOVERNMENT. This Act modifies the definition of a factory-built structure to specifically include a mobile home, manufactured home, or a modular home and provides for the certification of manufactured home installers pursuant to rules of the State Building Code Commissioner. The commissioner may establish a fee for certification of installers. All fees collected are credited to the General Fund of the State and appropriated to the commissioner to pay the costs of administering the certification process.
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State and includes a reduction to an appropriation for local services provided to persons with mental illness, mental retardation, or developmental disabilities.
- SENATE FILE 323 - Investments by Municipal Utility Retirement Systems
SEE STATE GOVERNMENT. This Act relates to investment standards to which municipal utility retirement systems must adhere.
- SENATE FILE 344 - Confidential Public Records — Communications From Persons Outside of Government
SEE STATE GOVERNMENT. This Act amends Iowa's Open Records Law to provide that communications made to a government body by persons outside of government concerning a consulting or contractual relationship or an arrangement for compensation with a government body are records open to the public.
- SENATE FILE 350 - Transportation — Additional Miscellaneous Changes
SEE TRANSPORTATION. This Act makes several transportation-related Code changes. The Act modifies the method for issuing certificates of title to owners of commercial vehicles subject to the proportional registration provisions of Code Chapter 326. The Act modifies the method for the automatic reduction of motor vehicle registration fees for motor vehicles that are nine model years old or older.

- SENATE FILE 449** - Indian Housing Authority Property — Tax Exemption
SEE TAXATION. This Act exempts from property taxation property owned and operated by Indian housing authorities. An exemption agreement must be signed by the city council or, if the property is located outside a city, by the board of supervisors. The state is not required to reimburse any local government as a result of the property tax exemption provided in the Act. The Act takes effect April 23, 2001.
- SENATE FILE 519** - Tax Assessment of Property Rented or Leased to Low-Income Persons
SEE TAXATION. This Act provides that property that is rented or leased to low-income individuals and families for use as habitation as authorized by the federal tax credit provision that limits the amount of rent or lease payments required shall be valued on its actual earning capacity, based upon the actual rents received, and its restricted use in arriving at market value for purposes of property tax assessments.
- SENATE FILE 520** - Taxation of Methane Gas and Other Gas Conversion Property
SEE TAXATION. This Act allows a taxpayer to file an exemption from property taxation for methane gas or other gas conversion property if the taxpayer collects waste that would otherwise go to the landfill and decomposes the waste to produce methane gas or other gases for conversion into energy. The Act applies retroactively to January 1, 1998, for purposes of providing a tax credit for electric generation taxes unpaid by a taxpayer for the 1998, 1999, 2000, and 2001 tax years if the taxpayer is allowed a methane gas conversion property tax exemption for those years. The property tax exemption for 1998, 1999, 2000, and 2001 must be applied for by June 1, 2001. The claim for electric generation tax credit for those tax years must be applied for by July 1, 2001. The Act takes effect May 16, 2001.
- SENATE FILE 528** - Appropriations — Transportation
SEE APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 from the General Fund of the State, the Road Use Tax Fund, and the Primary Road Fund to the Iowa Department of Transportation. Appropriations from the Road Use Tax Fund include appropriations for county issuance of driver's licenses. The Act also amends Code Section 312.2 to allow the annual allocation for county treasurers' equipment and support to be used for automation and telecommunications equipment and support for vehicle registration and titling and driver licensing rather than only for data processing equipment and support for vehicle registration and titling.
- SENATE FILE 530** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 to the departments of Justice, Corrections, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, the Office of Public Defender, and the Board of Parole. The Act requires the departments of Corrections and Justice to assist local regional jail development authorities in issuing a report regarding the feasibility of regional jails.
- HOUSE FILE 179** - Animal Bites and Rabies — Law Enforcement Agency Dogs and Horses
SEE HEALTH & SAFETY. This Act provides that the local board of health does not have authority to confine certain police service dogs or horses.
- HOUSE FILE 228** - State Building Code and Preemployment Records Checks
SEE HUMAN SERVICES. This Act requires a governmental subdivision to file with the Department of Public Safety certified copies of any ordinance accepting the applicability of the State Building Code, or a certified copy of the vote if the governmental subdivision votes to withdraw from the applicability of the State Building Code. Under the current law, the governmental subdivision must also file copies with the Secretary of State.
- HOUSE FILE 272** - Felonious Misconduct by Public Officer or Employee — Falsified Writings
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act relates to felonious misconduct by a public officer or employee. The Act prohibits a public officer or employee from falsifying a writing, or knowingly delivering a falsified writing, with the knowledge that the writing is falsified and that the writing will become a public record of a government body.
- HOUSE FILE 324** - Transportation — Miscellaneous Provisions
SEE TRANSPORTATION. This Act makes several changes relating to local highway project procedures and requirements.

- HOUSE FILE 383** - Designation of Model Communities — Approval
SEE STATE GOVERNMENT. This Act provides that, during any project, pilot project, or similar initiative undertaken by the Governor or the executive branch which includes the designation of a model community in the state, any city council, county board of supervisors, or school district included in the proposed model community must approve of the designation by a simple majority vote prior to any state financial support being disbursed to a person under the project, pilot project, or similar initiative.
- HOUSE FILE 481** - Establishment of City Election Precincts
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Act requires cities to draw precincts, when they are required to do so, in a manner that promotes electoral efficiency.
- HOUSE FILE 566** - Registered Voters, Eligible Electors, and Qualified Voters
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Act makes several changes to the Iowa Code regarding use of the terms "eligible elector," "qualified elector," and "registered voter." The Act also changes from registered voters to eligible electors those persons qualified to sign a petition required or allowed by statute. Eligible electors are persons qualified to register to vote regardless of whether they have actually registered. Petition requirements amended by the Act include petitions regarding unified law enforcement districts, township officers, local school districts, land use districts, commission form of local government, county bonds, county libraries, county hospitals, city revenue bonds, local option sales taxes, and retention of district court clerks.
- HOUSE FILE 581** - Drainage or Levee District Election Districts — Size
SEE AGRICULTURE. This Act increases the size of a drainage or levee district required to have election districts from 3,000 acres or more to 20,000 acres or more.
- HOUSE FILE 637** - Libraries, Library Services, and Administration and School Improvement Technology Funds
SEE EDUCATION. This Act amends the Code section that provides for the establishment of county library districts to allow a library district to be established by one or more cities, one or more counties, or any combination of cities and counties. The Act directs the Department of Management to coordinate a study of city and county support of public library funding and determine whether cities and counties are in compliance with state funding requirements, identify inequities in city and county funding, and determine the adequacy of the current minimum levy.
- HOUSE FILE 656** - Manufactured or Mobile Homes — Licensing and Regulation
SEE STATE GOVERNMENT. This Act clarifies that laws regulating mobile homes and mobile home parks also apply to manufactured homes and manufactured home communities, and regulates the placement of storm shelters in manufactured home communities or mobile home parks.
- HOUSE FILE 662** - Community Empowerment Initiative
SEE CHILDREN & YOUTH. This Act relates to Iowa's Community Empowerment Initiative and authorizes an area education agency to serve as the fiscal agent for a local board and provides for the Legislative Council to convene a summit meeting to address various community empowerment issues.
- HOUSE FILE 680** - Child and Dependent Adult Abuse Reporting
SEE CHILDREN & YOUTH. This Act relates to child and dependent adult abuse reporting, including peace officers and other mandatory reporters of abuse, abuse reporter training, and requirements for submission of information to the county attorney regarding false reports of child abuse.
- HOUSE FILE 686** - State and Local Competition With Private Industry — Notice
SEE STATE GOVERNMENT. This Act requires the Administrative Rules Coordinator to identify in a notice of intended rulemaking, and the Legislative Service Bureau to indicate in the explanation of a bill or joint resolution, that a proposed service or product supplied by a state agency or political subdivision may compete with private industry.
- HOUSE FILE 712** - Homestead and Family Farm Tax Credits — Miscellaneous Changes
SEE TAXATION. This Act amends the homestead and family farm tax credits.

In regard to the homestead tax credit, civil penalties for fraudulent claiming of a credit and failing to notify the assessor of a change in the status of the homestead are established and reduced, respectively.

In regard to the family farm tax credits, a claim may be filed at any time instead of during a certain period and once approved, the claimant need not file again as long as the person actively engaged in farming remains the same. A civil penalty is established for failure to notify the assessor of a change in the person who is actively engaged in farming.

The Act takes effect July 1, 2001, and applies to homestead tax credit claims filed or on file and family farm tax credit claims filed on or after that date.

HOUSE FILE 714

- Community Development Program — Tax Credits — VETOED BY THE GOVERNOR

SEE TAXATION. This bill would have established a Community Development Program, administered by the Department of Economic Development, to provide tax incentives to businesses that make contributions to projects in communities or neighborhoods that would benefit by these projects or make expenditures to provide child care benefits to their employees. The tax incentives would be in the form of tax credits of up to \$100,000 to offset the tax liability under the individual and corporate income taxes, the financial institution franchise tax, the insurance gross premiums tax, and the credit union moneys and credits tax.

HOUSE FILE 715

- Tax Administration and Related Matters

SEE TAXATION. This Act amends various state and local tax laws to do the following:

- Specify that the length of time over which an urban revitalization property tax exemption may be allowed in situations where a timely application for exemption was not filed is equal to the number of years remaining in the exemption schedule selected.
- Provide that income from the sale of obligations of Iowa and its political subdivisions is taxable for purposes of the state individual corporate and income taxes and the state franchise tax unless the law authorizing the obligation specifically exempts the income from the sale from the tax. These provisions apply retroactively to January 1, 2001, for tax years beginning on or after that date.
- Impose a duty upon the county auditor to notify, within 10 days, the Director of Revenue and Finance of the outcome of the election favoring the imposition, repeal, or rate change of the local hotel and motel tax.
- Impose local option sales and services tax only on motor fuels and special fuels in which tax pursuant to the state motor fuel tax has not been imposed and, if paid, has not nor cannot be refunded.
- Prevent a lapse in the time from the sunset of a local option tax if a jurisdiction votes to continue the tax.
- Change the period of time for a construction contractor to claim a refund of local sales and services tax paid from six months to one year.
- Specify the effective date of the order when the Director of Revenue and Finance revokes or modifies a property tax exemption for a specific year either on the director's own motion or upon application by a taxpayer.
- Provide that for taxation as real property, fixtures used for cooking, refrigeration or freezing of value-added agricultural products or used in the processing of such products are not considered attached to real property. Because it is not considered attached, the fixture is not taxable as real property. This applies retroactively to January 1, 2000, for assessment years beginning on or after that date.
- Provide that the Industrial Machinery, Equipment and Computers Property Tax Replacement Fund, currently funded with a standing unlimited appropriation, will be prorated to pay claims if the General Assembly elects to place a cap on the fund in the future.
- Specify that an appeal of a cigarette permit suspension or revocation must be made to the authority that issued the permit. Cities and counties issue permits to retail establishments in their jurisdictions and the Department of Revenue and Finance issues distributor, manufacturer, wholesaler, and vendor permits.

HOUSE FILE 722

- Solid Waste — Tonnage Fees — Solid Waste Account Moneys

SEE ENVIRONMENTAL PROTECTION. This Act amends provisions of the Code relating to the amount of solid waste tonnage fees that may be retained by a solid waste planning area and provisions of the Code relating to how moneys in the Solid Waste Account of the Groundwater Protection Fund are used.

- HOUSE FILE 727** - Mental Health, Mental Retardation, and Developmental Disabilities Services
SEE HUMAN SERVICES. This Act relates to mental health, mental retardation, and developmental disability services and county services funding, and to court orders for placement of persons with a serious mental impairment.
- HOUSE FILE 732** - Appropriations -- Human Services
SEE APPROPRIATIONS. This Act provides appropriations to the Department of Human Services and includes provisions related to human services and health care. The Act includes provisions for grant funding to local governments for community empowerment areas, juvenile justice funding, and many other programs and appropriations affecting human services programs administered by counties. *The Act includes significant changes to state funding provided to counties for mental health and developmental disabilities services.*
- HOUSE FILE 736** - Tax Administration -- Additional Related Matters
SEE TAXATION. This Act changes the dates for filing claims for various property tax exemptions to February 1 for purposes of uniformity. This change applies to claims for exemptions filed on or after January 1, 2002. The Act also provides that any additional real estate transfer tax owed that cannot be collected by the local county recorder shall be collected by the Department of Revenue and Finance in the same manner as individual income tax. The Act provides that if the department collects the tax, the county is to be paid its proportionate share of the tax.
- HOUSE FILE 755** - Miscellaneous Appropriations, Reductions, and Other Provisions
SEE APPROPRIATIONS. Division II of this Act reduces the standing appropriations for FY 2001-2002 for the county of Tama for the Indian Settlement Office. Division V of this Act changes requirements for a tax increment financing (TIF) district in which revenues from the school district's physical plant and equipment levy are necessary to pay the principal and interest on bonds issued by a municipality prior to July 1, 2001, to fund an urban renewal project in the TIF district.
- H. J. R. 5** - Nullification of Administrative Rule -- Administration Fee for Local Option Sales and Services Tax
SEE TAXATION. This Joint Resolution nullifies an administrative rule of the Department of Revenue and Finance relating to the collection of a fee to recover the direct costs in the administration of a local option sales and services tax. The Joint Resolution takes effect April 10, 2001.

LOCAL GOVERNMENT

SENATE FILE 57 - City Franchises — Utilities — Elections

BY JENSEN. This Act provides that an election giving effect to an ordinance granting a city franchise is not required if the ordinance grants an electric light and power, heating, or gasworks franchise or seeks to amend, extend or renew an electric light and power, heating, or gasworks franchise unless an election is petitioned for or the party seeking the franchise requests an election.

SENATE FILE 168 - City Cable Television Franchises

BY COMMITTEE ON COMMERCE. This Act provides that if a city grants more than one cable television franchise, the terms and conditions shall not give undue preference or advantage to the new franchisee and the new franchisee shall be granted the same territory as the existing franchisee and a reasonable amount of time to build the new system throughout the territory.

SENATE FILE 184 - County Sheriff Services — Fees — Garnishment Release

BY COMMITTEE ON LOCAL GOVERNMENT. This Act increases the fees the county sheriff must collect for serving various notices, warrants, orders, summons, executions, and subpoenas by amounts ranging from \$2 to \$5 and increases the hourly or daily fees for attending property sales, summoning and attending juries, or conveying patients to and from public institutions by amounts ranging from \$5 per hour to \$40 per diem. The Act also provides for the release of a garnishment by the sheriff at the request of the plaintiff or the plaintiff's attorney.

SENATE FILE 186 - County Hospital Fund Tax Levy

BY COMMITTEE ON WAYS AND MEANS. This Act authorizes a tax levy of \$2.05 per \$1,000 of taxable value for improvements and maintenance of a county hospital in a county having a population of more than 225,000, commencing with the levy of taxes payable in the fiscal year beginning July 1, 2001.

The Act takes effect April 25, 2001.

SENATE FILE 313 - County Board of Supervisors Appointees — Removal

BY RITTMER. This Act provides that the removal procedure applicable to a person holding a county office applies only to those officers appointed by the board of supervisors and removed by the board of supervisors.

SENATE FILE 372 - Public Records and Documents

BY COMMITTEE ON LOCAL GOVERNMENT. This Act amends a number of Code sections relating to the recording of mortgage documents, liens, military veteran discharges, and other instruments with the county recorder. The Act also repeals several sections that require ruled columns and an index form for affidavits, mortgages, and other legal documents. The amendments and repeals are proposed to remove impediments to the electronic recording of various legal instruments and to improve recording procedures.

Code Sections 6B.35 and 354.5 are amended to substitute "document reference" for references to "book and page." Code Section 354.24 is amended to substitute the wording "a document reference" for references to "the book and page." If a correction to a plat is recorded, the recorder shall note the correction on the record in lieu of writing the word "corrected" across the affected part of the plat. Code Sections 558.49, 558.52, 558.55, and 558.59 are amended to strike the reference to index books and the book and page of a recorded instrument. The terms are replaced by reference to a document reference number. Code Section 639.53 is amended to substitute "document reference number" for the words "book and page." Code Sections 655A.3, 655A.6 and 656.2 are amended to add a document reference number as a means of identifying a mortgage, contract, or real estate document.

Code Section 22.3 is amended to allow an authorized designee of a lawful custodian of public records to supervise the examination and copying of public records.

Code Section 96.14 is amended to provide that the index of unemployment contribution liens in a county recorder's office does not have to be kept in a book form.

Code Section 331.602 is amended to strike a required notation in the margin of a corrective instrument referencing the original instrument and a corresponding notation in the margin of the original document referring to the new record. A requirement that an instrument be recorded in a book is also stricken, as is a requirement that a copy of a deed, bill of sale, or other transfer document that is forwarded to the Director of Revenue and Finance must be a certified copy.

Code Section 331.603 is amended to strike a requirement that a recorded instrument which involves a release or assignment of a property previously recorded and reproduced in miniature shall also be reproduced in miniature. Also, in lieu of marginal entries, the recorder shall make notations on the index and the record of the original instrument.

Code Section 331.605A is amended to provide that the county treasurer, on behalf of the county recorder, shall establish and maintain an interest-bearing account for the fees collected by the county recorder for the purpose of collecting and maintaining public records.

Code Section 331.606 is amended to strike a reference to the need for a book to maintain an index.

Code Section 331.607 is amended to strike several references to books that a county recorder is required to keep. The term "record" or "records" is substituted. Code Section 331.608 is amended to substitute the word "record" for "special book" and to strike a requirement that a discharge book be approved by the Commission of Veterans Affairs. Code Sections 422.26, 437A.11 and 437A.22 are amended to strike the term "books" in reference to records or indexes for income tax liens.

Code Section 331.609 is amended to strike the requirement that a county recorder permanently attach a refiled notice to the original notice of federal lien. In lieu of the attachment, a county recorder shall make a notation on the original record referring to the refiled notice.

Code Section 354.1 is amended to provide that all documents presented for recording with regard to the platting and subdivision of land must comply with the recording requirements specified for all instruments.

Code Section 354.26 is amended to provide that the recorder shall note the vacation, correction or replatting on the index and record of the official plat rather than on the margin of the plat.

Code Section 380.11 is amended to provide that zoning districts, building lines, or fire limits which are platted shall be indexed and recorded without the use of books.

Code Section 428A.5 is amended to strike the use of a device by the county recorder to evidence the payment of the real estate transfer tax on a transfer document. The device is replaced by a method of documentation as approved by the Department of Revenue and Finance.

Code Section 558.45 is amended to strike the use of red ink for notation on indexes and reference to the book and page for a recorded instrument.

Code Section 566.35 is amended by striking a provision which requires that the declaration of value of a real estate transfer submitted to the county recorder include the existence of any known private burial site located on the real estate.

The Act also repeals Code Sections 558.50, 558.51, 558.53, and 558.54. Code Section 558.50 specifies the ruled columns and an index form for affidavits. Code Section 558.51 requires separate index books for mortgages and satisfactions or releases of mortgages, descriptions of lots and land, conveyances of real estate, powers of attorney, affidavits, copies of petitions in bankruptcy, decrees of adjudication in bankruptcy, and orders approving trustees' bonds in bankruptcy. Code Section 558.53 provides for an index and record of all deeds, mortgages, and related instruments affecting lots in cities and affected plats. Code Section 558.54 provides that an instrument containing descriptions of land or lots in cities, affected plats, and other land shall be recorded in one record and charged one fee, but the record shall be indexed in the land and city lot indexes.

SENATE FILE 453 - County Administrative Procedures, Filing Requirements, and Related Costs

BY COMMITTEE ON LOCAL GOVERNMENT. This Act amends various powers and duties of various county officers relating to the payment of county obligations by check in lieu of warrants. The county board of supervisors may authorize the county auditor to issue checks in lieu of warrants. If the authority is granted, the term "check" shall be substituted for the term "warrant" in those instances where checks are used in lieu of warrants. Outstanding checks and warrants shall be canceled one year after the date of issue, deposited to the account on which the check or warrant was written, and credited as unclaimed fees and trusts. A person may claim the amount of the canceled warrant or check for one year after the date of cancellation.

The Act also requires the county treasurer to dispose of the tax list delivered under Code Chapter 443 after 10 years from the date of receipt.

The Act provides that a certificate of change of title of real estate also must include a name and complete mailing address to expedite the mailing of tax statements and that to avoid interest on delinquent taxes, an electronic payment must be received on the first business day of the delinquent month.

Code Section 447.11 is amended to correspond to Code Section 447.9 by providing that service of notice on agents of nonresidents will be given by certified and regular mail rather than personal service.

The cost of a record search and cost of serving the notice by mail by a tax sale certificate holder is no longer added to the amount necessary to redeem a tax sale certificate. This change to Code Section 447.13 takes effect April 18, 2001.

SENATE FILE 511 - Legalization of City of Davenport Ordinances and Amendments

BY TINSMAN AND DELUHERY. This Act provides that ordinances recently passed by the city of Davenport are legal, regardless of a flaw in procedures used in their adoption. Code Section 380.3 requires that a proposed ordinance, including a proposed amendment to an ordinance, be considered and voted on for passage at three city council meetings before it goes into effect, unless a supermajority of council members votes to suspend the requirement.

Prior to July 1, 1997, a provision allowed a special process for the city to approve an ordinance after only two readings if a summary of the proposed ordinance was published in advance and a copy of the proposed ordinance was made available for public examination (in effect making the second reading equivalent to the third and final reading).

In 1997, the General Assembly enacted H.F. 658, which eliminated the provision allowing for two readings without a suspension by a supermajority vote. Notwithstanding the elimination of the provision, the city of Davenport continued to rely upon the provision's procedure to pass some of its ordinances. This Act provides that ordinances passed under the eliminated procedure from July 1, 1997, to July 1, 2000, are legalized, validated and confirmed.

The Act takes effect April 25, 2001, and is retroactively applicable to July 1, 1997.

HOUSE FILE 301 - Rural Fire Protection

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that a rural water district or rural water association must establish a rural fire protection program which provides access to designated soft-hose fill stations, periodic updated maps of soft-hose fill stations, and periodic informational meetings for all affected fire departments on procedures and facilities to enhance rural fire protection. The Act also limits the liability of a rural water district or rural water association for failure to provide or maintain fire hydrants, facilities, or an adequate supply of water or water pressure for fire protection purposes if the facilities, hydrants or water used is not for fire protection. The Legislative Council is also directed to provide for a review of the liability exemption or limitation for rural water districts or associations before July 1, 2006, and assess its effect on the provision of fire protection in rural areas.

HOUSE FILE 309 - Instructional Support Program Participation — West Bend-Mallard School District

BY FREVERT AND MERTZ. This Act legalizes an instructional support program that was continued in violation of Code Section 257.18. Under that section, a school district may provide for an instructional support program that may be funded in part by local funding (an instructional support property tax, an instructional support income surtax, or a combination of both).

The Act provides that all acts and proceedings relating to the instructional support program for the West Bend-Mallard Community School District, due to the failure to approve an instructional support program as provided in Code Section 257.18, beginning on July 1, 1999, and ending on June 30, 2001, are legalized, validated and confirmed.

The Act takes effect April 18, 2001, and is retroactively applicable to July 1, 1999.

HOUSE FILE 535 - City Enterprises — Funding of Child Care Center Construction and Equipment

BY COMMITTEE ON LOCAL GOVERNMENT. This Act adds child care centers to the definition of "city enterprise." Child care centers include preschools. A city may issue general obligation bonds, revenue bonds, or loan agreements to fund construction and equipping of a city enterprise.

The Act takes effect April 26, 2001.

HOUSE FILE 624 - Mayor-Council City Government — Appointment and Dismissal of Police Chief or Marshal

BY COMMITTEE ON JUDICIARY. This Act provides that the marshal or chief of police of a city with a mayor-council form of government, and without civil service or an intergovernmental agreement providing another method of selection, shall be appointed and dismissed by the mayor with the consent of a majority of the city council.

HOUSE FILE 663 - County Public Hospital Trustee Eligibility — Health Care Practitioners

BY COMMITTEE ON LOCAL GOVERNMENT. This Act allows a person who has medical special staff privileges in a county public hospital, or who receives compensation greater than \$1,500 per year from a county public hospital or from a person contracting for services with a county public hospital, to serve as a trustee for that county public hospital if the person is a licensed health care practitioner whose sole use of the county hospital is to provide health care service to mentally retarded individuals.

The Act also repeals the prohibition against a county public hospital trustee having a pecuniary interest in commodities or supplies used by the hospital.

HOUSE FILE 711 - Drainage or Levee District Tax Assessment Levy

BY COMMITTEE ON WAYS AND MEANS. This Act provides that levies for deficiencies in drainage or levee projects shall become due and payable in the same manner as the original assessment. The drainage or levee tax assessments become due and payable with the first half of ordinary taxes, and shall be collected in the same manner with the same interest for delinquency as ordinary taxes unless an alternative method of payment or optional installment method is selected.

HOUSE FILE 713 - County Lease or Lease-Purchase Contracts and Records, Fees, and Tax Credits Affecting Real Property

BY COMMITTEE ON WAYS AND MEANS. This Act includes changes in the administration of a county by the board of supervisors and other county officers.

Code Section 331.301 is amended to permit the board of supervisors to authorize lease or lease-purchase contracts without following procedures related to the issuance of essential corporate bonds if the cost of the lease or lease-purchase contract is less than \$25,000.

Code Section 425A.5 is amended to require county auditors to list all tracts of agricultural land entitled to the family farm tax credit, determine the amount of credit, and certify the total amount of credit and total number of acres entitled to the credit to the Department of Revenue and Finance (DORF) on or before April 1 of each year. Code Section 426.6 is also amended to require county auditors to list all tracts of agricultural land, the taxable value for the previous year, the budget for each school district for the previous year, and the tax rate for the general fund of the school district, determine the amount of tax credit, and certify the amount to DORF on or before April 1 of each year.

Code Section 426.7 is amended to direct the Director of Revenue and Finance to mail the warrants to pay the agricultural land credits on July 15, and notify the county auditors of the pro rata share of the agricultural land tax credit on or before June 15 instead of August 1 if the Agricultural Land Credit Fund is insufficient to pay the tax credits in full.

Code Sections 558.57 and 558.58 are amended to require that real estate installment contracts be entered in the county auditor's transfer book, which would require the transfer fee of \$10 to be collected.

Code Section 595.5 is amended by striking a provision that requires the county registrar to certify a copy of the return of marriage to each county recorder of a county where real estate is owned by either party to the marriage, in order for the return of marriage to be recorded in the miscellaneous records in the recorder's office.

Code Section 598.21 is amended to provide that when a judgment of annulment, dissolution, or separate maintenance is ordered, the court shall divide the property of the parties and transfer the title of property accordingly, including the issuance of a quitclaim deed or change of title for tax purposes and delivery of the deed or change of title to the appropriate county recorder so that the quitclaim deed or change of title is recorded and the applicable fee is collected with or without the payment of recording fees.

NATURAL RESOURCES AND OUTDOOR RECREATION

- SENATE FILE 84 - Purple Loosestrife — Ban on Import, Sale, or Distribution
- SENATE FILE 125 - Interstate Wildlife Violators Compact Membership
- SENATE FILE 339 - Hunting and Fishing Violations — Fines
- SENATE FILE 407 - Licenses and Fees Regulated by Department of Natural Resources
- S.J.R. 6 - Nullification of Administrative Rule — Unprotected Nongame Status of Reptiles
- HOUSE FILE 43 - Mourning Dove Hunting — VETOED BY THE GOVERNOR
- HOUSE FILE 597 - Meat and Poultry Processors — Unclaimed Deer Venison
- HOUSE FILE 720 - Licenses Issued by the Department of Natural Resources — Fees
- H.J.R. 11 - Nullification of Administrative Rule — Wild Turkey Harvest Reports

RELATED LEGISLATION

- SENATE FILE 499 - Scheduled Fines — Miscellaneous Changes
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act reorganizes scheduled fines related to natural resources and outdoor recreation.
- HOUSE FILE 561 - All-Terrain Vehicle and Snowmobile Operating Requirements — VETOED BY THE GOVERNOR
SEE TRANSPORTATION. This bill would have repealed the requirement that the operator of an all-terrain vehicle or snowmobile on a public road or street fly a flag or pennant on the all-terrain vehicle or snowmobile. The bill also would have repealed the prohibition on operating an all-terrain vehicle while carrying a passenger.
- HOUSE FILE 725 - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by making appropriations to support related entities, including the Department of Natural Resources. The Act appropriates moneys to the department from various funds and fees including the General Fund of the State and the Fish and Game Protection Fund. The Act requires that the department keep open state parks with moneys produced from the department's increases in fees for parks and recreation areas.
- HOUSE FILE 737 - Keep Iowa Beautiful Fund — Income Tax Checkoff
SEE TAXATION. This Act allows taxpayers filing individual income tax returns to designate on the return that \$1 or more be paid to the Keep Iowa Beautiful Fund. Moneys in the fund are subject to appropriation annually by the General Assembly to the Iowa Department of Transportation for the purpose of awarding financial assistance to an applicant who submits a plan for litter prevention, improving waste management and recycling efforts, or a beautification project along with its application.
- HOUSE FILE 742 - Appropriations — Infrastructure and Capital Projects
SEE APPROPRIATIONS. This Act requires the Loess Hills Development and Conservation Authority and the Southern Iowa Development and Conservation Authority to submit annual reports.

NATURAL RESOURCES AND OUTDOOR RECREATION

SENATE FILE 84 - Purple Loosestrife — Ban on Import, Sale, or Distribution

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act prohibits the importation, sale or distribution of purple loosestrife (*Lythrum virgatum*) or the seeds of the plant for any purpose. Under current law, purple loosestrife can be used for ornamental gardens and retailers of the plant must keep accurate records of sales and varieties of the plant distributed.

SENATE FILE 125 - Interstate Wildlife Violators Compact Membership

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act authorizes the Department of Natural Resources to enter into an Interstate Wildlife Violators Compact with one or more other states to enforce state laws and rules relating to the protection and conservation of wildlife subject to Code Section 28E.9.

SENATE FILE 339 - Hunting and Fishing Violations — Fines

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act provides that the scheduled fine of \$100 for violations of Code sections listed in Code Section 805.8, subsection 5, paragraph "c," does not apply to violations of Code Chapters 482 ("Commercial Fishing") and 483A ("Fishing and Hunting Licenses, Contraband, and Guns") for which another scheduled fine is specified elsewhere in Code Section 805.8, subsection 5.

SENATE FILE 407 - Licenses and Fees Regulated by Department of Natural Resources

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act amends Code Section 481A.38 to eliminate the mandatory drawings for deer and wild turkey licenses which have limited quotas and strikes a subsection that guarantees the issuance of a wild turkey license to landowners and tenants upon payment of the required fee.

The Act also amends various provisions of Code Chapter 483A relating to the electronic licensing of hunters, fishers, and fur harvesters. The terms "license," "license agent," and "license document" are defined. A number of coordinating amendments are included to apply the terms "license," "license agent," and "license document." A license or license document may extend one or more privileges to the licensee and one or more of these license privileges may be suspended or revoked by a magistrate for violations. A requirement that wild turkey and deer license tags be separable into two parts is stricken. The Department of Natural Resources (DNR) is authorized to charge an administrative fee related to the issuance of hunting, fishing, and fur-harvesting licenses. The Director of the DNR is authorized to designate license agents, which could include individuals, businesses, county recorders, or other governmental agencies. Code Section 483A.24 is amended to provide that nonresident fishers under 16 years of age are not required to have a fishing license. This is the same age requirement for resident fishers. Both residents and nonresidents under 16 years of age must pay the trout fee for trout fishing unless they are accompanied by an adult licensed for trout.

SENATE JOINT RESOLUTION 6 - Nullification of Administrative Rule — Unprotected Nongame Status of Reptiles

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Joint Resolution nullifies an amendment to an administrative rule of the Department of Natural Resources that removes timber rattlesnakes and garter snakes from a list of unprotected nongame wildlife.

The Joint Resolution takes effect April 2, 2001.

HOUSE FILE 43 - Mourning Dove Hunting — VETOED BY THE GOVERNOR

BY COMMITTEE ON NATURAL RESOURCES. This bill would have authorized the Natural Resource Commission to establish, by rule, a hunting season for mourning doves. However, the commission's rules would have to prohibit the taking of a mourning dove while the dove is perched on a power line.

HOUSE FILE 597 - Meat and Poultry Processors — Unclaimed Deer Venison

BY COMMITTEE ON NATURAL RESOURCES. This Act provides that any deer venison deposited for processing and which remains unclaimed for two months after the licensed meat and poultry processor has attempted to contact the venison owner shall be presumed to be abandoned. The licensed processor may donate the abandoned deer venison to a local nonprofit, charitable organization. The licensed processor is exempt from civil or criminal liability arising from the condition of the meat if the donor reasonably inspects the deer venison at the time of donation and finds the venison fit for human consumption.

HOUSE FILE 720 - Licenses Issued by the Department of Natural Resources — Fees

BY COMMITTEE ON WAYS AND MEANS. This Act increases the fees for nonresidents who wish to hunt, fish or fur harvest in this state. The fee increases range from \$.50 for a fur dealer license to \$69.50 for a deer hunting license. Nonresidents who wish to hunt deer or wild turkey must also purchase, in addition to the nonresident deer or wild turkey hunting license, a regular hunting license for \$80, or \$30 if under 18, and pay a wildlife habitat fee of \$8.

The Act increases the wildlife habitat fee and the migratory game bird fee for residents from \$5.50 to \$8.

The Act adds a fish habitat fee of \$3 for both resident and nonresident fishers. The revenue must be used for developing fish habitat. The Natural Resource Commission must use not less than 50 percent of the revenue for funding agreements with county conservation boards to carry out the purposes of fish habitat development. Fishers who are less than 16 years of age or 65 years of age or older and persons fishing in private ponds are not required to pay the fish habitat fee.

The Act increases the number of nonresident wild turkey licenses from 2,000 to 2,300 annually. Of the 2,300 nonresident wild turkey licenses authorized, 150 licenses shall be valid for hunting with muzzle loading shotguns only.

The Act increases the number of nonresident deer licenses from 7,500 to 8,500 annually. A nonresident owning land in this state may apply for one of the 6,000 nonresident licenses offered annually for hunting deer of either sex. If unsuccessful, the landowner shall be given preference for one of the 2,500 antlerless only nonresident deer licenses and the license shall be valid to hunt on the nonresident's land only. The annual antlerless only fees for nonresident deer hunting licenses shall apply to the nonresident landowners. A nonresident owning land in this state is eligible for only one nonresident deer license annually. If one or more parcels of land have multiple nonresident owners, only one of the nonresident owners is eligible for a nonresident antlerless only deer license. If a nonresident jointly owns land in this state with a resident, the nonresident shall not be given preference for a nonresident antlerless only deer license.

The Act also allows 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 to purchase two antlerless deer hunting licenses for a fee of \$10 each. These licenses are in addition to the free deer hunting licenses the owner and tenant or one of their respective family members are entitled to receive. The licenses are valid only on an owner's or tenant's farm unit.

This Act takes effect December 15, 2001, and applies to licenses and fees for wildlife and game activities for the years beginning on or after January 1, 2002.

HOUSE JOINT RESOLUTION 11 - Nullification of Administrative Rule — Wild Turkey Harvest Reports

BY COMMITTEE ON NATURAL RESOURCES. This Joint Resolution nullifies two administrative rules of the Department of Natural Resources that require the filing of a harvest report by a resident or nonresident hunter upon taking a wild turkey. The rules require the hunter to take a completed harvest report to a licensing agent within 48 hours of the taking of a wild turkey and receive a verification tag, which is to be attached to the wild turkey along with the transportation tag.

The Joint Resolution takes effect April 11, 2001.

STATE GOVERNMENT

- SENATE FILE 185 - Factory-Built Structures — Manufactured Home Installer Certification
- SENATE FILE 323 - Investments by Municipal Utility Retirement Systems
- SENATE FILE 344 - Confidential Public Records — Communications From Persons Outside of Government
- SENATE FILE 384 - Credit Union Division Employee Compensation
- SENATE FILE 497 - Iowa Public Employees' Retirement System — Administration and Investments
- SENATE FILE 526 - Unclaimed and Abandoned Property — Business Association Property
- HOUSE FILE 73 - Military Honor Guard Services by Veterans Organizations
- HOUSE FILE 194 - Nonsubstantive Code Corrections
- HOUSE FILE 259 - Notarial Acts and Officers
- HOUSE FILE 292 - Information Technology Department — Financial Operations and Transactions
- HOUSE FILE 352 - Iowa Battle Flag Collection
- HOUSE FILE 383 - Designation of Model Communities — Approval
- HOUSE FILE 400 - Real Estate Appraiser Regulation
- HOUSE FILE 451 - Practice of Accounting — Licensure
- HOUSE FILE 470 - Iowa Communications Network — Proprietary Interests
- HOUSE FILE 526 - Reciprocity Standards for Barbers — Study
- HOUSE FILE 579 - Administration and Management of Executive Branch Personnel
- HOUSE FILE 656 - Manufactured or Mobile Homes — Licensing and Regulation
- HOUSE FILE 686 - State and Local Competition With Private Industry — Notice
- HOUSE FILE 687 - Administration and Oversight of State Government

RELATED LEGISLATION

- SENATE FILE 62 - Processing, Storage, and Distribution of Honey — Residences
SEE AGRICULTURE. This Act amends provisions in Code Chapter 137F ("Food Establishments and Food Processing Plants") to exempt from regulation the premises of a residence in which honey is stored; prepared; packaged, including by placement in a container; labeled; or from which honey is distributed.
- SENATE FILE 66 - General Fund Expenditure Limitation Requirements — **VETOED BY THE GOVERNOR**
SEE APPROPRIATIONS. This bill would have amended Iowa's General Fund expenditure limitation law.
- SENATE FILE 81 - Criteria for State Economic Development Financial Assistance
SEE ECONOMIC DEVELOPMENT. This Act provides that a state agency may give additional consideration or additional points in the application of rating or evaluation criteria in providing financial assistance for economic development-related purposes if the person or business to receive the financial assistance is located in an area that is a brownfield site, a blighted area, or is located in a city or county that meets the distress criteria provided under the Enterprise Zone Program.
- SENATE FILE 114 - Health Care Entities, Organizations, and Institutions — Names and Composition
SEE HUMAN SERVICES. This Act relates to the composition of the Medical Assistance Advisory Council. The Act updates references to entities represented on the council due to name changes or termination of the existence of the entity.
- SENATE FILE 146 - Tobacco Settlement Agreement Modifications
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act amends the provisions of the Code relating to the Master Settlement Agreement entered into by the state and leading U.S.

tobacco product manufacturers. The Act makes changes to comply with the model Act provisions that were to be adopted by all states party to the agreement. The Act takes effect March 30, 2001.

- SENATE FILE 279** - Expenses Related to Regulation of Public Utilities — Assessments
SEE ENERGY & PUBLIC UTILITIES. This Act amends Code Section 476.10, which deals with allocation of expenses incurred by the Iowa Utilities Board and the Consumer Advocate. The Act takes effect March 14, 2001.
- SENATE FILE 433** - Public Health Regulation
SEE HEALTH & SAFETY. This Act makes several technical and corrective changes relating to the administration of programs under the purview of the Iowa Department of Public Health and related health professional licensing and regulatory boards.
- SENATE FILE 476** - Student Achievement and Teacher Quality Program
SEE EDUCATION. This Act establishes a Student Achievement and Teacher Quality Program and provides that a career teacher who does not receive a recommendation for advancement from a review panel may appeal to an administrative law judge located in the Department of Inspections and Appeals.
- SENATE FILE 531** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act provides for the transfer of any moneys in excess of the maximum balance in the Economic Emergency Fund to the General Fund of the State and to the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund at the conclusion of fiscal years 2001 and 2002.
- S.J.R. 6** - Nullification of Administrative Rule — Unprotected Nongame Status of Reptiles
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Joint Resolution nullifies an amendment to an administrative rule of the Department of Natural Resources that removes timber rattlesnakes and garter snakes from a list of unprotected nongame wildlife. The Joint Resolution takes effect April 2, 2001.
- S.J.R. 7** - World Food Prize Awards Ceremony
SEE ALCOHOL REGULATION & SUBSTANCE ABUSE. This Joint Resolution authorizes the consumption of wine at an awards ceremony to be held by the World Food Prize Foundation at the State Capitol on or around October 18, 2001.
- S.J.R. 8** - Food Safety and Genetic Engineering Educational Program
SEE ALCOHOL REGULATION & SUBSTANCE ABUSE. This Joint Resolution authorizes the consumption of wine at a dinner to be held by the State Legislative Leaders Foundation and Iowa State University at the State Capitol on or around June 22, 2001.
- HOUSE FILE 103** - Written Promotional Material — VETOED BY THE GOVERNOR
SEE ECONOMIC DEVELOPMENT. This bill would have required that any written material designed, produced or distributed by the Department of Economic Development for purposes of promoting the state in an attempt to recruit new businesses include a clear and conspicuous statement regarding the Right-to-Work Law contained in Code Section 731.1.
- HOUSE FILE 154** - Paid Time Off for Injured Department of Public Safety Peace Officers
SEE LABOR & EMPLOYMENT. This Act provides that peace officer members of the Department of Public Safety who are excluded from the provisions of the Public Employment Relations Act shall receive paid time off in the same manner as peace officer members who are covered by a collective bargaining agreement when they are injured in the line of duty.
- HOUSE FILE 192** - Access to Criminal History and Abuse Information — Department of Inspections and Appeals
SEE HEALTH & SAFETY. This Act authorizes certain criminal history and abuse record and registry access to the Department of Inspections and Appeals for purposes of data verification and record checks of applicants for employment with the department.
- HOUSE FILE 225** - Election of State Fair Board Directors
SEE AGRICULTURE. This Act reorganizes districts used to elect members of the Iowa State Fair Board based on districts modeled after regions currently used to select the State Soil Conservation Committee.

- HOUSE FILE 228** - State Building Code and Preemployment Records Checks
SEE HUMAN SERVICES. This Act requires a governmental subdivision to file with the Department of Public Safety certified copies of any ordinance accepting the applicability of the State Building Code, or a certified copy of the vote if the governmental subdivision votes to withdraw from the applicability of the State Building Code. Under the current law, the governmental subdivision must also file copies with the Secretary of State.
- HOUSE FILE 230** - Iowa Economic Development Board Strategic Planning Duties
SEE ECONOMIC DEVELOPMENT. This Act eliminates the requirements of the Iowa Economic Development Board to coordinate and implement a 20-year comprehensive economic development plan for the state and to prepare a five-year comprehensive strategic plan of specific goals, objectives and policies for state economic growth.
- HOUSE FILE 256** - Health Care Facility Regulation
SEE HEALTH & SAFETY. This Act relates to regulation of health care facilities, including the process for correcting deficiencies and the rules and standards for health care facilities.
- HOUSE FILE 267** - Department of Natural Resources — Waste Management Assistance Division
SEE ENVIRONMENTAL PROTECTION. This Act changes the name of the Waste Management Assistance Division of the Department of Natural Resources to the Land Quality and Waste Management Assistance Division.
- HOUSE FILE 272** - Felonious Misconduct by Public Officer or Employee — Falsified Writings
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act relates to felonious misconduct by a public officer or employee. The Act prohibits a public officer or employee from falsifying a writing, or knowingly delivering a falsified writing, with the knowledge that the writing is falsified and that the writing will become a public record of a government body.
- HOUSE FILE 287** - Interstate Compact for Adult Offender Supervision
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act establishes the Interstate Compact for Adult Criminal Offender Supervision. The Act creates an interstate commission that will establish uniform procedures to manage the movement of adult offenders between states who have been placed on probation or parole.
- HOUSE FILE 564** - Cooperative Associations — Reversion of Disbursements
SEE AGRICULTURE. This Act creates an exception to requirements that property considered abandoned must be turned over to the Treasurer of State, by allowing a cooperative association to retain, for return to its owner or for forfeiture to the cooperative association according to procedures as provided in the Act, a dividend or other distribution considered abandoned.
- HOUSE FILE 569** - Proposed Uniform Computer Information Transactions Act — Effect — Intent
SEE BUSINESS, BANKING & INSURANCE. This Act amends the 2000 Iowa Acts to provide that it is the intent of the General Assembly to consider the proposed Uniform Computer Information Transactions Act in the 2002 Regular Legislative Session, rather than the 2001 Regular Legislative Session.
- HOUSE FILE 647** - Department of Transportation Release and Use of Personal Information
SEE TRANSPORTATION. This Act provides that the Iowa Department of Transportation (IDOT) may release personal information in the form of a person's photograph to certain persons and requires IDOT to assign an applicant for a driver's license a distinguishing driver's license number other than the applicant's social security number, unless the applicant requests that the applicant's social security number be so assigned.
- HOUSE FILE 655** - Adult Day Services
SEE HEALTH & SAFETY. This Act directs the Department of Elder Affairs to develop a system of oversight for adult day services and to adopt rules to implement the system. The Act directs the Department of Elder Affairs to implement the system on July 1, 2002, or at such time as the General Assembly appropriates sufficient funding for such implementation.

- HOUSE FILE 694** - Housing Trust — VETOED BY THE GOVERNOR
SEE ECONOMIC DEVELOPMENT. This bill would have required the Iowa Finance Authority, the Department of Economic Development, the Attorney General, and the Iowa Department of Public Health to cooperate with a newly created Housing Trust Commission in developing recommendations relating to housing issues.
- HOUSE FILE 698** - Appropriations — Regulatory and Expenditure Matters — EXTRAORDINARY SESSION
SEE APPROPRIATIONS. This Act relates to regulatory and expenditure matters and includes creation of a state workforce attrition program and fund for state workforce reductions and allows the Department of General Services to take various actions involving development of a parking structure and office facilities on the Capitol Complex.
- HOUSE FILE 742** - Appropriations — Infrastructure and Capital Projects
SEE APPROPRIATIONS. This Act makes several changes related to state agencies' capital budget requests.
- HOUSE FILE 745** - Regulation of Foot and Mouth Disease
SEE AGRICULTURE. This Act authorizes the Department of Agriculture and Land Stewardship to establish security measures to control outbreaks of foot and mouth disease in this state, including measures for the prevention, suppression and eradication of the disease and the compensation of owners for the loss of condemned animals or other property resulting from departmental regulation. The Act takes effect May 1, 2001.
- HOUSE FILE 755** - Miscellaneous Appropriations, Reductions, and Other Provisions
SEE APPROPRIATIONS. Division II of this Act reduces standing appropriations for FY 2001-2002 for performance of duty by the Executive Council by \$1 million, to the State Appeal Board for claims against the state by \$2 million, and to the Secretary of State for printing constitutional amendments and public measures by \$2,565, eliminating the appropriation for FY 2001-2002. Division V of this Act changes the effective date of H.F. 259, relating to the duties of the Office of the Secretary of State in commissioning notarial officers, from July 1, 2001, to January 1, 2002.
- HOUSE FILE 758** - Congressional and Legislative Redistricting — EXTRAORDINARY SESSION
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Act establishes congressional and legislative districts for the state effective during the 2002 and subsequent general elections. The Act takes effect June 22, 2001.
- H.J.R. 11** - Nullification of Administrative Rule — Wild Turkey Harvest Reports
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Joint Resolution nullifies two administrative rules of the Department of Natural Resources that require the filing of a harvest report by a resident or nonresident hunter upon taking a wild turkey. The Joint Resolution takes effect April 11, 2001.

STATE GOVERNMENT

SENATE FILE 185 - Factory-Built Structures — Manufactured Home Installer Certification

BY COMMITTEE ON WAYS AND MEANS. This Act modifies the definition of a factory-built structure to specifically include a mobile home, manufactured home, or a modular home and provides for the certification of manufactured home installers pursuant to rules of the State Building Code Commissioner. The commissioner may establish a fee for certification of installers. All fees collected are credited to the General Fund of the State and appropriated to the commissioner to pay the costs of administering the certification process.

The Act also provides that a governmental subdivision shall not require that a factory-built structure, manufactured in accordance with federally mandated standards, be renovated to meet the State Building Code or another building code adopted by the subdivision when the factory-built structure is moved from one location to another unless the renovation is in conformity with those specifications for the factory-built structure which existed when it was manufactured, or the factory-built structure is being rented for occupancy. The Act also provides that an existing factory-built structure which is not constructed in compliance with federally mandated standards may be moved from one mobile home park to another without being required to be renovated to comply with the State Building Code or another building code adopted by a governmental subdivision unless the factory-built structure is being rented for occupancy or has been declared a public nuisance.

The Act establishes a civil penalty, not exceeding \$1,000 per violation, which the State Building Code Commissioner may assess against a person who violates a manufacturing or installation standard or fails to allow or perform an act required by the State Building Code or rules of the commissioner. Each violation involving a separate manufactured home or a separate failure or refusal to allow an act to be performed or to perform an act as required by the State Building Code or a rule constitutes a separate offense. The maximum civil penalties for a series of violations occurring within one year from the date of the first violation shall not exceed \$1 million.

SENATE FILE 323 - Investments by Municipal Utility Retirement Systems

BY DRAKE. This Act makes investments by municipal utility retirement systems subject to the standards that apply to investments for the Iowa Public Employees' Retirement Fund contained in Code Section 97B.7, subsection 2, paragraph "b," except that permissible investments are limited to those investments authorized in Code Section 12B.10, subsection 5, and investments in certain diversified commingled investment funds. The Act also exempts investments by municipal utility retirement systems from the standards for investment of public funds that are otherwise specified in Code Section 12B.10, subsection 6, 12B.10B, subsection 3, or 12B.10C.

SENATE FILE 344 - Confidential Public Records — Communications From Persons Outside of Government

BY COMMITTEE ON STATE GOVERNMENT. This Act amends Iowa's Open Records Law to provide that communications made to a government body by persons outside of government concerning a consulting or contractual relationship or an arrangement for compensation with a government body are records open to the public.

SENATE FILE 384 - Credit Union Division Employee Compensation

BY COMMITTEE ON COMMERCE. This Act provides that employees of the Credit Union Division of the Department of Commerce who are appointed by the Superintendent of Credit Unions to examine accounts shall be paid according to a pay plan that is substantially equivalent to that paid by the National Credit Union Administration and other federal supervisory agencies in this area in the United States.

SENATE FILE 497 - Iowa Public Employees' Retirement System — Administration and Investments

BY COMMITTEE ON STATE GOVERNMENT. This Act modifies the governance and structure of the Iowa Public Employees' Retirement System (IPERS). Under current law, IPERS is administered by the Department of Personnel through the chief benefits officer and the chief investment officer, both of whom are selected by the department. The Treasurer of State is the trustee of the IPERS Retirement Fund, and the IPERS Investment Board is statutorily required to advise the department in the formulation of the investment policy for the fund.

Under the Act, IPERS remains within the Department of Personnel. However, the management of IPERS is made the direct responsibility of the newly created IPERS Division within the department, and all powers and duties currently given to the Department of Personnel to manage and operate IPERS are given to the division. A chief executive officer, who shall manage the division, shall be appointed by the Governor and be subject to confirmation by the Senate and can only be removed from office for malfeasance in office. The Act requires that the qualifications for chief executive officer include management-level pension fund administration experience. The Act also requires the chief executive officer to employ a chief investment officer who shall be selected following consultation with the investment board and a chief benefits officer who shall be selected following consultation with a newly created benefits advisory committee.

The current IPERS investment board is modified under the Act in both structure and duties. Under the Act, the investment board is made the trustee of the IPERS Retirement Fund. The board is given the explicit authority, in consultation with the chief investment officer and other personnel of the division, to develop the investment policy and goal statement that will direct the investment activities concerning the fund. The actual investment of the fund remains the responsibility of the division subject to the investment policy established by the board. In addition, the investment board is given the authority to hire and fire the actuary to be used as the technical advisor of the system. The board is also given the responsibility of adopting the actuarial assumptions to be used by the actuary in determining the condition of the retirement fund. The board is required to consult with the chief executive officer, the actuary, and other relevant division personnel in the development of the actuarial assumptions.

The membership of the board is also modified under the Act. The Director of the Department of Personnel is replaced with the Treasurer of State, who is made a voting member of the board. In addition, the three current members, who must be an executive of a domestic life insurance company, an executive of a state or national bank operating within the state of Iowa, and an executive of an industrial corporation located within the state of Iowa, are replaced with three members who must have substantial institutional investment or financial experience. In addition, while the three current members of the board who are members of the system remain, the manner of their selection is modified. The Act requires that the benefits advisory committee submit a slate of at least two nominees to the Governor to fill a vacancy for one of these positions. However, the Governor is not required to appoint a member to fill one of those positions from the slate of nominees submitted. The Act also provides for four, not two, legislative members of the board, but the four legislative members are made nonvoting members of the new board. The Act also establishes a mechanism for transitioning from the current board membership to the new board membership.

The Act also establishes a new benefits advisory committee. The duties of the committee are to submit nominees for the Governor's consideration to fill the positions on the investment board for members of the system and to review and make recommendations to the division and the General Assembly concerning the provision of benefits and services to members of the system. Members of this board shall be comprised of representatives of constituent groups concerned with the system, including representatives of employers, active members, and retired members. The election of these members shall be done pursuant to rules adopted by the division. The Director of the Department of Personnel and the person to be selected by the voting members of the committee are also specifically included as voting members of the committee. Of the members of the committee, nine shall be voting members who shall serve three-year terms. Of the nine voting members, four shall represent employers and four shall represent employees. *The ninth member shall be a member of the public and shall be chosen by the other eight voting members of the committee.* Of the employer representatives, one shall be the Director of the Department of Personnel, one shall represent a constituent group that represents the cities, one shall represent a constituent group that represents the counties, and one shall represent local school districts. Of the employee representatives, one shall be from a group that represents teachers. Per diem expenses for members of the committee shall be paid in the same manner and amount as they are paid for the current members of the investment board, while any additional expenses shall be incurred only upon the approval of the chief executive officer. The Act also provides for the establishment of a transition benefits advisory committee on July 1, 2001. The Act establishes the exact membership of this transition committee and provides that it shall be dissolved by July 31, 2002. The transition committee is given the task of making recommendations in a report to the IPERS Division no later than July 1, 2002, concerning the rules to adopt in governing the new benefits advisory committee. The proposed rules in the report shall include, at a minimum, provisions governing the selection of members to the committee and the selection of voting members of the committee.

The Act provides that the administrative rules adopted by the Department of Personnel concerning IPERS shall, consistent with this Act, remain in effect after the effective date of this Act.

Except for the section of the Act concerning the benefits advisory committee transition, which takes effect July 1, 2001, the Act takes effect July 1, 2002.

SENATE FILE 526 - Unclaimed and Abandoned Property — Business Association Property

BY COMMITTEE ON WAYS AND MEANS. This Act makes a change in the state's Disposition of Unclaimed Property Law to provide that "property" subject to the law does not include credits, advance payments, overpayments, refunds, or credit memoranda shown on the books of a business association with respect to another business association unless this type of property is held by a bank or financial institution.

HOUSE FILE 73 - Military Honor Guard Services by Veterans Organizations

BY EICHHORN AND CORMACK. This Act provides that an honor guard unit of members of a recognized military veterans organization shall be allowed to perform any honor guard service on public property.

HOUSE FILE 194 - Nonsubstantive Code Corrections

BY COMMITTEE ON JUDICIARY. This Act makes Code changes and corrections that are considered to be nonsubstantive and noncontroversial, including style changes.

Changes made include updating or correcting various names of and references to public and private entities, correcting internal Code and subject matter references, updating century date references in a form, and making various grammatical corrections. Subject matter areas in which the technical, grammatical, and other nonsubstantive changes are made include the following: the Linked Investment Program; educational savings plans; the Vision Iowa Program; the Information Technology Department; provisions relating to the execution of certificates of release from mortgages by the Iowa Finance Authority; bio-based hydraulic fluids, greases, and other industrial lubricants; the State Historic Preservation Officer; elections; the gifts to and lobbying of public officials; Workforce Development grants; labor standards; boilers and unfired steam pressure vessels; controlled substances; communicable and infectious diseases and poisonings; the Board of Nursing; soil and water conservation; pseudorabies; the Board of Veterinary Medicine; pesticides; the sale of certain poisons; Civil Rights Commission proceedings; the placement of juvenile delinquents; the Medical Assistance Program; paternity determinations; telecommunications use in schools; reorganization of school districts; historical preservation districts; motor vehicle registration plates; the in-state use and operation of a motor vehicle by nonresidents; rural water districts; recreational lake and water quality districts; the establishment of administrative agencies by cities; school infrastructure tax elections; homestead tax credits; tax sales; the Iowa Resources Enhancement and Protection Fund; groundwater protection; economic development, professional, and non-profit corporations; registered architects; the Insurance Guaranty Association; county and state mutual insurance associations; professional liability insurance; the Consumer Credit Code; adoption; and criminal citations.

The changes relating to the Medical Assistance Program take effect April 4, 2001, and are retroactively applicable to March 31, 2000; the changes relating to telecommunications in schools, adoption, and educational savings plans take effect April 4, 2001, and are retroactively applicable to July 1, 2000; and the change relating to motor vehicle registration plates takes effect April 4, 2001, and applies retroactively to July 1, 1999.

HOUSE FILE 259 - Notarial Acts and Officers

BY COMMITTEE ON STATE GOVERNMENT. This Act makes several changes relating to notarial officers and notarial acts as provided in Code Chapter 9E. Under the chapter, a notarial officer includes a notary public commissioned by the Secretary of State and certain prescribed public officials. The Act provides that in order to be eligible as a notary public, a person must be at least 18 years old. In addition, a person who is disqualified from voting is ineligible to obtain or retain a commission. Prior to this Act, a notary public could but was not required to use a stamp or seal that included the words "Notarial Seal" and "Iowa," and could include the name of the notary public. The Act requires the use of the stamp or seal and prescribes the information that must be included on the stamp or seal. For a notary public, the stamp or seal must include a reference to the notarial seal, the person's name, the commission number, and the expiration of the commission's term. For a public official, the stamp or seal must include a reference to the notarial seal, Iowa, the person's name, and the title of the person's office. House File 755 (see Appropriations) makes this Act effective January 1, 2002.

HOUSE FILE 292 - Information Technology Department — Financial Operations and Transactions

BY COMMITTEE ON STATE GOVERNMENT. This Act authorizes the Information Technology Department to accept donations, gifts and contributions and to use or expend the contributions in conducting departmental functions. The Act also authorizes the department to charge a negotiated fee to recover a share of the costs related to research and development, initial production, and derivative products of its proprietary software and hardware, telecommunications architecture design, and proprietary technology applications developed to support authorized users. The fee may be negotiated with and charged to private vendors and other political entities and subdivisions. The provisions of Code Chapter 23A relating to noncompetition by state agencies and political subdivisions with private enterprise shall not apply to a fee negotiated pursuant to this Act.

The Act permits the department to enter into nondisclosure agreements to protect the state of Iowa's proprietary interests. The Act also provides for the transfer of moneys paid to a governmental entity utilizing lowAccess to the Treasurer of State for deposit in the General Fund of the State, unless specific disposition is provided for elsewhere.

HOUSE FILE 352 - Iowa Battle Flag Collection

BY COMMITTEE ON EDUCATION. This Act specifically authorizes the Historical Division of the Department of Cultural Affairs to manage the battle flag collection at the State Capitol grounds in consultation and coordination with the Department of General Services. The Act also provides that a portion of the battle flag collection shall remain on display at the State Capitol and the State Historical Building at all times unless on loan approved by the Department of Cultural Affairs.

HOUSE FILE 383 - Designation of Model Communities — Approval

BY COMMITTEE ON ECONOMIC DEVELOPMENT. This Act provides that, during any project, pilot project, or similar initiative undertaken by the Governor or the executive branch which includes the designation of a model community in the state, any city council, county board of supervisors, or school district included in the proposed model community designation must approve of the designation by a simple majority vote prior to any state financial support being disbursed to a person under the project, pilot project, or similar initiative.

HOUSE FILE 400 - Real Estate Appraiser Regulation

BY COMMITTEE ON COMMERCE AND REGULATION. This Act makes changes relating to the regulation of real estate appraisers. The definition of the term "appraisal report" is changed to include any communication of an appraisal, instead of only those that are written. Code Section 543D.14, which describes the real estate appraiser certificate, is changed to provide that the certificate is to bear the signature or facsimile signature of the member or members of the Real Estate Appraiser Examining Board who are designated by the board to perform that duty.

HOUSE FILE 451 - Practice of Accounting — Licensure

BY COMMITTEE ON STATE GOVERNMENT. This Act creates new Code Chapter 542D, which establishes certification, permitting and licensure requirements for accounting professionals in the state of Iowa, and repeals existing requirements contained in Code Chapter 542C. The Act is based on model legislation developed jointly by the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy.

The Act contains a statement of legislative intent to promote the reliability of information used for guidance in financial transactions or for accounting for or assessing the financial status or performance of commercial, noncommercial and governmental enterprises. The Act sets forth the qualifications required to be met to be issued a certificate as a certified public accountant, providing that an applicant be of good moral character and meet established education, experience and examination requirements. The Act provides for the application, issuance and renewal of certificates and permits to practice as a certified public accountant, licensed public accountant, certified public accounting firm, and licensed public accounting firm. A person or firm holding a certificate or permit to practice issued by the state of Iowa prior to July 1, 2002, will be regarded as having met the applicable requirements for licensure.

The Act addresses issues related to nonlicensee ownership of accounting practices. All nonlicensee owners shall be active participants in the firm or in an affiliated entity and shall participate in a program of learning designed to maintain professional competency, which shall include requiring compliance with requirements imposed by a regulatory authority charged with regulation of a nonlicensee owner's professional or occupational license which is relevant to the firm's services.

The Act provides enforcement and penalty provisions, provides for the use of titles and the scope of services that a licensee, firm or nonlicensee may perform, and provides for the regulation of commission-based services and contingent fee services. The Act also addresses confidentiality of client communications issues and establishes reciprocity provisions.

HOUSE FILE 470 - Iowa Communications Network — Proprietary Interests

BY COMMITTEE ON STATE GOVERNMENT. This Act provides that the Iowa Telecommunications and Technology Commission may charge a negotiated fee to recover a share of the costs related to research and development, initial production, and derivative products of its proprietary software and hardware, telecommunications architecture design, and proprietary technology applications developed to support authorized users. The fee may be negotiated with and charged to private vendors and other political entities and subdivisions. The Act also permits the commission to enter into nondisclosure agreements to protect the state of Iowa's proprietary interests. The provisions of Code Chapter 23A relating to noncompetition by state agencies and political subdivisions with private enterprise shall not apply to a fee negotiated pursuant to this Act.

HOUSE FILE 526 - Reciprocity Standards for Barbers — Study

BY HAHN. This Act provides for a study regarding reciprocity standards for barbers in other states. The study will be conducted by the Iowa Department of Public Health in conjunction with the Board of Barber Examiners, with the input of barber schools and licensed barbers in the state of Iowa. The objective of the study will be to determine ways in which the existing reciprocity system between this state and graduates of barber schools and licensed barbers in other states can be improved to achieve greater flexibility and promote the relocation of qualified barbers to this state. The Act requires the Iowa Department of Public Health to submit a report of its conclusions to the General Assembly by December 15, 2001.

HOUSE FILE 579 - Administration and Management of Executive Branch Personnel

BY COMMITTEE ON STATE GOVERNMENT. This Act provides for changes relating to the administration and management of the Department of Personnel and the State Board of Regents.

The Act changes the 15-day timeline for public announcements of job vacancies to 10 days.

This Act allows the Director of Revenue and Finance to contract with a private organization to handle the payment and processing of workers' compensation claims.

The Act directs the Department of Personnel to file a report concerning the condition of affirmative action, diversity, and multicultural programs in state agencies to the Governor and the General Assembly. The Act also directs the State Board of Regents to file a report concerning the condition of affirmative action, diversity, and multicultural accomplishments of the board and its institutions to the General Assembly. Both reports shall include information identifying funding sources and itemized costs for these programs.

HOUSE FILE 656 - Manufactured or Mobile Homes — Licensing and Regulation

BY COMMITTEE ON JUDICIARY. This Act clarifies that laws regulating mobile homes also apply to manufactured homes. The Act defines a "manufactured home community" and clarifies that laws applying to mobile home parks apply to manufactured home communities. The Act also provides that storm shelters in manufactured home communities or mobile home parks cannot be required to be located any closer than 1,320 feet from any manufactured or mobile home, although a local ordinance may require a minimum of one storm shelter to be located in a manufactured home community or mobile home park.

HOUSE FILE 686 - State and Local Competition With Private Industry — Notice

BY COMMITTEE ON STATE GOVERNMENT. This Act requires the Administrative Rules Coordinator to identify in a notice of intended rulemaking that a proposed service or product supplied by a state agency may compete with private industry. The Act also requires the Legislative Service Bureau to indicate in the explanation of a bill or joint resolution that a proposed service or product supplied by a state agency or political subdivision may compete with private industry.

HOUSE FILE 687 - Administration and Oversight of State Government

BY COMMITTEE ON STATE GOVERNMENT. This Act establishes new Code Chapter 8E, largely administered by the Department of Management (referred to as the "department") and principal state departments, including divisions of the Department of Commerce (referred to as "agencies"), which are responsible for carrying out many of its provisions. The Act also provides for cooperation between the department, the Department of General Services, the Department of Personnel, the Department of Revenue and Finance, and the Attorney General. The State Board of Regents carries out the Act's provisions independently of the Department of Management.

The new Code Chapter is entitled the "Accountable Government Act." The Act provides for the review of state government agency performance and operations and provides for a system of planning, performance measurement, investment, and oversight.

STRATEGIC PLANNING. Many of the Act's provisions concern strategic planning by the department and other agencies. The Department of Management is responsible for developing a state plan (referred to as an enterprise strategic plan). Agencies are responsible for developing their own plans (referred to as agency strategic plans) based on the enterprise strategic plan and requirements of the chapter.

The Act provides for the development and revision of the strategic plans at the state and agency level, and requires broad public participation in formulating the plans, and review of agency planning by the department.

Agencies are expected to carry out plans and achieve goals through the use of performance targets and performance measures. The Act also provides for performance measures used to evaluate an agency's progress in reaching performance targets as well as data sources used in performance measurement. In addition, the Act requires agencies to develop performance plans based on their own strategic plans.

The Act requires agencies to prepare reports describing progress in achieving agency goals, and performance targets consistent with the strategic and performance planning.

INVESTMENT DECISIONS. The Act provides that agencies must incorporate methodologies in decisions to make major investments, which may be based on return on investment and cost-benefit analysis.

CONTRACTS FOR SERVICES. The Act requires that all contracts for services benefiting an agency include uniform terms and conditions as adopted by the Department of General Services, in cooperation with the Office of the Attorney General, the Department of Management, the Department of Personnel, the Department of Revenue and Finance, and state agencies. It requires that service contracts provide that consideration be paid based on performance and that contracts contain methods to oversee and review performance and compliance. The Act also requires the State Board of Regents to establish terms and conditions for service contracts executed by institutions governed under the State Board of Regents.

TAXATION

- SENATE FILE 140 - Internal Revenue Code References and Income Tax Provisions
- SENATE FILE 141 - Accelerated Career Education Program — Allocation of Program Job Credits
- SENATE FILE 449 - Indian Housing Authority Property — Tax Exemption
- SENATE FILE 516 - Allocation of Income of S Corporation — VETOED BY THE GOVERNOR
- SENATE FILE 519 - Tax Assessment of Property Rented or Leased to Low-Income Persons
- SENATE FILE 520 - Taxation of Methane Gas and Other Gas Conversion Property
- SENATE FILE 521 - Capital Gain Deduction for Sales of Capital Stock — VETOED BY THE GOVERNOR
- HOUSE FILE 1 - Limited Sales and Use Tax Exemption for Residential Metered Gas and Electricity or Heating Fuel
- HOUSE FILE 705 - Taxation of Electricity, Natural Gas, and Fuels Used for Residential Energy
- HOUSE FILE 707 - Income Taxation of Foreign Corporations — Temporary Storage of Goods
- HOUSE FILE 712 - Homestead and Family Farm Tax Credits — Miscellaneous Changes
- HOUSE FILE 714 - Community Development Program — Tax Credits — VETOED BY THE GOVERNOR
- HOUSE FILE 715 - Tax Administration and Related Matters
- HOUSE FILE 716 - Ethanol Blended Gasoline — Related Taxes
- HOUSE FILE 723 - Sales and Use Taxes on Irrigation Equipment
- HOUSE FILE 731 - Utility Replacement Tax
- HOUSE FILE 736 - Tax Administration — Additional Related Matters
- HOUSE FILE 737 - Keep Iowa Beautiful Fund — Income Tax Checkoff
- HOUSE FILE 739 - Application of Sales and Services Tax Receipts to Bonded Indebtedness — Political Subdivisions
- HOUSE FILE 757 - Individual Income Tax — Federal Income Tax Rebate — EXTRAORDINARY SESSION
- H.J.R. 5 - Nullification of Administrative Rule — Administration Fee for Local Option Sales and Services Tax

RELATED LEGISLATION

- SENATE FILE 186 - County Hospital Fund Tax Levy
SEE LOCAL GOVERNMENT. This Act authorizes a tax levy of \$2.05 per \$1,000 of taxable value for improvements and maintenance of a county hospital in a county having a population of more than 225,000, commencing with the levy of taxes payable in the fiscal year beginning July 1, 2001. The Act takes effect April 25, 2001.
- SENATE FILE 524 - Grape and Wine Development
SEE AGRICULTURE. This Act in part amends the wine gallonage tax law by providing that of the revenue collected from the tax on wine imported into this state for sale at wholesale and sold in this state at wholesale, which is in excess of the revenue estimated to be collected from such tax as last agreed to by the state Revenue Estimating Conference during the previous fiscal year, not more than \$75,000 must be deposited into the Grape and Wine Development Fund each year to support programs to establish, improve or expand vineyards or winemaking operations in this state as provided in the Act.
- HOUSE FILE 711 - Drainage or Levee District Tax Assessment Levy
SEE LOCAL GOVERNMENT. This Act provides that levies for deficiencies in drainage or levee projects shall become due and payable in the same manner as the original assessment.
- HOUSE FILE 713 - County Lease or Lease-Purchase Contracts and Records, Fees, and Tax Credits Affecting Real Property
SEE LOCAL GOVERNMENT. This Act authorizes the county board of supervisors to approve leases or lease-purchase contracts under \$25,000 without following procedures for issuing essential corporate bonds, provides new dates for reporting agricultural land and family farm tax credit information to the Director of Revenue and Finance, provides new dates for making agricultural

land tax credit payments, provides for the recording of real estate installment contracts for a fee of \$10, and strikes a recording requirement for name changes on real estate records from a return of marriage certificate.

HOUSE FILE 720

Licenses Issued by the Department of Natural Resources — Fees

SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act increases fees primarily for nonresidents who wish to hunt, fish, or fur harvest in this state. The fee increases range from \$.50 for a fur dealer license to \$69.50 for a deer hunting license. In addition, nonresidents who wish to hunt deer or wild turkey must purchase, in addition to the nonresident deer or wild turkey hunting license, a regular hunting license for \$80, or \$30 if under 18 years of age, and pay a wildlife habitat fee of \$8. The Act also increases the wildlife habitat fee and the migratory game bird fee for residents from \$5.50 to \$8 and adds a new fish habitat fee of \$3 for both residents and nonresidents. The Act takes effect December 15, 2001, and applies to licenses and fees for wildlife and game activities for the years beginning on or after January 1, 2002.

HOUSE FILE 722

- Solid Waste — Tonnage Fees — Solid Waste Account Moneys

SEE ENVIRONMENTAL PROTECTION. This Act amends provisions of the Code relating to the amount of solid waste tonnage fees that may be retained by a solid waste planning area and relating to how moneys in the Solid Waste Account of the Groundwater Protection Fund are used.

HOUSE FILE 727

- Mental Health, Mental Retardation, and Developmental Disabilities Services

SEE HUMAN SERVICES. This Act relates to mental health, mental retardation, and developmental disability services and county services funding and associated levies, and to court orders for placement of persons with a serious mental impairment.

HOUSE FILE 732

- Appropriations — Human Services

SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and includes changes in the distribution of property tax relief payments to counties for the costs of mental health and developmental disabilities services.

TAXATION

SENATE FILE 140 - Internal Revenue Code References and Income Tax Provisions

BY COMMITTEE ON WAYS AND MEANS. This Act updates the references to the Internal Revenue Code to make the federal income tax revisions enacted by Congress in 2000 applicable for Iowa income tax purposes, with one exception relating to the method for computing income from installment sales.

Code Sections 15.335, 15A.9, 422.10, and 422.33 are amended to update references to the state research activities credit for individuals, corporations, corporations in economic development areas, and corporations in quality jobs enterprise zones to include the 2000 federal changes in the research activities credit.

The Act amends Code Section 422.7, relating to the computation of net income, to strike a subsection related to trusts that refers to a section of the Internal Revenue Code which was repealed. Code Section 422.7 is also amended to provide that the method for computing income from installment sales made by a taxpayer whose method of accounting is the accrual method shall be the accrual method and not the installment method, i.e., when the sale occurred rather than when installments are received.

The Act amends Code Section 422.13 to raise from \$4,000 to \$5,000 the minimum net income that a dependent must earn in the tax year before the dependent is required to file a state income tax return.

The provisions of the Act relating to updating changes in the Internal Revenue Code, installment sales, and to the repeal of the subsection related to trusts are retroactively applicable to January 1, 2000, for tax years beginning on or after that date. The provision affecting dependents is retroactively applicable to January 1, 2001, for tax years beginning on or after that date.

The Act takes effect May 16, 2001.

SENATE FILE 141 - Accelerated Career Education Program — Allocation of Program Job Credits

BY COMMITTEE ON WAYS AND MEANS. This Act amends the Accelerated Career Education Program to provide that, pursuant to an agreement or a statement of intent to enter into an agreement dated on or after July 1, 2000, program job credits may be allocated retroactively to program costs incurred on or after July 1, 2000.

The Act takes effect May 2, 2001, and is retroactively applicable to July 1, 2000.

SENATE FILE 449 - Indian Housing Authority Property — Tax Exemption

BY COMMITTEE ON WAYS AND MEANS. This Act exempts from property taxation property owned and operated by Indian housing authorities. Indian housing authorities are entities authorized to engage in or assist in the development or operation of low-income housing for Indians that is established under Indian or state law. The Act provides that an exemption agreement must be signed by the city council or, if the property is located outside a city, by the board of supervisors. The Act also provides that the state is not required to reimburse any local government as a result of the property tax exemption provided in the Act.

The Act takes effect April 23, 2001.

SENATE FILE 516 - Allocation of Income of S Corporation — VETOED BY THE GOVERNOR

BY COMMITTEE ON WAYS AND MEANS. Under the state individual income tax, resident shareholders of S corporations doing business within and without the state are allowed to allocate income between Iowa and other states in determining their state income tax. As part of the allocation procedure, under current law, 50 percent of the amount of an S corporation distribution received by a shareholder, which is used to pay federal income tax, is not allocated to Iowa. The bill would have increased this percentage to 100 percent.

The bill would have taken effect only had the Revenue Estimating Conference estimated that as a result of enactment of federal income tax legislation prior to January 1, 2002, Iowa's income tax receipts for FY 2001-2002 would increase by \$7.9 million or more. The bill would have applied to tax years beginning on or after January 1, 2002.

SENATE FILE 519 - Tax Assessment of Property Rented or Leased to Low-Income Persons

BY COMMITTEE ON WAYS AND MEANS. This Act provides that property, which is rented or leased to low-income individuals and families for use as habitation as authorized by the federal tax credit in IRC § 42 that limits the amount of rent or lease payments required, shall be valued on its actual earning capacity, based upon the actual rents received, and its restricted use in arriving at market value for purposes of property tax assessments. The fact that tax credit equity or other subsidized financing is provided in relation to such property is not to be taken into account as income in determining assessed value.

SENATE FILE 520 - Taxation of Methane Gas and Other Gas Conversion Property

BY COMMITTEE ON WAYS AND MEANS. This Act allows a taxpayer to file an exemption from property taxation for methane gas or other gas conversion property if the taxpayer collects waste that would otherwise go to the landfill and decomposes the waste to produce methane gas or other gases for conversion into energy. Property used for the decomposition process is not eligible for the exemption.

The Act applies retroactively to January 1, 1998, for purposes of providing a tax credit for electric generation taxes unpaid by a taxpayer for the 1998, 1999, 2000, and 2001 tax years if the taxpayer is allowed a methane gas conversion property tax exemption for those years. By operation of law, property generating electricity is exempt from the electric generation tax if it is methane gas conversion property that has received a property tax exemption. The property tax exemption for 1998, 1999, 2000, and 2001 must be applied for by June 1, 2001. The claim for electric generation tax credit for those tax years must be applied for by July 1, 2001.

The Act provides that Code Section 25B.7, which requires the state to fund property tax credits or exemptions enacted after January 1, 1997, shall not apply.

The Act takes effect May 16, 2001.

SENATE FILE 521 - Capital Gain Deduction for Sales of Capital Stock — VETOED BY THE GOVERNOR

BY COMMITTEE ON WAYS AND MEANS. This bill would have provided a deduction under the individual income tax of 50 percent (25 percent for the 2001 tax year) of the capital gain from the sale or exchange of capital stock of a corporation acquired by the taxpayer on account of employment with the corporation. The benefits of the deduction would have been realized by means of a refund claim. This involves the taxpayer filing a return with tax liability determined without deduction for the capital gain and a special return with tax liability determined with the deduction for the capital gain. The reduction in tax liability would be treated as a claim for refund of the amount of the reduction. However, not more than \$3 million in tax refunds would be allowed for any tax year. If more refunds are claimed, then each refund claim is payable at a pro rata amount, which is the final amount of the taxpayer's actual refund. A taxpayer could make two elections for two different corporations during the taxpayer's lifetime. The bill would have applied retroactively to January 1, 2001, for tax years beginning on or after that date.

HOUSE FILE 1 - Limited Sales and Use Tax Exemption for Residential Metered Gas and Electricity or Heating Fuel

BY DIX, SUKUP, VAN FOSSEN, HORBACH, HANSEN, DE BOEF, RAECKER, KETTERING, ELGIN, RAYMONS, BROERS, DRAKE, ALONS, KLEMME, BOAL, SHEY, TYMESON, HOFFMAN, TYRRELL, AND HAHN. This Act contains two parts. Part one of the Act exempts from the sales and use taxes, for approximately two months, the sale or furnishing of metered gas used for energy and heating fuel used for heating purposes for residential-type dwellings. The Act provides that the exemption applies to the sale of metered gas if the utility billing date is during March 2001 or April 2001 and applies to the sale of heating fuel if the sale or furnishing of it occurs during the period beginning on February 5, 2001, and ending on March 31, 2001. The Act provides that if a utility cannot adjust its billing system to provide for the exemption in March then it can charge the tax but give the customer a credit on the customer's next billing.

Part two of the Act provides for the phaseout of the sales tax, over a five-year period, on the sale and furnishing of metered gas and electricity to provide energy for residential customers and on the sale and furnishing of fuel, including propane and heating fuel, used to provide heat for residential dwellings. The phaseout begins in the 2002 calendar year and involves the reduction of the tax rate of one percentage point over a five-year period. The applicable reduced rate applies if the date of the utility billing of the customer for metered gas and electricity used for energy is between January 1 and December 31 or the sale or furnishing of fuel for heating occurs between January 1 and December 31.

Part two of this Act is amended by H.F. 705, which maintains the phaseout of the sales tax over a five-year period and provides the following:

1. The reduction in the tax rate is one percentage point beginning on or after January 1 through December 31 each year beginning January 1, 2002, i.e., one percentage point reduction for each calendar year beginning with the 2002 calendar year.
2. The reduction in the rate applies to the sale or furnishing of metered gas, electricity, and fuel, including propane and heating fuel to residential customers, which is used to provide energy for residential dwellings.
3. The rate reduction of one percentage point applies if the date of the utility billing or meter reading cycle of the residential customer for the sale or furnishing of metered gas and electricity is in the specified calendar year or if the sale or furnishing of fuel for residential energy and the delivery occur during the specified calendar year.

The Act takes effect February 5, 2001.

HOUSE FILE 705 - Taxation of Electricity, Natural Gas, and Fuels Used for Residential Energy

BY COMMITTEE ON WAYS AND MEANS. This Act contains two sections that are separate from each other even though they both relate to electricity and gas.

Section 1 exempts from sales and use taxes the charges paid to deliver electricity or natural gas if the sale or use of the electricity or natural gas is exempt from the sales and use taxes.

Section 2 amends a previously enacted sales tax exemption that phases out the sales tax on the sale or furnishing of metered gas, electricity, and fuel. See H.F. 1.

HOUSE FILE 707 - Income Taxation of Foreign Corporations — Temporary Storage of Goods

BY COMMITTEE ON WAYS AND MEANS. This Act provides that a foreign corporation is not required to file an income tax return if its only activity involves the storing of tangible personal property in Iowa for 60 consecutive days or less in a warehouse located in Iowa if such storage is its only activity and the stored property is not delivered or shipped so as to be included as part of the corporation's gross sales within the state.

The Act takes effect April 30, 2001, and applies retroactively to January 1, 2001, for tax years beginning on or after that date.

HOUSE FILE 712 - Homestead and Family Farm Tax Credits — Miscellaneous Changes

BY COMMITTEE ON WAYS AND MEANS. This Act amends the homestead and family farm tax credits.

The homestead tax credit is amended to provide that a person who received the credit as a result of filing a fraudulent claim or affidavit has to repay the amount of the credit along with a penalty of 25 percent of the amount of the credit plus interest. Also, the penalty for failure to notify the assessor that the property is no longer used as a homestead is reduced from 50 percent of the amount of the credit to 5 percent of the amount of the credit.

Prior to this Act, to obtain the family farm tax credit, an owner had to file annually. The Act provides that after the first filing and approval, the owner need not file again until such time as the person actively engaged in the farming of the tract of land changes. In addition, the owner must notify the assessor of such change. The Act also provides a penalty if the person actively engaged in farming changes and notification is not provided. The penalty equals the amount of credit paid plus 5 percent of the amount of credit paid. The Act also allows the owner claiming the credit to file at any time instead of between July 1 and October 15 as under the prior law. However, if the claim is filed after November 1, it shall be considered as being filed for the following year. If the tract is transferred, the new owner must file for the credit.

The Act takes effect July 1, 2001, and applies to homestead tax credit claims filed or on file and family farm tax credit claims filed on or after that date.

HOUSE FILE 714 - Community Development Program — Tax Credits — VETOED BY THE GOVERNOR

BY COMMITTEE ON WAYS AND MEANS. This bill would have established a Community Development Program to be administered by the Department of Economic Development. The program would provide tax incentives to businesses that make contributions to projects in communities or neighborhoods that benefit by these projects or which make expenditures to provide child care benefits to their employees.

The tax incentives would have been provided in the form of tax credits that would have been used to offset the tax liability under the individual and corporate income taxes, the financial institution franchise tax, the insurance gross premiums tax, and the credit union moneys and credits tax. The amount of the community development tax credit, subject to limitation, equals 50 percent of the contributions made by the business to the project. Not more than \$150,000 in tax credits could be allowed for any one project. The maximum amount of credit a business could receive for a project is \$100,000. Projects and tax credits associated with the projects would need to be approved by the Department of Economic Development. The total amount of tax credits approved in a fiscal year could not exceed \$2 million.

The bill specified that the amount of the child care center tax credit would equal 25 percent of the expenditures for providing child care employee benefits, with a maximum credit of \$100,000. These tax credits would also need to be approved by the Department of Economic Development. Not more than \$2 million of these credits could be approved in a fiscal year.

The bill would have taken effect only if the Revenue Estimating Conference estimated that as a result of federal income tax legislation enacted prior to January 1, 2002, Iowa income tax receipts would increase for the 2001-2002 fiscal year by at least \$7.9 million.

HOUSE FILE 715 - Tax Administration and Related Matters

BY COMMITTEE ON WAYS AND MEANS. This Act amends various tax provisions of state law to do the following:

1. Allow a business that is eligible to receive benefits under the New Jobs and Income Act to file a claim for refund of sales and use tax paid by the contractor under a building contract within one year of the project's completion, rather than the six-month time period previously allowed.
2. Specify that the length of time over which an urban revitalization property tax exemption may be allowed in situations where a timely application for exemption was not filed is equal to the number of remaining years left in the exemption schedule selected.
3. Expand the scope of the technical advice received from other state agencies to include that related to all taxes administered by the Department of Revenue and Finance (DORF) rather than just property taxes.
4. Authorize DORF to pay costs incurred by DORF associated with contracts with vendors to identify nonfilers or nonpayers of taxes, from tax, penalty and interest actually collected by the vendors from the identified nonfilers or nonpayers.
5. Specify that a seller of cigarettes who does not meet the definition of a retailer or wholesaler shall be considered a retailer for purposes of computing minimum price if the person is engaged in the business of selling cigarettes to a retailer or final consumer.
6. Provide that income from the sale of obligations of Iowa and its political subdivisions is taxable for purposes of the state individual income, corporate income, and franchise taxes unless the law authorizing the obligation specifically exempts the income from the sale from the tax. These provisions apply retroactively to January 1, 2001, for tax years beginning on or after that date.
7. Delete an obsolete provision that applies to the refund of the excess tax paid on a construction contract fully executed prior to July 1, 1992, when the sales tax rate was increased from four cents to five cents.
8. Allow a sales tax permit holder to keep the same permit when the business is relocated in the state if the ownership remains the same.
9. Replace the words "eligible purchasers" with the word "distributors" to reflect more accurate terminology as defined in Code Chapter 452A, relating to motor fuel and special fuel taxes.
10. Impose a duty upon the county auditor to notify, within 10 days, the Director of Revenue and Finance of the outcome of the election favoring the imposition, repeal, or rate change of the local hotel and motel tax.
11. Impose local options sales and services tax only on motor fuels and special fuels in which tax pursuant to the state motor fuel tax has not been imposed and, if paid, has not or cannot be refunded.
12. Prevent a lapse in time from the sunset of a local option tax if a jurisdiction votes to continue the tax.
13. Change the period of time for a construction contractor to claim a refund of local sales and services tax paid from six months to one year.
14. Provide that in addition to the sale of tangible property being exempt from the use tax if exempt from the sales tax, the rental of tangible property and providing of services are exempt if exempt for sale tax purposes.
15. Specify the effective date of the order when the Director of Revenue and Finance revokes or modifies a property tax exemption for a specific year either on the director's own motion or upon application by a taxpayer.
16. Provide that for taxation as real property, fixtures used for cooking, refrigeration or freezing of value-added agricultural products or used in the processing of such products are not considered attached to real property. Because it is not considered attached, the fixture is not taxable as real property. This change applies retroactively to January 1, 2000, for assessment years beginning on or after that date.
17. Provide that the Industrial Machinery, Equipment and Computers Property Tax Replacement Fund, currently funded with a standing unlimited appropriation, will be prorated to pay claims if the General Assembly elects to place a cap on the fund in the future.
18. Specify the tax treatment of fraternal and social organizations within the state inheritance tax. This change applies to estates of decedents dying on or after July 1, 2001.
19. Specify that an appeal of a cigarette permit suspension or revocation must be made to the authority that issued the permit. Cities and counties issue permits to retail establishments in their respective jurisdictions, and DORF issues distributor, manufacturer, wholesaler, and vendor permits.

HOUSE FILE 716 - Ethanol Blended Gasoline — Related Taxes

BY COMMITTEE ON WAYS AND MEANS. This Act promotes the production and consumption of ethanol. The Act amends Code Section 15.333, which provides that an eligible business may claim a tax credit of up to 10 percent of a new investment that involves the creation of new jobs. Under Code Section 15.333, an eligible business involved in the production of value-added agricultural products may elect to refund the unused tax credit. This Act provides that an eligible business includes a cooperative involved in the production of ethanol.

This Act also creates new provisions providing a tax credit for retail dealers of gasoline who sell ethanol blended gasoline (motor fuel containing at least 10 percent alcohol). The new tax credit applies to both taxpayers filing as individuals under new Code Section 422.11C as created by the Act and businesses under Code Section 422.33 as amended by the Act. The Act provides a tax credit for each service station at which more than 60 percent of the total gallons of gasoline sold by the retail dealer is ethanol blended gasoline. The amount of the tax credit is 2.5 cents multiplied by the total number of gallons of ethanol blended gasoline sold at that service station that is in excess of 60 percent of all gasoline sold at the service station during the tax year. The Act also provides for a refund or carryforward of any credit in excess of the taxpayer's liability.

The Act also amends provisions in Code Section 452A.3 that provide for an excise tax on each gallon of motor fuel sold in the state. Previously, the general rate was 20 cents per gallon, but there were a number of exceptions, including an exception for ethanol blended gasoline. Until June 30, 2007, the rate currently in the Code is 19 cents per gallon of ethanol blended gasoline. This Act amends that section by providing that until June 30, 2007, the rates for unblended and blended motor fuel are adjusted each year based on the number of gallons of ethanol blended gasoline that are distributed in this state as expressed as a percentage of the total number of gallons of motor fuel distributed in this state. The Department of Revenue and Finance must determine the percentage basis. The rates will be set based on that determination effective for 12 months beginning on the following July 1. Under the new formula, the general rate for nonblended motor fuel fluctuates between 20 and 20.8 cents and the special rate for ethanol blended gasoline fluctuates between 19 and 20 cents. The Act does not affect provisions that provide special rates for other types of motor fuel.

The Act contains special applicability provisions. It provides that the income tax credit provisions for retail dealers apply to tax years beginning on and after January 1, 2002. The Act also provides that the excise tax provisions apply on and after July 1, 2002.

HOUSE FILE 723 - Sales and Use Taxes on Irrigation Equipment

BY COMMITTEE ON WAYS AND MEANS. This Act exempts irrigation equipment from sales and use taxes when purchased by a contractor or farmer if the equipment will be primarily used in agricultural operations. The exemption applies whether the equipment is installed above or below ground.

The Act takes effect May 18, 2001, and applies retroactively to April 1, 1995. Because of the retroactive application, any claims for refunds of taxes paid are limited to \$25,000 in the aggregate.

HOUSE FILE 731 - Utility Replacement Tax

BY COMMITTEE ON WAYS AND MEANS. This Act makes changes to Code Chapter 437A, "Taxes on Electricity and Natural Gas Providers." The contents of this Act are the proposal of the Utility Replacement Tax Task Force.

The Act changes the definition of "assessed value" in Code Section 437A.3 to provide that certain property of a municipal utility, which is not a major addition, was initially assessed to the taxpayer as of January 1, 1998, and is not located in a county where the taxpayer had property that was assessed for purposes of Code Chapter 437A as of January 1, 1997, should have the value associated with the 1998 date. This change is applicable to tax years commencing on or after January 1, 2001.

The Act changes the definition of "major addition," with respect to the acquisition of property described in Code Section 437A.16, which addresses all operating property and all other property that is primarily and directly used in the production, generation, transmission, or delivery of electricity or natural gas subject to replacement tax or transfer replacement tax.

The Act adds new subsections to Code Section 437A.6 to provide for a replacement generation tax on every hydroelectric power plant with a generating capacity of 100 megawatts or greater, and on every electric company that owns a joint interest in an electric power generating plant in this state and has a joint interest in less than five pole miles of transmission lines in this state. These changes are applicable to tax years commencing on or after January 1, 2001.

The Act amends Code Section 437A.7 to exempt electric cooperatives that own, lease, or own and lease less than 750 pole miles of transmission lines in this state from the transmission replacement tax imposed under Code Section 437A.7, rather than electric cooperatives that own, lease, or own and lease between 50 and 750 pole miles of transmission lines. This change is applicable to tax years and assessment years commencing on or after January 1, 2001.

The Act changes certain filing dates for tax returns for replacement taxes from February 28 to March 31 in Code Sections 437A.8 and 437A.21. These changes are applicable for returns due for tax years and assessment years, respectively, commencing on or after January 1, 2001.

The Act amends Code Section 437A.8 to change the date by which a generation and transmission electric cooperative must notify the director if a distribution electric cooperative member or a municipal utility purchasing member fails to make timely

payment of the replacement tax. The date is changed to within 10 days after September 10 instead of the current requirement of within 15 days of August 1. The Act expressly requires such notice to be in writing, and also requires the notice from the director to the generation and transmission electric cooperative to be in writing, within five days after delivery of notice to the director of nonpayment. The Act deletes language that addresses a payment to a generation and transmission electric cooperative that is less than all of the required payment. The generation and transmission electric cooperative must remit the amount specified by the director to the appropriate county treasurer by September 30. The Act also specifies the allowable methods of notification and defines when a mailed notice is considered to be delivered.

The Act also amends Code Section 437A.8 to require that all electric companies, electric cooperatives, municipal utilities, and natural gas companies file a replacement tax return, regardless of the amount of the tax liability.

The Act amends Code Section 437A.15 to change certain dates, and to add paragraphs addressing replacement tax allocation when operating property is transferred or acquired.

Code Section 437A.19 is amended to specify that its provisions apply to transfers of less than a 100 percent interest in an electric power generating plant.

The Act amends Code Section 437A.24 to change the record retention requirement for taxpayers subject to the replacement tax or statewide property tax from 10 years to five years following the filing of a return.

HOUSE FILE 736 - Tax Administration — Additional Related Matters

BY COMMITTEE ON WAYS AND MEANS. This Act amends various provisions of state and local tax laws. The Act does the following

1. Imposes the state sales tax on the gross receipts from sales of bundled services contracts and authorizes the Director of Revenue and Finance to enter into agreements to determine the taxable portion of a bundled services contract when both taxable and nontaxable services are provided and a consumer agrees to a single payment.
2. Imposes the sales tax on mobile telecommunication service, which the state is allowed to tax under the federal Mobile Telecommunications Sourcing Act signed into law on July 28, 2000, and which becomes effective August 1, 2002, and recognizes that communication services are furnished by out-of-state providers. The tax on mobile telecommunication service is imposed at the customer's place of primary use, regardless of where the mobile telecommunication service originates, terminates, or passes through.
3. Amends the use tax so that out-of-state providers are required to collect Iowa sales or use taxes on communication services they provide to consumers within the state.
4. Rewrites the exemption from sales tax of the proceeds from sales and services to the extent the proceeds are expended for a qualifying educational, religious or charitable purpose and eliminates the requirement that the fund-raising activity must be educational, religious or charitable. In addition, the Act defines "charitable" as meaning something done out of goodwill, benevolence, and a desire to add or improve the good of humankind in general, or any class, without pecuniary profit inuring to the giver. This provision takes effect January 1, 2002.
5. Provides a more narrow application of the exemption of "educational institution" under the sales tax exemption for sales used by those educational institutions. This results in the exemption being applied to institutions that are primarily educational institutions, as opposed to those institutions whose educational activities are additional or incidental. This provision takes effect January 1, 2002.
6. Exempts sales to, or services performed for, a nonprofit private art center if used in its operation.
7. Amends the definition of "retailer maintaining a place of business in this state" under the state use tax to specify that it includes lessors of tangible personal property within its terms.
8. Adds limited liability companies to the list of businesses that are exempt from the use tax for the transfer of vehicles subject to registration between businesses where the purpose of the transfer is to continue the business. The exemption is also made to apply to such transfer made by a corporation as part of its liquidation to its shareholders if the shareholders retransfer the vehicles to another business owned by them for the purpose of continuing the business of the corporation.
9. Reduces the period for assessing the environmental protection charge or for filing a claim for refund of an environmental protection charge paid from five to three years. This promotes consistency by bringing those periods into harmony with the time allowed for assessing or filing a claim for refund of sales or use tax paid.
10. Reduces the requirement that depositors of underground petroleum must keep records from a period of five years to a period of three years for purposes of the environmental protection charge.
11. Changes the dates for filing claims for various property tax exemptions to February 1 for purposes of uniformity. This change applies to claims for exemptions filed on or after January 1, 2002.

12. Provides that any additional real estate transfer tax owed that cannot be collected by the local county recorder shall be collected by the Department of Revenue and Finance in the same manner as individual income tax. Prior law makes no provision to collect unpaid real estate transfer taxes. If the tax is collected by the department, the county is to be paid its proportionate share of the tax. Also, the Act provides for a person who has overpaid the real estate transfer tax to be refunded the amount of overpayment.
13. Allows distributions to beneficiaries to be exempt from Iowa inheritance tax whether such distributions are lump sum in nature or in the form of installments. Current law exempts installment payments from the tax. The Act provides for the exemption from Iowa inheritance tax of distributions from nonresident employment-related pensions and pension income excluded from net income tax.
14. In regard to motor fuel taxes, "motor fuel" is redefined to include ethanol blended gasoline, the tax on alcohol shall be paid when it is withdrawn from the terminal rather than when it is sold within the terminal as is the case under current law, and, to conform with federal regulations, provision is made for a refund of tax paid on fuel used for racing.

HOUSE FILE 737 - Keep Iowa Beautiful Fund — Income Tax Checkoff

BY COMMITTEE ON WAYS AND MEANS. This Act provides that taxpayers filing individual income tax returns will be allowed to designate \$1 or more on the return to be paid to the Keep Iowa Beautiful Fund. The Act requires the Department of Revenue and Finance to annually remit moneys collected from the checkoff to the Keep Iowa Beautiful Fund created in the Office of the Treasurer of State. Moneys in the fund are subject to appropriation by the General Assembly annually to the Iowa Department of Transportation for the purpose of awarding financial assistance to an applicant who submits a plan for litter prevention, improving waste management and recycling efforts, or a beautification project along with its application.

The Act provides that the Keep Iowa Beautiful Checkoff is subject to the limitation on the number of checkoffs allowed on the Iowa individual income tax return and, for that reason, is subject to repeal.

The Act applies retroactively to January 1, 2001, for tax years beginning on or after that date.

HOUSE FILE 739 - Application of Sales and Services Tax Receipts to Bonded Indebtedness — Political Subdivisions

BY COMMITTEE ON WAYS AND MEANS. This Act provides that local sales and services tax receipts and local sales and services tax for school infrastructure receipts may be applied for purposes consistent with Code Section 76.4, which authorizes the reduction of a levy for the payment of bonds when the governing authority of a political subdivision has non-taxation-related funds on hand to appropriate for the payment of bond interest or principal.

HOUSE FILE 757 - Individual Income Tax — Federal Income Tax Rebate — EXTRAORDINARY SESSION

BY VAN FOSSEN, RANTS, SIEGRIST, ALONS, ARNOLD, BARRY, BAUDLER, BOAL, BODDICKER, BOGCESS, BRADLEY, BRAUNS, BROERS, CARROLL, CONNORS, CORMACK, DE BOEF, DIX, DOLECHECK, DRAKE, EDDIE, EICHHORN, FINCH, GARMAN, GIPP, HAHN, HANSEN, HEATON, HOFFMAN, HORBACH, HOVERSTEN, HUSEMAN, JACOBS, JENKINS, JOCHUM, JOHNSON, JONES, KETTERING, KLEMM, LARSON, MANTERNACH, MASCHER, MERTZ, METCALF, MILLAGE, O'BRIEN, PETERSEN, RAECKER, RAYHONS, REKOW, REYNOLDS, ROBERTS, SCHRADER, SHEY, SIEVERS, SUKUP, TEIG, TYMESON, TYRRELL, VAN ENGELLENHOVEN, WARNSTADT, AND WEIDMAN. The recently enacted federal Economic Growth and Tax Relief Reconciliation Act of 2001 provides for a federal income tax rebate. Because Iowa individual income tax allows a deduction for federal income tax paid adjusted by any refunds, this tax rebate would be subject to state taxation. This Act provides that the rebate shall not be included in determining the amount of the federal income tax deduction and shall not be subject to tax. The Act applies retroactively to January 1, 2001, and applies to tax years beginning on or after that date and prior to January 1, 2002.

HOUSE JOINT RESOLUTION 5 - Nullification of Administrative Rule — Administration Fee for Local Option Sales and Services Tax

BY METCALF, RAECKER, SIEVERS, HANSEN, JACOBS, BOAL, GRUNDBERG, VAN FOSSEN, HOVERSTEN, BUKTA, ATTEBERRY, MASCHER, HATCH, FOEGE, FALCK, WITT, PETERSEN, HUSER, MAY, FORD, CHIODO, TYRRELL, FINCH, BARRY, AND GIPP. This Joint Resolution nullifies an administrative rule of the Department of Revenue and Finance relating to the collection of a fee to recover the direct costs in the administration of a local option sales and services tax.

The Joint Resolution takes effect April 10, 2001.

TRANSPORTATION

- SENATE FILE 265 - Nonoperative Air Bags --- Installation, Distribution, or Sale --- Penalty
- SENATE FILE 350 - Transportation --- Additional Miscellaneous Changes
- SENATE FILE 465 - Biodiesel Fuel Revolving Fund
- HOUSE FILE 324 - Transportation --- Miscellaneous Provisions
- HOUSE FILE 561 - All-Terrain Vehicle and Snowmobile Operating Requirements --- **VETOED BY THE GOVERNOR**
- HOUSE FILE 647 - Department of Transportation Release and Use of Personal Information
- HOUSE FILE 724 - Iowa Heritage License Plate Fees --- Allocation

RELATED LEGISLATION

- SENATE FILE 63 - Child Endangerment
SEE CHILDREN & YOUTH. This Act relates to child endangerment violations and the penalties for these violations under the Criminal Code. The Act is popularly referred to as the "boyfriend bill" and includes a person who operates a motor vehicle in a criminal manner with a child or such a minor present in the vehicle among those who can be charged with a child endangerment violation.
- SENATE FILE 267 - Supplemental Appropriations and Reductions
SEE APPROPRIATIONS. This Act relates to state budgetary matters by making reductions to appropriations made for FY 2000-2001 from the General Fund of the State, including reductions to appropriations for airports and railroad assistance.
- SENATE FILE 499 - Scheduled Fines --- Miscellaneous Changes
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act makes changes to and reorganizes scheduled fines for motor vehicle and other transportation-related violations.
- SENATE FILE 509 - Supplemental Appropriations --- Department of Transportation --- Road Salt
SEE APPROPRIATIONS. This Act makes a supplemental appropriation for FY 2000-2001 to the Iowa Department of Transportation from the Primary Road Fund for the purchase of salt to restock IDOT's year-end salt inventory. The Act takes effect March 30, 2001.
- SENATE FILE 515 - Public Utility Crossings --- Railroad Rights-of-Way
SEE ENERGY & PUBLIC UTILITIES. This Act creates new Code Section 476.27, providing definitions and procedures for crossings of railroad rights-of-way by public utilities. The new Code section applies to all public utility crossings as provided in the Code section, and governs over any other conflicting provision of law. The Act applies to a crossing commenced prior to July 1, 2001, if an agreement concerning the crossing has expired or is terminated, and to a crossing commenced on or after July 1, 2001.
- SENATE FILE 525 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2001, and ending September 30, 2002. The Act appropriates federal funding and other nonstate funding made available to the state for transportation programs.
- SENATE FILE 528 - Appropriations --- Transportation
SEE APPROPRIATIONS. This Act makes appropriations for FY 2001-2002 from the General Fund of the State, the Road Use Tax Fund, and the Primary Road Fund to the Iowa Department of Transportation. The Act also makes related Code language changes.
- HOUSE FILE 269 - Secured Consumer Loans for Motor Vehicles --- Balloon Payments
SEE BUSINESS, BANKING & INSURANCE. This Act amends the Iowa Consumer Credit Code to exclude consumer loans secured by a certificate of title in a motor vehicle from the right to refinance the balloon payment without penalty and at terms no less favorable than the original loan transaction.

- HOUSE FILE 353** - Driver Education — Instruction Time
SEE EDUCATION. This Act requires the Department of Education to limit the number of minutes of classroom instruction, per student per day, in an approved driver education course to 180 minutes.
- HOUSE FILE 716** - Ethanol Blended Gasoline — Related Taxes
SEE TAXATION. This Act promotes the production and consumption of ethanol. The Act provides for the refund of investment tax credits provided to cooperatives producing ethanol. It provides an income tax credit for retail dealers of gasoline. The tax credit is available to a dealer if 60 percent of all gasoline sold at a service station is ethanol blended gasoline. The tax credit equals 2.5 cents for each gallon that is more than the 60 percent threshold requirement. The Act also amends provisions providing an excise tax for motor fuel by adjusting the general rate and the rate for ethanol blended motor fuel based on the consumption of ethanol blended motor fuel.
- HOUSE FILE 718** - Appropriations — Economic Development
SEE APPROPRIATIONS. This Act, for FY 2001-2002, moves \$3 million of certificate of title surcharge moneys from the Road Use Tax Fund to the General Fund of the State.
- HOUSE FILE 732** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and includes provisions designating the use of surcharges collected by the Iowa Department of Transportation for motor vehicle licenses that were suspended, revoked or barred.
- HOUSE FILE 755** - Miscellaneous Appropriations, Reductions, and Other Provisions
SEE APPROPRIATIONS. Division II of this Act reduces the standing appropriation for FY 2001-2002 for public transit assistance by \$2 million.

TRANSPORTATION

SENATE FILE 265 - Nonoperative Air Bags — Installation, Distribution, or Sale — Penalty

BY COMMITTEE ON TRANSPORTATION This Act prohibits a person from installing or reinstalling for compensation, distributing, or selling a nonoperative air bag that is part of an inflatable restraint system for a motor vehicle if the person knows that the air bag is nonoperative. A violation of the prohibition is an aggravated misdemeanor punishable by confinement for no more than one year and a fine of at least \$500 but not more than \$5,000.

SENATE FILE 350 - Transportation — Additional Miscellaneous Changes

BY COMMITTEE ON TRANSPORTATION. This Act makes several transportation-related Code changes.

The Act amends Code Section 321.20A to provide that all owners of commercial vehicles subject to the proportional registration provisions of Code Chapter 326 ("Registration Reciprocity") may apply to the Iowa Department of Transportation (IDOT) or the appropriate county treasurer for a certificate of title and that IDOT or the county treasurer shall deliver the certificate to the owner or to the first security interest or encumbrance shown on the certificate.

The Act moves a provision relating to the issuance of temporary entry and exit permits for purposes of maintenance or repair to operators of commercial motor vehicles that are not registered in Iowa by repealing current Code Section 307.31 and creating new Code Section 321.56.

The Act amends Code Section 321.113, relating to the automatic reduction of motor vehicle registration fees for motor vehicles that are nine model years old or older. The Act changes the fees for vehicles that are nine model years old or older to flat fees, based on the model year of the vehicle. However, to ensure that persons owning vehicles that are more than nine model years old or older and registered in this state on January 1, 2002, are not subject to a fee increase, the Act makes the flat fee schedule inapplicable to such vehicles until they are transferred to a new owner. The Act also adds provisions to Code Sections 321.113 and 422.9, relating to the deductibility of motor vehicle registration fees for state and federal income tax purposes. These provisions take effect January 1, 2002.

The Act amends Code Sections 321.189 and 321.190 to provide that driver's licenses and nonoperator's identification cards issued to persons under 21 years of age shall contain the same information as other driver's licenses and nonoperator's identification cards. Currently, such licenses and cards are required to be identical in form to other licenses and cards.

The Act amends Code Sections 321.208 and 321.343 to specify when a person is disqualified from operating a commercial motor vehicle for certain railroad highway grade crossing violations and to specify types of requirements the driver of a commercial motor vehicle must follow when approaching a railroad crossing, in accordance with federal law.

The Act amends the provisions in Code Section 321.215 relating to the issuance of a temporary restricted permit to a person whose driver's license was suspended or revoked for certain types of driving or other violations. To agree with current IDOT practices, the Act replaces references to temporary restricted permits throughout Code Section 321.215 and other Code sections with references to temporary restricted licenses. The Act also specifies that if a district court determines that an applicant needs a temporary restricted license for a purpose specified in Code Section 321.215, the court shall order IDOT to issue the applicant a license.

The Act amends the child restraint device provisions in Code Section 321.446 to make the child restraint device requirements inapplicable to the transportation of children in buses.

The Act amends Code Section 321.449 to require IDOT to adopt rules concerning hours of service for drivers of vehicles operated for hire and designed to transport seven or more persons, including the driver.

Code Section 321A.14 is amended to provide that the suspension or denial of renewal or issuance of a person's driver's license, vehicle registration, or nonresident operating privilege for nonpayment of a judgment shall not continue if IDOT receives evidence that the judgment has not been renewed and is no longer enforceable.

The Act amends Code Section 321J.13 to provide that a person shall prevail at a hearing to rescind the revocation of the person's driver's license or operating privilege for refusal to submit to chemical testing or failure of a chemical test if, in the criminal operating while intoxicated action, the court held that the peace officer provided false testimony affecting the determination of reasonable grounds to believe that an operating while intoxicated violation occurred.

The Act also provides that such a holding is binding on IDOT if the holding includes written findings of fact based on testimony under oath and that, in any criminal prosecution under Code Chapter 321J, the state shall not stipulate to facts without probable cause to support the facts in order to obtain such a holding.

The Act also defines "bulk liquid commodities" as liquid commodities or compressed gases transported in a vehicle having a total cargo tank shell capacity of more than 2,000 gallons for purposes of Code Chapter 325A, relating to motor carrier authority. The Act makes certain application and education requirements applicable to motor carriers of bulk liquid commodities, as defined by the Act to include only vehicles with a capacity of more than 2,000 gallons, rather than to all motor carriers of liquid commodities or compressed gases in bulk.

SENATE FILE 465 - Biodiesel Fuel Revolving Fund

BY COMMITTEE ON TRANSPORTATION. This Act creates a Biodiesel Fuel Revolving Fund to be administered by the Iowa Department of Transportation (IDOT). The fund is to consist of moneys received from the sale of EPA credit by IDOT, moneys appropriated by the General Assembly, and any other moneys designated for such use.

The Act requires an IDOT motor vehicle operating on biodiesel fuel to be affixed with a sticker notifying the traveling public that the vehicle uses biodiesel fuel. The Act defines "biodiesel fuel," for purposes of the Act, as "soydiesel fuel" as defined in Code Section 159A.2. The Act also defines "EPA credit" as a credit issued pursuant to the federal Energy Policy Act.

The Act also strikes provisions enacted in 2000 that direct IDOT to conduct an ongoing biodiesel fuel pilot project beginning September 1, 2000.

The Act takes effect April 19, 2001.

HOUSE FILE 324 - Transportation — Miscellaneous Provisions

BY COMMITTEE ON TRANSPORTATION. This Act makes several transportation-related policy changes in the Code.

Division I — Highways

Division I of the Act amends Code Section 306.19 by increasing the compensation to an owner of property abutting a road project when the agency having jurisdiction of the road condemns, purchases property access rights, or alters by lengthening any existing driveway on the owner's property.

Code Section 309.35 is amended to increase the threshold at which a county engineer must prepare detailed surveys and plans for a secondary road construction project.

The Act creates new Code Section 309.40 to allow a county to contract for emergency highway or bridge work without advertising for bids if certain conditions are met. The Act amends Code Section 313.10 to revise the conditions under which the Iowa Department of Transportation (IDOT) may contract for emergency highway or bridge work without advertising for bids. The Act requires the work to cost less than \$500,000 rather than under \$75,000. The Act also requires a county or IDOT to notify the appropriate Iowa highway contractors' associations of the proposed work if possible.

The Act amends Code Sections 309.93 and 312.14 to require counties and cities to submit to IDOT detailed cost accountings of the use of day labor or public or private contracts for certain road and street projects and to submit statements regarding the costs of purchasing, leasing or renting construction or maintenance equipment and accountings of the use of such equipment for certain road and street projects. These requirements do not take effect until July 1, 2002, and shall be implemented pursuant to rules adopted under new Code Section 314.1A, as created by the Act.

The Act amends several provisions in Code Chapter 314, relating to administrative provisions for highways. Code Section 314.1 is amended to provide that a bidder on a highway construction project who is prequalified with IDOT shall be deemed qualified for other governmental agencies' highway construction projects if the bidder follows the proper procedure.

The Act adds a provision to Code Section 314.1 stating that a public improvement that involves the construction, reconstruction or improvement of a highway, bridge or culvert shall be advertised and let for bid if the project meets the applicable cost threshold for competitive bidding requirements, except qualifying emergency projects, notwithstanding any provisions to the contrary. The Act provides that the cost threshold for cities with populations of more than 50,000 shall be \$50,000. The Act also provides for the modification of the applicable bid thresholds by a bid threshold subcommittee pursuant to new Code Section 314.1B, as created by the Act. The Act permits an agency to readvertise and relet a highway, bridge or culvert project without another public hearing if the specifications are not substantially changed. The Act also amends Code Section 314.1 to require cities to file statements with the city clerk regarding costs associated with a project on the municipal street system. These changes to Code Section 314.1 take effect July 1, 2002.

The Act also provides that if a city or county employee is displaced from employment as a result of a city's or county's compliance with the competitive bidding requirements modified by this Act, the city or county shall offer the employee other available employment. The employee shall be eligible for recall to the employee's position. This provision takes effect July 1, 2002.

The Act amends Code Section 320.5 to remove a 20-year limitation on the length of time for which a grant may be made by IDOT or a county board of supervisors to allow the laying of gas mains in highways outside cities to local municipal distributing plants or companies or to allow the laying of water mains in, under or along highways.

Division II — Vehicles

Division II of the Act defines "tracked implement of husbandry" for purposes of Code Chapter 321 as a fence-line feeder, grain cart, or tank wagon that is mounted on a chassis attached to a pair of tracks that transfer the weight of the implement to the ground or the roadway surface. The Act amends Code Section 321.463 to provide that a tracked implement of husbandry shall not have a maximum gross weight over 96,000 pounds. The Act requires such an implement to comply with provisions relating to operation over bridges in the state and allows local authorities to issue special permits for the operation of implements exceeding the weights allowed in Code Chapter 321. The Act also adds a gross weight table to Code Section 321.463 providing maximum gross weights for tracked implements of husbandry traveling on noninterstate highway bridges.

Code Section 321.20B is amended to provide that the provisions of that section requiring the operator of a vehicle to carry proof of financial liability coverage when operating the vehicle on a highway do not apply to snowmobiles or all-terrain vehicles.

The Act creates a new subsection in Code Section 321.34 that provides for issuance of armed forces special motor vehicle registration plates at no charge for persons eligible for Congressional Medal of Honor, ex-prisoner of war, or Legion of Merit special registration plates or for disabled veteran registration plates.

Code Section 321.271 is amended to allow the federal Motor Carrier Safety Administration free access to and copies of written motor vehicle accident reports filed by law enforcement officers.

The Act amends Code Section 321.423 to increase the speed limit at which a slow-moving vehicle must display an amber light from 25 to 35 miles per hour.

Code Section 321.450 is amended to allow for-hire drivers who are engaged exclusively in intrastate commerce and who operate trucks and truck tractors exclusively for the transportation of refined oil products to drive 12 hours, be on duty 16 hours in a 24-hour period, and be on duty 70 hours in seven consecutive days or 80 hours in eight consecutive days.

The Act makes several changes in Code Section 321.457 relating to the maximum length of vehicles operated on highways. The Act amends Code Section 321E.8 to increase the allowable width for vehicles with indivisible loads or mobile homes traveling unlimited distances pursuant to an annual permit from 12 feet 5 inches to 13 feet 5 inches. The permit allows such vehicles to be moved on noninterstate highways specified by the permitting authority. The Act also eliminates a provision in Code Section 321E.8 restricting vehicles with indivisible loads less than 100 feet long to trip distances not to exceed 50 miles in total aggregate.

Division III — Vehicle Manufacturers, Distributors, Dealers, and Franchisers

Division III of the Act amends Code Section 322.3 to prohibit a motor vehicle manufacturer, distributor or importer, or an agent or representative thereof, from reducing the amount of compensation for, or disallowing a claim for, sales or leasing incentives provided to a motor vehicle dealer or a customer of a motor vehicle dealer including, but not limited to, rebates and discounted interest rates if 12 months or more have passed since the claim was submitted to the manufacturer, distributor or importer.

The Act amends Code Section 322.3 by eliminating the prohibitions on the licensure of motor vehicle distributors and wholesalers as motor vehicle dealers and on the ownership, operation or control of a motor vehicle dealer by a motor vehicle distributor or wholesaler. This provision takes effect April 16, 2001.

Code Section 322.28 is amended to specify that a distributor or wholesaler of new motor vehicles shall not sell or offer for sale new motor vehicles at retail unless licensed as a new motor vehicle dealer. This provision takes effect April 16, 2001.

The Act amends Code Section 322.29 to allow persons who install certain special equipment on new completed motor trucks to be issued a new motor vehicle wholesaler license without obtaining authorization from the manufacturer.

The Act also revises the provisions in Code Sections 322.5, 322B.3 and 322C.3, allowing temporary permits for the display, offer for sale, and negotiation of sales of motor vehicles, mobile homes, and travel trailers at certain fairs, vehicle shows, and vehicle exhibitions. The Act removes the requirement that the fairs, vehicle shows, and vehicle exhibitions at which dealers may offer vehicles for sale and negotiate sales be approved by IDOT.

The Act amends several provisions in Code Chapter 322A relating to the conditions that shall not be considered facts supporting a finding of good cause for the termination or noncontinuation of a motor vehicle franchise or for entering into a motor

vehicle franchise for the establishment of an additional dealership in a community for the same line-make of motor vehicles. These provisions take effect April 16, 2001.

Division IV — Mailings

Division IV of the Act allows IDOT to use first class mail rather than certified mail in several different circumstances. The Act amends Code Section 321.16 to require IDOT to adopt rules regarding the giving of such notice, the updating of addresses, and the development of verification affidavits. The Act provides that a person's refusal to accept or claim of failure to receive a notice mailed by first class mail to the last known address shall not be a defense to a charge of driving while suspended, revoked, denied, or barred.

The Act also amends Code Section 321.182, relating to applications for driver's licenses, to require driver's licensees to notify IDOT when the licensee's mailing address changes and provide the new address within 30 days of obtaining the new address. The Act requires that applications for driver's licenses and for renewals of driver's licenses contain a statement acknowledging the applicant's knowledge of the requirement. There is no penalty for a violation of the requirement.

The Act creates new Code Section 321.211A, which allows a person who was not served with notice of certain driver's license suspensions or revocations to appeal to IDOT an extension of the suspension or revocation based on a conviction of certain driving without a valid driver's license violations. The sole issue on such appeal is to be whether IDOT failed to send notice of the underlying suspension or revocation to the person at the address in IDOT's records. If it is determined IDOT failed to send the notice, the suspension or revocation shall be rescinded and the conviction be expunged from the person's record.

Division V — Miscellaneous Provisions

Division V of the Act requires IDOT to conduct a study and present a report to the General Assembly by January 31, 2002, regarding the compliance by utility companies with requirements regarding the relocation of electrical or telephone transmission lines or of water and gas mains on highway construction or reconstruction projects.

HOUSE FILE 561 - All-Terrain Vehicle and Snowmobile Operating Requirements — VETOED BY THE GOVERNOR
BY COMMITTEE ON TRANSPORTATION. This bill would have repealed the requirement that the operator of an all-terrain vehicle or snowmobile on a public road or street fly a flag or pennant on the all terrain vehicle or snowmobile. The bill also would have repealed the prohibition on operating an all-terrain vehicle while carrying a passenger.

HOUSE FILE 647 - Department of Transportation Release and Use of Personal Information
BY COMMITTEE ON JUDICIARY. This Act provides that the Iowa Department of Transportation (IDOT) may release personal information that is in the form of a person's photograph to officers and employees of a law enforcement agency, employees of federal or state agencies or political subdivisions in the performance of the employee's official duties, contract employees of the Department of Inspections and Appeals in the conduct of an investigation, and licensed private investigation agencies, licensed security services, and licensed employees of either.

The Act also prohibits IDOT from releasing personal information that is in the form of a person's photograph to persons other than those listed and allows IDOT to collect reasonable fees for copies of records or certain other services provided by IDOT. Currently, IDOT is prohibited from selling personal information that is in the form of a person's photograph, but the prohibition does not prevent IDOT from collecting reasonable fees for copies of records or certain other services provided by IDOT.

The Act requires IDOT to assign an applicant for a driver's license a distinguishing driver's license number other than the applicant's social security number, unless the applicant requests that the applicant's social security number be so assigned.

HOUSE FILE 724 - Iowa Heritage License Plate Fees — Allocation
BY COMMITTEE ON APPROPRIATIONS. This Act requires the Treasurer of State to credit all of the special fees collected from the sale of Iowa heritage license plates to the Iowa Heritage Fund. The Act also modifies the percentage distribution of special fees within the Iowa Heritage Fund.

CHAPTER NUMBERS OF THE 2001 IOWA ACTS

Senate Files

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
57	98	267	172	470	136
62	81	276	16	473	118
63	3	279	9	476	161
65	171	313	95	479	37
81	156	323	102	480	146
83	6	336	130	486	168
84	91	337	85	497	68
94	27	339	130	499	137
98	163	344	108	500	69
102	28	346	131	509	173
114	74	347	43	511	78
125	14	350	132	515	138
140	127	354	109	519	119
141	99	355	67	520	139
146	18	372	44	523	140
168	82	384	76	524	162
169	83	392	117	525	178
184	92	393	133	526	152
185	100	407	134	527	179
186	75	412	110	528	180
198	128	418	111	530	186
203	126	433	58	531	187
209	101	449	59	532	164
211	129	452	77	533	174
242	93	453	45	535	181
258	5	458	135	537	184
259	84	462	60		
265	94	465	52		

Senate Joint Resolutions

File No.	Acts Chapter
SJR 3	196
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CHAPTER NUMBERS OF THE 2001 IOWA ACTS

House Files

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
1	1	356	87	656	153
73	96	383	40	662	106
89	26	384	61	663	65
154	10	389	62	674	114
178	46	400	49	680	122
179	19	413	177	686	66
180	112	451	55	687	169
191	2	458	63	695	167
192	8	462	41	705	115
194	24	469	42	706	175
222	4	470	22	707	97
225	29	481	50	711	107
228	20	502	120	712	154
229	104	526	72	713	143
230	11	535	88	715	116
256	30	549	25	716	123
259	38	550	73	718	188
267	7	560	105	719	189
269	21	564	142	720	148
270	39	566	56	722	124
272	31	567	57	723	149
286	12	569	34	724	144
287	15	579	147	725	183
292	70	581	89	726	182
293	47	590	157	727	155
294	53	597	23	731	145
301	54	598	166	732	191
309	48	624	35	733	125
310	79	628	36	736	150
324	32	635	121	737	160
325	13	636	51	739	151
326	71	637	158	740	192
327	17	643	159	742	185
349	141	647	90	745	170
352	86	654	80	746	190
353	33	655	64	755	176
354	113				

House Joint Resolutions

File No.	Acts Chapter
HJR 5	194
HJR 11	195

Extraordinary Session

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577	4
696	2
698	5
757	3
758	1

2001 SECTIONS AMENDED, ADDED OR REPEALED

Section	Action Taken	Use/Sen File #	Effective
6B.35	Subsection 5 amended	SF 372.1	I
7.18	New section	HF 383.1	J
7A.3	Subsection 3 stricken	SF 211.1	I
7B.	Chapter repealed	HF 384.18	J
7E.5A	Section amended	HF 742.32	J
8.22	Unnumbered paragraph 1 amended	HF 687.1	J
8.22	New part IV	HF 687.2	J
8.23	Unnumbered paragraph 1 amended	HF 687.3	J
8.35A	New subsection 5	HF 687.4	J
8.47	New section	HF 687.5	J
8.52	Subsections 1 & 5 amended	HF 687.6	J
8.52	New subsection 6	HF 687.7	I
8.54	Subsections 7 & 8 rewritten	SF 66.1	VETO
8.57	Subsection 5, paragraph c, new unnumbered paragraph	HF 742.33	E
8D.2	Subsection 5 amended	HF 637.1	J
8D.9	Subsection 1 amended	HF 637.2	J
8D.11	Subsection 4 amended	HF 637.3	J
8D.11A	New section	HF 470.1	J
8E.101	New section	HF 687.8	I
8E.102	New section	HF 687.9	J
8E.103	New section	HF 687.10	J
8E.104	New section	HF 687.11	J
8E.105	New section	HF 687.12	J
8E.201	New section	HF 687.13	J
8E.202	New section	HF 687.14	J
8E.203	New section	HF 687.15	J
8E.204	New section	HF 687.16	J
8E.205	New section	HF 687.17	J
8E.206	New section	HF 687.18	J
8E.207	New section	HF 687.19	J
8E.208	New section	HF 687.20	J
8E.209	New section	HF 687.21	J
8E.210	New section	HF 687.22	J
8E.301	New section	HF 687.23	J
9E.3	New subsection 4	HF 259.1	J**
9E.6	Subsection 3 stricken	HF 259.2	J**
9E.6A	New section	HF 259.3	J**
9E.14	Subsection 1 amended	HF 259.4	J**
9E.15	Section amended	HF 259.5	J**
12.8	Unnumbered paragraph 3 amended	SF 497.1	7/1/02
12.32	Subsections 1 & 3 amended	HF 194.1	J
12.34	Subsections 1 & 2 amended	HF 194.2	J
12.35	Subsection 1 amended	HF 194.3	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

J - Effective July 1, 2001

* - 1999 Code Supplement

E - Effective upon enactment

VETO - Entire bill section vetoed

** - Amended by subsequent bill

C - Conditional effective date

00/00/00 - Specified effective date

IV - Part of bill section vetoed

00/00/00R - Retroactive applicability

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
12.36	Subsection 2 amended	HF 194.4	J
12.40	Subsection 2 amended	HF 194.5	J
12.43A	Subsection 3, unnumbered paragraph 1 amended	HF 194.6	J
12.65	Section amended	SF 532.1	E
12.65	Section amended	SF 537.5	J
12.72	Subsection 1 amended	HF 194.7	J
12.72	Subsection 2, unnumbered paragraph 1 amended	HF 194.8	J
12.72	Subsection 4 rewritten	HF 698.3	J
12.73	Section amended	HF 742.34	J
12.74	Subsection 2 amended	HF 194.9	J
12.74	Subsection 2 stricken	HF 742.35	E
12.82	Subsection 4 rewritten	HF 698.4	J
12.84	Subsection 2 stricken	HF 742.36	E
12B.10	Subsection 4, paragraph f amended	SF 497.2	7/1/02
12B.10	Subsection 6, new paragraph k	SF 323.1	J
12B.10B	Subsection 3, new paragraph j	SF 323.2	J
12B.10C	New subsection 9	SF 323.3	J
12C.1	Subsection 1 amended	HF 637.4**	J
12C.1	Subsection 1 amended	HF 577.1	E
12C.1	Subsection 2, paragraph b amended	HF 577.2	E
12C.5	Section amended	SF 497.3	7/1/02
12C.10	Section amended	SF 497.4	7/1/02
12E.2	New subsections 4A, 4B, & 5A	SF 532.2	E
12E.2	Subsections 7, 8, & 10 amended	SF 532.3	E
12E.2	New subsections 10A & 10B	SF 532.4	E
12E.2	Subsection 11 stricken	SF 532.5	E
12E.3	Subsection 2, paragraphs a & d amended	SF 532.6	E
12E.8	Subsection 1, paragraphs g & h amended	SF 532.7	E
12E.8	Subsection 1, new paragraphs k, l, & m	SF 532.8	E
12E.9	Subsection 1 rewritten	SF 532.9	E
12E.9	Subsection 5 amended	SF 532.10	E
12E.10	Section rewritten	SF 532.11	E
12E.11	Subsections 1, 4, & 5 amended	SF 532.12	E
12E.11	Subsection 7, paragraph c amended	SF 532.13	E
12E.11	New subsection 11	SF 532.14	E
12E.12	Subsection 1 amended	SF 532.15	E
12E.12	Subsection 3, new paragraph e	SF 532.16	E
12E.13	Subsection 5 amended	SF 532.17	E
12E.17	Section amended	SF 532.18	E
12E	Chapter repealed	SF 258.1**	12/31/01
12E	Chapter repeal stricken	SF 532.19	E
14B.101	Subsection 3 amended	HF 194.10	J
14B.102	Subsection 2, new paragraphs k & l	HF 292.1	J
14B.105	Subsection 2, paragraph f amended	HF 719.7	J
14B.109	Subsection 2, paragraph a amended	HF 194.11	J
14B.109	Subsection 3 amended	HF 194.12	J
14B.109	Subsection 5 amended	HF 194.13	J
14B.201	Subsection 2, paragraph b amended	HF 194.14	J
14B.203	Subsection 1, unnumbered paragraph 1 amended	HF 292.2	J
14B.203	Subsection 3, stricken	HF 292.3	J
14B.203	New subsection 5	HF 719.8	1V
15.104	Subsections 1, 2, 3, & 8 amended	HF 230.1	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Scn File #</u>	<u>Effective</u>
15 106	Subsection 8 amended	HF 230 2	J
15 106	Subsection 9 stricken	HF 384 1	J
15 106A	New section	HF 103 1	VETO
15 108	Subsection 1, paragraphs c & d stricken	HF 384 2	J
15 108	Subsection 4, paragraph a stricken	HF 384 3	J
15 108	Subsection 7, paragraph c, subparagraph (5) stricken	HF 384 4	J
15 108	Subsection 7, paragraph i stricken	HF 384 5	J
15 111	Section repealed	HF 384 19	J
15 240	Section repealed	HF 384 19	J
15 246	Unnumbered paragraph 1 amended	HF 384 6	J
15 251	Subsection 1 stricken	HF 384 7	J
15 261	Section repealed	HF 384 19	J
15 262	Section repealed	HF 384 19	J
15 263	Section repealed	HF 384 19	J
15 264	Section repealed	HF 384 19	J
15 265	Section repealed	HF 384 19	J
15 266	Section repealed	HF 384 19	J
15 267	Section repealed	HF 384 19	J
15 268	Section repealed	HF 384 19	J
15 281	Section repealed	HF 384 19	J
15 282	Section repealed	HF 384 19	J
15 283	Section repealed	HF 384 19	J
15 284	Section repealed	HF 384 19	J
15 285	Section repealed	HF 384 19	J
15 286	Section repealed	HF 384 19	J
15 286A	Section repealed	HF 384 19	J
15 287	Section repealed	HF 384 19	J
15 288	Section repealed	HF 384 19	J
15 331A	Subsection 2 amended	HF 715 1	J
15 333	Subsection 1 amended	HF 349 1	R 1/1/01
15 333*	Subsection 1 amended	HF 716 1	J
15 335	Subsection 4 amended	SF 140 1	R 1/1/00
15 342A	Section amended	HF 718 21	J
15 343	Subsection 3, paragraph b rewritten	HF 718 22	J
15 362	New subsection 1A	HF 695 1	J
15 364	Subsection 6 amended	HF 695 2	J
15 364	Subsections 7 & 8 stricken	HF 695 3	J
15 365	Subsection 1 amended	HF 695 4	J
15 380	New section	HF 714 1	VETO
15 381	New section	HF 714 2	VETO
15 382	New section	HF 714 3	VETO
15 383	New section	HF 714 4	VETO
15A 1	Subsection 3, paragraph b amended	HF 267 1	J
15A 1	New subsection 5	SF 81 1	J
15A 9	Subsection 8, paragraph c amended	SF 140 2	R 1/1/00
15E 25	Section repealed	HF 384 19	J
15E 26	Section repealed	HF 384 19	J

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A - Applicability provisions

E - Effective upon enactment

C - Conditional effective date

IV - Part of bill section vetoed

J - Effective July 1, 2001

VETO - Entire bill section vetoed

00/00/00 - Specified effective date

00/00/00R - Retroactive applicability

* - 1999 Code Supplement

** - Amended by subsequent bill

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
15E 27	Section repealed	HF 384.19	J
15E 28	Section repealed	HF 384.19	J
15E 29	Section repealed	HF 384.19	J
15E 81	Section repealed	HF 384.19	J
15E 82	Section repealed	HF 384.19	J
15E 83	Section repealed	HF 384.19	J
15E 84	Section repealed	HF 384.19	J
15E 85	Section repealed	HF 384.19	J
15E 86	Section repealed	HF 384.19	J
15E 87	Section repealed	HF 384.19	J
15E 88	Section repealed	HF 384.19	J
15E 89	Section repealed	HF 384.19	J
15E 90	Section repealed	HF 384.19	J
15E 91	Section repealed	HF 384.19	J
15E 92	Section repealed	HF 384.19	J
15E 93	Section repealed	HF 384.19	J
15E 94	Section repealed	HF 384.19	J
15E 106	Section repealed	HF 384.19	J
15E 107	Section repealed	HF 384.19	J
15E 108	Section repealed	HF 384.19	J
15E 120	Subsection 7 stricken	HF 384.8	J
15E 143	Subsection 1, paragraph c stricken	HF 384.9	J
15E 143	Subsection 2 amended	HF 384.10	J
15E 169	Section repealed	HF 384.19	J
15E 170	Section repealed	HF 384.19	J
15E 171	Section repealed	HF 384.19	J
15E 181	Section repealed	HF 384.19	J
15E 182	Section repealed	HF 384.19	J
15E 183	Section repealed	HF 384.19	J
15E 184	Section repealed	HF 384.19	J
15E 193B	Subsection 2 amended	HF 349.2	R 1/1/01
15E 193B	Subsection 6, paragraph a amended	HF 349.3	R 1/1/01
15E 193B	Subsection 6, paragraph b amended	HF 349.4	R 7/1/98
15E 193C	New section	HF 349.5	R 1/1/01
15E 195	Section amended	HF 349.6	R 1/1/01
15E 196	New subsection 7	HF 349.7	R 1/1/01
15E 208	Subsection 5, paragraph d, subparagraph (4) amended	HF 451.20	7/1/02
15F 202	Subsection 2, unnumbered paragraph 1 amended	HF 742.37	E
15F 202	Subsection 3 amended	HF 742.38	E
15F 204	Subsection 3 amended	HF 742.39	E
15F 302	Subsection 2, unnumbered paragraph 1 amended	HF 742.40	E
15F 302	Subsection 3 amended	HF 742.41	E
15F 303A	New section	HF 742.42	VETO
15F 304	Subsection 4 amended	HF 742.43	E
16 92	Subsection 7, paragraph b amended	HF 194.15	J
16 100	Subsection 2, paragraph d stricken	HF 384.11	J
16 107	Section repealed	HF 384.19	J
16 141	Section repealed	HF 384.19	J
16 142	Section repealed	HF 384.19	J
16 143	Section repealed	HF 384.19	J
16 181	New section	HF 694.1	VETO
16 182	New section	HF 694.2	VETO

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
16 182	New section repealed	HF 694.3	VETO
16 183	New section	HF 694.3	VETO
17A 34	New section	HF 686.1	J
18 22	Subsection 4, paragraph c, subparagraph (1) amended	HF 194.16	J
18 120	Section amended	SF 530.16	J
19A.1	Subsection 3, paragraph b amended	SF 497.5	7/1/02
19A 9	Subsection 3, unnumbered paragraph 3 amended	HF 579.1	J
19A 32	Section amended	HF 579.2	J
19B 5	Subsections 2 & 3 amended	HF 579.3	J
19B 6	Section amended	HF 579.4	J
22 3	Section amended	SF 372.2	J
22 7	Subsection 18, unnumbered paragraph 1 amended	SF 344.1	J
22 7	Subsection 20 amended	HF 194.17	J
23A 2	Subsection 10, new paragraph n	HF 292.4	J
23A.2	Subsection 10, new paragraph n	HF 470.2	J
23A 2A	New section	HF 686.2	J
28 4	Subsection 12, new paragraph e	HF 662.1	E
28.7	Subsection 1, paragraph a amended	HF 662.2	E
28E 22	Unnumbered paragraph 1 amended	HF 566.1	J
28E 28A	Subsection 1 amended	HF 566.2	J
28F.2	Section amended	HF 577.3	E
35A.12	New section	HF 73.1	J
39 11	Section amended	HF 637.5	J
39 21	Subsection 1 stricken	HF 637.6	J
39 22	Subsection 1, unnumbered paragraph 2 amended	HF 566.3	J
40 1	Section rewritten	HF 758.1	E
41.1	Section rewritten	HF 758.2	E
43 67	Subsection 8 amended	HF 637.7	J
44 3	Subsection 2, paragraph h amended	HF 637.8	J
45 3	Subsection 8 amended	HF 637.9	J
49.5	Section amended	HF 481.1	E
49 41	Unnumbered paragraph 6 amended	HF 637.10	J
50 16	Section rewritten	HF 194.18	J
53 37	New unnumbered paragraph	HF 566.4	J
62.17	Section amended	HF 566.5	J
66 3	Subsection 3 amended	HF 566.6	J
68B 22	Subsection 4, paragraph p amended	HF 194.19	J
68B 35	Subsection 2, paragraph e amended	HF 384.12	J
68B 38	Subsection 1 amended	HF 194.20	J
69 2	Subsection 8 amended	HF 637.11	J
69 4	Subsection 3 amended	HF 566.7	J
76 4	Section amended	HF 739.1	J
80 8	Unnumbered paragraphs 2 & 3 amended	HF 746.18	J
80 8	New unnumbered paragraph	HF 154.1	J
80.42	New section	SF 530.17	J
80D 1	Section amended	HF 229.1	J
80D 4	Section amended	HF 229.2	J

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A - Applicability provisions

J - Effective July 1, 2001

* - 1999 Code Supplement

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VETO - Entire bill section vetoed

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00/00/00R - Retroactive applicability

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
80D.6	Section amended	HF 229.3	J
80D.7	Section amended	HF 229.4	J
80D.9	Section amended	HF 229.5	J
80D.11	Section amended	HF 229.6	J
84A.1A	Subsection 4 amended	HF 194.21	J
84A.1B	Subsections 5, 6, 7, & 8 amended	HF 194.22	J
84A.4	Subsections 2 & 3 amended	HF 194.23	J
84A.5	Subsection 6, paragraph c stricken	HF 384.13	J
85.1A	Section amended	HF 356.1	J
85.27	Unnumbered paragraph 3 amended	HF 356.2	J
85.35	Unnumbered paragraph 1 amended	HF 356.3	J
85.36	Subsection 10 amended	HF 356.4	J
85.61	Subsection 11, unnumbered paragraph 1 amended	HF 356.5	J
85.61	Subsection 13, paragraph c amended	HF 356.6	J
85A.20	Section amended	SF 114.1	J
86.26	Section amended	HF 356.7	J
87.11	Unnumbered paragraph 1 amended	SF 500.1	J
88.3	Subsection 8 amended	HF 194.24	J
88.5	Subsection 7 amended	HF 194.25	J
89.2	Subsection 5, paragraph a amended	HF 194.26	J
89.2	Subsection 5, paragraph a amended	HF 655.1	J
90A.12	Subsection 1 amended	HF 718.23	J
91A.13	New section	HF 635.1	J
92.1	Subsection 1 amended	HF 194.27	J
96.5	Subsection 5, unnumbered paragraph 2 amended	SF 418.1	E
96.7	Subsect. 2, para. a, subpara. (2), new unnumbered paragraph	SF 98.1	R 1/1/01
96.7	New subsection 9	SF 418.2	E
96.7	Subsection 12, paragraphs a, c, & d amended	HF 696.1	E
96.11	Subsection 6, paragraph c, subparagraph (8) stricken	HF 384.14	J
96.14	Subsection 3, unnumbered paragraphs 3 & 4 amended	SF 372.3	J
96.19	Subsection 16, new paragraph n	SF 418.3	E
96.19	Subsection 18, new paragraph h	SF 418.4	E
96.19	New subsection 25A	SF 418.5	E
97A.7	Subsection 2 amended	SF 497.6	7/1/02
97B.1	Section amended	SF 497.7	7/1/02
97B.1A	Subsection 8, paragraph a, subparagraph (6) stricken	HF 384.15	J
97B.3A	New section	SF 497.8	7/1/02
97B.4	Section rewritten	SF 497.9	7/1/02
97B.5	Section repealed	SF 497.23	7/1/02
97B.6	Section repealed	SF 497.23	7/1/02
97B.7	Section rewritten	SF 497.10	7/1/02
97B.7A	New section	SF 497.11	7/1/02
97B.8	Section repealed	SF 497.23	7/1/02
97B.8A	New section	SF 497.12	7/1/02
97B.8B	New section	SF 497.13	7/1/02
97B.20A	Section amended	SF 497.14	7/1/02
97B.25	Section amended	SF 497.15	7/1/02
97B.57	Section repealed	SF 497.23	7/1/02
97B.59	Section repealed	SF 497.23	7/1/02
97B.60	Section repealed	SF 497.23	7/1/02
97B.61	Section repealed	SF 497.23	7/1/02
99D.20	Section amended	HF 451.21	7/1/02

Section	Action Taken	House/Sen File #	Effective
99D 22	Subsection 1 amended	SF 211.2	J
99E 19	New subsection 3	HF 742.44	E
99F 13	Section amended	HF 451.22	7/1/02
103A 3	Section amended	HF 656.15**	J
103A 3	Section amendment stricken	HF 755.80	J
103A 3	Subsection 8 amended	SF 185.1	J
103A.3	Subsections 10, 11, 20, & 25 amended	HF 755.60	J
103A 3	New subsection 15A	SF 185.2	J
103A.9	Section amended	HF 656.16	J
103A.9	Subsection 4 amended	SF 185.3	J
103A.12	Section amended	HF 228.1	J
103A 26	New section	SF 185.4**	J
103A 26	New section amended	HF 755.61	J
103A 30	Section amended	HF 656.15	J
103A 31	Section amended	HF 656.15	J
123 183	Section amended	SF 524.1	J
124.101	Subsection 17 amended	HF 194.28	J
124 204	Subsection 5, new paragraph c	SF 433.1	J
124.208	Subsection 3, new paragraph m	SF 433.2	J
135 11	Subsection 25 amended	SF 433.3	J
135 11	New subsection 26	HF 680.1	J
135 11	New subsection 26	SF 537.6	J
135 24	Subsection 2, paragraph c amended	HF 755.31	J
135.83	Section amended	SF 114.2	J
135 102	New subsection 6	HF 726.9	J
135 105C	New subsection 3	SF 433.4	J
135 113	New section	HF 598.1	J
135 130	New section	SF 537.7	J
135B.7A	New section	SF 242.1	J
135B.7A	New section repealed	SF 242.2	6/30/07
135C 1	Subsection 1 amended	HF 655.2	J
135C.2	Subsection 6, paragraph a amended	HF 655.3	J
135C 9	Subsection 1, paragraph b amended	HF 256.1	J
135C 9	Subsection 2 amended	HF 256.2	J
135C 14	Unnumbered paragraph 1 amended	HF 256.3	J
135C 14	Subsection 1 amended	HF 256.4	J
135C 33	Subsections 1 & 2 amended	HF 228.2	J
135C.33	Subsection 4 amended	HF 228.3	J
135C.33	Subsection 5, paragraph a amended	HF 655.4	J
135C.33	Subsection 6 amended	HF 192.1	J
135H 6	Subsection 2 amended	HF 732.35	J
135H 10	New subsection 3	SF 458.30	J
135I 1	Subsection 3 amended	SF 433.5	J
135I 2	Section amended	SF 433.6	J
135I 4	Section amended	HF 656.16	J
136.3	Subsection 7 amended	SF 537.8	J
137E 1	Subsection 8, new paragraph m	SF 62.1	J

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** - Amended by subsequent bill

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
137F.1	Subsection 9 amended	SF 62.2	J
137F.2	Subsection 6 amended	SF 62.3	J
139A.2	New subsection 1A	HF 590.1	J
139A.2	Subsection 6 stricken	HF 590.2	J
139A.2	Subsection 7 amended	HF 590.3	J
139A.2	Subsection 14 amended	HF 194.29	J
139A.19	Section rewritten	HF 590.4	J
139A.22	Subsection 3 amended	HF 194.30	J
141A.1	Subsection 5 rewritten	HF 590.5	J
141A.1	Subsection 7 stricken	HF 590.6	J
141A.8	Section rewritten	HF 590.7	J
142C.2	Subsection 6 amended	SF 114.3	J
142C.16	Subsection 1, paragraph c amended	SF 114.4	J
145A.6	Section amended	HF 566.8	J
145A.7	Section amended	HF 566.9	J
146A.1	New section	HF 341.1	VETO
146A.2	New section	HF 341.2	VETO
146A.3	New section	HF 341.3	VETO
146A.4	New section	HF 341.4	VETO
146A.5	New section	HF 341.5	VETO
146A.6	New section	HF 341.6	VETO
147.74	New subsection 20A	SF 433.7	J
147.80	Subsection 13 amended	HF 194.31	J
147.80	Subsection 16 amended	SF 433.8	J
147.91	Section amended	SF 433.9	J
147A.2	Unnumbered paragraph 1 amended	SF 114.5	J
147A.8	Subsection 2, paragraph d amended	SF 433.10	J
147A.24	Subsection 1, paragraphs i & j amended	SF 114.6	J
148C.4	Section amended	HF 354.1	J
148D.1	Subsection 2 amended	SF 114.7	J
152.1	Subsection 4, new paragraph c	HF 354.2	J
152.1	Subsection 6, new paragraph dd	HF 354.3	J
152.1	Subsection 6, paragraph c amended	HF 354.4	J
154.6	Section amended	SF 433.11	J
154.7	Section amended	SF 433.12	J
154A.1	Section amended	SF 433.18	J
154A.2	Section amended	SF 433.18	J
154A.4	Section amended	SF 433.18	J
154A.9	Section amended	SF 433.18	J
154A.13	Section amended	SF 433.18	J
154A.14	Section amended	SF 433.13	J
154A.18	Section amended	SF 433.18	J
154A.19	Section amended	SF 433.18	J
154A.20	Section amended	SF 433.18	J
154A.21	Section amended	SF 433.18	J
154A.23	Section amended	SF 433.18	J
154A.24	Section amended	SF 433.18	J
154A.25	Section amended	SF 433.18	J
158.9	Unnumbered paragraph 3 stricken	SF 433.14	J
158.11	Section repealed	SF 433.17	J
159.10	Section repealed	SF 211.7	J
159.15	Section repealed	SF 211.7	J

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
159.30	Section repealed	SF 211.7	J
159.37	Section repealed	SF 211.7	J
159B.1	New section	SF 524.2	J
159B.2	New section	SF 524.3	J
159B.3	New section	SF 524.4	J
159B.4	New section	SF 524.5	J
159B.5	New section	SF 524.6	J
161A.15	Section amended	HF 194.32	J
161A.18	Section amended	HF 194.33	J
161D.8	New section	HF 742.45	J
161D.13	New section	HF 742.46	J
163.1	Unnumbered paragraph 1 amended	SF 470.1	J
163.2	New unnumbered paragraph	HF 745.1	E
163.6	Subsection 4 stricken	SF 470.2	J
163.18	Section amended	SF 470.3	J
163.21	Section repealed	SF 470.10	J
163.23	Section amended	SF 470.4	J
163.24	Section amended	SF 470.5	J
163.25	Section amended	SF 470.6	J
163.29	Section repealed	SF 470.10	J
163.31	Section repealed	SF 470.10	J
163.51	New section	SF 470.7	J
163.51	New section	HF 745.2	E
163.52	New section	SF 470.8	J
165A.1	New section	SF 209.1	J
165A.2	New section	SF 209.2	J
165A.3	New section	SF 209.3	J
165A.4	New section	SF 209.4	J
165A.5	New section	SF 209.5**	J
165A.5	New section, subsection 1 amended	HF 755.62	J
166D.2	Subsection 2 amended	HF 194.34	J
166D.12	Subsection 2, paragraph c amended	HF 194.35	J
169A.4	Section amended	HF 725.20	J
169A.12	Section repealed	HF 725.23	J
169A.13	Section amended	HF 725.21	J
169A.13A	New section	HF 725.22	J
172E.1	New section	SF 209.6**	J
172E.1	New section, subsection 3 amended	HF 755.63	J
172E.2	New section	SF 209.7	J
172E.3	New section	SF 209.8	J
173.1	Subsection 2 amended	HF 225.1	J
173.1A	New section	HF 225.2	J
173.4	Subsection 2 amended	HF 225.3	J
173.4A	New section	HF 225.4	J
173.5	Subsection 2 amended	HF 225.5	J
173.6	Unnumbered paragraph 2 amended	HF 225.6	J
173.16	Unnumbered paragraph 2 amended	HF 267.2	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen</u>	<u>File #</u>	<u>Effective</u>
176A.8	Subsection 3, unnumbered paragraph 2 amended	HF	566.10	J
192.101A	Unnumbered paragraph 1 amended	SF	211.3	J
192.102	Section amended	SF	211.4	J
192.110	Subsection 1 amended	SF	211.5	J
196.8	Subsection 2 amended	HF	755.15	J
200.7	Section amended	HF	194.36	J
203.1	Subsection 8, paragraph j amended	HF	628.1	J
203.1	Subsection 8, new paragraph k	HF	628.2	J
203.16	Subsection 7 amended	HF	451.23	7/1/02
203C.24	Subsection 7 amended	HF	451.24	7/1/02
205.5	Section amended	HF	194.37	J
206.23	Subsection 1, paragraph b amended	SF	114.8	J
216.15A	Subsection 13 amended	HF	194.38	J
216.15B	Section amended	HF	326.1	J
222.2	New subsection 2A	HF	727.14	J
222.73	Subsection 1, unnumbered paragraph 1 amended	HF	727.15	J
222.73	Subsection 2, unnumbered paragraph 1 amended	HF	727.16	J
222.73	Subsection 4 amended	HF	727.17	J
222.74	Section amended	HF	727.18	J
222.75	Section amended	HF	727.19	J
222.79	Section amended	HF	727.20	J
225.2	Section amended	SF	114.9	J
225.27	Section amended	HF	727.41	J
225.30	Section amended	SF	114.10	J
225.33	Section amended	SF	114.11	J
225B.3	Subsection 1, paragraphs b, c, & d amended	SF	114.12	J
225B.7	Subsection 2, unnumbered paragraph 1 amended	SF	114.13	J
225B.8	Section amended	HF	732.36	J
225C.6	Subsection 1, paragraph c amended	HF	727.28	J
225C.6	Subsection 1, paragraph k amended	SF	114.14	J
226.26	Section amended	HF	727.42	J
226.33	Section amended	HF	727.43	J
227.11	Section amended	HF	727.44	J
229.6A	Subsection 2 amended	HF	727.29	J
229.13	Section amended	HF	727.30	J
229.14	Section amended	HF	727.31	J
229.14A	Section amended	HF	727.32	J
229.14B	New section	HF	727.33	J
229.15	Subsections 1, 2, & 3 amended	HF	727.34	J
229.15	Subsection 4 rewritten	HF	727.35	J
229.16	Section amended	HF	727.36	J
229.17	Section amended	HF	727.37	J
229.21	Subsection 3, new paragraph d	HF	727.38	J
229.28	Section amended	HF	727.39	J
229.41	Section amended	HF	727.21	J
229.42	Section amended	HF	727.22	J
229A.5B	New section	SF	94.1	J
230.20	Subsection 1, unnumbered paragraph 1 amended	HF	727.23	J
230.20	Subsection 2, paragraph a amended	HF	727.24	J
230.20	Subsections 4 & 5 amended	HF	727.25	J
230.22	Section amended	HF	727.26	J
230.34	New subsection 4	HF	727.27	J

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231.53	Section repealed	HF 384.19	J
231.61	New section	HF 655.6	J
232.2	Subsection 6, new paragraph p	HF 178.1	J
232.2	Subsection 6, new paragraph p	SF 355.7	E
232.21	Subsection 4 amended	SF 458.5**	J
232.21	Subsection 4 amended	HF 755.64	J
232.22	New subsection 1A	SF 458.6	J
232.45	Subsection 3 amended	SF 458.26	J
232.52	Subsection 6, unnumbered paragraph 1 amended	SF 458.7	J
232.52	Subsection 7 amended	HF 194.39	J
232.53	Subsection 4 amended	SF 458.8	J
232.54	Subsection 8, unnumbered paragraph 2 amended	SF 458.27	J
232.57	New section	SF 458.9	J
232.58	New section	SF 458.10	J
232.68	Subsection 2, new paragraph g	HF 178.2	J
232.68	Subsection 2, new paragraph g	SF 346.1	J
232.69	Subsection 1, paragraph b amended	HF 680.2	J
232.69	Subsection 3 amended	HF 680.3	J
232.70	New subsection 1A	HF 680.4	J
232.71B	Subsection 14 amended	HF 680.5	J
232.73	Unnumbered paragraph 2 amended	SF 458.11	J
232.75	Subsection 2 amended	HF 680.6	J
232.78	Subsection 1, paragraph b amended	SF 458.12	J
232.78	Subsection 7 amended	SF 458.13	J
232.79	Subsection 4, new paragraph c	SF 458.14	J
232.88	Section amended	SF 458.28	J
232.95	Subsection 2, paragraph a amended	SF 458.15	J
232.96	Subsection 10, paragraph a amended	SF 458.16	J
232.102	Subsection 5, paragraph b, unnumbered paragraph 2 amended	SF 458.17	J
232.102	Subsection 7 amended	HF 194.40	J
232.102	Subsection 10, paragraph a, unnumbered paragraph 1 amended	SF 458.18	J
232.102	Subsection 12, unnumbered paragraph 1 amended	SF 458.19	J
232.103	Subsection 3 amended	SF 458.20	J
232.104	Subsection 1, paragraph c amended	SF 458.21	J
232.104	Subsection 2, paragraph d, subparagraph (4) amended	SF 458.22	J
232.111	Subsection 2, paragraph a, subparagraph (1) amended	SF 458.25	J
232.111	Subsection 2, paragraph a, subparagraph (3) amended	SF 355.8	E
232.116	Subsection 1, new paragraph bb	SF 355.9	E
232.117	New subsection 9	SF 355.10	E
232.133	Subsections 1 & 2 amended	SF 392.1	J
232.142	New subsection 6	HF 732.38	J
232.147	New subsection 3A	HF 310.1	J
232.158A	New section	HF 567.1	J
232B.1	New section	SF 355.1	E
232B.2	New section	SF 355.2	E
232B.3	New section	SF 355.3	E
232B.4	New section	SF 355.4	E

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<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
232B.5	New section	SF 355.5	E
232B.6	New section	SF 355.6	E
234.6	Subsection 6, paragraph a amended	HF 655.5	J
234.12A	Subsection 1, paragraphs b & c amended	HF 732.39	J
234.45	New section	HF 732.37	J
235A.15	Subsection 2, paragraph e, new subparagraph (17)	HF 192.2	J
235A.16	Subsection 2 amended	HF 732.40	J
235B.2	Subsection 14 amended	HF 655.7	J
235B.3	Subsection 2, paragraphs a, b, & c amended	HF 680.7	J
235B.3	Subsection 3 amended	HF 680.8	J
235B.3	Subsection 7, unnumbered paragraph 1 amended	HF 680.9	J
235B.3	Subsection 10 amended	HF 680.10	J
235B.6	Subsection 2, paragraph b, subparagraph (2) amended	HF 228.4	J
235B.6	Subsection 2, paragraph c, subparagraph (7) stricken	HF 228.5	J
235B.6	Subsection 2, paragraph c, new subparagraph (10)	HF 192.3	J
235B.16	Subsection 5 amended	HF 680.11	J
235C.2	Subsection 8 amended	SF 114.15	J
235C.3	Subsection 2, paragraph b amended	SF 114.16	J
236.3	Unnumbered paragraph 2 rewritten	SF 347.1	J
236.19	Subsection 5 amended	SF 347.2	J
237.3	Subsection 2, paragraph f amended	HF 560.1	E
237.3	New subsection 10	HF 560.2	E
237.13	Subsection 1, paragraph b amended	SF 458.1	J
237.13	Subsection 5 amended	SF 458.2	J
237A.1	Subsection 3, new paragraph m	HF 560.3	E
237A.3	Subsection 2, paragraph b amended	SF 458.3	J
237A.3A	Subsection 1 amended	SF 458.4	J
239B.8	Subsection 1 amended	HF 732.41	J
239B.8	New subsection 7	SF 198.1	J
241.3	Subsection 2 amended	HF 384.16	J
249A.3	Subsection 2, new paragraph aa	SF 537.9	J
249A.4	Subsection 8, unnumbered paragraph 1 amended	SF 114.17	J
249H.2	Subsection 1, paragraph d amended	HF 655.8	J
249H.3	Subsection 1 amended	HF 740.6	VETO
249H.6	Subsection 1, paragraphs a & b amended	HF 740.7	J
249H.6	Subsection 5 amended	HF 655.9	J
249H.7	Subsection 1 amended	HF 655.10	J
252B.5	Subsection 4 amended	HF 310.2	E
252F.7	Section amended	HF 194.41	J
255.29	Section amended	SF 114.18	J
256.7	Subsection 7, unnumbered paragraph 3 amended	HF 89.1	J
256.7	New subsection 25	HF 670.1	VETO
256.9	Subsection 46 stricken	SF 535.12	J
256.9	New subsection 51	SF 476.14	J
256.11	Unnumbered paragraph 1 amended	HF 643.1	J
256.11	Subsection 7, paragraph c amended	HF 643.2	J
256.11	Subsection 10, unnumbered paragraph 2 amended	HF 643.3	J
256.11	Subsection 10, paragraph b amended	HF 566.11	J
256.16	New subsections 3 & 4	HF 670.2	VETO
256.40	Section repealed	HF 643.18	J
256.41	Section repealed	HF 643.18	J
256.42	Section repealed	HF 643.18	J

Section	Action Taken	Use/Sen File #	Effective
256.43	Section repealed	HF 543.18	J
256.51	Subsection 1, paragraphs d, e, & k amended	HF 637.12	J
256.60	Section amended	HF 637.13	J
256.61	Section rewritten	HF 637.14	J
256.62	Section repealed	HF 637.40	J
256.63	Section repealed	HF 637.40	J
256.64	Section repealed	HF 637.40	J
256.65	Section repealed	HF 637.40	J
256.66	Subsections 4, 6, 8, 9, 10, & 13 amended	HF 637.15	J
256.66	New subsection 14	HF 637.16	J
256.67	Section amended	HF 637.17	J
256.67A	Section amended	HF 637.18	J
256.68	Subsection 1, unnumbered paragraph 1 amended	HF 637.19	J
256.68	Subsection 1, paragraphs a, b, & c stricken	HF 637.20	J
256.68	Subsection 2 amended	HF 637.21	J
256A.4	Subsection 1, unnumbered paragraph 2 amended	HF 643.4	J
256B.15	Subsection 7, paragraph b amended	HF 462.1	E
256C	Chapter repealed	SF 535.26	J
256D.7	Subsection 1 amended	HF 643.5	J
256D.8	Subsection 3 amended	HF 637.22	J
256E	Chapter repealed	SF 476.20	J
257.3	Subsection 2 amended	SF 203.1	J
257.3	Subsection 3 stricken	SF 203.2	J
257.3	Subsection 4 amended	SF 203.3	J
257.4	Subsection 3 amended	SF 203.4	E
257.6	Subsection 3, unnumbered paragraph 1 amended	HF 643.6**	J
257.6	Subsection 3, unnumbered paragraph 1 amended	HF 755.32	J
257.6	Subsection 5, unnumbered paragraph 1 amended	HF 643.7**	J
257.6	Subsection 5, unnumbered paragraph 1 amended	HF 755.33	J
257.6	New subsection 6	HF 643.8	J
257.8	Subsection 1 amended	HF 191.1	A 7/1/02
257.11	Subsection 2, paragraph c rewritten	SF 203.5	J
257.11	New subsection 4A	SF 203.6	J
257.11A	New section	SF 203.7	J
257.13	Subsections 1 & 2 amended	SF 203.8	J
257.14	Subsection 1 amended	SF 203.9	E
257.14	Subsection 2 rewritten	SF 203.10	J
257.14	New subsection 3	SF 203.11	J
257.38	Subsection 7 amended	HF 643.9	J
257B.20	Subsection 4 amended	SF 497.16	7/1/02
258.7	Section repealed	HF 643.18	J
258.8	Section repealed	HF 643.18	J
260A.1	Subsection 1 rewritten	HF 719.9	VETO
260A.2	Section amended	HF 719.10	J
260A.4	Section repealed	HF 719.17	J
260C.14	Subsection 19 stricken	HF 270.1	J
260C.14	New subsection 21	SF 535.13	VETO

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A - Applicability provisions

E - Effective upon enactment

C - Conditional effective date

IV - Part of bill section vetoed

J - Effective July 1, 2001

VETO - Entire bill section vetoed

00/00/00 - Specified effective date

00/00/00R - Retroactive applicability

* - 1999 Code Supplement

** - Amended by subsequent bill

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
260F 6	New subsection 3	HF 718.24	J
260G 4A	New subsection 6	SF 141.1	R 7/1/00
260G 4B	Subsection 1 amended	HF 755.35	J
261.9	Subsection 1, paragraph c amended	HF 194.42	J
261.9	Subsection 1, paragraph g stricken	HF 270.2	J
261.25	Subsections 1, 2, & 3 amended	SF 535.14	VETO
262.7	Subsection 7 amended	SF 535.15	J
262.9	Subsection 28 stricken	HF 270.3	J
262.9	New subsection 30	SF 535.16	VETO
263.9	Section amended	SF 535.17	J
263.10	Section amended	SF 535.18	J
263.12	Section amended	SF 535.19	J
263.13	Section amended	SF 535.20	J
263.17	Subsection 2, paragraph a, subparagraph (2) amended	SF 114.19	J
272.1	New subsection 5A	HF 670.3	VETO
272.2	Subsection 1 amended	SF 336.1	J
272.2	Subsection 1 amended	SF 476.15	J
272.2	Subsection 13 amended	IIF 670.4	VETO
272.2	New subsection 16	HF 670.5	VETO
272.2	New subsection 17	SF 476.16**	J
272.2	New subsection 17, paragraph b amended	HF 413.13	J
272.28	New section	SF 476.17	J
272.33	Section repealed	SF 476.21	7/1/02
272C.1	Subsection 6, paragraph c amended	HF 451.25	7/1/02
272C.1	Subsection 6, paragraph z amended	SF 276.1	1/1/02
272C.3	Subsection 2, paragraph a amended	HF 451.26	7/1/02
272C.3	Subsection 2, paragraph a amended	SF 276.2	1/1/02
272C.4	Subsection 6 amended	HF 451.27	7/1/02
272C.4	Subsection 6 amended	SF 276.3	1/1/02
272C.5	Subsection 2, paragraph c amended	HF 451.28	7/1/02
272C.6	Subsection 6, unnumbered paragraph 1 amended	HF 451.29	7/1/02
272C.9	Subsection 2 amended	HF 451.30	7/1/02
273.2	Subsection 4 amended	HF 637.23	J
273.10	Subsection 3, unnumbered paragraph 2 amended	IIF 674.1	J
273.11	Subsection 2, new paragraph i	HF 637.24	J
273.20	New section	HF 674.2	J
273.21	New section	HF 674.3	J
273.22	New section	HF 674.4**	J
273.22	New section, subsection 5 amended	HF 755.36	J
273.22	New section, subsection 6 added	HF 755.37	J
273.23	New section	HF 674.5	J
273.24	New section	HF 674.6	J
273.25	New section	HF 674.7	J
273.26	New section	HF 674.8	J
273.27	New section	HF 674.9	J
275.8	Subsection 1 amended	IIF 194.43	J
275.8	Subsection 3, unnumbered paragraphs 1 & 2 amended	HF 194.44	J
275.12	Subsection 1 amended	HF 566.12	J
275.51	Unnumbered paragraph 1 amended	HF 566.13	J
277.27	Section amended	HF 294.1	J
279.3	Unnumbered paragraph 1 amended	HF 293.1	J
279.7A	Section amended	HF 294.2	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
279.13	Subsection 1, unnumbered paragraph 2 amended	HF 643.10	J
279.16	Unnumbered paragraphs 6 & 10 amended	HF 389.1	J
279.19	Unnumbered paragraph 2 amended	SF 476.18	J
279.24	Unnumbered paragraphs 8, 11, & 13 amended	HF 389.2	J
279.33	Section amended	HF 293.2	J
279.59	New section	HF 643.11	J
280.9	Unnumbered paragraph 1 amended	HF 643.12	J
280.12	Section rewritten	HF 643.13	J
280.18	Section repealed	HF 643.18	J
280.19	Section amended	HF 643.14	J
284.1	New section	SF 476.2	J
284.2	New section	SF 476.3	J
284.3	New section	SF 476.4	J
284.4	New section	SF 476.5**	J
284.4	New section, subsection 2 amended	HF 413.3	J
284.5	New section	SF 476.6**	J
284.5	New section, subsection 3 amended	HF 413.4	J
284.6	New section	SF 476.7	J
284.7	New section	SF 476.8**	J
284.7	New section, unnumbered paragraph 1 amended	HF 413.5	J
284.7	New section, subsection 5 added	HF 413.6	J
284.8	New section	SF 476.9	J
284.9	New section	SF 476.10**	J
284.9	New section, subsection 2 amended	HF 413.7	J
284.10	New section	SF 476.11**	J
284.10	New section, subsection 3 amended	HF 413.8	J
284.10	New section, subsection 2, paragraph b not enacted	SF 476.25	C
284.11	New section	SF 476.12**	J
284.11	New section, subsection 2 amended	HF 413.9	J
284.11	New section, subsections 6 & 7 added	HF 413.10	J
284.12	New section	SF 476.13**	J
284.12	New section, subsection 3 amended	HF 413.11	J
284.13	New section	HF 413.12	J
285.12	Section amended	HF 643.15	J
294A.14	Unnumbered paragraphs 3 & 4 amended	SF 476.19	J
294A.25	Subsection 5 amended	SF 535.21	J
294A.25	Subsection 6 rewritten	SF 535.22	J
294A.25	Subsections 10, 11, & 12 stricken	SF 535.23	J
294A.25	Subsection 13 amended	SF 535.24	J
298.18	Unnumbered paragraph 4 amended	HF 566.14	J
299.1A	Section amended	SF 412.1	J
299A.8	Section amended	HF 643.16**	J
299A.8	Section amended	HF 755.38	J
301.1	Unnumbered paragraph 2 rewritten	HF 755.39	VETO
301.24	Section amended	HF 566.15	J
301.30	Section repealed	HF 755.44	VETO
303.2	Subsection 2, new paragraph k	HF 352.1	J

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A - Applicability provisions

J - Effective July 1, 2001

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E - Effective upon enactment

VETO - Entire bill section vetoed

** - Amended by subsequent bill

C - Conditional effective date

00/00/00 - Specified effective date

IV - Part of bill section vetoed

00/00/00R - Retroactive applicability

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
303.9A	Subsection 2, paragraph a amended	HF 724.1	J
303.21	Unnumbered paragraph 2 amended	HF 194.45	J
303.42	Unnumbered paragraph 1 amended	HF 566.16	J
303.45	Section amended	HF 566.17	J
303.47	Section amended	HF 566.18	J
303.52A	Section amended	HF 566.19	J
304.13A	Subsections 1 & 2 amended	HF 719.11	J
304.13A	Subsection 2, unnumbered paragraph 2 amended	HF 637.25	J
306.19	Subsection 2, paragraph a amended	HF 324.1	J
306C.10	Section amended	HF 656.16	J
307.20	New section	SF 465.1	E
307.31	Section repealed	SF 350.23	J
309.35	Section amended	HF 324.2	J
309.40A	New section	HF 324.3	J
309.93	New subsection 7	HF 324.4	7/1/02
312.2	Subsection 18 amended	SF 528.5	J
312.14	Section amended	HF 324.5	7/1/02
313.10	Section amended	HF 324.6	J
314.1	Subsection 1 amended	HF 324.7	J
314.1	Subsections 2 & 3 amended	HF 324.7	7/1/02
314.1A	New section	HF 324.8	J
314.1B	New section	HF 324.9	7/1/02
314.13	New subsection 5	HF 324.10	J
314.28	New section	HF 737.1	R 1/1/01
315.3	Subsection 3 amended	SF 528.6	J
317.25	Section amended	SF 84.1	J
320.5	Section amended	HF 324.11	J
321.1	Section amended	HF 656.15	J
321.1	Section amended	HF 656.17	J
321.1	Subsection 20A, unnumbered paragraph 1 amended	SF 350.1	J
321.1	New subsection 83B	HF 324.15	J
321.11	Subsections 2 & 4 amended	HF 647.1	J
321.16	Unnumbered paragraph 1 amended	HF 324.41	J
321.17	Section amended	HF 755.49	J
321.18	Section amended	HF 656.17	J
321.20	Section amended	HF 656.17	J
321.20A	Section amended	SF 350.2	J
321.20B	Subsection 6 amended	HF 324.16	J
321.24	Section amended	HF 656.17	J
321.30	Section amended	HF 656.17	J
321.34	New subsection 12A	HF 324.17	J
321.34	Subsection 21, paragraph c, unnumbered paragraph 1 amended	HF 724.2	J
321.34	Subsection 21, paragraph c, subparagraphs (1) & (2) stricken	HF 724.3	J
321.45	Section amended	HF 656.17	J
321.46	Section amended	HF 656.17	J
321.46	Section amended	HF 656.18	J
321.47	Section amended	HF 656.15	J
321.49	Section amended	HF 656.17	J
321.49	Section amended	HF 656.18	J
321.50	Section amended	HF 656.17	J
321.52A	Subsection 2 amended	HF 718.25	J
321.56	New section	SF 350.3	J

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
321.57	Section amended	HF 656.17	J
321.57	Section amended	HF 656.18	J
321.58	Section amended	HF 656.18	J
321.71A	New section	SF 265.1	J
321.98	Section amended	HF 755.50	J
321.101	Section amended	HF 656.17	J
321.104	Section amended	HF 656.17	J
321.113	Section amended	SF 350.4**	1/1/02
321.113	Subsection 5, paragraph b, unnumbered paragraph 1 amended	HF 755.65	J
321.123	Section amended	HF 656.15	J
321.123	Section amended	HF 656.17	J
321.178	Subsection 1, unnumbered paragraph 1 amended	HF 353.1	J
321.182	Subsection 1 amended	HF 324.42	J
321.189	Subsection 2, paragraph c amended	HF 647.2	J
321.189	Subsection 4 amended	SF 528.7	J
321.189	Subsection 6 amended	SF 350.5	J
321.190	Subsection 1, paragraph b amended	SF 350.6	J
321.193	Unnumbered paragraph 4 amended	HF 755.51	J
321.194	Subsection 1, paragraph b, unnumbered paragraph 1 amended	HF 643.17	J
321.196	Unnumbered paragraph 1 amended	HF 324.43	J
321.196	Unnumbered paragraph 1 amended	SF 528.8	J
321.208	New subsection 6A	SF 350.7	J
321.208	Subsection 8, unnumbered paragraph 2 amended	HF 324.44	J
321.211A	New section	HF 324.45	J
321.213A	Section amended	SF 350.8	J
321.215	Subsections 2, 3, & 4 amended	SF 350.9	J
321.216	Unnumbered paragraph 1 amended	HF 755.52	J
321.216B	Section amended	HF 755.53	J
321.216C	Section amended	HF 755.54	J
321.218A	Section amended	HF 732.42	J
321.234A	Section rewritten	HF 561.1	VETO
321.251	Section amended	HF 656.15	J
321.251	Section amended	HF 656.16	J
321.271	Unnumbered paragraph 2 amended	HF 324.18	J
321.284A	Section amended	HF 656.15	J
321.343	Section amended	SF 350.10	J
321.423	Subsection 6 amended	HF 324.19	J
321.446	Subsection 3 amended	SF 350.11	J
321.449	Subsection 1, unnumbered paragraph 2 amended	SF 350.12	J
321.450	New unnumbered paragraph	HF 324.20	J
321.457	Section amended	HF 656.15	J
321.457	Subsection 2, paragraph d amended	HF 324.21	J
321.457	Subsection 2, new paragraphs j, k, & l	HF 324.22	J
321.463	Subsect. 4, para. b, subpara. (1) new unnumbered paragraph	HF 324.23	J
321.463	Subsect. 4, para. b, subpara. (1) unnumbered para. 2 amended	HF 324.24	J
321.463	Subsection 5, new paragraph c	HF 324.25	J
321.502	Section amended	HF 194.46	J

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A - Applicability provisions

J - Effective July 1, 2001

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VETO - Entire bill section vetoed

** - Amended by subsequent bill

C - Conditional effective date

00/00/00 - Specified effective date

IV - Part of bill section vetoed

00/00/00R - Retroactive applicability

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
321.556	Subsection 1 amended	HF 324.46	J
321.560	Subsection 1, paragraphs a & b amended	SF 350.13	J
321.561	Section amended	SF 350.14	J
321A.14	Section amended	SF 350.15	J
321A.32A	Section amended	HF 732.43	J
321E.8	Subsection 2 amended	HF 324.26	J
321E.8	Subsection 4 stricken	HF 324.27	J
321E.14	Section amended	HF 324.28	J
321E.28	Section amended	HF 656.15	J
321E.31	Section amended	HF 656.15	J
321G.13	Subsection 9 stricken	HF 561.2	VETO
321G.13	Subsection 12 stricken	HF 561.3	VETO
321J.1	Subsection 7 amended	SF 350.16	J
321J.9	Subsection 4 amended	HF 324.47	J
321J.12	Subsection 3 amended	HF 324.48	J
321L.3	Unnumbered paragraph 2 amended	HF 755.55	J
321L.7	Section amended	HF 755.56	J
321M.1	Subsection 7 amended	SF 350.17	J
322.2	New subsection 20A	HF 324.29	J
322.3	Subsection 13 amended	HF 324.30	J
322.3	Subsection 14, unnumbered paragraph 1 amended	HF 324.31	E
322.5	Subsection 2 rewritten	HF 324.32	J
322.28	Section amended	HF 324.33	E
322.29	Subsection 5 amended	HF 324.34	J
322A.1	New subsection 9A	HF 324.35	E
322A.11	Unnumbered paragraph 1 amended	HF 324.36	E
322A.11	Subsection 2 amended	HF 324.37	E
322A.11	Subsection 5 amended	HF 324.37	J
322B.1	Section rewritten	HF 656.1	J
322B.2	Section rewritten	HF 656.2**	J
322B.2	Rewritten section, subsection 4 amended	HF 755.66	J
322B.3	Section amended	HF 656.3	J
322B.3	Subsection 4 amended	HF 324.38	J
322B.4	Section amended	HF 656.4	J
322B.5	Section amended	HF 656.5	J
322B.6	Section amended	HF 656.6	J
322B.8	Section amended	HF 656.7	J
322B.9	Section amended	HF 656.8	J
322C.3	Subsection 9 amended	HF 324.39	J
322F.3	Subsection 1, unnumbered paragraph 1 amended	HF 469.1	J
322F.3	Subsection 1, new paragraphs c, d, & e	HF 469.2	J
325A.1	New subsection 0A	SF 350.18	J
325A.1	Subsections 8 & 9 amended	SF 350.19	J
325A.3	Subsection 2, paragraph 1 amended	SF 350.20	J
325A.3	Subsection 4 amended	SF 350.21	J
330A.17	Section amended	HF 566.20	J
331.205	Subsection 1 amended	HF 566.21	J
331.301	Section amended	HF 656.16	J
331.301	Subsect. 10, para. e, subpara. (1), new unnumbered paragraph	HF 713.1	J
331.301	Subsection 15 amended	HF 656.9	J
331.303	Subsection 1, paragraph b amended	SF 453.1**	J
331.303	Subsection 1, paragraph b amended	HF 755.67	J

<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
331.321	Subsection 3 amended	SF 313.1	J
331.402	Subsection 2, new paragraph dd	SF 453.2	J
331.424	Subsection 1, paragraph a, subparagraph (3) amended	SF 535.25	J
331.424A	Subsection 6 stricken	HF 727.1	R 4/13/00
331.427	Subsection 2, paragraph n stricken	HF 727.2	R 4/13/00
331.429	Section amended	HF 656.15	J
331.438	Subsection 1, paragraph a, unnumbered paragraph 2 stricken	HF 727.3	R 4/13/00
331.441	Subsection 2, paragraph b, subparagraph (7) amended	HF 566.22	J
331.441	Subsect. 2, para. b, subpara. (12), subpara. subdiv. (b) amended	HF 566.23	J
331.461	Subsection 2, paragraph d amended	HF 566.24	J
331.552	Subsection 2 amended	SF 453.3	J
331.554	Subsections 6 & 7 amended	SF 453.4	J
331.559	Subsection 20 amended	SF 453.5	J
331.602	Subsection 1, paragraph d amended	SF 372.4	J
331.602	Subsection 1, paragraph d amended	SF 453.6	J
331.602	Subsections 2 & 23 amended	SF 372.5	J
331.603	Subsection 3 amended	SF 372.6	J
331.605A	Unnumbered paragraph 1 amended	SF 372.7	J
331.606	Subsection 2 amended	SF 372.8	J
331.607	Subsections 1, 7, 8, 9, & 11 amended	SF 372.9	J
331.608	Subsection 1 amended	SF 372.10	J
331.609	Subsection 3, paragraph c amended	SF 372.11	J
331.653	Section amended	HF 656.15	J
331.655	Subsection 1, paragraphs a, b, c, e, f, g, h, k, l, m, & n amended	SF 184.1	J
335.30	Section amended	HF 656.16	J
336.2	Section amended	HF 637.26	J
336.3	Section amended	HF 637.27	J
336.4	Section amended	HF 637.28	J
336.10	Section amended	HF 637.29	J
336.11	Section amended	HF 637.30	J
336.12	Section amended	HF 637.31	J
336.13	Section amended	HF 637.32	J
336.14	Section amended	HF 637.33	J
336.15	Section amended	HF 637.34	J
336.16	Unnumbered paragraphs 1, 3, 4, & 5 amended	HF 637.35	J
336.18	Subsection 1 amended	HF 637.36	J
336.18	Subsection 2, paragraph a amended	HF 566.25	J
336.18	Subsection 4, paragraph a amended	HF 566.26	J
347.7	Unnumbered paragraph 1 amended	SF 186.1	E
347.9	Section amended	HF 663.1	J
347.15	Section repealed	HF 663.2	J
347.23	Unnumbered paragraph 1 amended	HF 566.27	J
347.23A	Subsection 2, unnumbered paragraph 1 amended	HF 566.28	J
351.39	Section amended	HF 179.1**	J
351.39	Section amended	HF 755.68	J
354.1	Subsection 3 amended	SF 372.12	J
354.5	Subsection 1, paragraph b amended	SF 372.13	J

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00/00/00R - Retroactive applicability

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
354.5	Subsection 2, paragraph b amended	SF 372.14	J
354.24	Section amended	SF 372.15	J
354.26	Section amended	SF 372.16	J
357A.11	Subsection 9 amended	HF 194.47	J
357A.22A	New section	HF 301.1	J
357E.9	Unnumbered paragraph 2 amended	HF 194.48	J
359.8	Section amended	HF 566.29	J
359.17	Section amended	HF 566.30	J
364.2	Subsection 4, paragraph b amended	SF 57.1	J
364.2	Subsection 4, new paragraph g	SF 168.1	J
364.3	Subsections 5 & 8 amended	HF 656.10	J
368.11	Unnumbered paragraph 1 amended	HF 566.31	J
372.4	Unnumbered paragraph 3 amended	HF 624.1	J
380.11	Section amended	SF 372.17	J
384.19	Unnumbered paragraph 1 amended	HF 566.32	J
384.24	Subsection 2, new paragraph l	HF 535.1	E
384.84A	Subsection 2, unnumbered paragraph 1 amended	HF 566.33	J
392.5	Unnumbered paragraph 2 amended	HF 194.49	J
400.8	Subsection 1 amended	HF 755.16	J
403.19	Subsection 2 amended	HF 755.40	A 7/1/02
403.19	New subsection 7	HF 755.41	A 7/1/02
404.4	Unnumbered paragraph 2 amended	HF 715.2	J
411.1	Subsection 10 effective date changed	HF 755.17	7/1/02
411.5	Subsection 8 effective date changed	HF 755.17	7/1/02
411.7	Subsection 2 amended	SF 497.17	7/1/02
412.4	Section amended	SF 323.4	J
414.28	Section amended	HF 656.16	J
421.17	Subsection 16 amended	HF 715.3	J
421.17	Subsection 22A amended	HF 715.4	J
421.46	New section	HF 746.20	IV
421B.2	Subsection 6, new unnumbered paragraph	HF 715.5	J
422.3	Subsection 5 amended	SF 140.3	R 1/1/00
422.7	Subsection 6 stricken	SF 140.4	R 1/1/00
422.7	Subsection 12, paragraph c amended	HF 287.1	J
422.7	Subsection 12A, paragraph b amended	HF 287.2	J
422.7	New subsection 36	HF 715.6	R 1/1/01
422.7	New subsection 36	SF 140.5	R 1/1/00
422.7	New subsection 36	SF 521.1	VETO
422.8	Subsection 2, paragraph b, subparagraph (2) amended	SF 516.1	VETO
422.9	Subsection 2, paragraph g rewritten	SF 350.22	1/1/02
422.9	New subsection 6	HF 757.1	R 1/1/01
422.10	Subsection 3 amended	SF 140.6	R 1/1/00
422.11C	New section	HF 714.5	VETO
422.11C	New section	HF 716.2	A 1/1/02
422.12A	New section	HF 737.2	R 1/1/01
422.13	Subsection 1, paragraph b amended	SF 140.7	R 1/1/01
422.16A	Section amended	HF 718.26	J
422.26	Unnumbered paragraphs 4 & 5 amended	SF 372.18	J
422.33	Subsection 5, paragraph d amended	SF 140.8	R 1/1/00
422.33	New subsection 11	HF 714.6	VETO
422.33	New subsection 11	HF 716.3	A 1/1/02
422.35	Subsection 6, paragraph c amended	HF 287.3	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Scn File #</u>	<u>Effective</u>
422.35	Subsection 6A, paragraph b amended	HF 287.4	J
422.35	New subsection 18	HF 715.7	R 1/1/01
422.36	New subsection 6	HF 707.1	R 1/1/01
422.42	Section amended	HF 656.16	J
422.43	Section amended	HF 656.15	J
422.43	New subsections 16 & 17	HF 736.1	J
422.45	New subsection 2A	HF 705.1	J
422.45	Subsection 3 rewritten	HF 736.2	1/1/02
422.45	Subsection 8 amended	HF 736.3	1/1/02
422.45	Subsection 22, paragraph c amended	HF 655.11	J
422.45	New subsection 26A	HF 723.1	R 4/1/95
422.45	Subsection 27, paragraph d, subparagraph (3) amended	SF 276.4	1/1/02
422.45	New subsection 60	HF 1.1	E
422.45	New subsection 60	HF 736.4	J
422.45	New subsection 61	HF 1.2**	E
422.45	New subsection 61 amended	HF 705.2	J
422.47	Subsection 2 stricken	HF 715.8	J
422.53	Subsection 3 amended	HF 715.9	J
422.60	New subsection 4	HF 714.7	VETO
422.61	Subsection 3, paragraph b amended	HF 715.10	R 1/1/01
422.110	Unnumbered paragraph 1 amended	HF 715.11	J
422A.1	Section amended	HF 656.15	J
422A.1	New unnumbered paragraph	HF 715.12	J
422A.2	Subsection 4, paragraph f, unnumbered paragraph 2 amended	HF 566.34	J
422B.8	Unnumbered paragraph 1 amended	HF 715.13	J
422B.9	Subsection 1, paragraph a amended	HF 715.14	J
422B.11	Subsection 1, paragraph c amended	HF 715.15	J
422B.12	Subsection 4, paragraph a, unnumbered paragraph 2 amended	HF 566.35	J
422E.2	Subsection 4, paragraph b, unnumbered paragraph 1 amended	HF 194.50	J
422E.3	Subsection 2 amended	HF 715.16	J
423.1	Subsection 10 amended	HF 736.5	J
423.1	Subsection 12 amended	HF 736.6	J
423.4	Section amended	HF 656.17	J
423.4	Subsection 4 amended	HF 715.17	J
423.4	Subsection 9 amended	HF 736.7	J
424.10	Subsections 1 & 3 amended	HF 736.8	J
424.10	Subsection 2 amended	HF 715.18	J
424.12	Section amended	HF 736.9	J
424.13	Subsection 2 amended	HF 715.19	J
424.15	Unnumbered paragraph 1 amended	HF 736.10	J
425.7	Subsection 3, unnumbered paragraph 2 amended	HF 712.1	A J
425.14	Section repealed	HF 712.5	A J
425.17	Section amended	HF 656.15	J
425.21	Section amended	HF 194.51	J
425A.4	Subsection 1 amended	HF 712.2	A J
425A.4	New subsections 3 & 4	HF 712.3	A J
425A.5	Section amended	HF 713.2	J

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A - Applicability provisions

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
425A.8	New unnumbered paragraph	HF 712.4	A J
426.6	Unnumbered paragraph 1 amended	HF 713.3	J
426.7	Section amended	HF 713.4	J
426A.11	Section amended	HF 656.15	J
426B.2	Subsection 3 amended	HF 732.44	J
426B.5	Subsection 1, paragraphs b, c, & d amended	HF 727.4	A J
426B.5	Subsection 2 stricken	HF 727.5	A J
426B.5	Subsection 3, new paragraph 0a	HF 727.6	A J
426B.5	Subsection 3, paragraph c, subparagraphs (1), (2) & (4) amended	HF 727.7	A J
426B.5	Subsection 3, new paragraph f	HF 727.8	A J
427.1	Section amended	HF 656.16	J
427.1	Subsection 2 amended	HF 577.4	E
427.1	Subsection 14, unnumbered paragraph 1 amended	HF 736.11	A 1/1/02
427.1	Subsection 16 amended	HF 715.20	J
427.1	Subsection 19, new unnumbered paragraph	HF 755.42	VETO
427.1	Subsection 20 amended	HF 736.12	A 1/1/02
427.1	Subsection 22, unnumbered paragraph 2 amended	HF 736.13	A 1/1/02
427.1	Subsection 29, unnumbered paragraph 2 amended	SF 520.1	R 1/1/98
427.1	Subsection 30 amended	HF 736.14	A 1/1/02
427.1	New subsection 33	SF 449.1	E
427.11	Section amended	HF 656.15	J
427.16	Subsection 2 amended	HF 736.15	A 1/1/02
427A.1	New subsection 3A	HF 715.21	R 1/1/00
427B.19A	Subsection 2 amended	HF 715.22	J
427B.19B	Section amended	HF 715.23	J
427C.3	Section amended	HF 736.16	A 1/1/02
427C.7	Section amended	HF 736.17	A 1/1/02
428A.5	Section amended	SF 372.19	J
428A.8	New unnumbered paragraph	HF 736.18	J
428A.9	New section	HF 736.19	J
432.12	Section repealed	SF 500.38	1/1/02
432.12A	New section	HF 714.8	VETO
435.1	Section amended	HF 656.11	J
435.22	Section amended	HF 656.15	J
435.22	Section amended	HF 656.16	J
435.23	Section amended	HF 656.16	J
435.24	Section amended	HF 656.16	J
435.26	Section amended	HF 656.16	J
435.27	Section amended	HF 656.16	J
435.27	Section amended	HF 656.18	J
435.28	Section amended	HF 656.16	J
435.34	Section amended	HF 656.16	J
435.35	Section amended	HF 656.16	J
437A.3	Subsection 1, unnumbered paragraph 1 amended	HF 731.1	A 1/1/01
437A.3	Subsection 17, paragraph b amended	HF 577.5	E
437A.3	Subsection 17, paragraph d amended	HF 731.2	J
437A.6	Subsection 1, paragraph b amended	HF 577.6	E
437A.6	New subsections 4 & 5	HF 731.3	A 1/1/01
437A.7	Subsection 2, paragraph a amended	HF 577.7	E
437A.7	Subsection 2, paragraph c amended	HF 731.4	A 1/1/01
437A.8	Subsection 1, unnumbered paragraph 1 amended	HF 731.5	A 1/1/01
437A.8	Subsection 2, unnumbered paragraph 1 amended	HF 731.6	A 1/1/01

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437A.8	Subsection 4, unnumbered paragraphs 2 & 3 amended	HF 731.7	J
437A.8	Subsection 6 amended	HF 731.8	J
437A.11	Unnumbered paragraph 2 amended	SF 372.20	J
437A.15	Subsection 3 amended	HF 731.9	J
437A.19	Subsection 2, paragraph b, subparagraph (2) amended	HF 731.10	J
437A.21	Subsection 1, unnumbered paragraph 1 amended	HF 731.11	A 1/1/01
437A.22	Unnumbered paragraph 3 amended	SF 372.21	J
437A.24	Section amended	HF 731.12	J
441.17	Section amended	HF 656.15	J
441.17	Section amended	HF 656.16	J
441.21	Subsection 2 amended	SF 519.1	J
445.1	Section amended	HF 656.15	J
445.36A	Section amended	HF 656.15	J
445.37	Section amended	HF 656.15	J
445.37	New unnumbered paragraph	SF 453.7	J
445.38	Section amended	HF 656.15	J
446.38	Section amended	HF 194.52	J
447.11	Section amended	SF 453.8	J
447.13	Section amended	SF 453.9	E
450.4	Subsection 1 amended	SF 523.1	A J
450.4	Subsection 5 amended	HF 736.20	J
450.4	New subsections 7 & 8	HF 736.21	J
450.10	Subsection 4 amended	HF 715.24	A J
450.44	Section amended	SF 523.2	A J
452A.2	New subsections 4A & 18A	HF 736.22	J
452A.2	Subsection 17, paragraph a amended	HF 736.23	J
452A.3	Subsection 1 rewritten	HF 716.4	A 7/1/02
452A.3	Subsection 2, paragraph b stricken	HF 716.5	J
452A.3	Subsection 5, paragraph a, new unnumbered paragraph	HF 736.24	J
452A.17	Subsection 1, paragraph a, new subparagraph (10)	HF 736.25	J
452A.52	Unnumbered paragraph 2 amended	HF 755.57	J
453A.2	Subsection 4 amended	HF 715.25	J
453C.1	Subsection 4, paragraph c, unnumbered paragraph 2 amended	SF 146.1	E
453C.1	Subsection 9, paragraph a amended	SF 146.2	E
453C.2	Subsection 2, paragraph b, subparagraph (1) amended	SF 146.3	E
455A.7	Subsection 1, paragraph h amended	HF 267.3	J
455A.19	Subsection 1, paragraph a, unnumbered paragraph 1 amended	HF 194.53	J
455B.131	New subsection 6A	SF 410.1	VETO
455B.133	Subsection 6 amended	SF 410.2	VETO
455B.134	Subsection 3, paragraph a amended	SF 410.3	VETO
455B.134	Subsection 3, new paragraph g	SF 410.4	VETO
455B.135	Section amended	SF 410.5	VETO
455B.310	Subsection 4 amended	HF 722.1	7/1/02
455B.473	Subsections 7, 8, & 9 amended	HF 636.1	J
455B.473	New subsection 10	HF 636.2	J
455B.480	Section amended	HF 267.4	J
455B.481	Subsection 2 amended	HF 267.5	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hsc/Sen File #</u>	<u>Effective</u>
455B.482	Subsection 15 amended	HF 267.6	J
455B.483	Section amended	HF 267.7	J
455B.484	Subsection 2 amended	HF 267.8	J
455B.484	Subsection 13, paragraph c amended	HF 267.9	J
455B.485	Subsections 3, 4, & 5 amended	HF 267.10	J
455B.516	Subsection 3 amended	HF 267.11	J
455B.517	Unnumbered paragraph 1 amended	HF 267.12	J
455D.3	Subsection 3, paragraph a, unnumbered paragraph 2 amended	HF 722.2	7/1/02
455E.11	Subsection 1, unnumbered paragraph 3 amended	SF 211.6	J
455E.11	Subsect. 2, para. a, subpara. (1), unnumbered para. 1 amended	HF 722.3	7/1/02
455E.11	Subsect. 2, para. a, subpara. (1), subpara. subdiv. (b) amended	HF 267.13	J
455E.11	Subsect. 2, para. a, subpara. (1), subpara. subdiv. (b) amended	HF 722.4	J
455E.11	Subsect. 2, para. a, subpara. (2), unnumbered para. 1 amended	HF 722.5	7/1/02
455E.11	Subsect. 2, para. a, subpara. (2), subpara. subdiv. (a), subpara. subdiv. part (iv) amended	HF 267.14	J
455E.11	Subsect. 2, para. a, subpara. (2), subpara. subdiv. (i) amended	HF 194.54	J
455G.2	Subsection 17 amended	HF 636.4	J
455G.3	New subsection 6	HF 746.21	J
455G.3	New subsection 6 repealed	HF 746.21	7/1/02
455G.21	Subsection 2, paragraph a amended	HF 636.3	J
456A.24	New subsection 14	SF 125.1	J
466.7	Subsection 4 stricken	SF 479.1	E
466.8	New section	SF 479.2**	E
466.8	New section, unnumbered paragraph 1 amended	HF 755.69	J
466.8	New section, subsection 4 amended	HF 755.70	J
466.9	New section	SF 479.3	E
468.52	Section amended	HF 711.1	J
468.55	Section amended	HF 711.2	J
468.504	Section amended	HF 581.1	J
468.514	Section amended	HF 566.36	J
473.20	Subsection 1 amended	SF 462.1	J
476.1A	New subsection 5A	HF 577.8	E
476.1B	Subsection 1, new paragraphs m & n	HF 577.9	E
476.6	New subsection 16B	HF 577.10	E
476.10	Unnumbered paragraphs 1, 2, & 3 amended	SF 279.1	E
476.27	New section	SF 515.1	A J
476.47	New section	HF 577.11	E
476.53	Section rewritten	HF 577.12	E
476A.4	New subsection 5	HF 577.13	E
476A.6	Section amended	HF 577.14	E
476A.7	New subsection 3	HF 577.15	E
476A.15	Section amended	HF 577.16	E
476A.20	New section	HF 577.17	E
476A.21	New section	HF 577.18	E
476A.22	New section	HF 577.19	E
476A.23	New section	HF 577.20	E
476A.24	New section	HF 577.21	E
476A.25	New section	HF 577.22	E
476A.26	New section	HF 577.23	E
476A.27	New section	HF 577.24	E
476A.28	New section	HF 577.25	E
476A.29	New section	HF 577.26	E

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476A.30	New section	HF 577.27	E
476A.31	New section	HF 577.28	E
476A.32	New section	HF 577.29	E
476A.33	New section	HF 577.30	E
476A.34	New section	HF 577.31	E
476A.35	New section	HF 577.32	E
476A.36	New section	HF 577.33	E
478.3	New subsection 3	HF 577.34	E
481A.38	Subsection 2 amended	SF 407.1	J
481A.38	Subsection 3 stricken	SF 407.2	J
481A.48	Unnumbered paragraph 2 amended	HF 43.1	VETO
482.15	Section amended	SF 339.1	J
483A.1	Subsection 1, new paragraphs l, m, n, o, p, q, r, & s	HF 720.1	A 12/15/01
483A.1	Subsection 2 amended	HF 720.2	A 12/15/01
483A.1	Subsection 3 stricken	HF 720.3	A 12/15/01
483A.1A	New subsections 3A, 3B, & 3C	SF 407.3	J
483A.3A	New section	HF 720.4	A 12/15/01
483A.7	Subsection 2 amended	SF 407.4	J
483A.7	Subsection 3 amended	HF 720.5	A 12/15/01
483A.8	Subsection 2 amended	SF 407.5	J
483A.8	Subsection 3 amended	HF 720.6	A 12/15/01
483A.8	New subsection 5	HF 720.7	A 12/15/01
483A.10	Section amended	SF 407.6	J
483A.11	Section amended	SF 407.7	J
483A.12	Section amended	SF 407.8	J
483A.13	Section amended	SF 407.9	J
483A.14	Section amended	SF 407.10	J
483A.17	Section amended	SF 407.11	J
483A.19	Section amended	SF 407.12	J
483A.21	Unnumbered paragraphs 1 & 2 amended	SF 407.13	J
483A.22	Section amended	SF 407.14	J
483A.24	Subsection 2, paragraph c amended	HF 720.8	A 12/15/01
483A.24	Subsection 5 amended	SF 407.15	J
483A.27	New subsection 11	HF 755.43	J
483A.42	Section amended	SF 339.2	J
490.140	New subsection 3A	HF 564.1	J
490.629	New section	HF 564.2	J
496B.3	Section amended	HF 194.63	J
496B.6	Section amended	HF 194.64	J
496B.8	Section amended	HF 194.64	J
496B.11	Section amended	HF 194.62	J
496B.12	Section amended	HF 194.62	J
496B.17	Section amended	HF 194.64	J
496C.3	Section amended	HF 194.62	J
496C.4	Section amended	HF 194.64	J
496C.9	Section amended	HF 194.64	J
496C.14	Section amended	HF 194.62	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
496C 19	Section amended	HF 194.64	J
496C 20	Section amended	HF 194.62	J
496C 21	Section amended	HF 194.64	J
496C 22	Section amended	HF 194.62	J
499.3	Section amended	HF 286.1	E
499.4	New unnumbered paragraph	HF 286.2	E
499.14	Section amended	HF 286.3	E
499.14A	Section amended	HF 286.4	E
499.16	Section amended	HF 286.5	E
499.30A	New section	HF 564.3	J
499A.104	Subsection 4, paragraph b, subparagraph (5) amended	HF 384.17	J
499B 11	Subsection 2 stricken	HF 715.26	J
502.102	Subsection 3, paragraph a, subparagraph (3) amended	SF 473.1	J
502.102	Subsection 11, paragraph c, subparagraphs (3) & (4) amended	HF 451.31	7/1/02
502.102	Subsection 11, paragraph d amended	SF 276.	5/1/02
502.102	Subsection 19 amended	SF 473.2	J
502.203	Subsection 18 amended	SF 473.3	J
502.207A	Subsection 7 amended	SF 473.4	J
502.207B	Section repealed	SF 473.58	J
502.302	Subsections 1 & 3 amended	SF 473.5	J
502.304	Subsection 1, paragraph e amended	SF 276.6	1/1/02
502.304	Subsection 1, paragraph m, subparagraph (1) amended	SF 473.6	J
502.304	Subsection 1, new paragraph o	SF 473.7	J
502.304	Subsection 8 amended	SF 473.8	J
502.603	Subsection 3 rewritten	SF 473.9	J
502.604	Unnumbered paragraph 1 amended	SF 473.10	J
502.604	New subsection 3	SF 473.11	J
502.604B	New section	SF 473.12	J
502.605	Subsection 1 amended	SF 473.13	J
502.605	New subsection 4	SF 473.14	J
504A 6	Section amended	HF 194.64	J
505.11	Section amended	SF 500.2	J
507.10	Subsection 2 amended	SF 500.3	J
507A 4	Subsection 7 stricken	SF 500.4	1/1/02
507A.4	Subsection 10 amended	HF 325.1	E
507A.4	Subsection 10, new paragraphs c, d, e, & f	HF 325.1	E
507A.4	Subsection 10, new paragraphs e & f stricken	HF 325.4	7/1/02
507B 3	Unnumbered paragraph 1 amended	SF 102.1	J
507B.4	Subsection 9, paragraph f amended	SF 500.5	J**
507B.4	Subsection 9, new paragraph o	SF 500.6	J
507B.4	New subsection 10B	SF 500.7**	1/1/02
507B.4	New subsection 10B, unnumbered paragraph 1 amended	SF 473.15	J
507B.4A	New section	SF 500.8**	1/1/02
507B.4A	New section, subsection 2, paragraph c amended	HF 755.71	J
507B 6	Subsection 1 amended	SF 500.9	1/1/02
507B.7	Subsection 1 amended	SF 500.10	1/1/02
507B.12	Unnumbered paragraph 1 amended	SF 500.11	1/1/02
508A 5	Section amended	SF 276.7	1/1/02
508F 1	New section	SF 102.2	J
508F 2	New section	SF 102.3	J
508F 3	New section	SF 102.4	J
508F 4	New section	SF 102.5	J

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508F.5	New section	SF 102.6	J
508F.6	New section	SF 102.7	J
508F.7	New section	SF 102.8	J
508F.8	New section	SF 102.9	J
511.4	Section amended	SF 276.8	1/1/02
511.4	Section amended	SF 500.12	J
512B.31	Section repealed	SF 276.36	1/1/02
513B.2	Subsections 3 & 20 amended	SF 500.13	1/1/02
513B.4	Subsection 1, paragraphs d & e stricken	SF 500.14	1/1/02
513B.4	Subsection 2 stricken	SF 500.15	1/1/02
513B.10	Subsection 1, paragraph a amended	SF 500.16	1/1/02
513B.10	Subsection 3 stricken	SF 500.17	1/1/02
513B.13	Subsection 3, paragraph c stricken	SF 500.18	1/1/02
513B.13	Subsection 3, paragraph d amended	SF 500.19	1/1/02
513B.13	Subsections 4 & 5 amended	SF 500.20	1/1/02
513B.13	Subsection 8, paragraph a amended	SF 500.21	1/1/02
513B.13	Subsection 13 stricken	SF 500.22	1/1/02
513B.14	Subsection 1 amended	HF 733.1	J
513B.14	Section repealed	SF 500.38	1/1/02
513B.16	Section repealed	SF 500.38	1/1/02
513B.17A	Section repealed	SF 500.38	1/1/02
513B.18	Section repealed	SF 500.38	1/1/02
513B.31	Section repealed	SF 500.38	1/1/02
513B.32	Section repealed	SF 500.38	1/1/02
513B.33	Section repealed	SF 500.38	1/1/02
513B.34	Section repealed	SF 500.38	1/1/02
513B.35	Section repealed	SF 500.38	1/1/02
513B.36	Section repealed	SF 500.38	1/1/02
513B.37	Section repealed	SF 500.38	1/1/02
513B.38	Section repealed	SF 500.38	1/1/02
513B.39	Section repealed	SF 500.38	1/1/02
513B.40	Section repealed	SF 500.38	1/1/02
513B.41	Section repealed	SF 500.38	1/1/02
513B.42	Section repealed	SF 500.38	1/1/02
513B.43	Section repealed	SF 500.38	1/1/02
513C.5	Subsection 2 amended	HF 733.2	J
513C.8	Section amended	HF 733.3	J
513C.10	Subsection 1 amended	HF 733.4	J
513C.10	Subsections 2, 3, 4, & 5 stricken	HF 733.5	J
513C.10	Subsection 6 amended	HF 733.6	J
514B.19	Section amended	SF 276.14	1/1/02
514E.1	Subsection 15, paragraph a amended	SF 500.23	J
514E.2	Subsections 1 & 2 amended	HF 733.7	J
514J.3A	New section	SF 500.24	J
514J.4	Subsection 1 stricken	SF 500.25	J
514J.5	Section amended	SF 500.26	J
523A.205	New section	SF 473.23	J

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VETO - Entire bill section vetoed

** - Amended by subsequent bill

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00/00/00R - Retroactive applicability

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
523A.206	New section	SF 473.24	J
523A.301	New section	SF 473.25	J
523A.302	New section	SF 473.26	J
523A.303	New section	SF 473.27	J
523A.401	New section	SF 473.28**	J
523A.401	New section, subsection 5, paragraph c amended	HF 755.73	J
523A.402	New section	SF 473.29	J
523A.403	New section	SF 473.30	J
523A.404	New section	SF 473.31	J
523A.405	New section	SF 473.32**	J
523A.405	New section, subsection 1 amended	HF 755.74	J
523A.501	New section	SF 473.33	J
523A.502	New section	SF 473.34	J
523A.503	New section	SF 473.35	J
523A.601	New section	SF 473.36	J
523A.602	New section	SF 473.37	J
523A.701	New section	SF 473.38	J
523A.702	New section	SF 473.39	J
523A.703	New section	SF 473.40	J
523A.801	New section	SF 473.41	J
523A.802	New section	SF 473.42	J
523A.803	New section	SF 473.43	J
523A.804	New section	SF 473.44	J
523A.805	New section	SF 473.45	J
523A.806	New section	SF 473.46	J
523A.807	New section	SF 473.47	J
523A.808	New section	SF 473.48	J
523A.809	New section	SF 473.49	J
523A.810	New section	SF 473.50	J
523A.811	New section	SF 473.51	J
523A.812	New section	SF 473.52	J
523A.813	New section	SF 473.53	J
523A.901	New section	SF 473.54	J
523A	Chapter repealed	SF 473.57	J
523E	Chapter repealed	SF 473.57	J
523F	Chapter repealed	SF 276.36	1/1/02
523H.1	Subsection 3, paragraph c amended	SF 276.13	1/1/02
524.1201	Subsection 1 amended	HF 222.1	7/1/04
524.1202	New subsections 4 & 5	HF 222.2	E
524.1202	Section repealed	HF 222.10	7/1/04
524.1204	Section amended	HF 222.3	7/1/04
524.1205	Section amended	HF 222.4**	E
524.1205	Section amended	HF 222.5	7/1/04
524.1212	Section amended	HF 222.6	7/1/04
524.1213	New subsection 8A	HF 222.7	E
524.1213	Section repealed	HF 222.10	7/1/04
524.1419	Section amended	HF 222.8	7/1/04
533.24	New unnumbered paragraph	HF 714.9	VETO
533.55	Subsection 2 amended	SF 384.1	J
534.214	Subsection 2, unnumbered paragraph 2 stricken	HF 222.9	7/1/04
534.605	Section amended	HF 656.15	J
536.26	Unnumbered paragraph i amended	SF 276.33	1/1/02

<u>Section</u>	<u>Action Taken</u>	<u>House/Senate File #</u>	<u>Effective</u>
536A.23	Subsection 3 amended	SF 276.34	1/1/02
537.3102	Section amended	HF 194.58	J
537.3207	Section amended	SF 276.35	1/1/02
537.3308	Subsection 2, new paragraph g	HF 269.1	J
537A.10	Subsection 1, paragraph c, subparagraph (3) amended	SF 473.55	J
542C	Chapter repealed	HF 451.36	7/1/02
542D.1	New section	HF 451.1	7/1/02
542D.2	New section	HF 451.2	7/1/02
542D.3	New section	HF 451.3	7/1/02
542D.4	New section	HF 451.4	7/1/02
542D.5	New section	HF 451.5	7/1/02
542D.6	New section	HF 451.6	7/1/02
542D.7	New section	HF 451.7	7/1/02
542D.8	New section	HF 451.8	7/1/02
542D.9	New section	HF 451.9	7/1/02
542D.10	New section	HF 451.10	7/1/02
542D.11	New section	HF 451.11	7/1/02
542D.12	New section	HF 451.12	7/1/02
542D.13	New section	HF 451.13	7/1/02
542D.14	New section	HF 451.14	7/1/02
542D.15	New section	HF 451.15	7/1/02
542D.16	New section	HF 451.16	7/1/02
542D.17	New section	HF 451.17	7/1/02
542D.18	New section	HF 451.18	7/1/02
542D.19	New section	HF 451.19	7/1/02
543B.7	Subsection 2 amended	SF 169.1	J
543D.2	Subsection 4 amended	HF 400.1	J
543D.14	Section amended	HF 400.2	J
544A.21	Section amended	HF 194.62	J
546.10	Subsection 1, paragraph b amended	HF 451.33	7/1/02
546.10	Subsection 5 amended	HF 451.34	7/1/02
554.9525	Subsections 3 & 4 amended	HF 755.75	J
555B.1	Section amended	HF 656.16	J
555C.1	Section amended	HF 656.12	J
555C.2	Section amended	HF 656.16	J
555C.3	Section amended	HF 656.16	J
555C.4	Section amended	HF 656.16	J
556.1	Subsection 2 amended	HF 564.4	J
556.1	New subsection 2A	HF 564.5	J
556.1	Subsection 9, new unnumbered paragraph	SF 526.1	J
556.5	Subsection 4 amended	HF 564.6	J
556H.1	New section	HF 597.1	J
557B.1	Section amended	HF 656.16	J
558.15	Section amended	HF 259.6	J**
558.39	Unnumbered paragraph 1 amended	HF 259.7	J**
558.39	Unnumbered paragraph 1 amended	HF 755.76	J
558.39	Subsection 13, unnumbered paragraph 3 amended	HF 259.8	J**

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
558.45	Section amended	SF 372.22	J
558.49	Unnumbered paragraph 1 amended	SF 372.23	J
558.49	Subsection 6 amended	SF 372.24	J
558.50	Section repealed	SF 372.33	J
558.51	Section repealed	SF 372.33	J
558.52	Section amended	SF 372.25	J
558.53	Section repealed	SF 372.33	J
558.54	Section repealed	SF 372.33	J
558.55	Section amended	SF 372.26	J
558.57	Unnumbered paragraph 1 amended	HF 713.5	J
558.58	Subsection 1, unnumbered paragraph 1 amended	HF 713.6	J
558.59	Section amended	SF 372.27	J
562B.1	Section amended	HF 656.16	J
562B.2	Section amended	HF 656.15	J
562B.7	Section amended	HF 656.13	J
562B.9	Unnumbered paragraph 2 amended	HF 656.14	J
562B.13	Section amended	HF 656.15	J
562B.13	Section amended	HF 656.16	J
562B.14	Section amended	HF 656.16	J
562B.15	Section amended	HF 656.16	J
562B.16	Section amended	HF 656.16	J
562B.17	Section amended	HF 656.16	J
562B.18	Section amended	HF 656.16	J
562B.19	Section amended	HF 656.16	J
562B.22	Section amended	HF 656.16	J
562B.23	Section amended	HF 656.16	J
562B.24	Section amended	HF 656.16	J
562B.32	Section amended	HF 656.16	J
566.35	Subsection 2 stricken	SF 372.28	J
579A.1	New subsection 4A	HF 549.1	J
579A.1	Subsection 5 amended	HF 549.2	J
579A.2	Section amended	HF 549.3	J
579A.4	Section amended	HF 549.4	J
579A.5	Section amended	HF 549.5	J
579B.1	New subsections 1A & 8A	HF 549.6	J
579B.1	Subsection 11 amended	HF 549.7	J
579B.3	Unnumbered paragraph 1 amended	HF 549.8	J
579B.3	Subsection 1, paragraph b stricken	HF 549.9	J
579B.3	Subsection 2, paragraph b stricken	HF 549.10	J
579B.4	Section amended	HF 549.11	J
595.5	Subsection 2 stricken	HF 713.7	J
598.13	Section amended	HF 180.1	J
598.19A	Subsections 1 & 3 amended	HF 180.2	J
598.19A	New subsection 3A	HF 180.3	J
598.21	Subsection 1, unnumbered paragraph 1 amended	HF 713.8	J
600.3	Subsection 2, new paragraph c	HF 567.2	J
600.6	New subsection 5	HF 567.3	J
600.13	Subsection 1, new paragraph bb	HF 567.4	J
600.14A	New section	HF 567.5	J
600.16A	New subsection 4A	HF 310.3	J
602.1216	Section amended	HF 566.37	J
602.8102	New subsection 135B	SF 486.1	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
602 8107	Subsection 4, unnumbered paragraph 2 amended	SF 486.2	J
602 8108	Subsection 3, paragraph c amended	HF 726.10	J
602 8108	New subsection 3A	SF 486.3	J
602 9104	Subsection 4, paragraph b amended	SF 267.18	VETO
602 9111	Subsection 1 amended	SF 497.18	7/1/02
614.1	Subsection 11 amended	SF 222.1	VETO
627.6	Subsection 8, paragraph f, subparagraph (1) rewritten	HF 654.1	E
627.6	Subsect. 8, paragraph f, new subparagraphs (1A), (4), (5), & (6)	HF 654.2	E
627.6	Subsection 8, paragraph f, subparagraph (3) amended	HF 654.3**	E
627.6	Subsection 8, paragraph f, subparagraph (3) amended	HF 755.77	J
627.13	Section amended	HF 356.8	J
631.1	Section amended	HF 656.15	J
631.4	Section amended	HF 656.15	J
633.230A	New section	SF 354.1	J
633.304A	New section	SF 354.2	J
633.356	Subsection 1, unnumbered paragraph 1 amended	SF 523.3	A J
633.356	Subsection 3, paragraph c amended	SF 523.4	A J
633.410	Section amended	SF 354.3	J
633.480	Section amended	SF 453.10	J
633.4213	Subsection 5 amended	HF 755.78	J
639.53	Section amended	SF 372.29	J
642.22	Subsection 1, paragraph d rewritten	SF 184.2	J
648.3	Section amended	HF 656.15	J
648.22A	Section amended	HF 656.16	J
648.22B	Section amended	HF 656.16	J
655A.3	Subsection 1, paragraph a amended	SF 372.30	J
655A.6	Section amended	SF 372.31	J
656.2	Subsection 1, paragraph a amended	SF 372.32	J
668.13	Subsection 3 amended	HF 356.9	R 2/28/01
669.2	Subsection 5 amended	HF 637.37	J
669.14	Subsection 11, unnumbered paragraph 1 amended	HF 451.35	7/1/02
672.1	Subsection 2 amended	HF 597.2	J
682.1	New section	SF 337.1	7/30/01
682.2	New section	SF 337.2	7/30/01
682.3	New section	SF 337.3	7/30/01
682.4	New section	SF 337.4	7/30/01
682.5	New section	SF 337.5	7/30/01
682.6	New section	SF 337.6	7/30/01
682.7	New section	SF 337.7	7/30/01
691.5	Section amended	SF 114.20	J
691.6A	Section amended	SF 114.21	J
692A.1	Subsection 1, new paragraph j	HF 550.1	E
692A.1	Subsection 4, new paragraph mm	HF 327.1	J
692A.1	Subsection 4, paragraph n amended	HF 327.2	J
702.8	Section amended	HF 354.5	J
702.11	Subsection 2, new paragraph c	SF 63.1**	J
702.11	Subsection 2, new paragraph e amended	HF 755.79	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
704.8	Section amended	SF 346.2	J
710.10	Section amended	HF 327.3	J
713.6A	Section amended	SF 543.1	J
713.6B	Section amended	SF 543.2	J
714.16	Subsection 1, paragraph c amended	SF 433.15	J
714.16	Subsect. 2, para. h, subpara. (3), subpara. subdiv. (c) amended	SF 433.16	J
714.19	Subsection 2 amended	HF 194.59	J
717A.0A	New section	HF 502.1	J
717A.1	Subsection 1 stricken	HF 502.2	J
717A.1	Subsection 2, paragraph a amended	HF 502.3	J
717A.1	Subsection 2, paragraph c, subparagraph (2) amended	HF 502.4	J
717A.1	Subsection 5 amended	HF 502.5	J
717A.2	New section	HF 502.6	J
717C.1	New section	SF 346.3	J
721.1	New subsections 3 & 4	HF 272.1	J
722.7	Subsection 9 amended	HF 566.38	J
726.3	Section amended	SF 355.11	E
726.6	Subsection 1, unnumbered paragraph 1 amended	SF 63.2	J
726.6	Subsection 1, paragraph b amended	SF 63.3	J
726.6	New subsection 1A	SF 355.12	E
726.6	New subsections 1A & 2A	SF 63.4	J
726.6	Subsection 3 amended	SF 63.5	J
728.12	Section amended	HF 327.4	J
802.2A	New section	HF 458.1	J
802.3	Section amended	HF 458.2	J
805.1	Subsection 4 amended	HF 194.60	J
805.6	Subsection 5 amended	SF 83.1	J
805.8	Section rewritten	SF 499.1	J
805.8	Subsection 2, paragraph ah amended	HF 194.61	J
805.8	Subsection 4, paragraph b amended	HF 561.4	VETO
805.8A	New section	SF 499.2	J
805.8B	New section	SF 499.3	J
805.8C	New section	SF 499.4	J
901.5	New subsection 13	SF 543.3	J
901A.1	Subsection 1, new paragraph bh	HF 327.5	J
901B.1	Subsection 2, paragraph c, new subparagraph (5)	SF 537.10	J
901B.1	Subsection 4, paragraph a amended	SF 537.11	J
902.3A	New section	SF 543.4	J
902.4	Section amended	SF 543.5	J
902.9	Subsection 5, unnumbered paragraph 2 amended	SF 486.4	J
903.1	Subsection 4 amended	SF 486.5	J
903.4	Section amended	SF 543.6	J
904.202	Section amended	SF 346.4	J
904.303A	New section	SF 346.5	J
904.310	Section amended	SF 346.6	J
904.405	Section amended	SF 346.7	J
904.513	Subsection 2 amended	SF 530.18	VETO
904.908	Subsection 2 amended	SF 530.19	VETO
905.4	New subsection 11	HF 229.7	J
905.6	Subsection 3 amended	HF 229.8	J
906.17	Subsection 2 amended	SF 530.20	VETO
907.3	Subsection 1, new paragraph m	SF 543.7	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
907.3	Subsection 2, new paragraph g	SF 543.8	J
907.3	Subsection 3, new paragraph g	SF 543.9	J
907A	Chapter repealed	HF 287.8	J
907B.1	New section	HF 287.5	J
907B.2	New section	HF 287.6	J
907B.3	New section	HF 287.7	J
909.8	Section amended	SF 486.6	J
910.7	Section amended	SF 393.1	J
911.2	Section amended	HF 726.11	J
911.3	New section	SF 486.7	J
915.94	Section amended	SF 259.1	J

2001 ACTS AMENDED - Listed by Bill Number

<u>Bill/Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
HF 1.2	Section amended	HF 705.2	J
HF 179.1	Section amended	HF 755.68	J
HF 222.4	Section amended	HF 222.5	07/01/04
HF 259.1	Effective date changed	HF 755.45	01/01/02
HF 259.2	Effective date changed	HF 755.45	01/01/02
HF 259.3	Effective date changed	HF 755.45	01/01/02
HF 259.4	Effective date changed	HF 755.45	01/01/02
HF 259.5	Effective date changed	HF 755.45	01/01/02
HF 259.6	Effective date changed	HF 755.45	01/01/02
HF 259.7	Effective date changed	HF 755.45	01/01/02
HF 259.7	Section amended	HF 755.76	J
HF 259.8	Effective date changed	HF 755.45	01/01/02
HF 413.2	Section amended	SF 531.28	J
HF 637.4	Section amended	HF 577.1	E
HF 643.6	Section amended	HF 755.32	J
HF 643.7	Section amended	HF 755.33	J
HF 643.16	Section amended	HF 755.38	J
HF 654.3	Section amended	HF 755.77	J
HF 656.2	Section amended	HF 755.66	J
HF 656.15	Section amended	HF 755.80	J
HF 674.4	Section amended	HF 755.36	J
HF 674.4	Section amended	HF 755.37	J
HF 719.1	Section amended	HF 755.21	C
HF 755.30	Section amended	HF 742.47	J
HF 758.4	Section repealed	HF 758.4	1/1/03
SF 63.1	Section amended	HF 755.79	J
SF 185.4	Section amended	HF 755.61	J
SF 209.5	Section amended	HF 755.62	J
SF 209.6	Section amended	HF 755.63	J
SF 258.1	Section repealed	SF 532.19	E
SF 276.28	Section amended	HF 755.72	J
SF 350.4	Section amended	HF 755.65	J
SF 350.22	Section amended	HF 757.1	R 1/1/01

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<u>Bill/Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
SF 453.1	Section amended	HF 755.67	J
SF 458.5	Section amended	HF 755.64	J
SF 473.28	Section amended	HF 755.73	J
SF 473.32	Section amended	HF 755.74	J
SF 476.5	Section amended	HF 413.3	J
SF 476.6	Section amended	HF 413.4	J
SF 476.8	Section amended	HF 413.5	J
SF 476.8	Section amended	HF 413.6	J
SF 476.10	Section amended	HF 413.7	J
SF 476.11	Section amended	HF 413.8	J
SF 476.12	Section amended	HF 413.9	J
SF 476.12	Section amended	HF 413.10	J
SF 476.13	Section amended	HF 413.11	J
SF 476.16	Section amended	HF 413.13	J
SF 476.23	Unnumbered paragraph 1 amended	HF 413.14	J
SF 479.2	Section amended	HF 755.69	J
SF 479.2	Section amended	HF 755.70	J
SF 500.5	Effective date changed	SF 473.56	1/1/02
SF 500.7	Section amended	SF 473.15	J
SF 500.8	Section amended	HF 755.71	J
SF 500.39	Section amended	SF 473.56	J
SF 535.8	Subsection 1, paragraph b amended	HF 755.19	C

2000 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1018.2	Section repealed	SF 465.2	E
1018.3	Section repealed	SF 465.2	E
1029.1	Amending phrase rewritten	HF 194.65	R 3/31/00
1077.111	Section amended	HF 755.17	E
1090.5	Section repealed	HF 727.9	R 4/13/00
1090.6	Section repealed	HF 727.9	R 4/13/00
1098.1	Amending phrase rewritten	HF 194.66	R 7/1/00
1145.10	Amending phrase rewritten	HF 194.67	R 7/1/00
1145.11	Section rewritten	HF 194.68	R 7/1/00
1145.12	Amending phrase rewritten	HF 194.67	R 7/1/00
1145.17	Section rewritten	HF 194.69	R 7/1/00
1145.18	Amending phrase rewritten	HF 194.67	R 7/1/00
1145.23	Amending phrase rewritten	HF 194.67	R 7/1/00
1149.96	Section amended	HF 755.75	J
1183.1	Amending phrase rewritten	HF 194.70	J
1189.32	Subsection 2 amended	HF 569.1	J
1189.33	Section amended	HF 569.2	J
1208.24	Section amended	SF 258.1	E
1208.24	Section repealed	SF 532.19	E
1213.1	Section amended	HF 716.1	J
1216.1	Subsections 1 & 2 amended	SF 267.19	E
1220.11	Subsection 2 rewritten	SF 65.4	E
1220.11	Subsection 3 amended	SF 65.5	E
1220.11	Subsection 6 amended	SF 65.6	E
1220.17	Subsection 2 amended	SF 65.7	E
1221.1	Subsection 1, paragraph c amended	SF 537.12	J

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1224.1	Subsection 4, paragraph a amended	SF 267.5	E
1225.2	Unnumbered paragraph 2 amended	HF 742.2	J
1225.10	Section stricken	HF 742.22	E
1225.15	Subsections 1, 2, & 3 amended	HF 742.23	E
1225.18	Unnumbered paragraph 2 amended	HF 742.24	E
1225.25	Subsections 3 & 4 amended	SF 267.6	E
1225.	New section 28A	HF 742.18	E
1226.5	Subsection 2, new paragraph dd	HF 719.12	E
1226.5	Subsection 2, paragraph e, unnumbered paragraph 1 amended	HF 719.13	E
1226.5	Subsection 2, paragraphs a, b, c, & dd amended	HF 719.15	E
1226.5	Subsection 2, paragraph e amended	HF 719.15	E
1227.2	Section amended	SF 267.17	VETO
1228.8	New subsection 18	HF 732.45	E
1228.9	New unnumbered paragraph	HF 732.46	E
1228.11	Unnumbered paragraph 2 amended	SF 267.14	E
1228.24	Subsection 1, unnumbered paragraph 1 amended	SF 267.15	E
1228.38	Section amended	SF 267.16	E
1229.25	Section amended	SF 530.21	J
1230.1	Subsection 2, paragraph a, unnumbered paragraphs 1 & 2 amended	SF 267.8	E
1230.1	Subsection 3, paragraph a amended	SF 267.9	E
1230.1	Subsection 3, paragraph c, unnumbered paragraphs 1 & 2 amended	SF 267.10	E
1230.1	Subsection 5, unnumbered paragraphs 1 & 2 amended	SF 267.11	E
1230.10	Subsection 1 amended	SF 267.12	E
1230.10	Subsection 7 amended	HF 718.18	E
1230.11	Unnumbered paragraph 3 amended	HF 718.19	E
1230.12	Subsection 2 amended	HF 718.20	E
1230.34	Section amended	SF 267.13	E
1231.8	Subsection 3 amended	SF 267.4	E
1231.33	Unnumbered paragraph 3 amended	HF 194.71	R 7/1/00
1231.39	Section amended	HF 194.72	R 7/1/00
1232.1	Section amended	HF 732.47	J
1232.6	Section repealed	HF 727.10	R 4/13/00
1232.7	Section repealed	HF 727.10	R 4/13/00
1232.8	Section repealed	HF 727.10	R 4/13/00
1232.9	Section repealed	HF 727.10	R 4/13/00
1232.10	Section repealed	HF 727.10	R 4/13/00

1999 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
7.9	Amending phrase rewritten	HF 194.73	R 7/1/99
197.9	Subsection 7, unnumbered paragraph 2 amended	HF 718.17	E
202.25	Section amended	SF 530.21	J
204.1	Subsection 1 amended	HF 742.3	E
204.4	Subsection 6, new paragraphs a, b, & c	HF 698.6	J
204.14	New unnumbered paragraph	HF 742.9	E
208.1	Unnumbered paragraphs 2 & 3 amended	SF 267.16	E
208.1	Subsection 4 amended	SF 267.16	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

J - Effective July 1, 2001

* - 1999 Code Supplement

E - Effective upon enactment

VETO - Entire bill section vetoed

** - Amended by subsequent bill

C - Conditional effective date

00/00/00 - Specified effective date

IV - Part of bill section vetoed

00/00/00R - Retroactive applicability

1998 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1012.1	Section repealed	HF 325.3	E
1101.15	Subsection 2 amended	SF 530.21	J
1219.6	Subsection 6, new paragraphs a, b, & c	HF 698.5	J
1225.27	Unnumbered paragraph 6 amended	HF 718.16	J

1997 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
67.2	Section repealed	HF 325.3	E

1996 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1024.1	Section repealed	HF 325.3	E
1218.13	Subsection 2, paragraph d, subparagraph (2) amended	HF 742.8	E

1995 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
33.1	Section repealed	HF 325.3	E

1994 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1038.3	Section repealed	HF 325.3	E

IOWA ADMINISTRATIVE CODE AMENDED

<u>Agency</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
571	Rule 76.1, subrule 2 nullified	SJR 6.1	E
571	Rule 98.5 nullified	HJR 11.1	E
571	Rule 98.16 nullified	HJR 11.1	E
701	Rule 107.16 nullified	HJR 5.1	E

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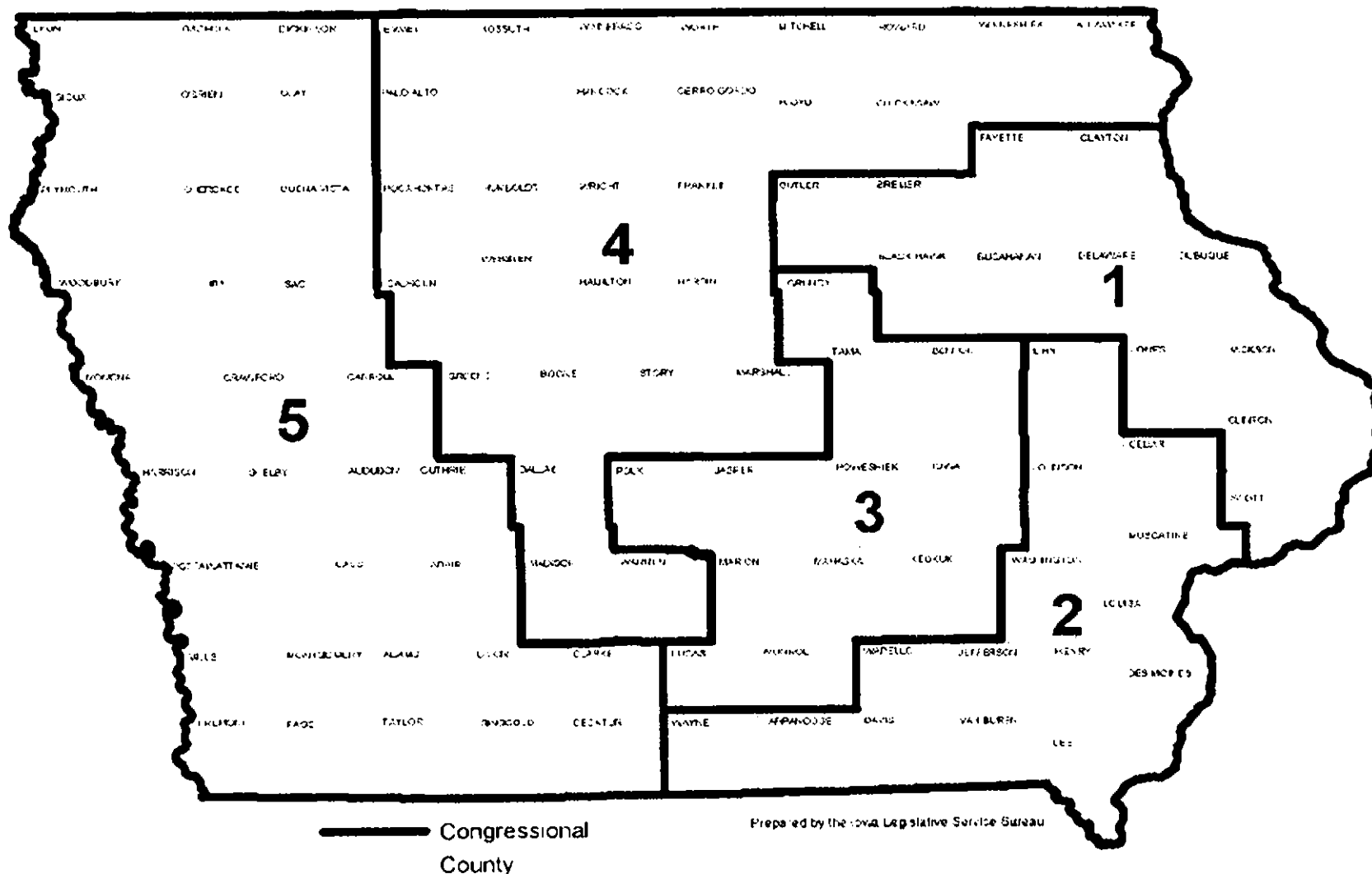
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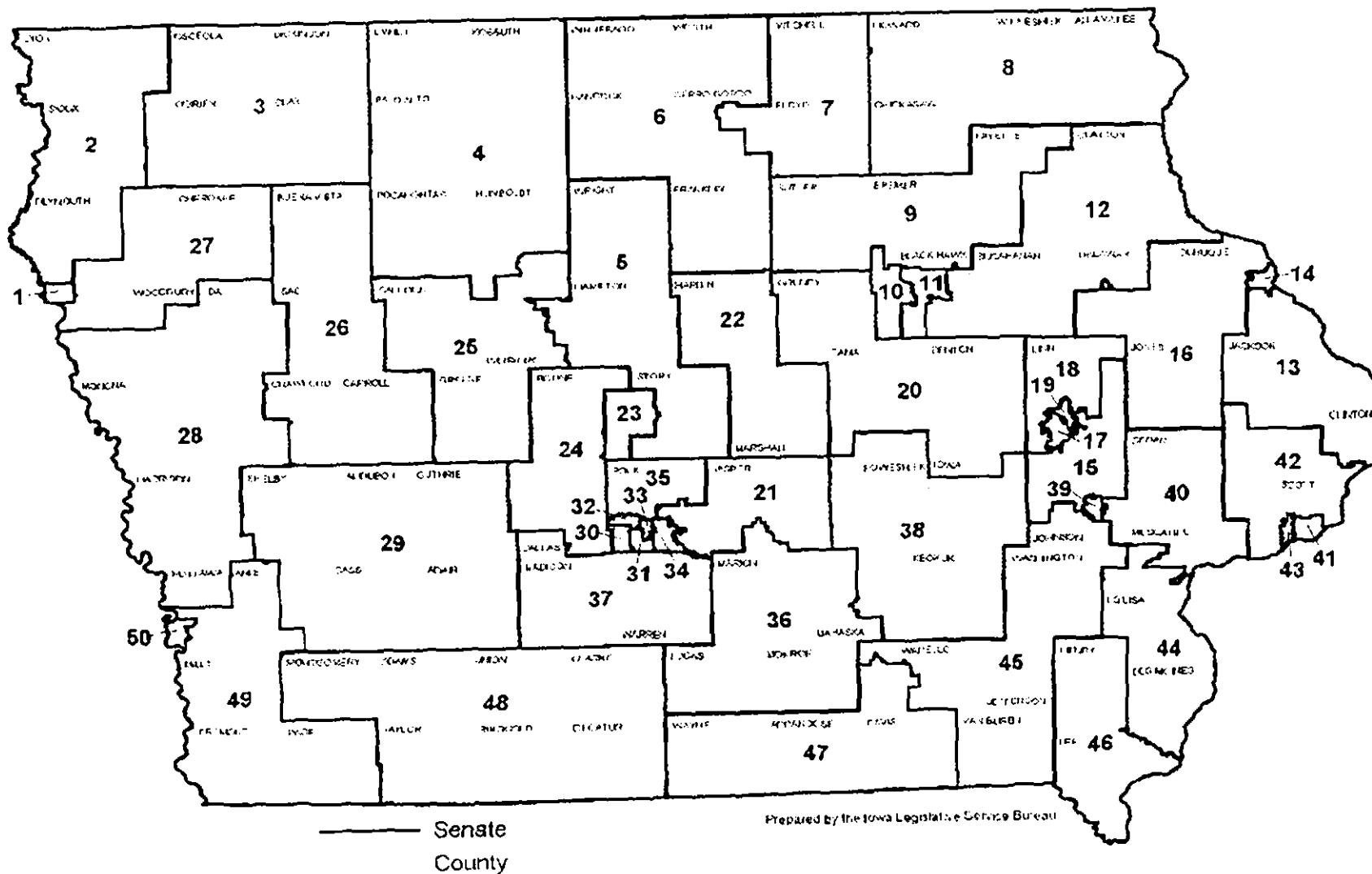
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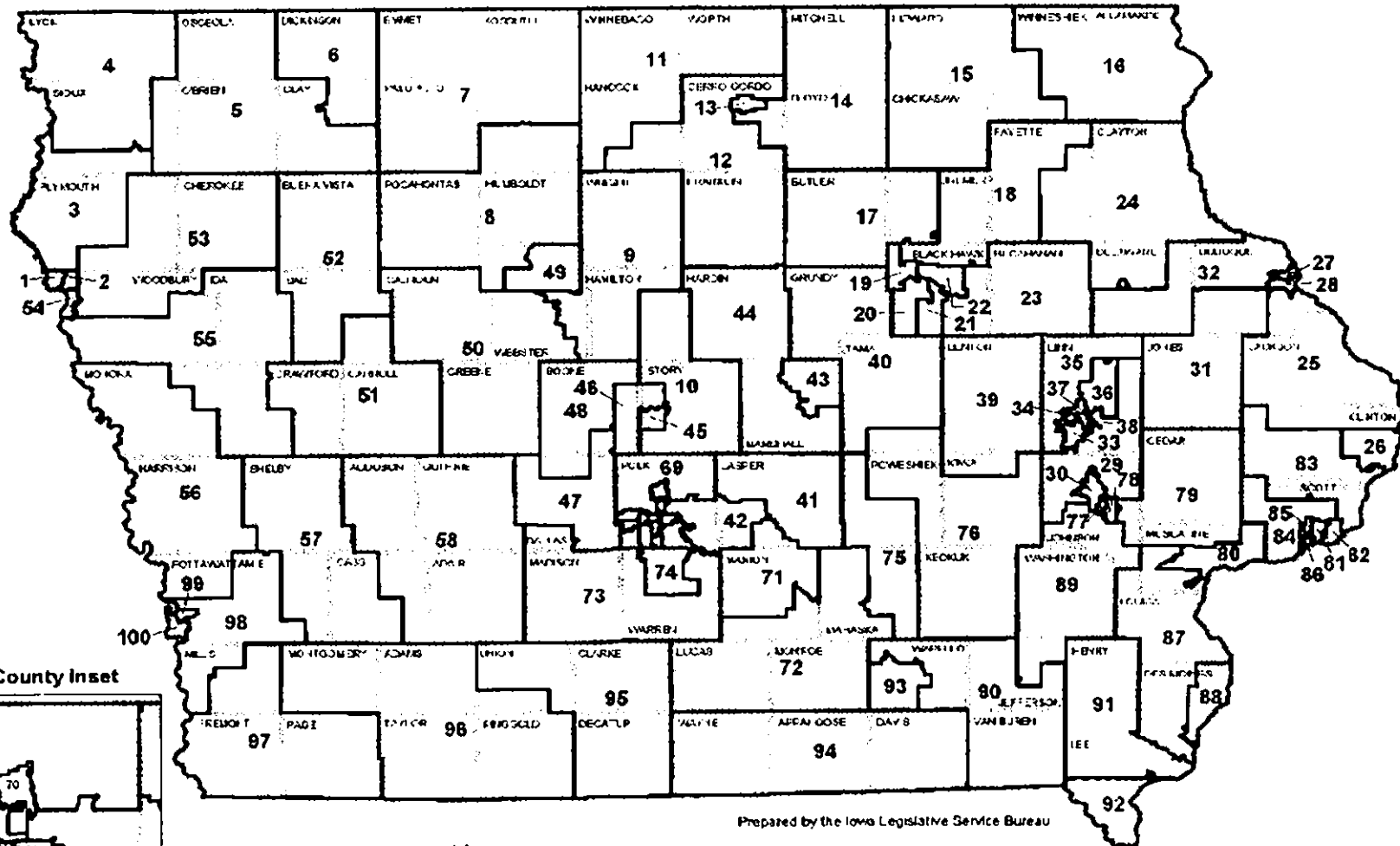
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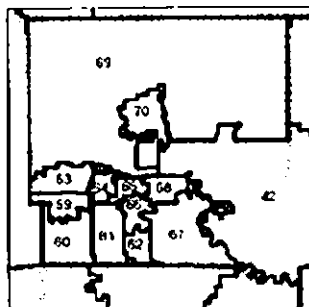


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