

**1995 SUMMARY
OF LEGISLATION**

**IOWA GENERAL
ASSEMBLY**

**IOWA LEGISLATIVE
SERVICE BUREAU**

**SUMMARY OF LEGISLATION ENACTED IN THE YEAR 1995 BY THE FIRST
REGULAR SESSION OF THE SEVENTY-SIXTH GENERAL ASSEMBLY
AND SIGNED BY THE GOVERNOR**

Prepared by the Legislative Service Bureau

PURPOSE

This summary of legislation enacted by the 1995 General Asscmbly has been prepared for the use of legislators and other interested parties. The summary of each legislative enactment has been assigned to a major subject category. This compilation provides interested persons with quick reference to legislation enacted in specific areas and generally informs persons of the contents and effective date of the legislation.

HOW TO FIND A SUMMARY

If you know the original file number of a particular bill, you may refer to the chart on the pages immediately following to locate the category in which the summary will be found. Otherwise, each subject category begins with a table of contents listing the file number and the chapter title from the 1995 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, 1995, unless otherwise specified in an individual summary.

FISCAL YEAR

For purposes of this summary of legislation, "fiscal year 1995-1996," and "FY 1996," for example, both describe the fiscal year beginning July 1, 1995, and ending June 30, 1996.

VETOED BILLS

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

INFORMATION AND APPENDICES

The appendices list the following information:

- ◆ Chapter numbers assigned the 1995 Acts of the Seventy-Sixth General Assembly by Senate and House files.
- ◆ Sections of the Code of Iowa, 1995 Senate and House Files, and Session Laws amended or repealed during the 1995 Session.
- ◆ A proposed constitutional amendment.
- ◆ Senate and House of Representatives Standing Committee and Appropriation Subcommittee members.

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LOCATION OF SUMMARIES BY FILE NUMBER

Senate Files

Number	Major Subject	Number	Major Subject
SF 9	Local Government	SF 202	State Government
SF 17	Education	SF 205	Education
SF 32	Education	SF 206	Education
SF 37	Environmental Protection	SF 207	Alcohol Regulation & Substance Abuse
SF 45	Local Government	SF 208	Children & Youth
SF 66	Corrections, Criminal Law & Procedure	SF 214	Transportation
SF 69	Taxation	SF 215	Environmental Protection
SF 79	Agriculture	SF 223	Human Services
SF 82	Human Services	SF 225	Elections, Ethics & Campaign Finance
SF 83	Education	SF 226	Local Government
SF 84	Business, Banking & Insurance	SF 228	State Government
SF 85	Agriculture	SF 229	Local Government
SF 87	State Government	SF 233	Transportation
SF 88	State Government	SF 234	Natural Resources & Outdoor Recreation
SF 93	Corrections, Criminal Law & Procedure	SF 239	Courts, Civil Law & Procedure, & Probate
SF 94	State Government	SF 247	Environmental Protection
SF 106	State Government	SF 255	Agriculture
SF 114	State Government	SF 256	Environmental Protection
SF 116	Human Services	SF 266	Appropriations
SF 117	Human Services	SF 271	Business, Banking & Insurance
SF 118	Health & Safety	SF 272	Business, Banking & Insurance
SF 120	Corrections, Criminal Law & Procedure	SF 274	Business, Banking & Insurance
SF 132	Corrections, Criminal Law & Procedure	SF 278	Agriculture
SF 140	Courts, Civil Law & Procedure, & Probate	SF 280	Local Government
SF 141	Local Government	SF 286	Labor & Employment
SF 142	Corrections, Criminal Law & Procedure	SF 290	Transportation
SF 146	Gaming	SF 292	Environmental Protection
SF 147	Environmental Protection	SF 293	Corrections, Criminal Law & Procedure
SF 149	Human Services	SF 298	Transportation
SF 150	Children & Youth	SF 311	Transportation
SF 152	State Government	SF 315	Human Services
SF 155	Labor & Employment	SF 320	Business, Banking & Insurance
SF 157	Environmental Protection	SF 333	Agriculture
SF 158	Transportation	SF 341	Business, Banking & Insurance
SF 159	Labor & Employment	SF 346	Human Services
SF 162	Business, Banking & Insurance	SF 347	Business, Banking & Insurance
SF 164	State Government	SF 351	Local Government
SF 174	Human Services	SF 352	Children & Youth
SF 175	Business, Banking & Insurance	SF 358	Transportation
SF 176	Local Government	SF 366	Corrections, Criminal Law & Procedure
SF 178	Health & Safety	SF 367	Corrections, Criminal Law & Procedure
SF 179	Local Government	SF 371	Corrections, Criminal Law & Procedure
SF 181	Taxation	SF 373	Corrections, Criminal Law & Procedure
SF 189	Taxation	SF 375	State Government
SF 197	State Government	SF 377	Energy & Public Utilities
SF 201	Taxation	SF 385	Local Government

Number	Major Subject	Number	Major Subject
SF 386	Corrections, Criminal Law & Procedure	SF 438	Children & Youth
SF 390	Education	SF 439	Courts, Civil Law & Procedure, & Probate
SF 394	Local Government	SF 440	Courts, Civil Law & Procedure, & Probate
SF 398	Corrections, Criminal Law & Procedure	SF 443	Corrections, Criminal Law & Procedure
SF 400	Business, Banking & Insurance	SF 446	Transportation
SF 402	Agriculture	SF 457	State Government
SF 403	Courts, Civil Law & Procedure, & Probate	SF 458	Local Government
SF 406	Education	SF 459	Appropriations
SF 407	Environmental Protection	SF 460	Education
SF 409	Courts, Civil Law & Procedure, & Probate	SF 462	Appropriations
SF 422	Local Government	SF 468	Courts, Civil Law & Procedure, & Probate
SF 423	Business, Banking & Insurance	SF 472	Taxation
SF 427	State Government	SF 473	Taxation
SF 428	Corrections, Criminal Law & Procedure	SF 475	Appropriations
SF 431	Human Services	SF 478	Taxation
SF 432	Human Services	SF 481	Appropriations
SF 433	Children & Youth	SF 484	Appropriations
SF 436	Human Services	SF 486	Appropriations
SF 437	State Government		

SENATE JOINT RESOLUTIONS

Number	Major Subject
SJR 6	Natural Resources & Outdoor Recreation
SJR 12	Alcohol Regulation & Substance Abuse

LOCATION OF SUMMARIES BY FILE NUMBER

House Files

Number	Major Subject	Number	Major Subject
HF 3	State Government	HF 460	Transportation
HF 29	Corrections, Criminal Law & Procedure	HF 461	State Government
HF 30	Natural Resources & Outdoor Recreation	HF 470	Local Government
HF 41	Human Services	HF 471	Corrections, Criminal Law & Procedure
HF 54	Business, Banking & Insurance	HF 475	State Government
HF 94	Courts, Civil Law & Procedure, & Probate	HF 477	State Government
HF 113	Natural Resources & Outdoor Recreation	HF 478	Environmental Protection
HF 115	Transportation	HF 481	Appropriations
HF 117	Gaming	HF 482	Appropriations
HF 118	State Government	HF 483	Human Services
HF 126	Business, Banking & Insurance	HF 485	Business, Banking & Insurance
HF 128	Local Government	HF 486	Business, Banking & Insurance
HF 132	Appropriations	HF 489	Local Government
HF 139	Business, Banking & Insurance	HF 490	Business, Banking & Insurance
HF 149	Taxation	HF 492	Courts, Civil Law & Procedure, & Probate
HF 154	State Government	HF 494	Elections, Ethics & Campaign Finance
HF 159	Taxation	HF 504	Transportation
HF 161	State Government	HF 505	Human Services
HF 170	State Government	HF 507	State Government
HF 179	Agriculture	HF 508	Environmental Protection
HF 185	Taxation	HF 512	Appropriations
HF 186	Appropriations	HF 515	State Government
HF 197	Health & Safety	HF 518	Business, Banking & Insurance
HF 198	Agriculture	HF 519	Agriculture
HF 203	State Government	HF 520	Business, Banking & Insurance
HF 212	Local Government	HF 528	Children & Youth
HF 215	Corrections, Criminal Law & Procedure	HF 530	Appropriations
HF 217	Environmental Protection	HF 548	Taxation
HF 238	Education	HF 549	State Government
HF 246	Courts, Civil Law & Procedure, & Probate	HF 550	Taxation
HF 247	Business, Banking & Insurance	HF 552	Taxation
HF 252	State Government	HF 553	Appropriations
HF 256	State Government	HF 554	Taxation
HF 257	Courts, Civil Law & Procedure & Probate	HF 556	Taxation
HF 277	Business, Banking & Insurance	HF 558	Taxation
HF 289	Environmental Protection	HF 559	Taxation
HF 303	Energy & Public Utilities	HF 565	Education
HF 337	Courts, Civil Law & Procedure, & Probate	HF 566	Taxation
HF 340	Transportation	HF 571	Gaming
HF 346	Corrections, Criminal Law & Procedure	HF 573	Economic Development
HF 387	Education	HF 575	Education
HF 393	Transportation	HF 577	Local Government
HF 406	Local Government	HF 578	Appropriations
HF 425	Environmental Protection	HF 579	Appropriations
HF 437	Elections, Ethics & Campaign Finance	HF 583	Appropriations
HF 447	State Government	HF 584	Appropriations
HF 456	Agriculture		

HOUSE JOINT RESOLUTION**Number Major Subject**

HJR 13 State Government

AGRICULTURE

- SENATE FILE 79 - Transfer of Dogs From Pounds to Institutions
- SENATE FILE 85 - Farm Deer
- SENATE FILE 255 - Commercial Feed Law — Funding of Commercial Pesticide Applicator Training
- SENATE FILE 278 - Livestock Classification of Ostriches, Rheas, and Emus
- SENATE FILE 333 - Drainage and Levee District and Water District Work — Notice Requirements
- SENATE FILE 402 - Registered Brands
- HOUSE FILE 179 - Iowa Egg Council
- HOUSE FILE 198 - Custom Cattle Feedlot Liens
- HOUSE FILE 456 - Credit-Sale Contracts for Grain Transactions
- HOUSE FILE 519 - Animal Feeding Operations

RELATED LEGISLATION

- SENATE FILE 37 - Air Contaminants — Permits — Moratorium Regarding Grain Storage Facility Requirements
SEE ENVIRONMENTAL PROTECTION. This Act requires the Environmental Protection Commission to adopt rules for the issuance of a single general permit to cover numerous facilities, and establishes a moratorium during which the Department of Natural Resources is prohibited from requiring persons to complete or submit to the department any form, application, or information relating to the control of emissions of dust or other particulate matter in, on or around facilities used for the storage of grain.
- SENATE FILE 88 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature. In the chapter relating to limitations on judgments, a reference to real estate contracts in the section on future judgments without foreclosure is added which may affect property used for an agricultural purpose. In the section prohibiting animal neglect, the Act amends an incorrect reference to the term "animal abuse."
- SENATE FILE 146 - Iowa-Foaled Horses and Iowa-Whelped Dogs for Pari-Mutuel Racing
SEE GAMING. This Act makes several changes relating to the requirements to qualify an Iowa-foaled horse or an Iowa-whelped dog for pari-mutuel racing purposes.
- SENATE FILE 197 - Confidentiality of Financial Information — Department of Agriculture and Land Stewardship
SEE STATE GOVERNMENT. This Act provides that certain financial information submitted to the Department of Agriculture and Land Stewardship for the purpose of obtaining business planning assistance is considered a confidential record.
- SENATE FILE 256 - Application of Pesticides and Other Chemicals
SEE ENVIRONMENTAL PROTECTION. This Act relates to the regulation of pesticides, including notice by commercial and public applicators to occupants of adjoining properties in urban areas prior to or after the exterior application of pesticides, and the elimination of provisions regulating chemigation.
- SENATE FILE 298 - Implements of Husbandry
SEE TRANSPORTATION. This Act provides that certain machinery towed by a motor vehicle or farm tractor is considered an implement of husbandry. This Act also provides

that the gross weight restrictions on vehicles do not apply to certain self-propelled and towed machinery defined as implements of husbandry.

- SENATE FILE 377** - Cooperative Associations — Patronage Dividends
SEE ENERGY & PUBLIC UTILITIES. This Act amends several provisions in Chapter 499 that regulate the organization and administration of cooperative associations, including utilities, by providing for the payment of patronage dividends and the redemption of stock of those utilities.
- SENATE FILE 481** - Appropriations — Transportation, Infrastructure, and Capital Projects
SEE APPROPRIATIONS. Division III of this Act provides for the transfer of lottery revenues in excess of \$34,400,000 deposited into the General Fund of the State during FY 1995 for purposes that include the following: the World Food Prize, county fairs, the Iowa State Fair Foundation, repairs and improvements at the National Heritage Orientation Center and Public Market, a grant to the Wallace Foundation for Rural Research and Development, and the Lewis and Clark Rural Water System. The Governor item vetoed a provision transferring lottery funds for purposes of reconstructing and repairing flood-damaged dikes and levees on agricultural land not used for crops.
- HOUSE FILE 149** - Sales Tax Exemption for Auxiliary Attachments
SEE TAXATION. This Act provides an exemption from the state sales tax for the lease or sale of auxiliary attachments that improve the performance, safety, operation, or efficiency of self-propelled and non-self-propelled farm machinery and equipment.
- HOUSE FILE 159** - Sales Tax Exemption — Plant Production
SEE TAXATION. This Act defines "agricultural production" and "agricultural products" to include the production of flowering, ornamental or vegetable plants for the purpose of the state sales tax. The Act exempts from sales taxation fuel used to provide heat or cooling for greenhouses and buildings dedicated to the production of flowering, ornamental or vegetable plants intended to be sold in the ordinary course of business and non-self-propelled machinery and equipment used in the production of flowering, ornamental or vegetable plants.
- HOUSE FILE 552** - Motor Fuel and Special Fuel Taxation and Regulation
SEE TAXATION. This Act changes the point of taxation for motor fuel and special fuel. The Act requires that indelible dye be added to fuel in order for the fuel to be exempt from the motor fuel tax. The Act requires that all licensed dealers and users take inventory of the gallonage of undyed special fuel held in storage as of January 1, 1996, and pay an inventory tax of 22.5 cents per gallon to the Department of Revenue and Finance. However, the Act exempts on-farm storage of undyed special fuel from the inventory tax.
- HOUSE FILE 553** - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by providing appropriations to support related entities, including the Department of Agriculture and Land Stewardship and the Department of Natural Resources. The Act also provides directions to a number of agencies and makes statutory changes relating to agriculture and natural resources.
- HOUSE FILE 583** - Restrictions on Community College Projects Involving Confinement Feeding Operations
SEE APPROPRIATIONS. This Act eliminates a provision in H.F. 519 that prohibits a community college from entering into job training agreements for employees of a confinement feeding operation, but reduces appropriations to community colleges which enter into such agreements.

AGRICULTURE

SENATE FILE 79 - Transfer of Dogs From Pounds to Institutions

BY BARTZ. This Act provides that a pound has discretion to transfer dogs to a research institution. Section 145B.3 of the 1995 Code of Iowa provides for the transfer of dogs by pounds to educational or scientific institutions authorized by the Iowa Department of Public Health and defined to mean facilities concerned with the investigation of biological functions and health of humans and animals. The section provided that under certain conditions the pound must relinquish custody of dogs. This Act grants the pound discretion to transfer a dog to an institution. A pound is defined to mean any person having custody of dogs seized or held under the authority of the state or any municipality or any political subdivision of the state.

SENATE FILE 85 - Farm Deer

BY COMMITTEE ON AGRICULTURE. This Act relates to the regulation of domestic deer. The Act defines domestic deer as an animal belonging to the cervidae family and belonging to a genus commonly referred to as fallow deer, red deer or elk, or sika. However, farm deer does not include any unmarked free ranging elk. The Act amends provisions to require that farm deer are considered livestock for purposes of several chapters, including meat inspection and livestock cruelty. The Act provides that farm deer are not considered deer subject to wildlife regulation under the jurisdiction of the Department of Natural Resources. The Department of Agriculture and Land Stewardship is required to conduct a study relating to the needs and desirability of adopting or enhancing animal health requirements for farm deer.

SENATE FILE 255 - Commercial Feed Law — Funding of Commercial Pesticide Applicator Training

BY COMMITTEE ON AGRICULTURE. This Act amends several provisions relating to the administration of the Department of Agriculture and Land Stewardship. The Act also amends Chapter 198, known as the "Iowa Commercial Feed Law." The Act changes the date that the department is required to submit a report to the General Assembly accounting for all sources of revenue deposited for, and all dispositions of funds expended for, the inspection of commercial feed and pet food from September 1 to January 1 of each year. The Act also eliminates a requirement that the department must adopt rules for commercial feeds and pet foods, including definitions of feed ingredients and official feed terms, adopted by the Association of American Feed Control Officials. The Act eliminates requirements relating to this association.

In 1994, the General Assembly enacted S. F. 2314, which in part appropriated moneys to the Department of Agriculture and Land Stewardship, including the Laboratory Division. Senate File 2314 provided that \$160,000 would be allocated from the appropriation to Iowa State University for purposes of training commercial pesticide applicators. This Act provides that the allocation may come from moneys appropriated to the pesticide program administered by the division.

The Act takes effect April 19, 1995.

SENATE FILE 278 - Livestock Classification of Ostriches, Rheas, and Emus

BY BLACK. This Act provides that the term "livestock," as used in the Code of Iowa, includes animals classified as ostriches, rheas, or emus. The term "livestock" is used throughout the Code, often without definition. This Act amends Section 4.1, which provides common definitions for use in interpreting Code sections generally, and also amends various chapters which for purposes of those chapters define the term "livestock" or list common species ordinarily considered livestock (e.g., cattle, swine, and horses). The Act amends chapters relating to corporate farming, employment security, the care of animals in commercial establishments, pseudorabies control, feedlots, meat and poultry inspection, the Livestock Health Advisory Council, forest or fruit-tree reservations, warranties exemptions, agricultural supply dealer liens, livestock cruelty, and offenses involving animal facilities. The Act is amended in S.F. 486 (See Appropriations) to repeal amendments made to Sections 172D.1 and 189A.2 relating to the addition of ostriches, rheas, and emus in the definitions of livestock, meat food product, and poultry for purposes of feedlots and meat and poultry inspection.

SENATE FILE 333 - Drainage and Levee District and Water District Work — Notice Requirements

BY COMMITTEE ON AGRICULTURE. This Act amends Chapter 468, which governs drainage and levee districts. The chapter provides that the governing body of a drainage or levee district may contract for work done within the district. When work done under a contract is completed to the satisfaction of the engineer in charge of construction, the engineer must report the completed work to the governing board of the district, and the board must set a day to consider the report and provide notice of the time and purpose of the meeting. This Act provides that the notice must be by ordinary mail only to the landowners of the district where the work occurred and by publication in a newspaper of general circulation in the county. The form of notice also applies for work done in water districts.

SENATE FILE 402 - Registered Brands

BY COMMITTEE ON AGRICULTURE. This Act amends Chapter 169A, which provides for brands registered with the Department of Agriculture and Land Stewardship. Under prior law, a cryo-brand could not be registered. This Act provides that a cryo-brand is eligible for registration. As defined in the Act, a cryo-brand is a brand produced by application of extreme cold temperature.

Previously, Section 169A.6 provided that once a brand is recorded, the owner must receive two certified copies of the record. The Act provides that the department is not required to furnish more than one copy. Formerly, Section 169A.7 provided that a person who uses an unlawful brand is guilty of a simple misdemeanor. The Act provides that the violation is an aggravated misdemeanor. Section 169A.11 previously provided that a copy of a brand book and supplements must be delivered to the county recorder. The Act provides that the county sheriff is responsible for maintaining the brand book. The Act eliminates a requirement that the Secretary of Agriculture must provide a receipt for payments made for renewals.

The Act provides that the department must eliminate brands which are duplicates effective July 1, 1996. Brands must be eliminated which are not used to mark or identify livestock before brands which are used to mark or identify livestock are eliminated. All brands must be eliminated except for the brand which was registered pursuant to this chapter for the longest time. The Act repeals the provision regarding duplicate brands on July 1, 1998. The Act also repeals Section 169A.15, which provided for the effect of prior brands.

HOUSE FILE 179 - Iowa Egg Council

BY COMMITTEE ON AGRICULTURE. This Act amends a number of provisions in Chapter 196A, providing for the establishment of the Iowa Egg Council and assessment of an excise tax upon eggs used to support market development of eggs or egg by-products, including spent poultry and spent poultry products.

The Act amends a number of definitions. It changes the word "tax" to "assessment," which is consistent with the definition of the tax imposed by other commodity organizations. It changes the definition of "producer" to increase from 500 to 30,000 the number of layer-type chickens that must be owned or controlled by a person qualifying as a producer and subject to the assessment. The Act eliminates definitions relating to districts and hatchery operators.

Previously, the Iowa Egg Council was comprised of four egg producers, each representing a different district, two egg processors, and one hatchery operator. The Act provides that the council is composed of seven producers who represent large, medium and small producers. The Act reduces the number of producers required to call a referendum to establish or terminate a council and assessment from 50 to 20 producers. The Act reduces the terms of council members from four to three years, and limits the number of consecutive terms that a member may serve from three to two terms. The Act amends provisions prohibiting the council from engaging in certain activities. The Act provides that upon council approval, the council may become a dues-paying member of an organization carrying out a purpose related to the increased consumption and utilization of eggs and egg by-products. The Act provides that an assessment imposed under the chapter must be paid to the council within 30 days following each calendar quarter, as provided by the council. The Act provides that the existing council must implement the Act, which may provide for the early termination of terms, nominating candidates, conducting new elections, and establishing staggered terms for newly elected members.

The Act repeals a number of sections. With one exception, these provisions have been rewritten in other sections of the Act. The Act eliminates a provision which provides that a producer who has paid a nonrefundable promotion import tax in another state on eggs produced in Iowa may, by application to the council, secure a refund. Finally, the Act requests that the Code Editor consider transferring the provisions of Chapter 196A to or near Chapter 184, and renumbering its sections to enhance readability. This would place the provisions of Chapter 196A with chapters governing other promotion boards.

The Act takes effect March 14, 1995.

HOUSE FILE 198 - Custom Cattle Feedlot Liens

BY GREIG. This Act relates to liens upon cattle by a custom cattle feedlot where cattle owned by a person are subject to care and feeding performed by another person. The Act provides that a custom cattle feedlot operator shall have a lien upon the cattle and the identifiable cash proceeds from the sale of the cattle for the amount of the contract price for the feed and care of the livestock at the custom cattle feedlot agreed upon by the custom cattle feedlot operator and the person who owns the cattle. The lien is created at the time the cattle arrive at the custom cattle feedlot and continues for one year after the cattle have left the custom cattle feedlot.

In order to preserve the lien, the custom cattle feedlot operator must, within 20 days after the cattle arrive at the custom cattle feedlot, file in the office of the Secretary of State, a lien statement on a form prescribed by the Secretary of State. Except for veterinarian liens, a lien created under the Act is superior to and has priority over a conflicting lien or security interest in the cattle, including a lien that was perfected prior to the creation of the lien. While the cattle are located at the custom cattle feedlot, the custom cattle feedlot operator may foreclose a lien in the manner provided for the foreclosure of secured transactions as provided in the Uniform Commercial Code (Chapter 554 of the Iowa Code). After the cattle have left the custom cattle feedlot, the custom cattle feedlot operator may enforce the lien by commencing an action at law for the amount of the lien against either the holder of the identifiable cash proceeds from the sale of the cattle, or the processor who has purchased the cattle within three days after the cattle have left the custom cattle feedlot.

HOUSE FILE 456 - Credit-Sale Contracts for Grain Transactions

BY COMMITTEE ON AGRICULTURE. This Act amends Chapter 203, regulating grain dealers, and Chapter 203C, regulating grain warehouse operators. Specifically, the Act amends the definition of "credit-sale contract." A credit-sale contract is an instrument for the sale of grain providing for delayed payment to the producer based on some future sale of the grain. Producers who sell grain by credit-sale contract do not receive financial protection under the Grain Depositors and Sellers Indemnity Fund. Currently, a credit-sale contract is defined to mean a contract for the sale of grain if the sale price is to be paid more than 30 days after the delivery of the grain to the buyer, and includes instruments commonly referred to as deferred payment contracts, deferred pricing contracts, and price-later contracts. This Act provides that a credit-sale contract also means a contract which is titled as a credit-sale contract.

HOUSE FILE 519 - Animal Feeding Operations

BY COMMITTEE ON AGRICULTURE. This Act relates to animal feeding operations and their regulation. According to the Act, an animal feeding operation is an area in which animals are confined and fed and maintained for 45 days or more in any 12-month period, and all structures used for the storage of manure from animals in the operation. The Act specifically regulates confinement feeding operations in which animals are confined to totally roofed areas.

The Act regulates operations based on their capacity by calculating the size of certain species and alternatively by calculating animal weight of all species. The size of an animal species is represented in animal units. Each species of animal is measured by assigning that species an animal unit factor. In addition, the Act regulates operations by the total amount of animal weight capacity that may be confined in the operation. The Act exempts small animal feeding operations from many of its provisions. A small animal feeding operation is an animal feeding operation that has an animal weight capacity of 200,000 pounds or less for animals other than bovine, or 400,000 pounds or less for bovine.

The Act establishes a Manure Storage Indemnity Fund administered by the Department of Agriculture and Land Stewardship. Moneys in the fund are for the purposes of indemnifying a county for expenses related to cleaning up a site acquired by the county following nonpayment of property taxes. The fund is composed of fees paid before a construction permit is issued by the Department of Natural Resources for a confinement feeding operation. The amount of the fee increases based on the animal weight capacity of the operation. The Act authorizes a county to clean up a site and seek reimbursement for the costs.

The Act provides that after August 31, 1995, a community college is prohibited from entering into an agreement with a confinement feeding operation for new job training under Chapter 260E. This provision was eliminated in H.F. 583 (See Appropriations).

The Act provides that the Department of Natural Resources is prohibited from initiating an enforcement action in response to a violation by an animal feeding operation unless the Environmental Protection Commission approves the action. The requirement does not apply to an action in which the department enforces a civil penalty of \$3,000 or less, or to an order to abate an emergency.

The Act establishes a number of separation requirements. The Act provides that the Department of Agriculture and Land Stewardship must regulate the disposal of manure in close proximity to a known sinkhole, or a cistern, abandoned well, unplugged agricultural drainage well, agricultural drainage well surface inlet, drinking water well, or a lake, or a farm pond or privately owned lake. The Act provides that a person is prohibited from disposing of manure on cropland within 200 feet from one of these water sources, unless the manure is applied by injection or incorporation within 24 hours following the application or an area of permanent vegetation cover exists for 50 feet surrounding the area where the water source exists.

The Act provides that an animal feeding operation structure must be located at least 500 feet away from the surface intake of an agricultural drainage well or known sinkhole and at least 200 feet away from a lake, river, or stream located within the territorial limits of the state, or marginal river areas adjacent to the state. However, no distance separation is required between a location or object and a farm pond or privately owned lake. The Act provides a number of distance requirements applicable to animal feeding operation structures, including anaerobic lagoons, earthen manure storage basins, formed manure storage structures, confinement buildings, and egg washwater storage structures. The distance requirements are imposed between such structures and residences, churches, schools, and businesses. The Act imposes special separation distances between animal feeding operation structures and a public use area or a residence, church, school, or business located within the corporate limits of a city. The distance requirements are based on the animal weight capacity of the operation and the type of structure containing the manure. The distance requirements range from 750 feet to 2,500 feet.

An animal feeding operation that does not comply with the distance requirements of the Act on the effective date of this Act, May 31, 1995, may continue to operate regardless of those separation distances. The existing animal feeding operation may be expanded on or after May 31, 1995, regardless of those separation distances, if located no closer than the object or location benefiting from the distance requirement and the animal weight capacity of the operation is not more than twice its capacity on May 31, 1995, with an absolute limit based on animal weight capacity.

The Act also provides that qualified confinement feeding operations must use structures which employ an aeration process. A qualified confinement feeding operation has an animal weight capacity of 2,000,000 or more pounds for animals other than swine kept in a farrow-to-finish operation or bovine kept in a confinement feeding operation; swine kept in a farrow-to-finish operation having an animal weight capacity of 2,500,000 or more pounds; or a confinement feeding operation having an animal weight capacity of 6,000,000 or more pounds for bovine.

The Act provides exceptions for separation distance requirements, including confinement feeding operation structures that provide for the storage of manure exclusively in a dry form; a confinement feeding operation structure, other than an earthen manure storage basin, if the structure is part of an operation that qualifies as a small animal feeding operation; an animal feeding operation structure which is constructed after a person benefiting from the distance separation requirement executes a written waiver; an animal feeding operation constructed or expanded

within the corporate limits of a city, if the city approves a waiver; or in cases where an animal feeding operation was established prior to the establishment of a residence, church, school, or business operation, or the expansion of the boundaries of a city or public use area.

The Act provides that the Department of Natural Resources may adopt rules relating to the construction or operation of animal feeding operations. The rules must include, but are not limited to, minimum manure control requirements, requirements for obtaining permits, and departmental evaluations of animal feeding operations. The department is required to collect an indemnity fee prior to the issuance of a construction permit, and to deposit the fee in the Manure Storage Indemnity Fund. The department is prohibited from requiring a permit for the construction of an animal feeding operation structure if the structure is part of a small animal feeding operation. A person who constructs three or more animal feeding operation structures must file a statement certifying that the construction of the structures will not impede drainage. The Act prohibits an applicant from beginning construction of an animal feeding operation structure until the department grants the person a permit for the construction of the structure. Generally, the department must approve or deny a permit within 60 days from the date that the department receives a completed application for a permit. The department cannot issue a permit to a person for five years after the date of the last violation committed by a person or confinement feeding operation in which the person holds a controlling interest during which the person or operation was classified as a habitual violator. The department must conduct an annual review of each confinement feeding operation in which a habitual violator holds a controlling interest.

The penalty for a violation under the Act may be up to \$10,000. Each day a violation continues is considered a separate offense. The Department of Natural Resources is authorized to impose a civil penalty upon a habitual violator not to exceed \$25,000 for each day the violation continues. A person is classified as a habitual violator if the person has committed three or more violations as described in the Act. A violation must have been committed on or after January 1, 1995. In addition, each violation must have been referred to the Attorney General for legal action, and each violation must be subject to the assessment of a civil penalty or a court conviction, in the five years prior to the date of the latest violation. Moneys assessed and collected in civil penalties and interest earned on civil penalties, arising out of a violation involving an animal feeding operation, must be deposited in the Manure Storage Indemnity Fund.

The Act requires that a confinement feeding operation retain all manure produced by the operation between periods of manure disposal. A confinement feeding operation is prohibited from discharging manure directly into water of the state or into a tile line that discharges directly into water of the state. Manure from an animal feeding operation must be disposed of in a manner that will not cause surface water or groundwater pollution. The Act provides that a person cannot apply manure by spray irrigation equipment, except as provided by rules adopted by the Department of Natural Resources. The Act provides that a person is not eligible to receive a permit to construct a confinement feeding operation unless the person submits a manure management plan, which must include calculations necessary to determine land area application based on nitrogen use levels; manure nutrient levels; manure application methods; timing of manure application; the location of the manure application; a copy of a written agreement executed between the person and the landowner where the manure will be applied; an estimate of the annual animal production and manure volume or weight produced by the confinement feeding operation; methods, structures, or practices to prevent or diminish soil loss and potential surface water pollution; and methods or practices to minimize potential odors caused by the application of manure by the use of spray irrigation equipment. A person classified as a habitual violator must submit a plan each year. A person receiving a permit for the construction of a confinement feeding operation must maintain a current manure management plan and maintain records sufficient to demonstrate compliance with the manure management plan. Generally, the records are confidential.

The Act provides for mediation services between the owners of animal feeding operations and neighbors negotiating waivers, using the same procedures involving foreclosure actions, nuisance suits, and contract feeding arrangements.

The Act provides that if a person has received all permits required pursuant to Chapter 455B for an animal feeding operation, there is a rebuttable presumption that the animal feeding operation is not a public or private nuisance and that the animal feeding operation does not unreasonably and continuously interfere with another person's

comfortable use and enjoyment of the person's life or property under any other cause of action. The rebuttable presumption also applies to persons who are not required to obtain a permit pursuant to Chapter 455B for an animal feeding operation. The rebuttable presumption does not apply if the injury to a person or damage to property is proximately caused by a failure to comply with a federal statute or regulation or a state statute or rule that applies to the animal feeding operation. The rebuttable presumption may be overcome by clear and convincing evidence of both of the following: First, the animal feeding operation unreasonably and continuously interferes with another person's comfortable use and enjoyment of the person's life or property. Second, the injury or damage is proximately caused by the negligent operation of the animal feeding operation. A person who brings a losing cause of action against a person for whom the rebuttable presumption created under this provision is not rebutted is liable to the person against whom the action was brought for all costs and expenses incurred in the defense of the action, if the court determines that a claim is frivolous.

The Act requires the Department of Natural Resources to request that a number of farm organizations and governmental organizations consult with the department regarding this Act, rules adopted pursuant to this Act, and the Act's implementation.

The Act provides that the Department of Natural Resources, to the extent moneys are appropriated by the Seventy-sixth General Assembly, is to conduct a study of 10 animal feeding operations and their structures and manure management and disposal systems used by such operations. House File 553 (See Appropriations) appropriates \$50,000 to support the study pilot project.

The Legislative Council is requested to establish an interim study committee to examine the practices engaged in by packers, processors, and buyers, including persons regulated by the Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture.

The Act takes effect May 31, 1995.

ALCOHOL REGULATION AND SUBSTANCE ABUSE

- SENATE FILE 207** - Agreements Between Beer Brewers and Wholesalers
S.J.R. 12 - Capitol Restoration Events Involving the Rotary Club

RELATED LEGISLATION

- SENATE FILE 150** - Miscellaneous Provisions Concerning Children
SEE CHILDREN & YOUTH. This Act includes various provisions involving children, including child abuse and child in need of assistance statutes associated with children affected by drugs.
- SENATE FILE 446** - Operating While Intoxicated and Related Provisions
SEE TRANSPORTATION. This Act makes a variety of changes relating to the use or possession of alcohol and the operation of motor vehicles, including moving language prohibiting the possession of open receptacles containing alcoholic beverages in a motor vehicle from Chapter 123 to Chapter 321 and providing that violations are punishable by a scheduled fine, establishing periods of "hard" revocation (no driving privileges) for persons who are convicted of operating while intoxicated, reducing the effective date of revocation of driver's licenses for OWI convictions, reducing the time within which a new hearing must be granted after an OWI license revocation hearing result is contested, providing for the administrative revocation of the motor vehicle license or nonresident operating privileges of persons under the age of 21 who are found to be operating a motor vehicle while having an alcohol concentration level of .02 or greater, but less than .10, and providing for the impoundment or immobilization of motor vehicles used by the person to commit second or subsequent operating while intoxicated offenses.
- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
SEE APPROPRIATIONS. This Act includes an item vetoed provision that would have required the Iowa Department of Public Health to take certain actions regarding implementation of managed care for substance abuse (See the summary of S.F. 462 in Appropriations for the requirement that was enacted).
- HOUSE FILE 471** - Sentencing — VETOED BY THE GOVERNOR
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This bill contained a variety of changes related to the sentencing of certain criminal offenders and would have permitted a court sentencing a person for certain drug offenses, if the person was not using or in control of a firearm and did not commit an assault, to waive any applicable mandatory minimum sentence if mitigating circumstances existed and were stated on the record.
- HOUSE FILE 530** - Appropriations — Health and Human Rights
SEE APPROPRIATIONS. This Act provides for appropriations to the Iowa Department of Public Health and the Governor's Alliance on Substance Abuse, and contains a provision relating to the department's Substance Abuse and Health Promotion Division.

ALCOHOL REGULATION AND SUBSTANCE ABUSE

SENATE FILE 207 - Agreements Between Beer Brewers and Wholesalers

BY COMMITTEE ON STATE GOVERNMENT. This Act provides for the regulation of business relations between beer brewers and beer wholesalers. The conditions are listed under which an agreement between a brewer and the brewer's wholesaler may be terminated or canceled. The Act also lists prohibited conduct for brewers and wholesalers and provides for the transfer of business interests upon the death of a business partner and under certain other conditions.

The Act establishes judicial remedies for breaches of the agreements and prohibits retaliatory actions against a brewer or a wholesaler. A brewer is prohibited from a number of actions such as: requiring unreasonable conditions which prohibit a wholesaler from selling the product of another brewer, fixing a retail price or changing a wholesale price after the product is ordered, requiring the acceptance of delivery of a product which was not ordered, requiring the electronic transfer of payments for certain products without the wholesaler's concurrence, or discriminating in business dealings among wholesalers without reasonable grounds. A wholesaler is prohibited from selling beer outside the assigned territory without permission.

The Act also provides for the compensation of a wholesaler if a brewer cancels or fails to renew an agreement or unlawfully denies approval of, or unreasonably withholds consent to, any sale or assignment of a wholesaler's business assets. The wholesaler is entitled to the fair market value of the business. If agreement is not reached as to the price, a civil action may be filed or an arbitration panel may be used.

This Act applies to existing written agreements on the effective date of the next amendment, modification, or renewal of the agreement, or on the next anniversary of a valid agreement between a brewer and a wholesaler, whichever date is first, and to unwritten agreements on July 1, 1995, the effective date of this Act.

SENATE JOINT RESOLUTION 12 - Capitol Restoration Events Involving the Rotary Club

BY COMMITTEE ON STATE GOVERNMENT. This Joint Resolution authorized a temporary exception to the general prohibition against the consumption of alcoholic beverages in public buildings to permit the Des Moines Rotary Club and the Friends of Capitol Hill, Inc., to serve alcoholic beverages at a social event located in the State Capitol for members of the Rotary Club International of Iowa on Tuesday evening, March 23, 1995, only. This Joint Resolution took effect March 17, 1995.

APPROPRIATIONS

- SENATE FILE 266** - Appropriations — Education
- SENATE FILE 459** - Appropriations — Justice System
- SENATE FILE 462** - Appropriations — Human Services
- SENATE FILE 475** - State Financial Provisions
- SENATE FILE 481** - Appropriations — Transportation, Infrastructure, and Capital Projects
- SENATE FILE 484** - Appropriations — Administration and Regulation
- SENATE FILE 486** - Miscellaneous Appropriations, State Budget Processes, and Statutory Corrections
- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
- HOUSE FILE 186** - Appropriations — Energy Conservation — Petroleum Overcharge Funds
- HOUSE FILE 481** - Federal Block Grant Appropriations
- HOUSE FILE 482** - Iowa Communications Network — Supplemental, Operational, and Miscellaneous Appropriations
- HOUSE FILE 512** - Appropriations — Economic Development
- HOUSE FILE 530** - Appropriations — Health and Human Rights
- HOUSE FILE 553** - Appropriations — Agriculture and Natural Resources
- HOUSE FILE 578** - Iowa Communications Network Appropriations — Additional Connections and Support Services
- HOUSE FILE 579** - Compensation for Public Employees
- HOUSE FILE 583** - Restrictions on Community College Projects Involving Confinement Feeding Operations
- HOUSE FILE 584** - Crediting the Rebuild Iowa Infrastructure Fund — Miscellaneous Appropriation Provisions

RELATED LEGISLATION

- SENATE FILE 69** - Income and Property Tax Relief — Mental Health Funding
SEE TAXATION. This Act relates to tax provisions involving state income tax, county mental health and developmental disabilities expenditures and property tax levies for the expenditures, the county property tax limitation, and the property tax on industrial machinery, equipment and computers, and includes appropriations for property tax relief.
- SENATE FILE 255** - Commercial Feed Law — Funding of Commercial Pesticide Applicator Training
SEE AGRICULTURE. This Act amends provisions appropriating moneys to the Department of Agriculture and Land Stewardship in 1994, by providing that \$160,000 allocated to Iowa State University for purposes of training commercial pesticide applicators may be allocated from moneys appropriated last year to the pesticide program.
- HOUSE FILE 505** - Persons With Mental Retardation — Payment of Expenses
SEE HUMAN SERVICES. This Act includes provisions providing for the diagnosis of mental retardation by a qualified provider.

- HOUSE FILE 519** - Animal Feeding Operations
SEE AGRICULTURE. This Act requires the Department of Natural Resources, to the extent moneys are appropriated by the Seventy-sixth General Assembly, to conduct a study of 10 animal feeding operations and their structures and manure management and disposal systems used by such operations. House File 553 appropriates \$50,000 to support the study.

APPROPRIATIONS

SENATE FILE 266 - Appropriations — Education

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys from the General Fund of the State to the Department of Education, the College Student Aid Commission, the State Board of Regents and its institutions, and the Department of Cultural Affairs. This year's Act appropriated a total of \$753 million and provided for 17,511.3 full-time equivalent positions (FTEs), which exceeded the Governor's recommendations by \$3.4 million and 62.16 FTEs and was \$14.6 million and 131.2 FTEs over that of FY 1994-1995.

DEPARTMENT OF EDUCATION. Moneys are appropriated for purposes of the Department of Education's general administration, vocational education administration, Division of Vocational Rehabilitation Services, independent living, the Board of Educational Examiners, school food service, textbooks of nonpublic school pupils, the Vocational Agriculture Youth Organization and for other youth activities, the State Library, the regional library system, Center for Assessment, the Career Pathways Program, the Family Resource Center Demonstration Program, the Career Opportunity Program, the Public Broadcasting Division, the National Assessment of Education Progress project, Local Arts Comprehensive Educational Strategies (LACES) Program, advanced placement courses, vocational education to secondary schools, and community colleges.

One of the FTEs provided the department under the Act was to be filled by an individual hired to direct and administer the management information system, but this provision was struck by H.F. 584. The department is also required to conduct a study of the possible uses for the remaining portion of the interest earned on the Permanent School Fund and a study of Chapter 299, relating to compulsory education. Results of these studies are to be submitted to the General Assembly by January 1, 1996. Under the Act, the Division of Vocational Rehabilitation Services receives an increase of 6.73 percent above the adjusted amount appropriated for this purpose for FY 1994-1995. The department and the Iowa Alliance for Arts Education are to develop jointly grant applications and select grant recipients for the LACES Program, with 50 percent of FY 1995-1996's appropriation allocated to schools new to the program. Funds for independent living are increased 72.98 percent; for the Vocational Agriculture Youth Organization, 16.84 percent; for the State Library, 9.45 percent and 2.99 percent more FTEs; for the regional library system, 3.43 percent; and for the Public Broadcasting Division, 3.04 percent.

The Act includes the legislative intent that the division provide four FTEs for purposes formerly provided for under the Star Schools Program. The division is also to conduct a study of the efficiencies of the Iowa Communications Network and make recommendations relating to the elimination of duplicative efforts. The study findings and recommendations are to be submitted to the General Assembly by January 1, 1996.

The Act appropriates \$650,000 to the newly created Career Pathways Program from the General Fund of the State. House File 584 amends this Act to provide that of that amount, \$50,000 may be spent to employ an administrator for the program. Effective May 31, 1995, for FY 1995-1996, the Act also appropriates \$250,000 for the program from funds that were originally appropriated for the Iowa Computer Initiative in FY 1993-1994. For FY 1995-1996, additional funds transferred from Phase I to Phase III are to be paid to the Department of Education in the amount of \$50,000 for support of the Iowa Mathematics and Science Coalition, and in the amount of \$150,000 for the development of a K-12 and community college management information system. However, H.F. 584 provides that funds transferred for purposes of the management information system shall also fund one additional FTE for the department. The department is to submit a report to the Legislative Fiscal Bureau by January 1, 1996, describing system expenditures, completion, accomplishments, and recommendations for future system needs. Should funds be insufficient to cover the appropriation for the management information system, the Act provides for the transfer of Phase III funds that would otherwise revert to the General Fund. If funds are insufficient for the coalition, the amount appropriated to the department for purposes of the coalition is reduced to the amount available.

The amount appropriated to the community colleges reflects an increase of 4.68 percent. The department and community college trustees and presidents are to conduct a study of community college funding. Their recommendations and plan for distribution are due to the Governor and the General Assembly by December 1, 1995.

The Act increases funding for the New Iowa Schools Development Corporation by 25 percent. However, \$150,000 of the funds provided are to be used for the School and Community Planning Initiative.

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

The amount by which a student's loan debt may be reduced under the Primary Health Care Initiative is capped at \$30,000. Funds appropriated for the initiative may also be used for tuition scholarships. A student must practice in the state two years for every year of tuition scholarship received. The university is limited to using no more than \$50,000 of the amount appropriated for general administration costs. The university is required to submit to the Legislative Fiscal Bureau the university's annual audit and to quarterly report expenditures made in support of the initiative.

Effective May 31, 1995, the Act provides that funds appropriated to the Higher Education Strategic Planning Council for FY 1994-1995, that are unencumbered or unobligated on June 30, 1995, do not revert but are available for FY 1995-1996 for purposes of the Iowa Grant Program.

From the Scholarship and Tuition Grant Reserve Fund, the Act appropriates \$160,000 for the Work-Study Program, in addition to any other appropriations to the program under the Act. The Act also provides that funds appropriated for state scholarships shall be used in their entirety to fund scholarships for eligible students and the commission shall not place an across-the-board ceiling on the amount distributed under the State Scholarship Program.

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

Funds to the office of the State Board of Regents are reduced by 2.4 percent from the adjusted amount appropriated for FY 1994-1995. However, moneys for tuition replacement are increased by 6.02 percent over the adjusted amount appropriated for FY 1994-1995.

With the following exceptions, programs at Regents institutions are funded at or near FY 1994-1995 levels and sustain minor changes in FTEs. Funding for the Primary Health Care Initiative at the University of Iowa receives an increase of 22.22 percent; the Family Practice Program allocation is increased by 8.13 percent and its FTEs are increased by 8.40 percent; and the allocation for the National Advanced Driving Simulator is increased 119.16 percent, while its FTEs are increased by 13.64 percent.

A portion of the appropriation for the driving simulator is contingent on the announcement by the U. S. Department of Transportation of the selection of the contractor for the driving simulator system development. It is the intent of the General Assembly to provide future funding in the total amount of \$5.35 million to match federal funds for the construction of the driving simulator in FY 1996-1997 and FY 1997-1998.

Under the Act, the University of Iowa Hospitals and Clinics are to submit quarterly a report on the funds expended for general support of the university hospitals and clinics. The report is to be developed by the university hospitals and clinics, the Legislative Fiscal Bureau, and the Department of Management.

Iowa State University's general university allocation is increased by 1.17 percent over the adjusted amount appropriated for FY 1994-1995. From its general university allocation, the university is instructed to expend \$100,000 for purposes of the Healthy Livestock Program and \$75,000 to hold a North American Free Trade Agreement Export and Trade Summit.

DEPARTMENT OF CULTURAL AFFAIRS. The Act funds the Iowa Arts Council, the Historical Division, historic sites, and community cultural grants. The allocation to the department's administration is reduced from the adjusted amount allocated in FY 1994-1995 by 18.11 percent. The reduction is due to the elimination of one-time funding for cultural caucuses. The allocation to the Historical Division is increased by 4.44 percent and its FTEs are increased by 3.57 percent to increase positions for historic preservation and security.

STATUTORY PROVISIONS. State law provided that interest earned on the Permanent School Fund that remained after the distribution of interest earmarked for the First in the Nation in Education (FINE) Foundation and the National Center for Gifted and Talented Education was to become part of the Permanent School Fund. Effective May 31, 1995, the Act eliminates provisions making the interest a part of the Permanent School Fund and transfers the remaining interest to the newly created Interest for Iowa Schools Fund. The remaining portion of the interest earned on the Permanent School Fund shall, after transfers are made to the FINE Foundation and the National Center for Gifted and Talented Education, be deposited in the Interest for Iowa Schools Fund established under the Act. Moneys in the new fund may be used only for school purposes.

Effective May 31, 1995, a student who is expelled or suspended from a school, who has not met the conditions of the expulsion or suspension, and who changes district of residence, shall not be enrolled in the new district of residence until the board of directors of the new district of residence approves the enrollment by a majority vote.

The Career Opportunity Program is established under the Act. The mission of the program is to encourage collaborative efforts by a community college, Regents institutions of higher learning, and business and industry to enhance the educational opportunities and provide for job creation and career advancement for Iowa's minority persons in fields or areas where minorities are underrepresented. The program receives an allocation of \$135,000 in this Act.

Prior to this Act, community colleges received general state financial aid in quarterly payments. The Act provides for monthly installments on or about the fifteenth of each month. The establishment of the Community College Excellence 2000 Account is delayed from FY 1995-1996 to FY 1997-1998.

The maximum tuition grant amount a qualified student may receive is increased from \$2,600 to \$2,900. The appropriation for tuition grants is increased to \$35,664,750. The appropriation for the Work-Study Program is increased to \$2,950,000. The Act creates, but does not fund, a Chiropractic Graduate Student Forgivable Loan Program.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision that required the College Student Aid Commission to expend \$15,000 of its general administration moneys to provide grants to students enrolled in cosmetology or barber schools.
2. A provision expressing legislative intent that Capitol Security reallocate personnel to protect properly the State Historical Building.
3. A provision that would have required the recognized student government organizations at each of the three institutions of higher learning under the control of the State Board of Regents to submit biennially to the Governor a list of at least three names of students eligible to represent the institution on the board. The Governor could appoint a member of the board from the lists of names submitted.

SENATE FILE 459 - Appropriations — Justice System

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for the fiscal year beginning July 1, 1995, and ending June 30, 1996, to the Department of Justice, Office of Consumer Advocate, Board of Parole, Department of Corrections, including correctional facilities and the judicial district departments of correctional services, Judicial Department, State Public Defender, Iowa Law Enforcement Academy, Department of Public Defense, and Department of Public Safety, and contains related statutory provisions. The Act also establishes the Enhanced Court Collections Fund, which allows the Judicial Department to expend up to \$4 million for the Iowa

Court Information System from increased collections of court fines and fees. Under the Act, the total appropriations to the justice system of \$297.7 million reflect an increase in appropriations from the General Fund of approximately \$19.3 million from FY 1995 appropriation.

DEPARTMENT OF JUSTICE. The Act increases funding for the Department of Justice by \$411,000 compared to the estimated FY 1995 appropriations. These appropriations include amounts for the Office of the Attorney General, the Prosecuting Attorneys Training Program, amounts for victim assistance grants to care providers providing services to crime victims of domestic abuse or rape and sexual assault, and the Governor's Alliance on Substance Abuse (GASA) Prosecuting Attorneys Program. The Act also provides for the establishment of a Farm Services Unit and a Juvenile Unit within the Office of the Attorney General.

DEPARTMENT OF CORRECTIONS. The Act increases the General Fund appropriation to the Department of Corrections by \$10.3 million from the estimated FY 1995 appropriation.

The Act provides approximately \$1.85 million for educational programs for inmates. In previous years, this appropriation was made to the Department of Education. The Act also specifies that the Department of Corrections notify the co-chairpersons and ranking members of the Joint Appropriations Subcommittee on the Justice System and consult with affected employee organizations prior to privatizing any new services in an amount that exceeds \$100,000.

The Act requires the department to conduct the following studies and report to the Legislature in January 1996:

1. A cost comparison analysis of leasing, constructing, or remodeling a building for use as a community-based corrections residential facility and office in Fort Dodge.
2. A study considering the establishment and location of a 50-bed infirmary unit to provide health care for inmates.
3. A study, in consultation with the Board of Parole, the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights, and the Office of the Attorney General, on whether to establish a super-maximum security correctional facility for inmates.

The Act also establishes a Prison Recycling Fund and Inmate Telephone Rebate Fund under the control of the Department of Corrections. The Prison Recycling Fund takes effect May 4, 1995, and is retroactively applicable to July 1, 1994.

JUDICIAL DEPARTMENT. The Act provides for an additional \$3.6 million in funding compared to the estimated FY 1995 appropriation. The Act provides for an additional seven district court judges, four district associate judges, 11 court reporters, four juvenile court officers, and one additional full-time position for the Court Appointed Special Advocate Program. The Act establishes the Enhanced Court Collections Fund, which allows the Judicial Department to expend up to \$4 million for the Iowa Court Information System from the collection of court fines and fees in excess of the amounts estimated by the Revenue Estimating Conference. The Act specifies that the first \$360,000 deposited in the fund shall be used for the purchase of jury management software. The Act also provides additional moneys to add 15 counties to the Iowa Court Information System. The Judicial Department is also required to report to the Legislature in January 1996 and January 1997 on whether adding counties to the Iowa Court Information System results in a 50 percent reduction in uncollected court fines and fees in those counties.

PUBLIC SAFETY. The Act appropriates an additional \$2.2 million and 36 additional positions to the Department of Public Safety compared to the estimated FY 1995 appropriation. The Act provides for additional agents and officers to staff several new riverboats. The Act also makes a statutory change to provide that the license fees and state admission fees for excursion gambling boats shall be set to provide revenues to fund, at most, 65 percent of the salary costs for no more than two special agents and four gaming enforcement officers for each excursion gambling boat. The Act also requests the Legislative Council to establish an interim study committee concerning the

enforcement of activities on excursion gambling boats. Senate File 481, the transportation and capitals appropriations Act, provides the funding for the highway patrol.

MISCELLANEOUS. The Act, in a section that takes effect May 4, 1995, extends the deadline for the submission of a plan by the Intermediate Criminal Sanctions Task Force, from January 15, 1995, to January 15, 1996.

SENATE FILE 462 - Appropriations — Human Services

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations to the Department of Human Services (DHS) and to the Prevention of Disabilities Policy Council for FY 1995-1996, and includes provisions relating to human services and to health care.

FAMILY INVESTMENT PROGRAM. This appropriation to the Family Investment Program, or FIP (formerly known as Aid to Families with Dependent Children), is less than the amount appropriated in previous fiscal years. New legislative intent language under this appropriation directs the department to research the feasibility of developing residential facilities or "second chance homes" for young mothers and their children. The research is to consider the potential effects of deterring child abuse through use of the homes. Results of the research are to be submitted to the General Assembly by January 8, 1996.

EMERGENCY ASSISTANCE. This appropriation maintains the current level of assistance to recipients to prevent homelessness compared with the adjusted FY 1994-1995 appropriation. The Act establishes that the maximum grant level is \$500 per family in any 12-month period. The Act also requires DHS to establish a process to receive refunds of rental deposits for recipients of emergency assistance paid by persons other than the state. The moneys received as refunds of rental deposits are not to revert to the General Fund at the end of the fiscal year, but are to remain available for expenditure in the next fiscal year.

MEDICAL ASSISTANCE (Medicaid). The appropriation for Medical Assistance (MA) is an increase of approximately 2 percent over the FY 1995 appropriation. The Act does the following:

- authorizes DHS to transfer funds appropriated for MA to a separate account for expenditures required to provide case management services under MA for mental health, mental retardation, and developmental disabilities services which are jointly funded by the state and county, pending final settlement of the expenditures;
- specifies the amount that the county of legal settlement of a recipient of MA, who is older than 17 years of age and who is receiving various types of services, is to reimburse DHS for the nonfederal share of the costs of these services;
- allows DHS to adopt and implement rules regarding the prepaid mental health services plan for MA recipients and requires the state to pay 100 percent of the nonfederal share of any services included in the plan implemented;
- provides for expenditure of not more than \$60,000 to continue the previously established AIDS/HIV Health Insurance Premium Payment Program;
- directs DHS to adopt rules to establish the requirements for an alternative nursing home pilot project contingent upon federal approval;
- directs DHS to develop and implement an MA home and community-based waiver for persons with brain injury who currently reside in medical institutions and who have been residents of these institutions for a minimum of 30 days;
- transfers \$950,000 from the Iowa Department of Public Health to the MA program for implementation of a substance abuse treatment managed care system and requires DHS to submit a quarterly report either to the General Assembly or to the Legislative Council regarding the progress and activities of the program;
- allows DHS to require prior authorization, beginning September 1, 1995, for any brand name prescription drug which has an "A" rated generic bioequivalent which is also recommended for prior authorization by the Drug Utilization Review Commission, requires DHS to establish an educational program to review and encourage the use of these drugs, prohibits expansion of prior authorization beyond the "A" rated drugs without additional legislative action, prohibits prior authorization of clozapine beginning January 1, 1996, and requires DHS to consider expert medical opinion in revising rules applicable to clozapine;

- ◆ requires DHS to amend the contract with the fiscal agent regarding prior authorization to expand the days and times for review of inquiries by the fiscal agent;
- ◆ requires DHS to conduct a study of the prior authorization program to be completed by October 1, 1995, and directs the Legislative Fiscal Bureau to conduct a review of the study following its completion;
- ◆ directs DHS to implement maximum allowable costs for multiple source drugs in accordance with federal guidelines when it is economically feasible;
- ◆ directs DHS to develop strategies to address administrative and provider concerns relating to the Medically Needy Program and to submit a report to the General Assembly by November 30, 1995;
- ◆ directs DHS to seek qualification of supervised community treatment for children under the MA program;
- ◆ requires DHS to amend the current home and community-based waivers to include "consumer-directed attendant care" as allowed under federal regulation and to develop and implement a new home and community-based waiver for persons with physical disabilities to develop the Personal Assistance Services Program which would not require additional county or state costs for assistance under the waiver; and
- ◆ directs DHS to adopt rules to identify the optimum staffing ratios for intermediate care facilities for the mentally retarded, in consultation with the Department of Inspections and Appeals, the Iowa State Association of Counties, and the Iowa Association of Rehabilitation and Residential Facilities.

MEDICAL CONTRACTS. This appropriation is an increase compared with the FY 1995 appropriation. The Act authorizes DHS to continue to contract for drug utilization review under the MA program, authorizes DHS to use a portion of the funds for contracting for the rebasing-recalibration of the ambulatory patient grouping system, and authorizes use of not more than \$75,000 for the independent evaluation of the prepaid mental health services plan with an additional requirement of the submission of a report on a quarterly basis to the General Assembly or to the Legislative Council regarding the progress and activities of the plan.

STATE SUPPLEMENTARY ASSISTANCE (SSA). This appropriation is a decrease in the amount compared with the FY 1995 appropriation and requires the department to increase the personal needs allowance for residents of residential care facilities at the same rate and at the same time that federal Social Security income and benefits are increased. The Act also provides that DHS may take certain actions to ensure that federal requirements are met if DHS projects that state supplementary assistance expenditures for a calendar year will not meet the federal pass-along requirements. If DHS projects that the state supplementary assistance expenditures for the fiscal year will exceed the amount appropriated, DHS is authorized to transfer funds appropriated for MA for the SSA program if the funds transferred are projected to be in excess of the funds necessary for the MA program.

CHILD DAY CARE ASSISTANCE. The Act provides for an increased appropriation compared with the appropriation for the previous fiscal year. Eligibility for state child day care assistance remains at 100 percent of the federal poverty guidelines, but may be increased to 75 percent or the Iowa median family income on or after October 1, 1995. The Act specifies that migrant seasonal farm workers are eligible for state day care assistance if the family income is less than or equal to 100 percent of the United States Office of Management and Budget poverty guidelines, defines a migrant seasonal farm worker for the purposes of state child care assistance, and provides a calculation for determining eligibility. The Act requires DHS to develop, in cooperation with child day care resource and referral services and with the State Child Day Care Advisory Council, incentives to encourage the registration of child day care providers, with a report of the recommendations due to be submitted to the chairpersons and ranking members of the Joint Appropriations Subcommittee on Human Services by January 1, 1996. The amount appropriated for transitional child care is increased relative to the previous fiscal year and the Act authorizes use of the moneys in the Child Day Care Credit Fund to subsidize state child care assistance. The Act also allocates \$35,000 of the funds appropriated for child day care assistance to the United Mexican-American Center in Des Moines for the center's child day care program.

JOBS PROGRAM. The Act provides for a decreased appropriation compared with the appropriation for the previous fiscal year in the Job Opportunities and Basic Skills Program and maintains the level of funding for the Family Development and Self-Sufficiency (FaDSS) Program. The Act also requires DHS to continue the work and training program in accordance with the federal waiver granted in FY 1994 if the waiver renewal request is granted by the federal government.

CHILD SUPPORT RECOVERY. The Act provides an increased appropriation in comparison with the appropriation for the previous fiscal year. The Act provides for the continued implementation of the advanced planning document, which is a federally mandated software development project for automated support of child support casework, and for implementation of child support initiatives, including the affecting of licensure of obligors under the new program specified in S.F. 431 (See Human Services), continuation of the pilot project utilizing court-appointed referees for judicial determinations on child support matters, continuation of the child support public awareness campaign with the Office of the Attorney General, continuation of the community services pilot project for absent parents, and for the employment of at least one full-time equivalent position to respond to telephone inquiries during all weekly business hours. The Act also authorizes the Director of Human Services to enter into a contract with private collection agencies to collect support payments if this approach is more cost-effective than departmental collection methods.

JUVENILE INSTITUTIONS. The Act provides funding for juvenile institutions at Eldora and Toledo at an increased level compared with the appropriation for the previous fiscal year, limits population levels to the population guidelines established in 1990, requires each state juvenile institution to apply for adolescent pregnancy prevention grants, and allows for the transfer of funding between the institutions to fulfill the needs of the institutions.

CHILD AND FAMILY SERVICES. The appropriation for child and family services is increased by approximately 10 percent over the previous fiscal year appropriation. A significant part of the increase is to replace moneys previously transferred to this appropriation from the federal Social Services Block Grant. The Act continues authority for the department to transfer funding to the appropriations for Medical Assistance and the Family Investment Program as necessary to pay for services paid for under those appropriations which would otherwise be paid under this appropriation.

The amount allocated for group foster care and the statewide target for the average number of children who may be placed in group foster care are both reduced relative to the previous fiscal year appropriation. A committee created pursuant to the 1994 Human Services Appropriations Act recommended that a Medical Assistance-funded program for children known as psychiatric medical institutions for children (PMIC) be incorporated in the state's managed mental health care contract. In accordance with that recommendation, DHS is authorized to proceed with that approach and to incorporate PMIC beds into the statewide group foster care target.

The child and family services appropriation continues or modifies intent language that has appeared in previous years which directs DHS to establish a goal that not more than 15 percent of children placed in federally funded foster care may be placed in foster care for more than 24 months; continues the program to decategorize child welfare funding; allocates funding for continued foster care for children age 18 or older under a signed agreement; specifies the amount of state assistance for county or multicounty juvenile detention homes; authorizes DHS to continue contracting for efforts to expand the number of children in foster care who are eligible for federal Supplemental Security Income (SSI); authorizes a portion of the appropriation to be used for emergency family assistance for a family participating in a family preservation or reunification project; limits the state funding for shelter care; authorizes funding and transfers of other funding for the department's development of a computer system for adoption and foster care information; and continues funding for improving DHS staffing of foster care and adoption services.

New intent language authorizes the department to use funding for a performance-based monitoring program to improve outcomes for children and families; authorizes development of a subsidized guardianship program for guardians of certain children placed outside of their homes; and requires a study of the feasibility of expanding confidentiality provisions to permit teams of local social services providers to discuss individual cases.

COMMUNITY-BASED PROGRAMS. The Act provides an increased appropriation compared with the estimated appropriation of the previous fiscal year. The Act specifies that of the moneys appropriated for adolescent pregnancy prevention grants, \$156,048 is to be used for programs to prevent second or subsequent pregnancies during the adolescent years and to provide support services for pregnant or parenting adolescents, and also provides

that \$298,000 is to be used for continuation of the grant program for groups which focus on the prevention of initial pregnancies during the adolescent years. The Act also provides moneys for child abuse prevention grants.

COURT-ORDERED SERVICES PROVIDED TO JUVENILES. The Act maintains the level of funding as compared with the estimated appropriation for the previous fiscal year. The Act provides for the continuation of the planning groups established by each judicial district for review of expenditures under the appropriation and requires annual reports from the planning groups to be submitted to the Joint Appropriations Subcommittee on Human Services and the Legislative Fiscal Bureau, requires that the funds appropriated be expended only after all reasonable efforts have been made to utilize other funding sources and community-based services, and requires DHS to compile a monthly report regarding expenditures in each district. The Act prohibits a court from ordering any service that is a charge upon the state if there are insufficient funds to pay for the services and prohibits a court from ordering a county to pay for any services that are a charge upon the state. The Act also permits the transfer of not more than \$400,000 to the appropriation for child and family services to be used to provide school-based supervision of children adjudicated delinquent.

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

STATE HOSPITAL-SCHOOLS. The Act provides a decreased appropriation in comparison with the previous fiscal year, which reflects the shifting of services to community-based facilities. The Act also provides that funds may be reallocated as necessary to best fulfill the needs of the institutions under the appropriation.

MENTAL ILLNESS SPECIAL SERVICES, FAMILY SUPPORT SUBSIDY PROGRAM, SPECIAL NEEDS GRANTS, AND STATE CASES. The Act provides an increase in the appropriation for special services in comparison with the appropriation for the previous fiscal year, the appropriation for the Family Support Subsidy Program is a slight increase in comparison with the previous fiscal year, the appropriation for the special needs grants maintains the current level of funding, and the appropriation for state cases is decreased compared with the previous fiscal year.

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES COMMUNITY SERVICES — COMMUNITY SERVICES FUND. The actual amount of the appropriation to the fund is reduced by \$13 million from the original appropriation in the previous fiscal year. The amount of the reduction is replaced with moneys allocated from the federal Social Services Block Grant that was originally allocated for child and family services. The Act also revises the FY 1994-1995 appropriations made for these purposes.

Intent language included under this appropriation is similar to the language in recent years. Approximately \$16 million from the Mental Health and Developmental Disabilities Community Services Fund and \$13 million from the block grant are distributed to counties according to a population and poverty formula; 50 percent of the moneys from the fund must be used for contemporary services according to rules adopted by the Mental Health and Developmental Disabilities Commission; the Iowa Compass Disability Services Information and Referral Program is again funded; regional planning councils must submit services plans and counties must submit expenditure reports; funding is allocated for certain counties having supplemental per diem contracts in effect; block grant funds must be used with case management and are subject to DHS purchase of service requirements; and plans must be submitted for block grant services.

PERSONAL ASSISTANCE — FAMILY SUPPORT. The Act provides \$250,000 for the implementation of a pilot project for the Personal Assistance Services Program in an urban and a rural area. A portion of the funds may be used to develop a federal home and community-based waiver under the Medical Assistance program for persons with physical disabilities. The pilot project and the waiver are to be implemented in a manner that does not require additional county or state costs for assistance provided under the pilot project or the waiver. The Act also requires DHS to apply for federal funds available through the federal Families of Children with Disabilities Support Act of 1994, provided that no new state or county funds are necessary to match the federal funds, and authorizes DHS to

use funds from existing programs as matching funds if the program goals are consistent and reduction in services to recipients will not result.

FIELD OPERATIONS, GENERAL ADMINISTRATION, VOLUNTEERS, AND X-PERT. The appropriation for field operations is increased to provide for the employment of up to an additional 8.5 full-time equivalent positions to increase special needs adoption placement services. The appropriation for general administration is an increase over the previous fiscal year appropriation due in part to postage rate increases, the updating of essential information systems, computer and networking support, the salary of a permanent mental health access plan manager, and the inclusion of the Prevention of Disabilities Policy Council. The appropriation for development and coordination of volunteer services is maintained at the current level of funding in comparison with the previous fiscal year. The appropriation for the X-PERT computer-based eligibility determination system is a decrease in the appropriation over the previous fiscal year due to reduced development expenditures as the system nears implementation.

REIMBURSEMENTS FOR MEDICAL ASSISTANCE (MA), STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICES PROVIDERS. With the following exceptions, no increases are made to the reimbursement rates paid to MA providers: obstetric services, skilled nursing facilities, and inpatient and outpatient hospital services. The Act also requires continuation of the outpatient hospital reimbursement system based upon ambulatory patient groups and requires DHS to continue the revised MA payment policy for reimbursement for costs of screening and treatment provided in the hospital emergency room pursuant to the prospective payment methodology developed by DHS for payment of outpatient services provided under the MA program. Rural health clinics may receive an increase in reimbursement in accordance with any increase under the federal requirements and certain home health agencies, hospice services, and acute care mental hospitals are to be reimbursed for their current federal audited costs.

The rate of reimbursement of nursing facilities is established at the 70th percentile based upon the June 30, 1995, unaudited compilation of costs and statistical data, with the provision that the reimbursement may be again increased to the 70th percentile based on the December 31, 1995, unaudited compilation of costs if sufficient funds are available both in the intermediate care facility and the overall medical assistance budgets and the adjustment would be effective January 1, 1996. The Act authorizes DHS to revise the fee schedule used for physician reimbursement; requires DHS to reimburse federally qualified health centers at 100 percent of reasonable costs, in accordance with federal requirements; and establishes a reimbursement rate for air ambulance services at \$7.50 per mile and the base rate at \$200.

The Act also requires DHS to continue the pilot project for implementation of the alternative payment system for pharmaceutical care services under the MA program and requires the submission of a report of the findings and recommendations resulting from an evaluation of the pilot project to the Legislative Fiscal Bureau and to the chairpersons and ranking members of the Joint Appropriations Subcommittee on Human Services by January 15, 1997.

The Act establishes the maximum cost reimbursement rate for residential care facilities at \$21.32 per day and the rate for facilities not filing cost reports at \$15.25 per day. The Act establishes a foster family basic daily maintenance rate and a maximum adoption subsidy rate for children based upon the age of the child; provides that effective July 1, 1995, the payment to foster and adoptive families is to be calculated on a daily basis; and provides that beginning July 1, 1995, the special care allowance paid to adoptive families who have adopted a child with special needs and who are eligible for an adoptive subsidy is to be the same as those for foster care.

The Act provides that in addition to previously established criteria for an increase in the maximum reimbursement rates for social service providers, the rate is to be increased if DHS revises the reimbursement rates due to implementation of a redesigned purchase of services system. The Act requires that out-of-state foster care providers be reimbursed using the same rate-setting principles as those used for in-state providers unless the Director of Human Services determines that appropriate care cannot be provided within the state, and provides that reimbursement for a foster care provider's daily rate is calculated based upon the actual number of days in a calendar month.

The Act provides that the rate for shelter care providers is to be based on the cost report submitted to DHS and that the maximum reimbursement rate is \$76.61 per day; authorizes DHS to adjust the rate paid to a shelter care provider up to the maximum rate under certain circumstances; requires DHS to review expenditures for and usage of shelter care services in January 1996; and authorizes DHS to utilize moneys, if usage is less than anticipated and the existing contracts for provision of shelter care do not obligate the total amount of funds, for wrap-around services or support to prevent group foster care placement or to reduce the length of stay. The Act requires DHS to modify reimbursement to group foster care providers to pay the provider for the time a child is away from the agency for good cause. The Act also prohibits DHS from reducing the percentile limit for reimbursements for intermediate care facilities for the mentally retarded for the period beginning July 1, 1995, and ending June 30, 1996, which would result in the reimbursement rate remaining at the 80th percentile of facility costs.

STANDARDS FOR CASELOADS AND REIMBURSEMENT. This section does not provide an appropriation but requires DHS research and planning to improve the adequacy of reimbursement for family foster care. Specific provisions must be addressed, including respite care, clothing and school expense allowances, and driver's education.

STATE INSTITUTIONS CLOSINGS AND REDUCTIONS. The Act requires DHS to coordinate efforts in cooperation with the Iowa Department of Economic Development to develop new jobs in the area in which a state institution is located if a state institution is to be closed or reduced in size. The Act also provides that DHS may take other actions to utilize the facilities of an institution if changes are made.

MISCELLANEOUS AND STATUTORY PROVISIONS. The Act provides for various supplemental appropriations and appropriation reductions to the FY 1994-1995 budget in order to maximize qualification for federal funds. The Act codifies a requirement that the State Racing and Gaming Commission and the Iowa Lottery Board cooperate with the Gamblers Assistance Program to incorporate information regarding the Gamblers Assistance Program and the toll-free telephone number in printed materials distributed by the commission and the board, and eliminates a codified provision that DHS hold two public hearings during the development of the department's budget.

The Act provides for adoption of emergency rules if specifically authorized under the Act. If emergency rules are adopted, the rules are also to be published as notice of intended action.

The Act provides that the portions of the Act relating to prior authorization, the nursing home waiver pilot program, reimbursement rates for intermediate care facilities for the mentally retarded, and the portions relating to supplemental appropriations and appropriation reductions to the FY 1994-1995 budget are effective April 27, 1995.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. The portion of the Act that would have required DHS to develop a plan to administratively pursue reimbursement for pharmacy services for which a recipient of medical assistance also has third-party coverage.
2. The portion of the Act that would have required DHS to seek federal approval on or before August 1, 1995, for the implementation of a pilot program to allow Medical Assistance program reimbursement for payment of services provided by persons who provide a home and services to persons who currently reside in nursing homes.
3. The portion of the Act that would have allocated \$1 million for respite services to families of children with mental retardation or other developmental disabilities, who would otherwise enter or continue group care or foster family home placement. If the moneys allocated were unused, DHS was directed to transfer the projected unused amount to the appropriation for the Family Support Subsidy Program to provide assistance to additional families who would otherwise remain on the waiting list for the program. The portion of the Act also directed a cooperative effort among specified entities to develop recommendations for consideration in the 1996 Legislative Session regarding respite program funding and policy.

4. The portion of the Act that would have prohibited DHS from assessing a support obligation for a child's parent or guardian for the cost of foster care, if the child was placed in foster care due to an allegation of child abuse that was subsequently determined to be unfounded, and if the child was removed from the child's home and placed in foster care during the fiscal year beginning July 1, 1994.
5. The portion of the Act that would have appropriated \$100,000 in addition to the amount appropriated in the previous fiscal year for family planning services.
6. The portion of the Act that would have required DHS to develop a plan to meet national standards for social worker caseloads.
7. The portion of the Act that would have codified a provision to include funding for care at the mental health institutes and at the state hospital-schools in the moneys available to a county for decategorized child welfare funding. A portion of the fund could have been used for emergency family assistance to provide resources for families to remain intact or to be reunified, and DHS would have been required to inform each county in advance of a fiscal year of the amount of funding available on account for the county at the state institutions for the fiscal year.

SENATE FILE 475 - State Financial Provisions

BY COMMITTEE ON APPROPRIATIONS. This Act relates to various state financial provisions.

Division I - Lease-Purchase Arrangements and Capital Project Reports

Division I amends provisions involving lease-purchase arrangements and capital projects. The amendments to Sections 2.47 and 18.12 provide that capital projects reports, submitted by the Department of General Services and received by the Legislative Capital Projects Committee of the Legislative Council, are to be made annually rather than semiannually. Section 8.46, relating to lease-purchase arrangement reports made to the Legislative Fiscal Committee, is amended to include arrangements in which the ownership title passes on the final installment, include reporting on contracts with installment acquisition arrangements, require reporting at least 30 days prior to entering into a contract, permit estimates if the actual costs are unknown at the time of the report, and strike provisions requiring quarterly reports concerning lease-purchase arrangements.

Division II - Revenue Estimating

Division II provides for the Revenue Estimating Conference to include an additional estimate in the estimate used by the Governor and the General Assembly in developing the state budget for the succeeding fiscal year. The additional estimate is for net lottery revenue.

Division III - State Payment Provisions

Division III amends Chapter 282, relating to school attendance and tuition. The amendments relate to school aid payments for children who receive education in special programs outside their school district. Under prior law, the cost of that education was deducted from all foundation aid in the same fiscal year as the payment was made. Under the Division, the deduction is made in the fiscal year following the year in which the cost is paid.

Section 421.31 is amended to require the Director of Revenue and Finance to serve as administrator for state actions concerning the federal Cash Management and Improvement Act of 1990. The director is to represent the state in negotiations with the federal government, modify the state accounting system, and perform other financial activities in compliance with the federal Act.

This Division includes provisions relating to payment of state obligations under Generally Accepted Accounting Principles (GAAP). Section 260D.12 was amended in 1994 to provide for four equal payments of state funding to merged area schools in the same fiscal year. The Division provides for monthly installments on the fifteenth day of each month of a fiscal year. The 1994 amendment to Section 260D.12, and similar amendments to Section 257.16, relating to state school aid payments; Section 285.2, relating to payments for nonpublic school transportation; and

Section 303.18, relating to repayment to the permanent school fund of a loan for the state historical building, have contingent effective dates relating to payment of the obligations in accordance with GAAP. The contingent effective date is replaced with an effective date of July 1, 1995.

All of Division III, except for the provision for merged area school payments which takes effect in July 1, 1995, takes effect May 24, 1995.

Division IV - Cash Reserve and Other Special Funds

Division IV relates to the State Cash Reserve Fund and other special funds. Section 8.55 is amended to provide that interest on moneys in the fund is to be credited to the Rebuild Iowa Infrastructure Fund. Section 8.56, subsection 1, is amended to provide that interest from the cash reserve is credited to the infrastructure fund instead of the Iowa Economic Emergency Fund.

Section 8.57, subsection 2, is amended to strike language allowing unspent moneys to remain in the GAAP Deficit Reduction Account for subsequent fiscal years. The Division requires that any moneys remaining in the account on September 1 which are not spent for items on the schedule for eliminating the state deficit under generally accepted accounting principles (GAAP) for the previous fiscal year are to be credited to the Iowa Economic Emergency Fund.

The Rebuild Iowa Infrastructure Account is changed to a fund separate from the General Fund of the State, its balance is not to revert to any fund, and the fund is to retain its interest and earnings. Section 8.58 is amended to provide that moneys in the infrastructure fund shall not be considered in the application of any formula, index, or other statutory triggering mechanism which would affect appropriations, payments, or taxation rates and shall not be considered under collective bargaining provisions.

New Section 8.62 establishes a State Innovations Fund in the State Treasury under the control of the Department of Management and authorizes the Director of the Department of Management to establish an eight-member loan committee to award loans to state agencies to implement expenditure-reducing or revenue-enhancing ideas. The minimum loan request is to be determined by the Department of Management and must be for a project which cannot be funded without compromising normal service levels. The State Innovations Fund is designed to be self-supporting with the agency required to repay the funds with interest.

Division IV takes effect May 24, 1995.

Division V - Budget Submissions

Under prior law, the executive branch agencies were required to submit their initial budgets for the succeeding fiscal year to the Department of Management by September 1. The Act changes this deadline date to October 1. However, if an agency misses the deadline, the Legislative Fiscal Bureau is to use the amounts of the agency appropriations for the fiscal year in process at the time the budgets are submitted as the agency's budget request in documents submitted to the General Assembly in the budgeting process. The Governor's authority to develop an agency's budget request if the agency misses the deadline remains the same.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision that would have authorized the Governor to submit the state employee salary adjustment recommendation portion of the Governor's budget by March 1 or later if salary negotiations were pending.
2. A provision that would have required the Revenue Estimating Conference to develop a preliminary projection of the amount of the Medical Assistance appropriation needed for the succeeding fiscal year.

SENATE FILE 481 - Appropriations — Transportation, Infrastructure, and Capital Projects

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and makes appropriations to the State Department of Transportation, makes appropriations for capital projects from the Rebuild Iowa Infrastructure Fund, allocates excess lottery revenues, appropriates moneys for the Iowa Highway Patrol, and makes other miscellaneous changes.

Division I - State Department of Transportation

Division I appropriates moneys from the General Fund of the State, the Road Use Tax Fund, and the Primary Road Fund to the State Department of Transportation for the fiscal year beginning July 1, 1995, and ending June 30, 1996. The Division provides that moneys allocated to the Motor Vehicle Division of the department be used to provide effective and necessary oversight of the county treasurer's issuance of motor vehicle licenses and requires the department to conduct an intermodal transportation study.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

Up to \$100,000 for the renovation of historic electric rail cars and the payment of renovation expenses incurred by the Mason City - Clear Lake Electric Trolley Railroad Historical Society conditioned upon the receipt of local matching funds from funds allocated for use by the Railway Finance Authority.

Division II - Capital Projects

Division II appropriates moneys from the Rebuild Iowa Infrastructure Fund of the State to the State Board of Regents, the Department of Corrections, the Department of Economic Development, the Department of Education, the Department of General Services, the Department of Human Services, the Department of Management, and the Department of Public Defense. The Division appropriates moneys from marine fuel tax receipts deposited in the General Fund of the State to the Department of Natural Resources.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. An appropriation from the Rebuild Iowa Infrastructure Fund to the Department of Cultural Affairs to correct water seepage and complete design specifications for rehabilitation work on the Centennial Building in Iowa City.
2. An appropriation from the Rebuild Iowa Infrastructure Fund to the Department of Economic Development for construction of a welcome center in Bremer County.
3. Provisions appropriating moneys from the Rebuild Iowa Infrastructure Fund to the Department of Education for capital projects and equipment for community colleges.
4. An appropriation to the Department of General Services from the Rebuild Iowa Infrastructure Fund for improvements at the State Capitol Complex, including construction of a tunnel under Grand Avenue from the State Capitol Building, renovation of the Old Historical Building, and site preparation for the proposed parking ramp north of Des Moines Street.

Division III - Lottery Transfers

Division III provides that lottery revenues collected during FY 1995-1996 shall, after payment of all expenses, be transferred to the General Fund of the State instead of to the CLEAN Fund as prior law directed.

This Division also transfers lottery revenues in excess of \$34,400,000 deposited into the General Fund of the State during FY 1994-1995 to various agencies for the following purposes and in the following priorities: the World Food Prize; county fairs; Iowa State Fair Foundation; Loess Hills Development and Conservation Authority; Departments of Agriculture and Land Stewardship and Corrections for repairs and improvements at the National Heritage Orientation Center and Public Market; a grant to the Wallace Foundation for Rural Research and Development; natural lake preservation efforts; capital improvements at Backbone Lake; Lake Ahquabi; Southeast

Polk Community School District; for the Women in Military Service Memorial; and the Lewis and Clark Rural Water System; with the remaining revenue transferred to the Iowa State Fair Foundation for capital projects and major maintenance improvements at the Iowa State Fairgrounds. The Division allows the Department of Cultural Affairs to use moneys appropriated in 1994 Acts to contract for completion of a study of Blood Run National Historic Landmark. These provisions take effect on June 1, 1995.

THE GOVERNOR ITEM VETOED PROVISIONS RELATING TO THE FOLLOWING TRANSFERS OF MONEYS FROM THE LOTTERY FUND:

1. To the Department of Cultural Affairs for maintenance and improvement at the Gothic House Visitors Center.
2. To the Department of Natural Resources for a study of dredging at Crystal Lake.
3. To the Department of Economic Development for operation and support of the Dows Welcome Center.
4. To the Department of Natural Resources for repair and replacement costs for the spillway at Hickory Grove Lake.
5. To the Department of Agriculture and Land Stewardship for reconstructing and repairing flood-damaged dikes and levees on agricultural land not used for crops.
6. To the Iowa Department of Public Health for a grant to establish a rural medical care center in Tama.
7. To the Department of Natural Resources for a grant for costs associated with the Sauk Rail Trail and park improvements in Carroll.
8. To the Department of Natural Resources for renovation of the Boone walking trail.
9. To Iowa State University of Science and Technology for the Iowa Institute for Public Leadership.
10. To the Department of General Services for publication of *Under the Golden Dome*.
11. To the Department of Corrections for a grant to the Amer-I-Can Program.
12. To the Department of Education for contracting with the Iowa Alliance for Arts Education to execute the Local Arts Comprehensive Educational Strategies Program.
13. To the Department of Education for a grant to a community college to assist in a public-private partnership to provide child day care for nontraditional students.
14. To the Department of General Services for a child day care program at the Capitol Complex.
15. To the Iowa Peace Institute.
16. To the Division of Highway Safety, Uniformed Force, and Radio Communications of the Department of Public Safety for the purchase and activation charges for cellular phones for force members.
17. To the Department of Economic Development for expansion of the Microbusiness Rural Enterprise Demonstration Project.
18. To the Iowa Department of Public Health for a conference to develop a plan to provide health insurance coverage to children of low-income families.
19. To the Iowa Department of Public Health for a domestic violence conference.
20. To the Department of Corrections for a study of the development and use of a telecommunications network for worker training, inmate rehabilitation, and other related purposes in the Sixth Judicial District.

21. To Iowa State University for a study of alternative project delivery systems for publicly funded infrastructure projects.
22. To the Department of Elder Affairs for the 1995 Older Iowans Legislature.
23. To the Judicial Department for development and implementation of a long-range strategic plan for the judicial branch of Iowa government.
24. To the Department of Education for allocation to the community college with the highest increased enrollment for renovating a building for use as an urban center to prepare students for the workplace or to pursue postsecondary education.
25. To the Department of Human Services for grants to establish pilot projects for placement of geriatric patients with mental illness.
26. To the College Student Aid Commission for the Iowa Hope Loan Program.
27. To the State Department of Transportation for the city of Durant to construct a curb on Highway 927.

Division IV - Highway Patrol

Division IV creates a Highway Safety Patrol Fund. Moneys are appropriated from the General Fund of the State for the next five fiscal years to the Highway Safety Patrol Fund, which are then appropriated for purposes of the Highway Patrol. The Division provides that one-half of the use tax revenues which would previously have been deposited in the GAAP Deficit Reduction Account shall be credited to the Road Use Tax Fund and one-half to the commercial and industrial highway network, except to the extent that the Department of Revenue and Finance directs that the moneys be deposited in the Highway Safety Patrol Fund to fund appropriations from that fund.

Division V - Miscellaneous Provisions

Division V makes the position of State Roadside Specialist at the University of Northern Iowa permanent and increases the statutory appropriation from \$50,000 to \$75,000 and provides that moneys in the Living Roadway Trust Fund in excess of \$500,000 revert to the Resources Enhancement and Protection Fund. The Division makes permanent the six pilot project counties in which the county treasurers issue driver's licenses, requests an interim study on expansion of the pilot program, and provides for funding and other related provisions. The Division provides nonreversion language, which takes effect June 1, 1995, for an appropriation made to the State Department of Transportation during the 1994 Legislative Session.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision requiring the State Department of Transportation to improve the primary highway system so that the service levels in all sections of the state are equalized.
2. A provision that would have repealed, effective July 1, 1997, the authority of the county treasurers in the six pilot project counties to issue driver's licenses on a permanent basis.

SENATE FILE 484 - Appropriations — Administration and Regulation

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and appropriates moneys to various state departments, agencies, funds, and certain other interstate and national entities for the fiscal year beginning July 1, 1995, and ending June 30, 1996. The total amount appropriated in this Act is \$81,900,000.

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

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

The Act transfers funds from the Centralized Purchasing Revolving Fund to the General Fund of the State on June 30, 1995. This provision takes effect June 30, 1995.

The Act requires state agencies receiving appropriations under the Act to report all expenses in excess of the funds appropriated from any statutory revolving fund during the fiscal year beginning July 1, 1994, and ending June 30, 1995. The report is due by September 30, 1995, and shall be submitted to the chairperson and ranking members of the Joint Appropriations Subcommittee on Administration and Regulations and the Legislative Fiscal Bureau.

A few statutory amendments are included in this Act. Flexibility is provided for a state department to adjust its credit and processing fees if necessary.

The Act also amends Section 25.2 to require the Treasurer of State to publish notice upon receipt of a report on unpaid warrants that have been outdated for two or more years.

The Act also provides that surcharges collected by a county conservation board are to be remitted to the Department of Revenue and Finance rather than to the Treasurer of State.

Three obsolete sections relating to fees and reports of the Treasurer of State are repealed. The fees and reports are filed with the Judicial Department in lieu of the Treasurer of State. Required statements and payments related to a section on unclaimed fees which was repealed in 1990 are also repealed.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Provisions that created and defined the parameters of a pilot Consumer Health Education and Assistance Program. The Act capped the amount the Insurance Division of the Department of Commerce could use from its appropriation for the purpose of establishing the pilot program.
2. A provision that required the Department of Management to state the number of staff authorized for a state agency in terms of full-time equivalent positions rather than in terms of head counts.
3. A provision requiring the Secretary of State to pay the General Fund \$75,000 from the funds appropriated for an optical imaging project. If insufficient funds remained, the deficiency was to be paid from other moneys appropriated to the Office of the Secretary of State.
4. Provisions relating to adding the Treasurer of State as an ex officio, nonvoting member of the Board of Trustees for the Statewide Fire and Police Retirement System. The provisions would have taken effect May 31, 1995.
5. A provision that required a thorough criminal investigation before the appointment and confirmation of a member of the Racing and Gaming Commission.
6. A provision recognizing an entity that has submitted a plan of self-insurance for approval before May 1, 1995, as an insurer of assigned risks.

SENATE FILE 486 - Miscellaneous Appropriations, State Budget Processes, and Statutory Corrections
BY COMMITTEE ON APPROPRIATIONS. This Act relates to existing standing appropriations and establishes new standing appropriations, provides for other financial and regulatory matters, and includes corrective amendments.

Division I - Standing and Other Appropriations

This Division increases the standing appropriation for the Educational Excellence Program for Phase II to keep the per pupil allocation constant; sets the standing appropriation for the Educational Excellence Program at the sum appropriated for the previous fiscal year, including supplemental payments; appropriates \$100,000 from the Victim Compensation Fund to be transferred to the state of Oklahoma's victim compensation fund for purposes of assisting victims of the Oklahoma City bombing; and provides a standing unlimited appropriation to the Department of Revenue and Finance to pay interest costs due the federal government pursuant to the federal Cash Management Improvement Act as authorized in S.F. 475. The victim compensation and cash management provisions take effect May 16, 1995.

Division II - Education Finances with Contingent Provision

This Division appropriates up to \$5 million in additional FY 1995-1996 funding for four-year-old at-risk children programs contingent upon the state paying less in school aid because of the increase in taxable property valuations over estimates for property taxes payable in FY 1995-1996. The amount of the actual appropriation for these programs is the amount of the reduction in state aid, up to \$5 million. This provision has a contingent effective date based upon the date of the estimates.

Division III - Miscellaneous Provisions

This Division repeals appropriations made during the 1994 Session for the fiscal year beginning July 1, 1995, to community colleges for the late personal property tax replacement payments and to school districts for the late vocational education aid payments because these are scheduled to be funded from the GAAP Deficit Reduction Account. The Division allows the Department of Management to authorize for FY 1994-1995 supplemental expenditures necessary to accrue salaries under GAAP (generally accepted accounting principles); accelerates the filling of the state Cash Reserve Fund by setting the cash reserve percentage at 5 percent for FY 1995-1996 and succeeding fiscal years; provides that students from two or more school districts that attend class taught via the Iowa Communications Network (ICN) are not sharing classes for purposes of supplemental weighting under the state School Foundation Aid Program; increases the standing limited appropriation to the School-based Youth Services Education Program at FY 1994-1995 level; and allows school districts to provide prekindergarten nonpublic school children transportation services, but provides that districts will not be reimbursed for doing so. The latter two provisions take effect May 16, 1995.

Division IV - Amendments to 1995 Iowa Acts - Effective May 16, 1995

This Division makes corrective amendments to 1995 Iowa Acts effective May 16, 1995. These include repealing two sections in S.F. 278 (See Agriculture), relating to ostriches, rheas, and emus, and amending H.F. 203 (See State Government) to add the complete reference relating to the study of costs of training executive directors of county commissions of veteran affairs.

Division V - Other Statutory Corrections

This Division makes corrective amendments to 1995 Iowa Acts which are effective July 1, 1995. These include specifying that documents of gift in effect prior to July 1, 1995, for the Anatomical Gift Act enacted in S.F. 117 (See Human Services), are not affected by the provisions of the Act; changing the reference in Section 147A.28 from "trauma health facility" to "trauma care facility" to conform with other references in S.F. 118 (See Health & Safety); making conforming amendments to Sections 252J.4 and 252J.6 as enacted in S.F. 431 (See Human Services), relating to delinquent child support obligors; changing the reference in Section 196A.17 to the excise tax, as enacted in S.F. 486, which is imposed by the Egg Council, to call it an assessment; amending Section 455D.3, as enacted in H.F. 289 (See Environmental Protection), relating to tonnage fees to correct an internal reference; revising a date in Section 514C.3A, enacted in H.F. 139 (See Business, Banking & Insurance), to July 1, 1995, after which insurance companies and nonprofit health service corporations are required to disclose methods used to determine usual fees for dental care coverage in the state; correcting a cite in S.F. 175 (See Business, Banking &

Insurance) to the federal Truth in Lending Act in the Iowa Consumer Credit Code; changing the effective date in Section 709C.12, enacted by S.F. 432 (See Human Services), relating to sexually violent predators, to July 1, 1997, since that Act applies to persons convicted of a sexually violent offense on or after that date; repealing the section of S.F. 439 (See Courts, Civil Law & Procedure, & Probate) relating to penalties for false emergency 911 calls that conditions the effectiveness of that Act to an appropriation to fund any state mandate which might be in the Act; and correcting an incorrect reference in S.F. 69 (See Taxation) relating to property tax relief distributions.

HOUSE FILE 132 - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
BY COMMITTEE ON APPROPRIATIONS. This Act makes supplemental appropriations for FY 1994-1995 and an appropriation for FY 1995-1996. A number of provisions were item vetoed by the Governor.

Supplemental appropriations for FY 1994-1995 are made to the State Public Defender for court-appointed attorney fees, \$3.8 million; to the Department of General Services for costs associated with installation of a sprinkler system in the Statehouse, \$200,000, and for installation of fire safety equipment and devices at Terrace Hill, \$36,451; to the Department of Public Safety for the Division of Criminal Investigation and Bureau of Identification, \$674,809; and to the Department of Economic Development for deposit in the Iowa Strategic Investment Fund, \$2.25 million. The Department of Economic Development is required to develop a decision-making process for the Community Economic Betterment Program so that moneys available for the program for a fiscal year are sufficient for the entire fiscal year, so the program will not require a supplemental appropriation.

An appropriation is provided for FY 1995-1996 from the General Fund to the Department of Human Services for the nonfederal share of Medicaid costs for certain services provided to minors with mental retardation. The extension of the limitation on county property taxes enacted in H.F. 2430 (1994 Iowa Acts, Chapter 1163) contained a contingent repeal of the extension in the event this appropriation was not enacted by the General Assembly.

House File 132 also includes a provision voiding the contingent repeal. The appropriation source in this Act was subsequently amended in S.F. 69 (See Taxation) to be made from the Property Tax Relief Fund created in S.F. 69.

The Act also directs the Department of Corrections to construct a 750-bed prison for men by selecting among proposals. Bonds for the costs of the project, exclusive of financing costs, are not to exceed \$36 million. Section 602.8108A, providing for the use of moneys from fines, fees, costs, and forfeited bail for payment of bonds and other securities, is amended to increase the amount of moneys used for these purposes from \$4 million to \$8 million. An exemption in prior law exempting projects constructed from prison infrastructure revenue bonds from competitive bidding requirements is struck.

The Act takes effect March 31, 1995.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A requirement for the Department of Human Services to use certain moneys appropriated for FY 1994-1995 to increase services for the permanent placement of children for whom parental rights have been terminated and who are under the guardianship of the department.
2. A requirement for the Department of Human Services to modify administrative rules affecting the reimbursement of providers of treatment to children and families under the rehabilitation provisions of the Medicaid Program.
3. A requirement for the Iowa Department of Public Health to implement a managed care approach for substance abuse in a manner to allow providers to participate in regional provider networks and related provisions. An authorization for managed care for substance abuse with different requirements was enacted in S.F. 462.
4. An appropriation of \$250,000 to the Department of General Services for Capitol restoration, including installation of stone on the building.

5. An appropriation of \$4 million to the Judicial Department for completion of the Iowa Court Information System.

HOUSE FILE 186 - Appropriations — Energy Conservation — Petroleum Overcharge Funds

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for the fiscal year beginning July 1, 1995, and ending June 30, 1996, from the Energy Conservation Trust, which receives deposits of settlements from oil overcharge refunds to the Division of Community Action Agencies of the Department of Human Rights for energy conservation programs for low-income persons and to the Department of Natural Resources for the state Energy Conservation Program and for administration of petroleum overcharge programs.

HOUSE FILE 481 - Federal Block Grant Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates funding received from various federal block grants to the appropriate state agencies for the federal fiscal year beginning October 1, 1995, and ending September 30, 1996. The Act establishes a mechanism to regulate the process if more or less federal funding is received than predicted, and contingencies for consolidated, categorical or expanded federal block grants; provides for allocation of individual grants from the federal government for various state agencies for the fiscal year beginning July 1, 1995, and ending June 30, 1996; and also amends a 1993 Iowa Act that appropriated federal block grant moneys for the 1994 federal fiscal year by appropriating to the Department of Economic Development community development block grant funds received between October 1, 1993, and September 30, 1994, from the federal Emergency Supplemental Appropriations Act of 1994.

The portion of the Act regarding the procedure for consolidated, categorical or expanded federal block grants and the portion appropriating community development block grant funds received during the 1994 federal fiscal year take effect May 16, 1995. The portion of the Act appropriating federal community development block grant funds is made retroactively applicable to October 1, 1993.

HOUSE FILE 482 - Iowa Communications Network — Supplemental, Operational, and Miscellaneous Appropriations

BY COMMITTEE ON TECHNOLOGY. This Act appropriates moneys to the Iowa Communications Network Fund. The moneys are appropriated for FY 1994-1995 for supplemental expenditures, and for FY 1995-1996 for debt service, operations, a network revolving fund, and for the study established pursuant to H.F. 461 (See State Government) relating to the sale or conversion of the Iowa Communications Network. Additional funds are appropriated to the Public Broadcasting Division in the Department of Education.

The Act excludes the cost of construction and lease costs for Parts I, II and III in the determination of rates for the use of the network. The Act eliminates language providing a standing appropriation of \$5 million which was to be made through FY 1995-1996.

The section making the supplemental appropriation for FY 1994-1995 takes effect May 19, 1995.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

An amendment to Section 8D.13, which provided that access to the network is not to be offered or provided to an unauthorized user pursuant to a Chapter 28E agreement entered into by an agency and the unauthorized user.

HOUSE FILE 512 - Appropriations — Economic Development

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates and transfers funds from the General Fund and other funds to the Department of Economic Development, the Department of Employment Services, the Public Employment Relations Board, the Wallace Technology Transfer Foundation, and the Iowa Seed Capital Corporation.

The Act also sunsets the Iowa Peace Institute and provides that financial assistance under the Community Economic Betterment Program shall be utilized within two years from the date the assistance is approved by the Economic

Development Board. Funds not utilized within that period shall revert to the control of the Department of Economic Development.

Provisions relating to implementing the reorganization of the Small Business Resource Office take effect April 24, 1995.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision establishing a community voice mail pilot project at a homeless or emergency shelter or shelters.
2. Provisions conditioning the appropriation of funds to the Department of Employment Services on the department obtaining the approval of the General Assembly prior to implementing a reorganization plan and on the department not holding nonsupervisory positions vacant.
3. A provision requiring the Department of Employment Services to provide services in FY 1996 in all communities in which workforce centers were operating on July 1, 1993.
4. A provision prohibiting the Division of Industrial Services from reducing the number of contested case hearings from that established by the division for the period of January 1, 1995, through January 20, 1996, requiring a substantially similar schedule be established from January 20, 1996, through June 30, 1996, and requiring certain information be given to the Legislative Fiscal Bureau.

HOUSE FILE 530 - 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 Iowa Department of Public Health, the Department of Human Rights, the Commission of Veterans Affairs, and the Governor's Alliance on Substance Abuse.

CIVIL RIGHTS COMMISSION. The Act appropriates funds to the Iowa State Civil Rights Commission, and authorizes the commission to exceed its authorized staffing level to hire additional professional staff to investigate employment and housing complaints if the anticipated amount of federal funding from the federal Equal Employment Opportunity Commission and the federal Department of Housing and Urban Development exceeds \$457,900 for FY 1996.

GOVERNOR'S SUBSTANCE ABUSE PREVENTION COORDINATOR. The Act appropriates funds to the office of the Governor's Substance Abuse Prevention Coordinator and the Iowa Substance Abuse Information Center in Cedar Rapids for FY 1996.

DEPARTMENT OF PUBLIC HEALTH. The Act appropriates funds to the Iowa Department of Public Health. Moneys appropriated to the Planning and Administration Division include \$112,987 for the regulatory oversight of accountable health plans and \$741,123 for the Chronic Renal Disease Program to be used for reimbursement of insurance premiums, travel, and prescription and nonprescription drugs. The Act limits the budgets for professional licensure boards funded through the department to no more than 85 percent of the fees collected by each licensure board. Unanticipated litigation may be funded through the department with the approval of the Director of the Department of Management in an amount not to exceed 5 percent of the average annual fees generated by a board for the previous two fiscal years.

The Health Data Commission is required to establish a fee schedule for the costs of providing organizations with requested data. The commission is to provide a report to the General Assembly before December 1, 1995, providing guidance on public policy issues regarding health care. The commission is to provide \$1 in advance of every state dollar provided.

Funds are provided for the Health Protection Division's Lead Abatement Program activities. The department is to organize a coalition to study federal requirements concerning lead poisoning and develop recommendations for

proposed legislation regarding lead-poisoned individuals to be submitted to the General Assembly on or before January 1, 1996.

Beginning July 1, 1995, the department will no longer inspect laser light shows.

The Division of Substance Abuse and the Commission on Substance Abuse are directed to coordinate delivery of substance abuse services to uninsured and court-ordered substance abuse patients in all counties of the state by July 1, 1997. The division is to continue the task force composed of substance abuse treatment and prevention providers to study treatment and prevention service areas and the fiscal implications of awarding funds to more than one provider per service area.

The appropriation to the Substance Abuse and Health Promotion Division includes \$193,500 to provide aftercare services for persons completing substance abuse treatment. A minimum of \$950,000 is to be used by the department to implement an integrated substance abuse managed care system in collaboration with the Department of Human Services. Both departments are directed to collaborate with other appropriate state agencies and consider the recommendations of the 1994 Substance Abuse Care and Treatment Program Interim Study Committee and the recommendations of the federal Center for Substance Abuse Technical Assistance Team in the development of an integrated managed care system and are directed to assist in the submission of an application for a federal waiver for the system to the federal Health Care Financing Administration.

For the programs within the Family and Community Health Division, the department is to work cooperatively with the Council on Human Investment to transition the performance-based budgeting method to the outcomes-based budgeting model developed by the council.

The department is to submit a report to the Governor and the General Assembly on the efforts to increase the use of mid-level practitioners in the Iowa Healthy Families Program by January 1, 1996. The department and the Department of Human Services are to apply for medical assistance waivers from the federal government for the program.

DEPARTMENT OF HUMAN RIGHTS. Under the Act, with the exception of the Persons with Disabilities Division, which shall be administered by the Director of the Department of Human Rights, the divisions of the department are to retain their individual administrators, but are encouraged to share staff to the greatest extent possible.

The makeup of the Commission on the Deaf is changed to require that at least one member be someone who is hard-of-hearing.

COMMISSION OF VETERANS AFFAIRS. If there is an increase in medical assistance reimbursements exceeding the amount budgeted for that purpose in the fiscal year beginning July 1, 1995, the Act authorizes the Iowa Veterans Home to expend the excess amounts to exceed the number of full-time equivalent positions authorized in the Act for meeting certification requirements or to provide additional beds, subject to approval by the Department of Management.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision eliminating the Radon Program. The Act does not appropriate funds for the program. However, the Radon Program will be continued through the department.
2. A provision requiring the Department of Human Rights to perform an internal study to determine options for placement of the divisions in other agencies of state government when the department sunsets July 1, 1997. The section included suggestions for placement of the divisions. The Governor's veto message states that the Governor will ask the department to work with the Department of Management to complete a study to increase efficiencies and eliminate duplication of Department of Human Rights responsibilities.

HOUSE FILE 553 - Appropriations — Agriculture and Natural Resources

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

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

The Act provides an appropriation from the State Fish and Game Protection Fund to support the Division of Fish and Wildlife within the Department of Natural Resources; an appropriation from the marine fuel tax receipts to the Department of Natural Resources for the purpose of supporting expenditures traditionally funded from marine fuel tax revenues; for the transfer of fees from all-terrain vehicle and snowmobile fees for snowmobile programs; and the transfer of registration fees paid on vessels to be deposited in a special conservation fund. The Act notwithstanding Section 455A.18 of the Iowa Code to provide that in lieu of the standing appropriation of \$30,000,000 from the General Fund required to be deposited in the Iowa Resources Enhancement and Protection Fund (REAP), \$8,000,000 is appropriated to the REAP Fund.

The Act provides moneys to support livestock initiatives. It provides an appropriation from the General Fund to support Iowa State University for purposes of administering a Livestock Producers Assistance Program, and an appropriation from the General Fund to the Department of Agriculture and Land Stewardship for administration of the Organic Nutrient Management Program. Part of the moneys must be used to support a pilot project to study the impact of plantings upon odor originating from animal feeding operations, and a portion of the moneys must be used to study animal feeding operations structures and disposal systems in order to determine the extent to which such operations contribute to point and nonpoint pollution. The Act provides for the transfer of moneys from accounts of the Water Protection Fund, supported by allocations made from the REAP Fund, to support the Organic Nutrient Management Program and cost-share programs for soil conservation.

The Act supports the Department of Natural Resources storage tank section from moneys in the Unassigned Revenue Fund administered by the Iowa Comprehensive Underground Storage Tank Fund Board. The Act provides that the Department of Natural Resources may transfer an amount from the Hazardous Substance Remedial Fund to support purposes related to carrying out and enforcing air quality regulations. The Act provides for the expenditure of unencumbered and unobligated moneys previously appropriated, including the transfer of moneys from the Wind Erosion Control Fund to the Road Use Tax Fund; from the Division of Soil Conservation of the Department of Agriculture and Land Stewardship for purposes of supporting soil conservation technicians and to the division for the purchase of equipment for soil conservation field offices; and provides that moneys previously appropriated to support lake preservation efforts at Black Hawk Lake remain available to support the efforts for the following fiscal year.

The Act provides for the sale of equipment used to test octane in motor vehicle fuel as part of the Department of Agriculture and Land Stewardship's regulatory functions, and for the purchase of modern equipment from the sale proceeds. The Act provides for the appropriation of moneys otherwise allocated to the Living Roadway Trust Fund for FY 1995 to support a number of purposes, including soil conservation, the purchase of safety equipment for grain examiners, public water supply systems, multiflora rose eradication research, aerial spray calibration efforts, an Iowa Grain Quality Initiative, and the Lewis and Clark Rural Water System.

The Act provides the following direction:

- ♦ the Department of Natural Resources must adopt administrative rules establishing prices of plant materials grown at state nurseries to cover the expenses related to growing the plants;

- ♦ the Department of Agriculture and Land Stewardship must sponsor a conference regarding the erosion and degradation of stream channels in counties in the deep Loess region of western Iowa (referred to as Hungry Canyons);
- ♦ the Department of Agriculture and Land Stewardship and the Department of Natural Resources must notify the chairpersons, vice chairpersons, and ranking members of the Joint Appropriations Subcommittee on Agriculture and Natural Resources for the previous fiscal quarter of any transfer of moneys or full-time equivalent positions made by either department which is not authorized in the Act;
- ♦ the Department of Revenue and Finance in cooperation with each appropriate agency is to track receipts to the General Fund which under law were previously collected to be used for a specific purpose or required to be deposited to a specific account or fund;
- ♦ the Department of Agriculture and Land Stewardship and the Department of Natural Resources are to provide financial information to the Legislative Fiscal Bureau, including all permanent positions added to or deleted from the departments' tables of organization;
- ♦ when employing persons to fill temporary positions in conservation and outdoor recreation, the Department of Natural Resources must give preference to persons meeting eligibility requirements for the Green Thumb Program and to persons working toward an advanced education in natural resources and conservation;
- ♦ the Department of Agriculture and the Attorney General must cooperate in bringing a legal action against parties liable for damages caused by the shipment from Michigan of trees and plants infested with gypsy moths;
- ♦ the Department of Natural Resources is prohibited from using moneys appropriated from the General Fund to support purposes related to the administration and enforcement of air quality regulations;
- ♦ the Department of Natural Resources may use moneys collected in regulatory fees and deposited in the Air Contaminant Source Fund for purposes of the administration and enforcement of the regulations; and
- ♦ the Environmental Protection Commission must adopt rules for purposes of establishing criteria for the classification and prioritization of sites upon which pesticides or fertilizer contamination has been discovered.

The Act amends a number of provisions previously addressed by the General Assembly. The Act provides that the 1996 Congress of Resources Enhancement and Protection must review the Iowa REAP Fund allocations and uses of moneys provided under the separate account of the fund. It allocates, for another year, moneys from the use tax to support soydiesel demonstration projects and postpones related reporting requirements.

The Act makes a number of statutory changes. It changes the name of an account within the Water Protection Fund to correspond to other references in the Code. The Act amends provisions enacted in the 1994 Legislative Session which provide for fees imposed upon public water supply systems to be deposited into a Water Quality Protection Fund and used by the Department of Natural Resources for purposes of carrying out the provisions relating to the administration, regulation, and enforcement of the federal Safe Drinking Water Act and carrying out a program to assist water supply systems. During the 1994 Session, the General Assembly required the Department of Natural Resources to adopt a schedule of fees based on the type and size of the community served by the system. This Act provides that the fee schedule must be based on the number of persons served by the public water supply system. The Act eliminates provisions for the imposition of increasing fees over a number of years, and provides that fees must produce total revenues equaling \$350,000. The Act amends a provision which provides for the allocation of moneys from the Groundwater Protection Fund. The Act provides that moneys required to support toxic cleanup days may be used to support the Natural Resources Geographic Information System.

A number of sections take effect May 31, 1995, including provisions requiring the transfer of moneys from the Water Protection Fund to support the Organic Nutrient Management Fund, and to provide financial incentives for soil conservation practices; the transfer of moneys from the Wind Erosion Control Fund to the Road Use Tax Fund; providing for the sale of equipment used to test octane in motor vehicle fuel and the purchase of replacement equipment; the allocation of moneys otherwise dedicated to the Living Roadway Trust Fund for FY 1995 to support a number of purposes including soil conservation, the purchase of safety equipment for grain examiners, public water supply systems, multiflora rose eradication research, aerial spray calibration efforts, an Iowa Grain Quality Initiative, and the Lewis and Clark Rural Water System; the requirement for DNR to sponsor the Hungry Canyons Conference; directions to the Iowa Code Editor to update references to agencies of the United States Department of

Agriculture; requiring the Department of Agriculture and Land Stewardship and the Office of Attorney General to initiate litigation regarding an infestation of gypsy moths from Michigan; the purchase of equipment for soil conservation field offices from unobligated moneys appropriated in FY 1994-1995; requiring the Department of Natural Resources to adopt rules regarding the classification and prioritization of sites upon which pesticide or fertilizer contamination has been discovered; extending the period when moneys must revert from the Black Hawk Lake project; extending the appropriation to pilot projects operating using soydiesel fuel; requiring review of the allocation of REAP moneys by the Congress of Resources Enhancement and Protection; and amending the fee schedule for public water supply systems.

HOUSE FILE 578 - Iowa Communications Network Appropriations — Additional Connections and Support Services
BY COMMITTEE ON APPROPRIATIONS. This Act appropriates funds from the Rebuild Iowa Infrastructure Account and the General Fund of the State for purposes related to the Iowa Communications Network. The appropriations are made for the fiscal year beginning July 1, 1995, and ending June 30, 1996. The Act appropriates \$18,540,000 from the Rebuild Iowa Infrastructure Account to be used for connecting a minimum of 100 Part III authorized users, \$250,000 from the Rebuild Iowa Infrastructure Account to be used for connecting the Iowa Braille and Sight Saving School and the School for the Deaf, \$1,700,000 from the General Fund for support functions related to the network and staff development for educators using educational technology, and \$100,000 from the General Fund for technical assistance in the operation of the network. The Act also provides for the construction and state ownership of certain identified sites, and for the connection of the Dubuque and Des Moines metronets.

The Act states that it is the intent of the General Assembly that all area education agencies not currently connected to the network be connected during the fiscal year which begins July 1, 1995. The Act also states that it is the intent of the General Assembly that the connections made with the amount appropriated are the first phase of a plan the total cost of which is anticipated to be approximately \$94,690,000, and that a minimum of 474 Part III authorized users are to be connected in the first four years of the plan.

HOUSE FILE 579 - Compensation for Public Employees
BY COMMITTEE ON APPROPRIATIONS. This Act relates to and appropriates moneys to fund salary adjustments for the fiscal year beginning July 1, 1995, for state elected executive branch officials, appointed nonelected officers, justices, judges, magistrates, employees subject to collective bargaining agreements, and noncontract employees. Increases for the salaries and expenses of legislators begin in January 1997.

For the fiscal year beginning July 1, 1995, the salary rates of justices, judges and judicial magistrates are increased by approximately 3 percent from the last increase. Senior judges who retired after July 1, 1994, and who are appointed by the Supreme Court, are to receive a salary of \$5,000. Other state officers and state employees, except the officers and employees of the State Board of Regents and elected state officers, receive a 3 percent increase with the pay period beginning June 30, 1995. The state employees may also receive merit step increases.

The salaries for the elected executive officials are set as follows: Governor at \$98,200 annually; Attorney General at \$93,520 annually; Lieutenant Governor at 70 percent of the Governor, or \$68,740; and Secretary of Agriculture, Auditor of State, Secretary of State, and Treasurer of State at \$78,050 annually.

Salary ranges for appointed state officers are increased by approximately 3 percent.

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

The Act funds the salary adjustments for the fiscal year beginning July 1, 1995.

The Act increases the maximum amount that may be paid to the Executive Director of the state Sesquicentennial Commission.

The Act increases legislator pay, per diem, and the monthly allowance for legislative district constituency expenses beginning with the convening of the Seventy-seventh General Assembly in January 1997. Salaries are increased by approximately 7 percent and the monthly allowance for constituency expenses is increased to \$200. The amount of

regular session per diem is increased to \$86 for legislators outside Polk County, with legislators from Polk County receiving \$65. Statutory, interim period, and special session per diem is increased to \$86 for all legislators.

A legislator may elect, in lieu of state medical or health insurance coverage, to receive reimbursements for costs of continuation of a group coverage (COBRA) health or medical plan which the legislator receives from another employer or source.

Effective dates: July 1, 1995, except for legislative salary and expenses which are effective January 1997.

HOUSE FILE 583 - Restrictions on Community College Projects Involving Confinement Feeding Operations

BY SIEGRIST and SCHRADER. This Act relates to new job training projects conducted by community colleges and confinement feeding operations. The Act eliminates a provision in H.F. 519 (See Agriculture) prohibiting a job training agreement for such a project. However, the Act stipulates that all unobligated or unencumbered moneys from appropriations made pursuant to any Act enacted in 1995 by the Seventy-sixth General Assembly to a community college shall be reduced by 100 percent if the community college enters into an agreement under Chapter 260E or 260F for a project which includes program services for employees of a confinement feeding operation as defined in Section 455B.161.

The Act takes effect June 1, 1995.

HOUSE FILE 584 - Crediting the Rebuild Iowa Infrastructure Fund — Miscellaneous Appropriation Provisions

BY SIEGRIST AND SCHRADER. This Act relates to state appropriation matters by providing for the crediting of moneys to the Rebuild Iowa Infrastructure Fund and revising education appropriation provisions.

On or after July 1, 1995, the Act requires the Department of Management to estimate the amount of moneys that would be credited to the Iowa Economic Emergency Fund following the deposits to the Cash Reserve Fund and the payment of the schedule submitted by the Governor for purposes of eliminating Iowa's deficit under generally accepted accounting principles (GAAP). Existing law in Section 8.57 provides that the General Assembly may provide for transfer of moneys to the Rebuild Iowa Infrastructure Fund in lieu of appropriation to the Iowa Economic Emergency Fund. The Act provides for crediting of \$50,000,000 to the Rebuild Iowa Infrastructure Fund and for adjustments if estimates are less than that amount. See S.F. 481 for the majority of appropriations from the Rebuild Iowa Infrastructure Fund.

The Act also revises certain education-related appropriations in S.F. 266. The Act allocates \$100,000 to support a beginning farmer center from the appropriation to Iowa State University. An allocation of an appropriation to the Department of Education for the "career opportunities" program is changed to the "career pathways" program and the allocation is made optional rather than mandatory as was provided in S.F. 266. The number of full-time equivalent employees authorized for the Department of Education is increased by one and the additional employee is funded from moneys transferred for the development of a management information system.

A provision in H.F. 579, commonly referred to as the "salary bill," is rewritten to require the presentation of recommendations to the General Assembly concerning salaries of the employees of the State Board of Regents by February 1, 1996.

The Act takes effect May 24, 1995.

BONDING AND DEBT FINANCE**RELATED LEGISLATION**

- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
SEE APPROPRIATIONS. This Act includes requirements for the Department of Corrections to develop a 750-bed medium security correctional facility, provides bonding authority, and reserves additional moneys for bond payments from collections of fines, fees, and forfeited bail.
- HOUSE FILE 212** - Authority of City Administrative Agencies
SEE LOCAL GOVERNMENT. This Act authorizes a city council the option of delegating the authority to issue revenue bonds to an administrative agency of the city, established for the purpose of operating an airport, or keeping the power with the city council.
- HOUSE FILE 406** - Public Investment and Use of Bond Proceeds
SEE LOCAL GOVERNMENT. This Act provides that proceeds from the sale of notes, bonds and other evidences of indebtedness of political subdivisions shall be invested if not immediately needed and the interest earned shall be credited to the project fund for which the bonds were sold or used to reduce indebtedness.

BUSINESS, BANKING & INSURANCE

- SENATE FILE 84 - Individual Health Insurance Market Reform — Taxation
- SENATE FILE 162 - Home Equity Line of Credit Restrictions
- SENATE FILE 175 - Consumer Credit Code — Federal Truth in Lending Act
- SENATE FILE 271 - State Bank Offices
- SENATE FILE 272 - Validity of Notarial Acts
- SENATE FILE 274 - Regulation of Multiple Employer Welfare Arrangements
- SENATE FILE 320 - Regulation of State Banks and Other Financial Institutions
- SENATE FILE 341 - Credit Card Delinquency Charges
- SENATE FILE 347 - Preventive Care Services and Mental Health and Substance Abuse Treatment Study
- SENATE FILE 400 - Nonprofit Corporations — Reincorporation and Other Matters
- SENATE FILE 423 - Delayed Deposit Services Businesses
- HOUSE FILE 54 - Qualifications for Licensure of Real Estate Brokers and Salespersons
- HOUSE FILE 126 - Franchise Agreements
- HOUSE FILE 139 - Disclosure of Fee Determinations for Dental Care Benefit Coverage
- HOUSE FILE 247 - Insurance Regulation
- HOUSE FILE 277 - Availability of Group Health Care Coverage for Unemployed Individuals
- HOUSE FILE 485 - Remedies for Dishonor of Financial Instruments
- HOUSE FILE 486 - Regulation of Cemeteries and Funeral and Cemetery Merchandise and Services
- HOUSE FILE 490 - Limited Liability Companies
- HOUSE FILE 518 - Regulation of Utilities Providing Communication Services
- HOUSE FILE 520 - Electronic Transfer of Funds

RELATED LEGISLATION

- SENATE FILE 88 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including additions to the revised trademark law and the banking article of the Uniform Commercial Code that are contained in the Uniform Act and which were inadvertently omitted from those provisions.
- SENATE FILE 94 - License Fees for Nonresident Real Estate Brokers and Salespersons
SEE STATE GOVERNMENT. This Act provides for a differential real estate broker or salesperson license fee which is to be charged if the person would be charged a greater fee by the person's state of residence if that person were a resident of Iowa making application for a license in that state and that state charges a nonresident a fee greater than that charged by that state to a resident of that state.
- SENATE FILE 159 - Wage Payment Upon Suspension or Termination of Employment
SEE LABOR & EMPLOYMENT. This Act provides that wages earned by an employee

whose employment is suspended or terminated shall be paid at the next regular payday in the pay period for which the wages were earned.

- SENATE FILE 207** - Agreements Between Beer Brewers and Wholesalers
SEE ALCOHOL REGULATION & SUBSTANCE ABUSE. This Act provides for the regulation of business relations between beer brewers and beer wholesalers.
- SENATE FILE 229** - Procedures for Public Purchases of Coal
SEE LOCAL GOVERNMENT. This Act repeals the bidding requirements for state and local governments for the purchase of coal if the value of the contract exceeds \$300 for a year.
- SENATE FILE 233** - Suspension and Revocation of Driver's Licenses
SEE TRANSPORTATION. This Act defines the term "commercial motor carrier" to mean a person who is responsible for the safe operation of a commercial motor vehicle operated in interstate commerce. The Act allows the State Department of Transportation to refuse to issue a motor vehicle registration or certificate of title or to suspend or revoke the registration or certificate of title of a commercial motor vehicle operated by a commercial motor carrier whose ability to operate has been terminated or denied by a federal agency.
- SENATE FILE 375** - Abandoned Property
SEE STATE GOVERNMENT. This Act provides that life insurance companies must annually file reports of abandoned property before November 1 for the fiscal year ending on the preceding June 30.
- SENATE FILE 407** - Alkaline Manganese Batteries
SEE ENVIRONMENTAL PROTECTION. This Act clarifies that a person cannot sell, distribute or offer for retail sale any alkaline manganese button cell battery containing more than 25 milligrams of mercury, but allows for the retail sale of alkaline manganese household batteries after January 1, 1996, provided the batteries were manufactured on or prior to that date.
- SENATE FILE 431** - Child Support Collection — Licensing Sanctions and Other Miscellaneous Provisions
SEE HUMAN SERVICES. This Act relates to child support enforcement including establishment of a procedure to affect the license of certain child support obligors. For the purposes of the Act, "license" means a license, certification, registration, permit, approval, renewal, or other similar authorization issued to an obligor by a licensing authority which evidences the admission to, or granting of authority to engage in, a profession, occupation, business, or industry, or to operate or register a motor vehicle.
- SENATE FILE 446** - Operating While Intoxicated and Related Provisions
SEE TRANSPORTATION. This Act makes a variety of changes relating to the use or possession of alcohol and the operation of motor vehicles. If the owner of the motor vehicle impounded or immobilized under this Act is not the person who is convicted of the offense or the owner of the motor vehicle is a rental or leasing company, the owner will have opportunity to obtain the return of the motor vehicle, but must, however, prove to the satisfaction of the court that the person did not know or should not have known, and, in the case of a rental or leasing company, that the person did not consent to, the operation of the motor vehicle in the commission of an operating while intoxicated offense. Holders of security interests may seek and gain return of motor vehicles subject to orders for impoundment or immobilization without payment of any fees or surcharges, unless the value of the vehicle exceeds the value of the security interest held by the creditor. Loss of use of a vehicle due to impoundment or immobilization does not constitute loss of use of the motor vehicle for purposes of a contract for insurance.

- SENATE FILE 478** - Franchise Tax on Financial Institutions
SEE TAXATION. This Act limits deduction of expenses in an investment subsidiary of a financial institution for franchise tax purposes.
- HOUSE FILE 185** - Sales, Services, and Use Tax Exemption — Printers and Publishers
SEE TAXATION. This Act amends the present sales and use tax exemption of sales made by trade shops to printers for use to complete a finished product.
- HOUSE FILE 238** - Joint Purchase of Group Health Benefits by School Districts and Area Education Agencies
SEE EDUCATION. This Act provides that a school board may enter into an intergovernmental agreement with another school district or an area education agency for the purpose of jointly procuring a group health insurance plan, nonprofit group hospital service plan, nonprofit group medical service plan, or group life insurance plan for the benefit of the districts or agencies which are parties to the agreement.
- HOUSE FILE 257** - Deposits of Estate Funds by Corporate Fiduciaries
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act provides that a corporate fiduciary may deposit estate funds in a bank affiliated with the corporate fiduciary.
- HOUSE FILE 303** - Pipelines and Underground Hazardous Liquid Storage
SEE ENERGY & PUBLIC UTILITIES. This Act creates a new Chapter 479B to regulate hazardous liquid pipelines, amends Chapter 479 regulating pipelines and underground storage and Chapter 479A regulating interstate natural gas pipelines, and provides certain exemptions from liability for the owner of farmland who damages an underground facility.
- HOUSE FILE 393** - Exemptions From Motor Carrier Safety Requirements
SEE TRANSPORTATION. This Act concerns exemptions from federal motor carrier safety regulations relating to driver qualifications, hours of service and recordkeeping requirements.
- HOUSE FILE 425** - Elimination of Air Toxics Fees
SEE ENVIRONMENTAL PROTECTION. This Act repeals the temporary air toxics fee imposed under Section 455B.133A.
- HOUSE FILE 508** - Underground Storage Tanks
SEE ENVIRONMENTAL PROTECTION. This Act makes several changes to the Underground Storage Tank Program. The Act provides for generation of additional funding from use tax revenues, creates and funds a Marketability Fund and an Innocent Landowners Fund, requires implementation of risk-based corrective action standards, eliminates prioritization authority, provides additional remedial fund benefits, expands the loan guarantee program and property transfer insurance, extends upgrade dates, requires certification of groundwater professionals, repeals the environmental damage offset, and requires a study of privatization of the insurance program and expansion of the Innocent Landowners Fund benefits by the board.
- HOUSE FILE 515** - Regulation of Real Estate Salespersons and Brokers — Transaction Requirements
SEE STATE GOVERNMENT. This Act establishes certain duties and responsibilities related to the contractual relationship between a licensed real estate broker or salesperson and the licensee's customers and clients.
- HOUSE FILE 552** - Motor Fuel and Special Fuel Taxation and Regulation
SEE TAXATION. This Act changes the point of taxation for motor fuel and special fuel. The Act requires that indelible dye be added to fuel in order for the fuel to be exempt from the motor fuel tax. The Act provides penalties and enforcement provisions.

BUSINESS, BANKING & INSURANCE

SENATE FILE 84 - Individual Health Insurance Market Reform — Taxation

BY COMMITTEE ON HUMAN RESOURCES. This Act creates a new Chapter 513C, which establishes the Individual Health Insurance Market Reform Act and provides a tax deduction equal to the amount paid by the taxpayer for the purchase of health benefits coverage or insurance for the taxpayer or the taxpayer's spouse or dependent. The purpose of the Act is to promote the availability of health insurance coverage to individuals regardless of their health status or claims experience, prevent abusive rating practices, and improve the overall fairness and efficiency of the individual health insurance market.

The Act provides that an individual health benefit plan is renewable at the option of the individual, except for nonpayment of the required premium, fraud or misrepresentation, the carrier elects not to renew all of its individual health benefit plans in the state, the insured individual becomes eligible for Medicare, or the Insurance Commissioner finds that the continuation of the coverage would not be in the best interests of the policyholders or certificate holders or would impair the carrier's ability to meet its contractual obligations. The Act requires a carrier or an organized delivery system, as a condition of issuing individual health benefit plans in Iowa, to make available a basic or standard health benefit plan to an eligible individual. The Commissioner is to adopt by rule the form and level of coverage of the basic and standard health benefit plans.

The Act creates the Iowa Individual Health Benefit Reinsurance Association to provide for the sharing of losses related to standard and basic plans on an equitable and proportional basis among the members of the association. The Act provides that a self-funded employer-sponsored health benefit plan may voluntarily elect to participate in the Iowa Individual Health Benefit Reinsurance Association.

The Act provides that the sections creating the tax deduction are effective for tax years beginning on or after January 1, 1996.

SENATE FILE 162 - Home Equity Line of Credit Restrictions

BY GRONSTAL. This Act eliminates the requirement that a minimum of \$500 must be borrowed each time an amount is borrowed under a home equity line of credit.

SENATE FILE 175 - Consumer Credit Code — Federal Truth in Lending Act

BY COMMITTEE ON COMMERCE. This Act amends the definition of the federal Truth in Lending Act for purposes of the Consumer Credit Code to include amendments to that Act through January 1, 1995, and regulations issued pursuant to that Act prior to January 1, 1995. The date formerly used for purposes of this definition was January 1, 1989.

SENATE FILE 271 - State Bank Offices

BY COMMITTEE ON COMMERCE. This Act provides that the Superintendent of Banking may authorize another bank office as an office where the state bank may maintain all of its central executive, official business, and principal recordkeeping functions. Prior to this Act, these functions were maintained at the principal place of business of the bank.

SENATE FILE 272 - Validity of Notarial Acts

BY COMMITTEE ON COMMERCE. This Act provides that the validity of a notarial act is not affected or impaired by the fact that a notary is an officer, director, or shareholder of a corporation that may have a beneficial interest in a notarial act.

The Act is retroactively applicable to January 1, 1985.

SENATE FILE 274 - Regulation of Multiple Employer Welfare Arrangements

BY COMMITTEE ON COMMERCE. This Act extends the repeal date for the exemption of certain multiple employer welfare arrangements from regulation by the Insurance Division of the Department of Commerce when specified requirements are met from July 1, 1995, to July 1, 1996.

This Act takes effect April 19, 1995.

SENATE FILE 320 - Regulation of State Banks and Other Financial Institutions

BY COMMITTEE ON COMMERCE. This Act amends a substantial number of sections of Chapter 524, which relates to the regulation of banks. The Act provides that the corporate existence of a state bank existing on July 1, 1995, is not affected by the amendment of this chapter.

The Act provides that the salary of the Superintendent of Banking is to be fixed by the Governor. Under prior law, the salary was determined by the State Banking Board. The Act places restrictions on employees of the Banking Division regarding obtaining a loan of money or property from a state-chartered bank and prohibits such persons from participating in oversight activities concerning a mortgage banking company, credit card company, or finance company with which the person has credit relations.

The Act provides that a state bank may be incorporated by one or more individuals so long as a majority of the individuals are residents of Iowa and citizens of the United States. Previously, there had to be a minimum of five individuals, a majority of whom had to be citizens of this state and all of whom had to be citizens of the United States. The Act establishes the minimum capital amount for a state bank as that amount required by the Federal Deposit Insurance Corporation. Previously, the minimum capital amount was \$100,000.

The Act authorizes a state bank, with the prior approval of the superintendent, to acquire its own shares. The Act provides that, unless otherwise provided by the articles of incorporation, action which is required or permitted to be taken at a special shareholders' meeting may be taken without a meeting if the action is consented to by all shareholders. The Act amends the provision relating to the determination of a quorum at a shareholders' meeting to provide that once a share is represented for any purpose at a meeting, it is deemed present for the purpose of determining a quorum for the remainder of the meeting and for any adjournment of the meeting unless a new record date is set for the adjourned meeting.

The Act provides that a member of the board of directors of a state bank must attend no less than 75 percent of the regular board meetings during a calendar year and must review the adequacy of the bank's internal controls and determine the most appropriate method to satisfy the bank's audit needs. Under prior law, a member had to attend board meetings on a reasonably regular basis and utilize a method to ensure the safety of the funds of depositors. The Act reduces the number of shares which must be voted in favor of the removal of an individual director or the entire board of directors from two-thirds to a majority of the shares entitled to vote. The Act reduces the minimum number of meetings of the board of directors during a calendar year from 12 to nine. The Act authorizes the creation of a pension or profit-sharing plan, or both, or other plan of deferred compensation for the directors, subject to the approval of the superintendent and the shareholders of the state bank.

The Act prohibits a state bank from making payment on an overdraft of a director, officer or employee of the state bank except under certain circumstances where a written, preauthorized agreement is entered into between the state bank and the director. Previously, a director, officer or employee was prohibited from overdrawing the director's, officer's or employee's deposit account in the state bank.

The Act provides that the board of directors is to elect one officer as the chief executive officer. The Act empowers the chief executive officer to set the compensation of employees.

The Act changes the maximum amount of unsecured loans or extensions of credit that may be made to an executive officer of a state bank from 2.5 percent of capital and surplus to 2.5 percent of aggregate capital.

The Act enumerates additional powers granted to state banks relating to the operation of the bank. The Act changes the maximum amount of real and personal property that a state bank may hold without approval from the superintendent from 25 percent of capital, surplus, and undivided profits to 40 percent of the aggregate capital of the state bank. The Act amends other provisions relating to permissible investments and the limits on the amounts of such investments.

The Act rewrites the provision limiting the loans or extensions of credit to any one borrower for secured and unsecured loans or extensions of credit.

The Act provides that a state or national bank which results from a merger shall be automatically substituted as fiduciary for all accounts held by a party to the merger which was authorized to act in a fiduciary capacity. The Act provides that a state bank is not to make any loan or extension of credit or engage in certain other transactions with an affiliate if the aggregate amount of such transactions with any one affiliate would exceed 10 percent of the aggregate capital of the state bank, or if the aggregate amount of such transactions with all affiliates would exceed 20 percent of the aggregate capital of the state bank. Currently, the limitations are 10 and 20 percent of the capital and surplus of the state bank, respectively.

The Act provides that a state bank may propose to dissolve voluntarily upon the affirmative vote of the holders of at least a majority of the shares entitled to vote on the voluntary dissolution. Previously, a three-fourths affirmative vote was required.

The Act authorizes a state bank to effect a reverse stock split or similar change in capital structure subject to satisfaction of the requirements of the superintendent.

The Act also incorporates language into Chapter 524 similar to existing language in Chapter 490, which relates to incorporation and organization of a bank, issue and characteristics of shares issued by a state bank, shareholders' rights, dissolution, and dissenting rights of shareholders.

SENATE FILE 341 - Credit Card Delinquency Charges

BY COMMITTEE ON COMMERCE. This Act provides that the parties to an open-end credit arrangement involving credit cards issued by the creditor which entitles the cardholder to purchase or lease goods or services from less than 100 persons who are not related to the card issuer may contract for a delinquency charge on any payment not paid in full within 30 days after its due date, as originally scheduled or as deferred, in an amount not to exceed \$10. A delinquency charge shall only be collected once on any one payment, regardless of how long the payment remains delinquent.

SENATE FILE 347 - Preventive Care Services and Mental Health and Substance Abuse Treatment Study

BY COMMITTEE ON HUMAN RESOURCES. This Act directs the Insurance Commissioner to conduct a study to determine whether expanded preventive care services are cost-effective, whether expanded mental health and substance abuse treatment coverage is cost-effective, and whether these services or this coverage should be included in the basic health benefit plan and the standard health benefit plan established by the commissioner under Section 513B.14. The commissioner is to file a written report with the General Assembly no later than January 15, 1996, concerning the results of the study. House File 512 (See Appropriations) appropriates \$25,000 to the Insurance Division for the purpose of completing the study.

SENATE FILE 400 - Nonprofit Corporations — Reincorporation and Other Related Matters

BY COMMITTEE ON COMMERCE. In 1990, Chapter 504 of the Iowa Code, providing for the organization and regulation of nonprofit corporations, was repealed. Nonprofit corporations have since been governed exclusively under Chapter 504A. This Act applies to corporations terminated by their own terms or which have not complied with certain requirements in Chapter 504A.

Specifically, the Act provides that if the period of duration of incorporation of a domestic corporation organized or existing under Chapter 504, as the chapter existed prior to July 1, 1990, or a predecessor chapter, has expired, or if a permit held by a foreign corporation under the provisions of Chapter 504, as the chapter existed prior to July 1, 1990, is no longer valid, but the corporation has continued to act as a nonprofit corporation as provided in the chapter under which it was organized, the trustees, directors, or members of the corporation may reincorporate under Chapter 504A and thus become subject to its provisions. In that case, the property and rights of the corporation shall vest in the corporation as reincorporated for the use and benefit of the corporation. The corporation must reincorporate in the same manner as though voluntarily electing to adopt the provisions of Chapter 504A. The Act does not apply to a corporation dissolved pursuant to the provisions of Chapter 504A. This provision is retroactively applicable to July 1, 1990, and is repealed on July 1, 2000.

The Act also amends a provision in Chapter 504A which provides that corporations existing under Chapter 504 are subject to this chapter on July 1, 1990, except that the corporations shall be subject to provisions requiring registration and the filing of annual reports as of January 1, 1995. A corporate existence of a corporation that is not in compliance on the records of the Secretary of State with those provisions on June 30, 1995, is terminated, effective July 1, 1995. This Act extends the time in which to register and file an annual report to January 1, 1997. It provides that the existence of a corporation that is not in compliance on June 30, 1997, is terminated effective July 1, 1997.

The Act takes effect on May 24, 1995.

SENATE FILE 423 - Delayed Deposit Services Businesses

BY COMMITTEE ON COMMERCE. This Act establishes a new Chapter 533D to regulate delayed deposit services businesses.

A person is prohibited from operating a delayed deposit services business unless licensed by the Superintendent of Banking. A delayed deposit services business is defined as a person who for a fee accepts a check dated subsequent to the date it was written, or accepts a check dated on the date it was written and holds the check for a period of time prior to deposit or presentment pursuant to an agreement with the maker of the check. The Act provides that the licensee may operate, with the approval of the superintendent, a branch office in the same county in which the licensee's principal place of business is located. The Act prohibits a licensee from charging a fee in excess of \$15 on the first \$100 on the face amount of the check, or more than \$10 on subsequent \$100 increments on the face amount of the check. The licensee must conspicuously display a schedule of the applicable fees, charges and penalties for all services provided.

The superintendent is directed to examine the books and records of each licensee annually. The cost of such examination is to be paid by the licensee. The superintendent is granted the authority to issue a cease and desist order to prevent acts constituting violations of Chapter 533D. The superintendent is also authorized to assess an administrative penalty of not more than \$5,000 for each violation in addition to the costs of the investigation. The Act excludes banks, savings and loan associations, credit unions, or their affiliates, and industrial loan companies from the application of the chapter.

HOUSE FILE 54 - Qualifications for Licensure of Real Estate Brokers and Salespersons

BY DISNEY. This Act grants the Real Estate Commission the discretion to deny a license to an applicant who has been convicted of certain criminal acts, who has had a professional license of any kind revoked in this state or any other jurisdiction, or who has submitted a false application to the commission. For purposes of this Act, "conviction" includes a guilty plea, deferred judgment from the time of entry of the deferred judgment until the time the defendant is discharged by the court without entry of judgment, or other finding of guilt by a court of competent jurisdiction.

The Act requires that a licensed real estate broker or salespersons notify the commission of the licensee's conviction for certain criminal acts. Failure of the licensee to notify the commission of a conviction is sufficient grounds for revocation of the person's license. When considering the denial or revocation of a license under this section, the commission is directed to consider the nature of the offense; any documented aggravating or extenuating circumstances; the time lapsed since the revocation, conduct, or conviction; the rehabilitation, treatment, or restitution performed by the applicant or licensee; and any other factors the commission deems relevant. A person who violates a provision of this Act is guilty of a simple misdemeanor as provided in Section 543B.43.

HOUSE FILE 126 - Franchise Agreements

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends provisions of Chapter 523H, which relates to the relationship between franchisees and franchisors. The Act amends existing sections related to applicability of the chapter, transfer of a franchise, encroachment, termination of a franchise, nonrenewal of a franchise, and the repurchase of the assets of a franchise.

The Act amends the transfer provision by striking language prohibiting a franchisor from withholding consent to a franchisee making a public offering of the franchisee's securities without good cause and by providing that a

franchisor may require that the financial terms of the transfer comply at the time of the transfer with the franchisor's current financial requirements for franchisees. The Act also strikes a requirement that the franchisor notify franchisees of a proposed transfer of the franchisor's interest in the franchise.

The Act strikes prior law relating to encroachment and provides that a franchisee has a cause of action for monetary damages as a result of a new outlet or location unless the franchisor offers the new outlet or location to the existing franchisee, the impact on the existing franchise's gross sales is less than 5 percent, the existing franchisee is not in compliance with the franchisor's current reasonable criteria for eligibility for a new franchise, or the franchisee has established a procedure for hearing and acting upon claims related to the new outlet or location and a procedure for awarding compensation or other consideration to a franchisee.

The Act strikes language permitting the termination of a franchise agreement without opportunity to cure in the event the franchisee repeatedly fails to comply with the same material provision of a franchise agreement, and provides that such termination may occur after three material breaches of a franchise agreement occurring within a 12-month period. The Act redefines good cause for purposes of the nonrenewal of a franchise agreement and provides that as a condition of the renewal of a franchise, the franchise agreement may require that the franchisee meet the then current requirements for franchises and that the franchisee execute a new agreement incorporating the then current terms and fees for new franchises. The Act provides that the repurchase of assets provision does not apply to assets of the franchised business which the franchisee did not purchase from the franchisor.

HOUSE FILE 139 - Disclosure of Fee Determinations for Dental Care Benefit Coverage

BY BLODGETT. This Act requires insurance companies and nonprofit health service corporations that issue individual or group policies of accident or health insurance or hospital or health care service contracts to disclose the methods used to determine usual and customary fees for all dental care benefit coverages written in the state. A provision in S.F. 486 (Sec Appropriations) makes the Act applicable to all individual or group policies of accident or health insurance and all individual or group hospital or health care service contracts delivered, amended, or renewed on or after July 1, 1995, rather than on or after July 1, 1996, as is stated in the Act.

HOUSE FILE 247 - Insurance Regulation

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends a variety of provisions relating to the regulation of insurance. The Act exempts certain religious organizations from regulation by the Insurance Division so long as certain requirements are met. The Act prohibits discrimination in the sale of insurance solely on the basis of domestic abuse.

Minimum capital and surplus requirements are established for certain insurance companies and mutual companies that undergo a change of control as defined under Chapter 521A, titled "Insurance Holding Company Systems."

The Act establishes several new sections under Chapter 514C, titled "Special Health and Accident Insurance Coverages," providing that the state acquires the rights of an individual to payment from an insurer, health maintenance organization, or hospital or medical service plan to the extent that payment is made under Chapter 249A; providing for health plan coverage or enrollment of a child for whom the obligor is legally responsible or for whom health care coverage is to be provided pursuant to a court or administrative order; and providing coverage for an adopted child.

The Act requires that all insurers issuing policies of workers' compensation liability insurance participate in a residual market mechanism for assigned risks, and enter into agreements among themselves to equitably apportion insurance to be afforded to applicants who are in good faith entitled to, but who are unable to procure, such insurance through ordinary methods.

The Act establishes certain provisions applicable to county mutuals and mutual casualty assessment insurance associations which are similar to provisions applicable to other insurance companies. These provisions relate to permissible investments, qualification of agents, prohibiting loans to officers, and certain other provisions. The Act also provides for the reorganization of a domestic mutual insurance company into an insurance holding company.

HOUSE FILE 277 - Availability of Group Health Care Coverage for Unemployed Individuals

BY COMMITTEE ON COMMERCE AND REGULATION. This Act repeals a law requiring the Division of Job Service of the Department of Employment Services to establish a program of health insurance or health care coverage under a group policy for individuals receiving unemployment benefits that could be paid through a deduction from unemployment benefits received by the individual.

HOUSE FILE 485 - Remedies for Dishonor of Financial Instruments

COMMITTEE ON JUDICIARY. This Act provides for remedies for a holder of a payment instrument, and specifically, a check, draft or order. First, the Act amends the Consumer Credit Code (Chapter 537), and specifically, Section 537.2501, relating to charges involving consumer credit transactions. A consumer credit transaction includes a consumer credit sale, a consumer loan, a refinancing or consolidation of a consumer credit sale or consumer loan, a consumer lease, or a consumer rental purchase agreement. Prior to this Act, a surcharge of not more than \$10 could be charged for each dishonored payment instrument. The Act increases the amount to \$20 or 5 percent of the amount of the transaction, whichever is greater. However, the Act provides that the amount of the instrument cannot exceed \$20 unless the instrument was presented twice or the maker does not have an account with the drawee. In no case can the surcharge exceed \$50.

The Act also amends the Uniform Commercial Code (Chapter 554), and specifically, Article 3, part 5, which relates to the dishonor of negotiable instruments. The Act provides the same surcharge as provided in the Consumer Credit Code. In addition, the surcharge cannot be assessed unless the holder clearly and conspicuously posts a notice at the usual place of payment, or in the billing statement of the holder, stating that a surcharge will be assessed and the amount of the surcharge.

The Act provides that in a civil action against a person who makes a payment instrument which has been dishonored for lack of funds or credit or because the maker has no account with the drawee, the plaintiff may recover from the defendant damages triple the amount for which the dishonored payment instrument is drawn. The Act provides that the total amount of damages cannot exceed \$500 more than the amount of the payment instrument. The damages are contingent upon a number of conditions. First, the plaintiff must have made written demand by restricted certified mail of the defendant within 30 days before commencing the action; second, the notice must state that treble damages may be sought; third, the defendant must have failed to pay the plaintiff the amount of money demanded; and, fourth, the plaintiff must have clearly and conspicuously posted a notice at the usual place of payment or in a billing statement. The Act provides that a court may waive damages if the check was dishonored due to economic hardship. However, the court must render judgment against the defendant in the amount of the dishonored payment instrument and the actual costs incurred by the plaintiff in bringing the action. The Act excuses dishonor in cases where a maker of an instrument stops payment due to a bona fide dispute. The plaintiff in an action to collect a payment instrument brought before district court sitting in small claims cannot request or recover punitive or exemplary damages. The plaintiff in an action brought in district court not sitting in small claims may seek punitive or exemplary damages or civil damages, but not both. A violation of the provision is an unlawful practice.

HOUSE FILE 486 - Regulation of Cemeteries and Funeral and Cemetery Merchandise and Services

BY COMMITTEE ON COMMERCE AND REGULATION. This Act establishes additional regulatory requirements applicable to cemetery operators, perpetual and nonperpetual care cemeteries, the sale of preneed funeral contracts, and the sale of funeral and cemetery merchandise.

The Act establishes new reporting and disclosure requirements for persons selling funeral services and merchandise subject to Chapter 523A, and cemetery merchandise subject to Chapter 523E. The Act also provides for the liquidation of funeral establishments. The Act provides that an agreement subject to Chapter 523A or 523E may be funded by insurance proceeds which may be in lieu of a trust fund if the payments for the policy are made directly to the insurance company by the purchaser of the agreement.

The Act creates new Chapter 523J, which provides that a cemetery which is organized or commences business after July 1, 1995, is to operate as a perpetual care cemetery and is subject to Chapter 523J and other applicable law.

New Chapter 523J provides for the issuance of permits to, liquidation of, and the powers and duties of such cemeteries.

The Act amends Chapter 566A and establishes requirements for interment rights agreements, requires perpetual care cemeteries to maintain a registry of individuals who have purchased items subject to perpetual care requirements, requires an annual report to be filed by certain nonperpetual care and perpetual care cemeteries, and establishes an Insurance Division Cemetery Fund.

The Act also directs the Insurance Commissioner to establish and maintain a public registry of perpetual care cemeteries. Senate File 484 (See Appropriations) appropriates \$50,000 and one full-time equivalent position for the implementation of this provision.

HOUSE FILE 490 - Limited Liability Companies

BY COMMITTEE ON JUDICIARY. This Act makes several changes to the Iowa Limited Liability Company Act, Chapter 490A. To the prohibition on indemnifying a member or manager where the member or manager is found liable to the limited liability company for improper personal benefit or otherwise, the Act adds a prohibition on indemnification if the articles of organization or operating agreement provide for such a limitation on indemnity. Also, the Act provides that limited liability companies may use the words "limited liability company" or the abbreviation "L.L.C." in their names. Through the articles of organization or an operating agreement, members of a limited liability company may provide managers with differing levels of authority to act as agents for the limited liability company. In addition, the Act adds language adding insanity, retirement, resignation, or assignment of a membership interest to, and deletes language regarding an involuntary assignment of a membership interest from, the events that may trigger the dissolution of a limited liability company. Finally, the Act adds marriage and family therapy to the definition of "profession," enabling persons practicing in that field to form a professional limited liability company.

HOUSE FILE 518 - Regulation of Utilities Providing Communication Services

BY COMMITTEE ON COMMERCE AND REGULATION. This Act authorizes the Utilities Board of the Department of Commerce to approve a plan for price regulation submitted by a rate-regulated local exchange carrier. The plan for price regulation, if approved by the board, is in lieu of traditional rate regulation under alternative provisions of Chapter 476.

The Act authorizes the board, at the request of a long distance telephone company, to classify the company as a competitive long distance company if more than half of the company's revenues from its Iowa intrastate telecommunications services and facilities are received from services and facilities that the board has determined to be subject to effective competition. Upon such classification, the Department of Revenue is to assess the property of the competitive long distance telephone company which is first assessed for taxation on or after January 1, 1996, in the same manner as other commercial property.

The Act includes findings by the General Assembly that communications services should be available throughout the state at reasonable and affordable rates, and that regulatory flexibility is appropriate when competition will provide consumers with competitive choices in the variety, quality, and pricing of such services.

The Act establishes two basic price regulation options in new Section 476.30B applicable to rate-regulated local exchange carriers. The first option, included in subsections 1 through 10 of the Act, would be applicable to all three rate-regulated local exchange carriers. A second option is provided for in subsection 11 as an alternative for the two rate-regulated local exchange carriers with fewer than 500,000 access lines in Iowa.

Pursuant to the first option, a rate-regulated local exchange carrier may submit a plan for price regulation to the board. The board, after notice and opportunity for hearing, may approve, modify or reject the plan. The carrier has 10 days to accept or reject any modifications to the plan. A plan under this option, at a minimum, must include provisions for establishing and changing prices, terms and conditions for basic communications services; establishing and changing prices, terms and conditions for nonbasic communications services; reporting new service offerings to the board; reflecting any changes in revenues, expenses and investment due to exogenous factors

beyond the control of the local exchange carrier in the rates to be charged by the carrier; and providing notice to customers, the board and the Consumer Advocate of any changes in prices, terms or conditions. Additionally, the board is to determine the duration of any plan under this option.

Pursuant to the second option, a rate-regulated local exchange carrier is to provide written notice to the board of such election no less than 30 days prior to the date price regulation is to commence. The rate-regulated local exchange carrier is not required to file a plan with the board in the manner provided under the first option. Pursuant to the Act, the rate-regulated local exchange carrier is not subject to rate-of-return regulation while operating under price regulation, all regulated services are to be provided pursuant to board-approved tariffs, all new regulated service offerings are to be reported to the board, and rates may be adjusted by the board to reflect any changes in revenues, expenses and investment due to exogenous factors beyond the control of the local exchange carrier. The Act provides the manner in which prices may be changed and requires that the rate-regulated local exchange carrier notify customers of a rate change under this subsection at least 30 days prior to the effective date of the rate change. The board is authorized to review a local exchange carrier's operation under this option four years after the carrier's election to be price-regulated. The local exchange carrier, Consumer Advocate, or any other person may propose for the board's approval, a reasonable modification to the price regulation requirements in the option.

The Act provides that under either option, the board maintains regulatory authority over the level, extent and timing of the unbundling of essential facilities offered by a local exchange carrier, and authority to ensure against cross-subsidization between nonbasic and basic communications services; the Consumer Advocate may represent consumers before the board concerning any rule, order or proceeding pertaining to price regulation; in implementing price regulation, the board is to consider competitively neutral methods to assist lower-income Iowans to secure and retain telephone services; and the board, in determining whether to file a written complaint or prior to reviewing the carrier's operation, may request that the carrier provide any information that the board deems necessary to make the determination or conduct the review.

The Act directs the Consumer Advocate to calculate every two years an estimate of the return of a local exchange carrier operating under price regulation as if the carrier were subject to rate-of-return regulation. A written report is to be filed with the General Assembly concerning the calculation.

The Act provides that a certificate of public convenience and necessity to provide local telephone service, which is issued by the board, is not to be interpreted as conveying a monopoly or franchise. The Act establishes the framework for competition within a local exchange. The local exchange carrier is to provide equal access to, and interconnection with, the carrier's facilities so that its network is fully interoperable with the telecommunications services and information services of other providers, and to offer unbundled essential facilities. Prior to September 1, 1995, the board is to initiate a rule-making proceeding to adopt rules to provide for the unbundling of essential facilities, to establish reciprocal cost-based compensation for termination of telecommunications services between local exchange carriers and competitive local exchange service providers, to provide for provider number portability, and to develop cost methodology appropriate for a competitive telecommunications environment.

The Act also directs the board to initiate a proceeding and establish policies to preserve universal service so that it is maintained in a competitively neutral manner. The board is also directed to submit a report to the General Assembly no later than January 15, 1999, concerning the implementation of price regulation for local exchange carriers furnishing communications services.

HOUSE FILE 520 - Electronic Transfer of Funds

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends provisions relating to the regulation of electronic funds transfers and the processing of transactions initiated through the use of electronic funds transfer transaction cards or access devices. The Act provides that an administrator, as defined in Chapter 527, may issue any order necessary to secure compliance with or prevent a violation of Chapter 527, or rules adopted pursuant to the chapter, concerning the establishment and operation of a satellite terminal, limited-function terminal, upgraded, altered, modified, or replaced limited-function terminal, and any device connected to the terminal. A person violating a provision of Chapter 527 or rules adopted pursuant to the chapter is subject to a civil penalty not to exceed \$1,000 for each day the violation continues.

The Act provides that a limited-function terminal replaced by a device which is an on-line or an off-line point-of-sale terminal, that may be utilized to initiate transactions which affect customer asset accounts through the use of an electronic personal identifier, or is upgraded, altered, or modified to be operated in a manner that allows the use of an electronic personal identifier to initiate transactions which affect customer asset accounts, is deemed to be a full-function point-of-sale terminal. The Act also establishes certain requirements for the processing of transactions that affect customer asset accounts by transfer processing facilities.

The Act takes effect April 24, 1995.

CHILDREN AND YOUTH

- SENATE FILE 150** - Miscellaneous Provisions Concerning Children
- SENATE FILE 208** - Child Abuse and Termination of Parental Rights
- SENATE FILE 352** - Family Investment and Related Human Services Programs — Additional Requirements
- SENATE FILE 433** - Family Investment and Related Human Services Programs — Limited Benefit Plans
- SENATE FILE 438** - Juvenile Delinquency Notices — Marriage Solemnization by Associate Juvenile Judges
- HOUSE FILE 528** - Criminal and Juvenile Justice

RELATED LEGISLATION

- SENATE FILE 88** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including conforming child abuse reporting procedures language to other provisions enacted in 1994 to specify that it is the subject of the child abuse report who is entitled to access to the list of persons who have received information referring to the subject.
- SENATE FILE 149** - Miscellaneous Child Support Recovery Provisions
SEE HUMAN SERVICES. This Act relates to child support, including payment of foster care costs, notice procedures relating to a notice of support debt and income withholding, establishment of paternity by affidavit, procedures used in overcoming paternity, and methods used in establishment of paternity.
- SENATE FILE 233** - Suspension and Revocation of Driver's Licenses
SEE TRANSPORTATION. This Act provides that a juvenile's driver's license is suspended for a one-year period of time for violations of Chapter 124, Section 126.3, or Chapter 453B. Section 321.215 prevents persons convicted of out-of-state drug and drug-related offenses and juveniles whose driver's licenses were suspended for violations of Chapter 124 or 453B or Section 126.3 from being issued a temporary restricted license. However, it allows these persons to apply to the district court for a temporary restricted permit, which may only be issued under certain circumstances. Persons who are applying for a motor vehicle license following a period of suspension or revocation for violations under Section 321.205 for out-of-state drug or drug-related offenses and juveniles whose driver's licenses are suspended under Section 321.213A are not required to maintain proof of financial responsibility in order to have the driver's license reinstated.
- SENATE FILE 239** - Mediation in Dissolution of Marriage Proceedings
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act provides for required mediation in dissolution of marriage proceedings under certain circumstances and makes conforming changes in the law relating to the awarding of child custody.
- SENATE FILE 367** - Domestic Abuse
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act provides that a person, or the parent or guardian of a person under the age of 18, who is a victim of domestic abuse, may file a domestic abuse action against the juvenile who committed the abuse, provides for the detention of a juvenile if there is probable cause to believe the juvenile committed domestic abuse, provides that a juvenile who commits domestic abuse may also be required to attend batterers' treatment programs, and changes the definition of "family or household members" for the purposes of domestic abuse to

- exclude children under age 18 of persons who may be victims or perpetrators of domestic abuse.
- SENATE FILE 431** - Child Support Collection — Licensing Sanctions and Other Miscellaneous Provisions
SEE HUMAN SERVICES. This Act establishes a procedure for affecting the license of certain child support obligors and establishes a monthly child support payment amount of \$25 for parents 19 years of age or younger who meet other specified criteria.
- SENATE FILE 462** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and contains many provisions affecting children and youth, including entitlement programs, child day care assistance, child support recovery, juvenile institutions, child and family services, juvenile justice and foster care, and funding of related programs.
- HOUSE FILE 94** - Dissolution of Marriage — Hearing Exemption
SEE COURTS, CIVIL LAW & PROCEDURE. This Act permits the court to enter an order for dissolution of marriage without a hearing in certain uncontested divorce proceedings if there are no children of the marriage for whom support may be ordered. Under prior law, the court had to hold a dissolution of marriage hearing in all cases, but could close or limit attendance at certain hearings.
- HOUSE FILE 113** - Resident Fishing and Hunting Licenses
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act provides that a nonresident under 18 years of age whose parent is a resident is eligible for resident fees for hunting, fishing and related licenses.
- HOUSE FILE 197** - Expansion of Volunteer Physician Program
SEE HEALTH & SAFETY. This Act expands the existing Volunteer Physician Program to include other health care providers and to be applicable to certain charitable organizations, which are defined in the Act to include nonprofit organizations providing or supporting medical services to children.
- HOUSE FILE 247** - Insurance Regulation
SEE BUSINESS, BANKING & INSURANCE. This Act amends a variety of provisions relating to the regulation of insurance. The Act provides for health plan coverage or enrollment of a child for whom the obligor is legally responsible or for whom health care coverage is to be provided pursuant to a court of administrative order, and provides for coverage for an adopted child.
- HOUSE FILE 483** - Human Services Activities — Mental Retardation Commitment Proceedings
SEE HUMAN SERVICES. This Act relates to Department of Human Services activities and institutions involving persons with disabilities and includes procedural provisions for voluntary commitment of minors with mental retardation.

CHILDREN AND YOUTH

SENATE FILE 150 - Miscellaneous Provisions Concerning Children

BY COMMITTEE ON HUMAN RESOURCES. This Act includes various provisions involving children, including foster care, termination of parental rights, adoption proceedings and services, children affected by drugs, employee training, child abuse information, child custody proceedings and mediation, and consideration of a history of domestic abuse in certain proceedings. See S.F. 208 for additional child abuse provisions.

The Act amends a standard for termination of parental rights in Section 232.116. Under prior law establishing the standard, the court was required to find that the child meets the definition of a "child in need of assistance" based on physical or sexual abuse or neglect as a result of the acts or omissions of one or both of the child's parents and that despite the receipt of services, there is clear and convincing evidence that the circumstances surrounding the abuse constitute an imminent danger to the child. The Act changes the basis so that in addition to meeting the definition of child in need of assistance, the court must also find that either the receipt or offer of services would not correct the conditions which led to the abuse or neglect within a reasonable period of time, and that the abuse or neglect constitutes a significant risk to the life of the child, rather than the prior requirement that the circumstances constitute an imminent danger to the child. This amendment was proposed by the Child Protection Task Force, a 1994 legislative study committee, and other groups following an Iowa Court of Appeals ruling.

The Act also amends Section 235A.15, relating to access to child abuse information, by providing access to child protection agencies in other states which are investigating or treating a person named as having abused a child and by providing access to out-of-state public or licensed child-placing agencies for foster care evaluations and placements and adoptive or foster care preplacement evaluations.

The Act establishes additional grounds for termination of parental rights. Under Chapter 232, termination is authorized in certain circumstances when the child's parent has been convicted of child endangerment. Under Chapter 600A, termination is authorized if the parent is a chronic substance abuser, has committed a second or subsequent domestic abuse assault, and has improperly removed the child from the person entitled to custody without the person's consent or has otherwise improperly retained the child after a visit with the child.

The Act includes a number of provisions addressing children who are placed in foster care. The Department of Human Services or other agency which develops a child's case permanency plan must include the child's parent, guardian, or custodian in the plan's development. In addition, the case permanency plan is to include the actions expected of the child's parent, guardian, or custodian in order for a recommendation that the court terminate the child's out-of-home placement.

The Act requires that persons providing foster care placements are to be notified of any hearings under the child in need of assistance (CINA) statutes and provides that the person may petition the court to be made a party to the proceedings. Under current law, a CINA may be placed in foster care for a period of 12 months after which time the court may continue the placement for an additional six months. If a continuance of the placement is ordered, the Act requires the court to enumerate the basis for the determination that the need for removal from the child's home will not exist at the end of the six-month period.

Statutes involving the presence of an illegal drug in a child's body are amended. The CINA provisions are amended to require that the presence of an illegal drug in the child's body is not the sole grounds for a CINA determination and applies a reasonable and prudent person standard to determinations of whether the caretaker should have known their acts or omissions would lead to the presence of the drug. In addition, the law providing for a "medically relevant test" to determine the presence of an illegal drug is amended. The Act requires the Iowa Department of Public Health, in consultation with other agencies, to adopt rules specifying minimum standards for the results of such tests and to maintain a list of laboratories approved to perform the tests. A parent who is ordered to have a drug test as part of a CINA proceeding may select from among the laboratories on the list. The provision concerning drug tests of a parent takes effect May 19, 1995, and applies to tests performed on or after that date.

The statutory provisions for the Department of Human Services' adoption information exchange are amended. The exchange is a means of providing information to facilitate the adoption of children for whom parental rights have been terminated. The amendments authorize deferring listing the child on the exchange based upon the child's age, treatment status, and placement status.

The Act requires the Department of Human Services and the Judicial Department to make additional efforts to improve the system for educating their employees concerning reasonable efforts to prevent or eliminate the need for placement of a child outside the child's home. Area education agencies are to include in the in-service training for school employees, regular training concerning mental or emotional disorders that may afflict children and the impact of the disorders upon families. Similar training is required for judges and other court employees who handle cases involving children or family law.

The provisions in Chapter 598 concerning marriage dissolution and child custody proceedings are amended to address situations when a history of domestic abuse exists as indicated by court or police actions. The Act provides that if a history of domestic abuse exists, there is a rebuttable presumption against awarding joint custody. In addition, if a history of domestic abuse exists, the court is precluded from requiring mediation in establishing or modifying marriage dissolution, child visitation, or child custody orders. If a history of domestic violence exists, the Act requires the court to provide security in the courtroom during dissolution proceedings at the request of either party.

SENATE FILE 208 - Child Abuse and Termination of Parental Rights

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to child abuse and termination of parental rights provisions. Many of the Act's provisions were addressed in the final report of the Child Protection Task Force, a 1994 legislative interim study established to review child abuse issues.

New Section 135.43 creates an Iowa Child Death Review Team as an independent agency of state government. Administrative and staffing support for the team is to be provided by the Iowa Department of Public Health. The team is to review information concerning the death of children ages six and younger and is to establish a committee to review child abuse investigations involving the death of a child. The review team is to include various professionals involved in areas applicable to child death and is to be assisted by liaisons designated by representatives of various state agencies. The review team is authorized to appoint subcommittees to which its responsibilities may be delegated.

Section 232.71 is amended to prohibit the Department of Human Services from revealing the identity of a reporter of child abuse during a child abuse investigation.

New Section 232.71A directs the Department of Human Services to establish child abuse assessment pilot projects in up to five areas of the state. Beginning January 15, 1996, the child abuse assessment approach would be used in the pilot project areas instead of the various provisions under current law for investigating a child abuse report and for maintaining information concerning certain investigations in the Central Child Abuse Information Registry. Legislative intent is stated to implement the assessment-based approach statewide beginning in FY 1996-1997.

The primary purpose of assessment is to ensure the safety of a child named in a report and the secondary purpose is to engage the child's family in services to enhance family strengths and address weaknesses identified in the assessment. Various provisions of Section 232.71, which specify requirements and responsibilities during a child abuse investigation, apply to an assessment. However, under the assessment-based pilot projects, only information from serious cases of child abuse is placed in the Central Child Abuse Information Registry, including cases referred to the court or for which medical or mental health treatment was provided or should have been provided. Otherwise, assessments are not public records and are to remain confidential.

The Act authorizes the Department of Human Services to implement a special protocol in the pilot project area. The special protocol would permit an abbreviated assessment when there are three or more reports concerning the same alleged perpetrator or family member and previous assessments have not identified protective concerns.

The Attorney General is requested to establish a multidisciplinary committee to review and make recommendations concerning establishment of regional multidisciplinary teams to focus upon child abuse prosecution and intervention needs. If a committee is established, a report is to be submitted by the Attorney General to the Governor and the General Assembly prior to the 1996 Legislative Session.

Section 9 of 1994 Iowa Acts, Chapter 1130, would have amended current law on July 1, 1995, so that child abuse information, which a Department of Human Services' investigation determines to be unfounded, would be expunged six months after it is determined to be unfounded. During that six-month period, the information would be sealed and accessible only through a court order. Section 9 was enacted with a delayed effective date of July 1, 1995. Effective May 3, 1995, this Act, S.F. 208, repeals both the substantive amendment relating to expungement and the delayed effective date. Repealing the two provisions maintains current law, which requires that unfounded child abuse information be expunged when it is determined to be unfounded.

SENATE FILE 352 - Family Investment and Related Human Services Programs — Additional Requirements

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the Family Investment Program (formerly known as Aid to Families with Dependent Children and now referred to as FIP) and related human services programs by requiring the Department of Human Services to apply for certain federal waivers. The Act lists a particular welfare reform policy goal, directed to FIP participants, followed by the specific provision designed to achieve that goal. Implementation of the requirements is subject to issuance of a federal waiver.

The first goal is directed to minor parents and recipient parents who are 18 or 19 years of age to promote responsibility and strengthen family values. The Act requires minor parents to live with their parent or legal guardian unless the parent or guardian is deceased, missing, or living in another state; the minor parent's health or safety would be jeopardized; the minor parent is in foster care; the minor parent is participating in the Job Corps Solo Parent Program or Independent Living Program; or there is another good cause listed in administrative rules. If a minor parent is exempt from the requirement of living with their parent or guardian, the minor parent must participate in a family development program. All minor parents and recipient parents who are 18 or 19 years of age must attend parenting classes.

The second goal is also directed to minor parents and requires that a minor parent must either have graduated from high school or have received a high school equivalency diploma, or must be engaged full-time in doing so. Implementation of this provision is subject to the availability of child day care for the minor parent's children.

The third goal is directed to minor parents and recipient parents who are 18 or 19 years of age and is designed to develop a strong work ethic. If a parent subject to this provision is participating, full-time, in fulfilling the high school or high school equivalency requirements, the department must disregard any income earned by the participant.

The fourth goal addresses welfare fraud by requiring the department to strengthen sanctions to disqualify recipients who commit welfare fraud. In strengthening sanctions, the department is to establish the same or similar penalties for both FIP and the Food Stamp program.

The fifth goal is directed to recipients with young children with the stated intention of making expectations of recipients consistent with private sector practices. An exemption from the Job Opportunities and Basic Skills (JOBS) Program participation for parents with children who are less than six months of age is narrowed to apply to parents with children who are less than three months of age.

The sixth goal is intended to remove incentives for out-of-state applicants for public assistance to move to Iowa. The provision applies to applicants for assistance who received assistance in another state within one year of applying for assistance in this state. The applicant's eligibility is to be determined using this state's requirements, but if the other state's grant amount would be less than this state's, during the initial participation period of six months the applicant's grant amount is the lesser amount. A similar provision was included in Iowa's initial welfare reform legislation, 1993 Iowa Acts, Chapter 97, but was not approved by the federal government.

The seventh goal is designed to encourage responsible family planning decision making. The department is required to discuss with participants orally and in writing the financial implications of additional children and available family planning resources. In addition, the department is to include family planning counseling as an optional component of the JOBS Program and is to include the participant's family planning objectives in the participant's family investment agreement. A family investment agreement is a written document outlining a FIP participant's activities to achieve self-sufficiency.

The Act authorizes the department to transfer moneys appropriated for a waiver provision if the waiver provision is denied by the federal government. The department is directed to adopt rules to implement the approved provisions and to apply additional requirements and procedures necessary to conform with the federal approval of the provisions. The effective date of the provisions is to be set by rule but cannot be before July 1, 1996. If the federal government amends federal law to authorize implementation of any part of the Act without a waiver, the same effective date applies.

SENATE FILE 433 - Family Investment and Related Human Services Programs — Limited Benefit Plans

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the Family Investment Program (FIP, formerly the Aid to Families with Dependent Children Program) by requiring the Department of Human Services to apply for a federal waiver to revise the limited benefit plan provisions of the program. The Act codifies the limited benefit plan provisions which were previously only addressed in administrative rules.

As implemented under administrative rule requirements, FIP requires the majority of adult participants and some minor participants to enter into a family investment agreement. A family investment agreement is a written document delineating a participant's plan for becoming self-sufficient. A participant may choose, or through noncompliance with a family investment agreement would be considered to have chosen, a limited benefit plan. A limited benefit plan may be applied to the participant alone or to the entire eligible group or family to which the participant belongs. A limited benefit plan limits both the amount of cash assistance and the period of eligibility for FIP benefits.

Previously, under the administrative rules, a limited benefit plan applied for a period of 12 months. During the 12-month period, benefits were limited during the fourth through sixth months and a period of ineligibility applied during the seventh through twelfth months. Under the Act, provisions applicable to an initial limited benefit plan differ from those applicable to subsequent limited benefit plans. The Act provides that under the initial limited benefit plan, benefits are reduced for the first three months and denied for the succeeding six months. For a second or subsequent limited benefit plan, benefits are denied for six months.

The Act directs the department to apply the limited benefit plan provisions to certain participants who are responsible for developing a family investment agreement, specifies the members of the eligible group to which the limited benefit plan applies, outlines the provisions of initial and subsequent limited benefit plan periods, lists actions which constitute choosing a limited benefit plan, provides options and limitations for reconsidering the choice of a limited benefit plan, provides for one or more visits or inquiries by a social services professional into the well-being of a family on a limited benefit plan, limits appeals of a limited benefit plan except in cases of error, provides for transition to the new provisions from the previous provisions, and authorizes the department to make changes in the rules regarding the Food Stamp Program.

The Act authorizes the department to submit waiver requests to make corresponding changes in the federal Food Stamp Program and the Medical Assistance (Medicaid) Program with implementation of changes in these programs subject to enactment of legislation approving of the changes.

The Act directs the department to apply the waiver provisions statewide as approved by the federal government. If implementing the waiver provisions would be in conflict with state law for the Family Investment Program under Chapter 239 or the Job Opportunities and Basic Skills (JOBS) Program under Chapter 249C, those statutes in conflict are suspended for the purposes of the Act. The department is directed to propose, in accordance with the legislative prefiled bills statute for state agencies, an amendment to the statutes in conflict in order to place the provisions before the public in law.

The Act authorizes the department to adopt administrative rules under emergency provisions which eliminate the public comment period and review by the Administrative Rules Review Committee. However, the rules must then also be adopted under the regular procedure for adopting rules.

The Act includes a contingent effective date. The provisions of the Act take effect on October 1, 1995, or at the beginning of the second month following the month in which the federal government approves the waiver, whichever date is later.

SENATE FILE 438 - Juvenile Delinquency Notices — Marriage Solemnization by Associate Juvenile Judges

BY COMMITTEE ON JUDICIARY. This Act provides that notice of adjudication hearings or hearings regarding the modification of a dispositional order in juvenile delinquency cases need not be given by publication. The Act also waives the requirement that a person, who was originally notified of a delinquency adjudication hearing but who failed to appear, be given notice of a hearing regarding modification or termination of the dispositional order.

In addition, the Act authorizes associate juvenile judges to perform marriage ceremonies.

HOUSE FILE 528 - Criminal and Juvenile Justice

BY COMMITTEE ON JUDICIARY. This Act changes provisions of the juvenile code and other chapters regarding juveniles and adults. The Act requires a peace officer who takes a juvenile into custody for a drug or alcohol offense to notify a juvenile court officer. The juvenile court officer is then required to make a reasonable effort to notify the school which the juvenile attends, if any, of the taking into custody.

The Act provides that a person who has been convicted of a crime under Section 124.401, subsection 2, or Section 124.406, and who is awaiting sentencing or is appealing the conviction, shall not be eligible for release on bail unless the court finds the person will not pose a threat to the safety of another person or persons and will appear for future court proceedings.

The Act excludes from the jurisdiction of the juvenile court a juvenile age 16 or older who commits a drug offense involving a firearm or offensive weapon, who violates a provision of Chapter 724 regarding weapons that is punishable as a felony, who engages in certain gang activity, or who commits a forcible felony. The juvenile may be transferred to the juvenile court under new Section 803.6 if the district court finds that it would have been inappropriate to waive the juvenile to adult court if the offense was originally within the jurisdiction of the juvenile court. A juvenile not transferred to the juvenile court shall be tried and punished as an adult.

The Act authorizes the juvenile court to enter a dispositional order placing a juvenile who has been adjudicated delinquent in secure custody in a juvenile detention facility for a specified period of time. The juvenile may be placed in any facility, other than a jail, in which a juvenile who is taken into custody for an alleged delinquent act could be detained.

The Act provides that the juvenile court, a juvenile court officer, or a law enforcement agency may release the name of a child alleged to have committed a delinquent act, which would be an aggravated misdemeanor or felony if committed by an adult, once a complaint has been filed.

Section 232.45A is amended to provide that a juvenile who has been waived to adult court for the alleged commission of a felony shall have all other felony proceedings commence in district court.

The Act requires school officials to establish procedures for reporting to a local law enforcement agency when a dangerous weapon is possessed on school premises, to expel a student who possesses a firearm at school, and to provide for the reintegration of the student into school after expulsion. The Act also permits school districts to adopt a dress code policy that prohibits students from wearing gang-related or other specific apparel.

The Act adds information concerning the taking of a juvenile into custody and the adjudication of a juvenile as a delinquent for an act that would be an aggravated misdemeanor or felony if committed by an adult, to the criminal history and intelligence data collected under Chapter 692. This information, except fingerprint cards, is to be deleted from the data storage system if the juvenile does not commit a serious or aggravated misdemeanor or felony

between 18 and 21 years of age. Fingerprint cards will be retained in the automated fingerprint identification system.

Section 709A.6 is amended to make the penalty for using, or conspiring to use, a juvenile in criminal activity a class "C" felony instead of a class "D" felony.

Chapter 723A, regarding gang activities, is amended to add violations of Chapter 724, regarding weapons, to the definition of "criminal acts," and to add a class "C" felony for recruiting, enticing or intimidating a juvenile into joining a criminal street gang, and a class "D" felony for conspiring to do the same.

A new section is also added to Chapter 724 making it a class "D" felony for going armed with, carrying, or transporting a firearm on the grounds of a public or nonpublic school unless the person fits within a designated exemption.

The Act eliminates the requirement that students be provided at least 24-hours' notice before an inspection by school officials of all the students' lockers. School officials may inspect all or a randomly selected number of school lockers without notice if the school has provided prior written notice of its intent to inspect lockers and if the student is present when the locker is inspected.

The Act also establishes a task force to develop a plan for shared jurisdiction between the juvenile justice system and the adult justice system. The task force will be composed of legislators, the Attorney General, the Director of the Department of Human Services, judges, corrections officials, the State Public Defender, a college or university faculty member, and a county attorney, and be convened by the Division of Criminal and Juvenile Justice Planning of the Department of Human Rights. The task force will report to the Governor and General Assembly by October 1, 1995.

CORRECTIONS, CRIMINAL LAW & PROCEDURE

- SENATE FILE 66 - Cruelty to Police Service Dogs
- SENATE FILE 93 - Sex Offender Registry
- SENATE FILE 120 - Inmate Literacy and Educational Requirements
- SENATE FILE 132 - Victim Compensation
- SENATE FILE 142 - Bail Restrictions for Felonious Child Endangerment
- SENATE FILE 293 - Use of Dangerous Weapons in Forcible Felonies — Minimum Sentence
- SENATE FILE 366 - Exhibition of Persons
- SENATE FILE 367 - Domestic Abuse
- SENATE FILE 371 - Limitations on Polygraph Examinations in Sexual Abuse Cases
- SENATE FILE 373 - Enforcement Provisions for Failure to Pay Restitution
- SENATE FILE 386 - Elimination of Victim Restitution for Certain Traffic Offenses
- SENATE FILE 398 - Commutation of Life Sentences
- SENATE FILE 428 - Rendition of Prisoner Witnesses
- SENATE FILE 443 - Assaults Upon and Interference With Certain Officials — Other Assault Provisions
- HOUSE FILE 29 - Jurisdiction in Kidnapping Cases
- HOUSE FILE 215 - Hard Labor by Inmates
- HOUSE FILE 346 - Uniform Citation and Complaint
- HOUSE FILE 471 - Sentencing — VETOED BY THE GOVERNOR

RELATED LEGISLATION

- SENATE FILE 88 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including the changing of an incorrect reference to the term "animal abuse" to "animal neglect" in the section prohibiting animal neglect, and the elimination of an inconsistency in penalties in Chapter 729 for the violation of Section 4 of the Iowa Constitution's Bill of Rights.
- SENATE FILE 233 - Suspension and Revocation of Driver's Licenses
SEE TRANSPORTATION. This Act allows the State Department of Transportation to refuse to issue a motor vehicle registration or certificate of title or to suspend or revoke the registration or certificate of title of a commercial motor vehicle operated by a commercial motor carrier whose ability to operate has been terminated or denied by a federal agency. The Act also provides a \$100 fine for persons who violate an out-of-service order. The Act prevents the department from destroying operating records pertaining to arrests or convictions for operating while intoxicated if all of the provisions of the court order have not been satisfied. The Act provides that a juvenile's driver's license is suspended for a one-year period of time for violations of Chapter 124, Section 126.3, or Chapter 453B. Section 321.215 prevents persons convicted of out-of-state drug and drug-related offenses under Section 321.205 and juveniles whose driver's licenses were suspended under Section 321.213A for violations of Chapter 124 or 453B or

Section 126.3 from being issued a temporary restricted license. The Act also allows the department to revoke a driver's license without waiting for an order from the court in certain cases.

- SENATE FILE 358** - Habitual Offenders of Motor Vehicle Laws — Operating While Intoxicated
SEE TRANSPORTATION. This Act provides for the administrative determination by the State Department of Transportation of whether a person's license is to be barred for being a habitual offender, expands the eligibility of habitual offenders for temporary restricted licenses, adds a requirement that persons obtaining a temporary restricted license under the operating while intoxicated provisions install ignition interlock devices on their vehicles, and establishes a youthful offender substance abuse program for persons whose motor vehicle licenses are revoked for driving while having a blood alcohol concentration of greater than .02 but less than .10.
- SENATE FILE 432** - Sexually Violent Predators
SEE JUDICIARY. This Act makes changes in the procedures contained in and effective date of the Sexually Violent Predator Act. The Act also provides that the Department of Justice, in consultation with the Department of Human Services, is to conduct a study of the issues involved in the implementation of the "Sexually Violent Predators" chapter and submit a report to the General Assembly on January 1, 1996.
- SENATE FILE 446** - Operating While Intoxicated and Related Provisions
SEE TRANSPORTATION. This Act makes a variety of changes relating to the use or possession of alcohol and the operation of motor vehicles, including moving language prohibiting the possession of open receptacles containing alcoholic beverages in a motor vehicle from Chapter 123 to Chapter 321 and providing that violations are punishable by a scheduled fine, establishing periods of "hard" revocation (no driving privileges) for persons who are convicted of operating while intoxicated, reducing the effective date of revocation of driver's licenses for OWI convictions, reducing the time within which a new hearing must be granted after an OWI license revocation hearing result is contested, providing for the administrative revocation of the motor vehicle license or nonresident operating privileges of persons under the age of 21 who are found to be operating a motor vehicle while having an alcohol concentration level of .02 or greater, but less than .10, and providing for the impoundment or immobilization of motor vehicles used by the person to commit second or subsequent operating while intoxicated offenses.
- SENATE FILE 459** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act appropriates moneys for FY 1995-1996 to several departments involved in the justice system, including the Department of Justice, Board of Parole, Department of Corrections, Judicial Department, State Public Defender, Iowa Law Enforcement Academy, Department of Public Defense, and the Department of Public Safety, and contains related statutory provisions. The Act requires the Department of Corrections to study and report to the Legislature not later than January 1996 concerning the Fort Dodge community-based corrections residential facility, an infirmary unit for inmates, and a super-maximum security facility. The Act also establishes a Prison Recycling Fund and Inmate Telephone Rebate Fund under the control of the Department of Corrections.
- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
SEE APPROPRIATIONS. This Act provides a FY 1994-1995 supplemental appropriation to the Department of Public Safety and includes requirements for the Department of Corrections to develop a 750-bed medium security correctional facility, provides bonding authority, and reserves additional moneys for bond payments from collections of fines, fees, and forfeited bail.

- HOUSE FILE 246** - Civil Litigation by Inmates and Prisoners — Inmate Accounts
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act requires an inmate or prisoner of an Iowa Department of Corrections facility or county jail to pay 20 percent of the required filing fee for a civil action or appeal filed by the inmate or prisoner prior to the action or appeal being heard. The Act also contains related provisions regarding inmate litigation, including the loss of good conduct time for malicious or frivolous claims.
- HOUSE FILE 528** - Criminal and Juvenile Justice
SEE CHILDREN & YOUTH. This Act provides that juveniles who commit certain offenses are excluded from the jurisdiction of the juvenile court and enhances the penalties for certain offenses involving juveniles committed by adults.
- HOUSE FILE 552** - Motor Fuel and Special Fuel Taxation and Regulation
SEE TAXATION. This Act changes the point of taxation for motor fuel and special fuel. The Act provides civil and criminal penalties for the illegal use of dyed fuel in the supply tank of a vehicle, for the illegal importation of motor fuel or undyed special fuel without a valid importer's or supplier's license, for the filing of an incorrect refund claim or a fraudulent refund claim, for the deliberate heating of taxable motor fuel or special fuel by dealers prior to consumer sale, for attempting to prevent, stop or delay an inspection of fuel or shipping papers, and for failing to label conspicuously a fuel pump or other delivery facility.

CORRECTIONS, CRIMINAL LAW & PROCEDURE

SENATE FILE 66 - Cruelty to Police Service Dogs

BY COMMITTEE ON JUDICIARY. This Act raises the penalties applicable to acts designed to inflict harm on police service dogs. The definition of police service dog is expanded to include dogs that are used by peace officers or correctional officers in the performance of official duties. The knowing and willful or malicious tormenting or striking of a police service dog, as well as the administration of nonpoisonous, desensitizing substances to or other interference with a police service dog, is elevated from a simple to a serious misdemeanor. The knowing and willful or malicious torture, disfiguring, disabling, killing, or poisoning of a police service dog is elevated from a serious misdemeanor to a class "D" felony. The penalty for a serious misdemeanor is a fine of at least \$250, but not more than \$1,500, or both fine and imprisonment of up to one year in jail. The maximum penalty for a class "D" felony is confinement of up to five years in the penitentiary and a fine of not less than \$500 and not more than \$7,500.

SENATE FILE 93 - Sex Offender Registry

BY COMMITTEE ON JUDICIARY. This Act establishes a central registry within the Department of Public Safety for persons who are convicted of criminal offenses against a minor, persons who are convicted of sexual exploitation, and persons who are convicted of sexually violent offenses.

The following are terms defined under the Act:

- ♦ "Conviction" includes pleas or findings of guilt, sentences for an offense, adjudications of delinquency, deferred sentences and judgments, and acquittals by reason of insanity.
- ♦ "Criminal offenses against a minor" include kidnapping of a minor other than kidnapping in the third degree committed by a parent, false imprisonment of a minor committed by someone other than a parent, indictable offenses involving sexual conduct directed toward a minor, solicitation of a minor to commit an illegal sex act, use of a minor in a sexual performance, solicitation of a minor to practice prostitution, indictable offenses involving sexual contact with a minor, attempts to commit any of the offenses specified as criminal offenses against a minor, dissemination and exhibition of obscene material to minors, admitting minors to premises where obscene material is exhibited, and indictable offenses committed in other jurisdictions which would be an indictable criminal offense against a minor if committed in Iowa.
- ♦ "Sexual exploitation" means sexual exploitation by a counselor or therapist.
- ♦ "Sexually violent offense" includes sexual abuse, assault with intent to commit sexual abuse, sexual misconduct with offenders, and murder, kidnapping, or burglary involving sexual abuse or attempted sexual abuse.

Persons who are subject to the registration requirement are required to be registered for 10 years, except that persons convicted of offenses that would qualify the person as a sexually violent predator under federal law are required to remain registered until the court in which the person was sentenced determines that the person should no longer register. With the exception of persons already released on July 1, 1995, the effective date of this Act, the period of registration is to commence from the date the person is placed on probation, parole, work release, or otherwise released. For persons already released on July 1, 1995, the period of registration is to commence on July 1, 1995.

When the person is initially released, either the court or the agency releasing the person will collect the initial registration information, which will be forwarded to the Department of Public Safety and the sheriff of the county in which the person is to reside. Each year the department will verify the address of any person convicted of committing criminal offenses against minors, sexual exploitation, and sexually violent offenses. The addresses of persons convicted of offenses that would qualify them as sexually violent predators will be verified every three months by the department. Persons who are required to register under the Act are also required to reregister in the event the person moves and to notify the sheriffs in both locations of the address change.

Unless a person was acquitted by reason of insanity, when a person files a registration or reregistration statement with a sheriff, the person is required to pay a fee of \$10 to the sheriff. In addition, at the time the person is convicted of a criminal offense against a minor, sexual exploitation, or a sexually violent offense, the person is also

to be assessed a civil penalty, which is to be used by the department to pay for the costs of implementing the registry and for research and analysis of the data collected, and by the courts to pay for court technology and modernization.

Penalties are established for a willful failure to register. A first offense is an aggravated misdemeanor; a second or subsequent offense is a class "D" felony. A person who fails to register and who commits a criminal offense against a minor, sexual exploitation, or a sexually violent offense is guilty of a class "C" felony. Any fines imposed for a second or subsequent violation are not to be suspended. Persons who violate the registration requirement are not eligible for a deferred judgment or sentence. Persons who are not sure whether they are subject to the registration requirements may ask the department to issue an opinion on the issue of whether they are required to register. The department, in consultation with the Attorney General, shall adopt rules that list specific offenses under present and former law which constitute criminal offenses against a minor. The department is also to develop a procedure for removal of information from the registry which pertains to a person whose conviction has been reversed or set aside.

Registry information is a confidential law enforcement record and its dissemination and redissemination is generally limited, although dissemination is allowed to criminal justice agencies, to government agencies conducting confidential background investigations, and to members of the general public who make a written request containing the name and address of the person about whom they wish to inquire. A record of the members of the public who make these written requests will be kept as a confidential record by the sheriff, unless the person requests that it be an open record. Departmental analysis information may also be released to bona fide researchers and case-specific information may be released by the department or a criminal justice agency when it is necessary to protect the public from a certain person.

State and local government entities are to cooperate with the court and the department in the provision of information relevant to the registry. Criminal justice agencies and their employees are immune from liability for acts or omissions arising from good faith efforts to comply with the registration chapter.

SENATE FILE 120 - Inmate Literacy and Educational Requirements

BY TINSMAN, BORLAUG, BARTZ, MADDOX, FREEMAN, JUDGE, AND SZYMONIAK. This Act permits both the Department of Corrections and the Parole Board to consider an inmate's educational participation and attainments while at an institution under the control of the Department of Corrections for purposes of determining whether an inmate is eligible for certain privileges or release on parole or work release.

Effective July 1, 1997, the Act permits a person who is committed to the custody of the Director of the Department of Corrections to be evaluated for purposes of determining the inmate's level of education and grasp of basic skills. An inmate who demonstrates functional literacy competence below the sixth grade level may be required to participate in literacy programs and may lose certain privileges for failure to participate. The Parole Board may also, effective July 1, 1997, require each inmate who is physically and mentally capable to demonstrate functional literacy at or above the sixth grade level or to make progress towards the completion of the high school equivalency diploma requirements prior to release of the inmate on parole or work release.

The Department of Corrections is to submit plans for implementation of the Act by July 1, 1997, to the Governor's Office, and submit a progress report in January of 1996 to the General Assembly regarding the implementation of the Act.

SENATE FILE 132 - Victim Compensation

BY COMMITTEE ON JUDICIARY. This Act adds a new category of persons, termed secondary victims, who are eligible to receive compensation under Chapter 912, relating to crime victim compensation. The Act defines a secondary victim as the victim's spouse, children, parents, and siblings, and any person who resides in the victim's household at the time of the crime or at the time of the discovery of the crime. Secondary victims do not include persons who are survivors of a victim who dies as a result of a crime, since compensation to those individuals is already provided for under the crime victim compensation chapter. In addition, the proposal increases the cap on compensation for lost wages from \$2,000 to \$6,000.

SENATE FILE 142 - Bail Restrictions for Felonious Child Endangerment

BY FINK. This Act provides that a person who commits felonious child endangerment under Chapter 726 is not eligible for bail. The Act applies to defendants awaiting judgment as well as defendants appealing convictions.

SENATE FILE 293 - Use of Dangerous Weapons in Forcible Felonies — Minimum Sentence

BY COMMITTEE ON JUDICIARY. This Act provides that a person who, during the commission of a forcible felony, claims to have a dangerous weapon in the person's possession, displays a dangerous weapon in a threatening manner, or who was armed with a weapon shall serve a minimum term in prison of five years.

SENATE FILE 366 - Exhibition of Persons

BY COMMITTEE ON JUDICIARY. This Act prohibits a person from being exhibited without the person's consent or the consent of the person's parent or guardian and provides that the parent or guardian of the person exhibited cannot receive compensation from the exhibition. The Act deletes current language referring to the exhibition of deformed, maimed, idiotic, or abnormal persons or human monstrosities.

SENATE FILE 367 - Domestic Abuse

BY COMMITTEE ON JUDICIARY. This Act makes changes in Iowa's law relating to domestic abuse.

The Act provides that a person, or the parent or guardian of a person under the age of 18, who is a victim of domestic abuse, may file a domestic abuse action against the juvenile who committed the abuse. Previously, juveniles were not subject to domestic abuse actions under Section 236.3. The Act also provides that the district court waives its jurisdiction in favor of the juvenile court over domestic abuse actions against juveniles and requires the court to follow Sections 236.4 and 236.6 in holding the hearing and making a disposition of the juvenile and allows the plaintiff to proceed with the action without an attorney.

The Act also provides for the detention of a juvenile if there is probable cause to believe the juvenile committed domestic abuse. A juvenile who commits domestic abuse may also be required to attend batterers' treatment programs.

The Act changes the definition of "family or household members" for the purposes of domestic abuse to exclude children under age 18 of persons who may be victims or perpetrators of domestic abuse. Persons who may be victims or perpetrators of domestic abuse are spouses, persons cohabiting, parents, or other persons related by blood or marriage.

The Act provides that a person who is found to have committed domestic abuse or who violates a protective order and is found in contempt may be required to pay the court costs and attorney's fees of the plaintiff in the action. Section 236.8 is also amended to provide that a person who violates a protective order may be convicted of a simple misdemeanor or found in contempt. A person cannot be convicted of a simple misdemeanor and found in contempt for the same protective order violation.

The Act authorizes the registration and enforcement of protective orders entered in states other than Iowa. A foreign order filed with the clerk of the district court for the county in which the person, in whose favor the order was issued, resides is entitled to enforcement as if it had been entered by an Iowa court. The Act also prohibits the issuance of mutual protective orders unless both the victim and the abuser request a protective order.

The Act provides that judicial district departments of correctional services or contract providers of batterers' education services are authorized to obtain peace officers' investigative reports regarding domestic abuse cases. Providing the reports to the batterers' programs does not otherwise waive the confidential status of the reports under the public records law.

Finally, the Act requires the Commissioner of Insurance to evaluate model legislation which will be proposed by the National Association of Insurance Commissioners regarding using domestic abuse as a factor in determining whether a person shall be offered insurance coverage. The Commissioner is to make recommendations to the General Assembly regarding adoption of the model legislation.

SENATE FILE 371 - Limitations on Polygraph Examinations in Sexual Abuse Cases

BY COMMITTEE ON JUDICIARY. This Act prohibits a criminal or juvenile justice agency from making submission to a polygraph examination by a person claiming to be a victim of sexual abuse or a witness to the sexual abuse of another the sole criteria for a decision not to investigate the matter. The Act also requires an agency which desires a person claiming to be a victim of or witness to sexual abuse to take a polygraph test to inform the person that submitting to the test is voluntary, that the test is not admissible in court, and that the person's decision whether or not to submit to the test will not be the sole factor in determining whether the agency investigates the matter or not. In addition, the Act requires the agency to provide a written response to a person claiming to be a victim of sexual abuse stating the reasons why an investigation was not pursued at the request of the person.

SENATE FILE 373 - Enforcement Provisions for Failure to Pay Restitution

BY COMMITTEE ON JUDICIARY. This Act permits the court to continue to hold a person in contempt of court if the person has been convicted of a public offense and ordered to make payments for restitution owed after the period of probation, work release, parole, or the person's sentence has expired. The Act also provides that, upon the expiration of the period of probation, work release, parole, or sentence, if a person still owes the victim restitution, the court is to automatically enter a civil judgment against the person for the balance of any restitution owed to the victim. The person who has custody or control over the person owing the restitution is to notify the court when the period of probation, work release, parole, or sentence has ended.

SENATE FILE 386 - Elimination of Victim Restitution for Certain Traffic Offenses

BY COMMITTEE ON JUDICIARY. This Act eliminates a provision enacted during the 1994 Session of the General Assembly which provides for victim restitution in simple misdemeanor traffic cases under Chapter 321. The Act removes those cases from the requirement that victim restitution be paid.

SENATE FILE 398 - Commutation of Life Sentences

BY COMMITTEE ON JUDICIARY. This Act replaces the current procedure for commutation of sentences of life imprisonment. The Act permits inmates convicted of class "A" felonies to make application for commutation only once every 10 years to the Governor. The Director of the Department of Corrections may make application for commutation of a person's sentence at any time. Once the Governor receives the request, the request is to be forwarded to the Board of Parole for investigation and recommendations. The board is to submit the results of the investigation and recommendations to the Governor. Under prior law, a person sentenced to life imprisonment was to be regularly interviewed by the Board of Parole, which could then make commutation recommendations to the Governor if the board felt that a particular person should be considered for release on parole.

SENATE FILE 428 - Rendition of Prisoner Witnesses

BY COMMITTEE ON JUDICIARY. This Act provides a new procedure for securing the presence and testimony of prisoners who may be material witnesses in a criminal proceeding either in this state or in another state. Prisoners covered under the Act include persons incarcerated in a jail, prison, penitentiary, house of correction, or other place of detention.

Under the Act, if a prisoner is needed to testify in a grand jury investigation, a criminal trial, or other criminal proceeding, the court is to certify to a court in the other state in which the prisoner is located that there is a criminal proceeding pending, that the witness may be a material witness, and that the attendance and testimony of the witness will be needed at a particular time. The certification will be presented to the court in the state where the prisoner is located and the Attorney General and the person who has custody of the prisoner will be notified.

The Act provides for a hearing upon receipt of the certification, at which the court determines whether the witness's testimony may be material, whether the witness's attendance and testimony are not adverse to the witness's and state's interests, whether the other state's or states' laws will protect the witness from criminal or civil service of process for acts committed prior to the time when it is proposed that the witness appear and testify, and whether it is likely that the witness would be subject to criminal or civil service of process. If the court determines that the witness should appear and testify, the court is required to enter an order for transfer which provides not only that the witness attend and testify, but also requires that security measures be in place for the witness's protection and for the payment of the costs for the transfer. The Act also contains a provision protecting prisoners who are brought into

Iowa as material witnesses in criminal proceedings from the service of civil or criminal process during the pendency of their stay in Iowa under a transfer order.

The Act takes effect April 26, 1995.

SENATE FILE 443 - Assaults Upon and Interference With Certain Officials — Other Assault Provisions

BY COMMITTEE ON JUDICIARY. This Act creates the new offense of assault on peace officers, emergency medical care providers, or fire fighters. The new offense is a class "D" felony if the assault is committed with the knowledge that the person being assaulted is a peace officer, emergency medical care provider, or fire fighter, and the person either has the intent to inflict serious injury or a dangerous weapon is displayed or used in the commission of the assault. If the assault is committed with the knowledge that the person assaulted is a peace officer, emergency medical care provider, or fire fighter, and the person causes bodily injury or disabling mental illness, the person is guilty of an aggravated misdemeanor. All other assaults against known peace officers, emergency medical care providers, or fire fighters are serious misdemeanors. The Act also enhances the penalties applicable to interference with official acts of a peace officer, emergency medical care provider, or fire fighter. Interference which involves the infliction or attempt to inflict serious injury is enhanced from an aggravated misdemeanor to a class "D" felony. Interference that results in bodily injury other than serious injury is enhanced from a serious to an aggravated misdemeanor. Other forms of interference are elevated from a simple to a serious misdemeanor.

The Act also makes changes in two assaults which result in the infliction of bodily injury or mental illness: the serious misdemeanor domestic abuse assault and the aggravated misdemeanor assault in violation of individual rights. The Act deletes a requirement that either assault be committed without the intent to inflict a serious injury upon another or that any mental illness inflicted be a disabling mental illness.

HOUSE FILE 29 - Jurisdiction in Kidnapping Cases

BY GRUBBS. This Act adds situations in which a kidnapping victim or the body of a kidnapping victim is found in the state to the Code section that provides for a rebuttable presumption that certain public offenses have occurred in the state when the victim or the body of the victim of the offense is found within the state. The effect of the presumption is to confer jurisdiction upon Iowa courts over kidnapping offenses in which the victim or the body of the victim is found within the state. Without the Act, the prosecution would have to establish that the confinement or removal of the victim from one place to another occurred within the state before it could prosecute the person charged with the act of kidnapping.

HOUSE FILE 215 - Hard Labor by Inmates

BY HARRISON, HURLEY, BOGGESE, HUSEMAN, BRADLEY, COON, BRUNKHORST, HAHN, BLODGETT, CARROLL, CORNELIUS, MILLAGE, CORMACK, VAN FOSSEN, BODDICKER, SCHULTE, WELTER, GARMAN, GRUBBS, HOUSER, CHURCHILL, GRIES, LAMBERTI, ARNOLD, MARTIN, JACOBS, KLEMME, SALTON, DISNEY, NUTT, THOMSON, GREINER, GREIG, LARSON, SUKUP, WITT, MUNDIE, METCALF, GRUNDBERG, HAMMITT, DRAKE, LORD, RENKEN, RANTS, TYRRELL, BRAUNS, EDDIE, BRANSTAD, NELSON of Marshall, ERTL, MERTZ, AND LARKIN. This Act requires that all inmates of institutions under the control of the Department of Corrections, who are determined to be physically and mentally able to perform work and who in performing the work will not present an unreasonable security risk, perform hard labor. The term "hard labor" is defined to mean physical or mental labor which is performed, on the average and as nearly as possible, for 40 hours per week. The physical or mental labor may include useful and productive work, chain gangs, menial labor, substance or sex offender treatment programs, any training necessary to perform the work required, and, if possible, work providing an inmate with marketable vocational skills. The occupational safety and health standards applicable to the performance of the labor being performed are to apply to inmate hard labor and the performance of hard labor is not to displace employed workers, impair existing contracts for employment or services, or apply to skills, crafts, or trades in which a local surplus of labor exists. If labor is performed outside an institution on a chain gang, the inmates will be required to wear brightly colored uniforms identifying them as inmates. Inmates performing other work outside the institutions may be required either to wear brightly colored uniforms or otherwise be clearly designated as inmates of correctional institutions.

The Act provides for incremental implementation of the hard labor requirements and does not require full compliance with the requirements until July 1, 1997. The department is to develop a plan for the incremental implementation of the requirements which may provide for the performance of work by inmates both inside and outside the institutions, and is to include a procedure for the determination of the suitability of an inmate for, and the placement of suitable inmates in, programs for hard labor. The department is to submit a progress report to the General Assembly by January 1, 1996, and file a copy of the completed plan with the General Assembly by January 1, 1997.

HOUSE FILE 346 - Uniform Citation and Complaint

BY COMMITTEE ON JUDICIARY. This Act requires the uniform citation and complaint form which is issued by law enforcement officers to persons committing certain criminal offenses to contain a statement warning the person who is issued the citation that providing false information on the citation and complaint is an aggravated misdemeanor punishable under Section 719.3. Section 719.3 prohibits the intentional prevention or obstruction of prosecution or defense of any person.

This Act also authorizes an officer issuing a citation on a uniform citation and complaint form to verify the complaint through an unsworn written statement, under penalty of perjury, in accordance with Section 622.1. Under previous law, a complaint had to be verified in the presence of a person authorized to verify complaints and administer oaths. The Act also provides that the defendant must sign the citation twice, instead of three times.

In addition, the Act provides that existing supplies of citations may be used by law enforcement agencies until exhausted.

HOUSE FILE 471 - Sentencing — VETOED BY THE GOVERNOR

BY COMMITTEE ON JUDICIARY. This bill would have made a variety of changes related to the sentencing of certain criminal offenders. The bill provided that a court, which is sentencing a person for certain drug offenses, may, if the person was not using or in control of a firearm and did not commit an assault, waive any applicable mandatory minimum sentence if mitigating circumstances exist and are stated on the record. The state could appeal the waiver of the mandatory minimum sentence. The bill contained a provision making the waiver of the mandatory minimum sentence retroactively applicable in the discretion of the Parole Board. The bill provided that persons sentenced for a second forcible felony would serve 85 percent of their sentence before becoming eligible for parole or work release. Persons sentenced for a third or subsequent forcible felony, under the bill, would serve their entire sentence, but would be eligible for sentence reductions of up to one day per month for good behavior. Persons confined in an institution under the control of the Department of Corrections are currently eligible for reductions of one day for each day of good behavior and an additional five days a month for participation in institutional employment, an employment program, or an educational treatment program.

The bill also contained two studies, one interim legislative study of current sentencing and incarceration options and one departmental study of risk assessment tools, and a pilot project for the use of split sentencing in aggravated misdemeanor and felony cases in one judicial district, to be determined by the Supreme Court. The costs of local incarceration of individuals sentenced under the pilot project were to be picked up by the state.

COURTS, CIVIL LAW & PROCEDURE, & PROBATE

- SENATE FILE 140 - Legalization of Cedar Rapids Community School District Sale of Property
- SENATE FILE 239 - Mediation in Dissolution of Marriage Proceedings
- SENATE FILE 403 - Collection of Restitution and Other Court Revenues
- SENATE FILE 409 - Duties of District Court Clerks — Additional Court Fees
- SENATE FILE 439 - False Reports or Communications With Public Safety Entities
- SENATE FILE 440 - Miscellaneous Probate and Inheritance Tax Provisions
- SENATE FILE 468 - Legalization of Kcokuk Property Transfer
- HOUSE FILE 94 - Dissolution of Marriage — Hearing Exemption
- HOUSE FILE 246 - Civil Litigation by Inmates and Prisoners — Inmate Accounts
- HOUSE FILE 257 - Deposits of Estate Funds by Corporate Fiduciaries
- HOUSE FILE 337 - Involuntary Hospitalization Criteria and Procedures
- HOUSE FILE 492 - Landlords and Tenants

RELATED LEGISLATION

- SENATE FILE 82 - Medical Assistance
SEE HUMAN SERVICES. This Act relates to the payment of medical assistance debt of a deceased recipient through the moneys remaining in irrevocable burial trust funds or a homestead which descends to issue, exempts payment of medical assistance debts from the filing date for claims against an estate, requires certain health care facilities and the personal representative of a recipient of medical assistance to report the death of the recipient to the Department of Human Services within 10 days of the death, provides for rulemaking to implement reimbursement of counties that provide payment to the department for medical assistance recipients under certain conditions, provides conditions relating to the expenditure of income and principal placed in a medical assistance income trust or a special needs trust beginning October 1, 1995, and provides conditions relating to presumptive eligibility for pregnant women.

- SENATE FILE 88 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including amendments to Chapter 17A to provide for legislative notification to the Administrative Code Editor regarding final disposition of delayed rules, the addition of language from the Uniform Act to the revised trademark law and the Uniform Commercial Code, a conforming reference to real estate contracts in the section on future judgments without foreclosure, a conforming change to increase the small claims jurisdictional amount to the \$4,000 level, a correction changing the term "animal abuse" to "animal neglect," and the elimination of an inconsistency in penalties in Chapter 729 for the violation of Section 4 of the Iowa Constitution's Bill of Rights.

- SENATE FILE 93 - Sex Offender Registry
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act establishes a central registry within the Department of Public Safety for person who are convicted of criminal offenses against a minor, persons who are convicted of sexual exploitation, and persons who are convicted of sexually violent offenses. When a person is initially released, either the court or the agency or person releasing the person will collect the

initial registration information, which will be forwarded to the department and the sheriff of the county in which the person is to reside. At the time the person is convicted of a criminal offense against a minor, sexual exploitation, or a sexually violent offense, the person is also to be assessed a civil penalty which is to be used by the Department to pay for the costs of implementation of the registry and for research and analysis of the data collected, and by the courts to pay for court technology and modernization. State and local government entities are to cooperate with the court and the department in the provision of information relevant to the registry.

- SENATE FILE 117** - Anatomical Gifts
SEE HUMAN SERVICES. This Act replaces the former Uniform Anatomical Gift Act (Chapter 142A) with a new Act (Chapter 142C).
- SENATE FILE 149** - Miscellaneous Child Support Recovery Provisions
SEE HUMAN SERVICES. This Act relates to child support, including payment of foster care costs, notice procedures relating to a notice of support debt and income withholding, establishment of paternity by affidavit, procedures used in overcoming paternity, and methods used in establishment of paternity.
- SENATE FILE 150** - Miscellaneous Provisions Concerning Children
SEE CHILDREN & YOUTH. This Act contains various provisions involving children, including foster care, termination of parental rights, adoption proceedings and services, children affected by drugs, judges and other court employee training, child abuse information, child custody proceedings and mediation, and consideration of a history of domestic abuse in certain proceedings.
- SENATE FILE 189** - Real Estate Transfer Tax Exemptions — Purchase Money Mortgage Liens
SEE TAXATION. This Act provides that a purchase money mortgage lien has priority over preexisting judgments against the purchaser or any other right, title, interest, or lien against the property which arises through the purchaser.
- SENATE FILE 208** - Child Abuse and Termination of Parental Rights
SEE CHILDREN & YOUTH. This Act relates to child abuse and termination of parental rights provisions. This Act includes authority for an attorney guardian ad litem to file a petition for termination of parental rights and for the creation of pilot projects for an assessment-based approach for responding to child abuse reports.
- SENATE FILE 226** - Removal of Valueless Mobile, Modular, and Manufactured Homes
SEE LOCAL GOVERNMENT. This Act outlines procedures for the disposal of valueless mobile, modular and manufactured homes by the mobile home park owner in which the valueless homes are located.
- SENATE FILE 358** - Habitual Offenders of Motor Vehicle Laws — Operating While Intoxicated
SEE TRANSPORTATION. This Act provides for the administrative determination by the State Department of Transportation of whether a person's license is to be barred for being a habitual offender, expands the eligibility of habitual offenders for temporary restricted licenses, adds a requirement that persons obtaining a temporary restricted license under the operating while intoxicated provisions install ignition interlock devices on their vehicles, and establishes a youthful offender substance abuse program for persons whose motor vehicle licenses are revoked for driving while having a blood alcohol concentration of greater than .02 but less than .10.
- SENATE FILE 367** - Domestic Abuse
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act provides that the district court waives its jurisdiction in favor of the juvenile court over domestic abuse actions against juveniles and requires the court to follow Sections 236.4 and 236.6 in holding the hearing and making a disposition of the juvenile and allows the plaintiff to

proceed with the action without an attorney, provides that a person who is found to have committed domestic abuse or who violates a protective order and is found in contempt may be required to pay the court costs and attorney's fees of the plaintiff in the action, and authorizes the registration and enforcement of protective orders entered in states other than Iowa.

- SENATE FILE 373** - Enforcement Provisions for Failure to Pay Restitution
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act provides that if a person who has been convicted of a public offense still owes the victim restitution when the person's period of probation, work release, parole, or sentence expires, the court is to automatically enter a civil judgment against the person for the balance of any restitution owed to the victim and may still hold the person in contempt for failure to pay restitution.
- SENATE FILE 428** - Rendition of Prisoner Witnesses
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act provides a new court procedure for securing the presence and testimony of prisoners who may be material witnesses in a criminal proceeding either in this state or in another state. The Act also contains provisions protecting prisoners who are brought into a state as material witnesses from the service of civil or criminal process during the pendency of their stay under a transfer order.
- SENATE FILE 431** - Child Support Collection — Licensing Sanctions and Other Miscellaneous Provisions
SEE HUMAN SERVICES. This Act establishes a procedure for affecting the license of certain child support obligors and establishes a monthly child support payment amount of \$25 for parents 19 years of age or younger who meet other specified criteria.
- SENATE FILE 438** - Juvenile Delinquency Notices — Marriage Solemnization by Associate Juvenile Judges
SEE CHILDREN & YOUTH. This Act authorizes associate juvenile judges to perform marriage ceremonies.
- SENATE FILE 457** - Civil Rights
SEE STATE GOVERNMENT. This Act makes changes concerning the Civil Rights Commission by expanding the definition of "court" for civil rights cases, providing for mediation during the Civil Rights Commission complaint process, and modifying the provisions concerning housing discrimination.
- SENATE FILE 459** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act appropriates moneys for FY 1995-1996, to several departments involved in the justice system, including the Department of Justice, Board of Parole, Department of Corrections, Judicial Department, State Public Defender, Iowa Law Enforcement Academy, Department of Public Defense, and the Department of Public Safety, and contains related statutory provisions. The Act establishes the Enhanced Court Collections Fund, which allows the Judicial Department to expend up to \$4 million for the Iowa Court Information System from increased collections of court fines and fees. The Act also provides for an additional seven district court judges, four district associate judges, 11 court reporters, four juvenile court officers, and one additional full-time equivalent position for the Court Appointed Special Advocate Program.
- SENATE FILE 462** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and contains various provisions affecting the courts, including juvenile courts and orders for foster care and juvenile justice programs, child support orders, and cooperative efforts between the department and the courts.
- SENATE FILE 475** - State Financial Provisions
SEE APPROPRIATIONS. This Act revises various state financial provisions and

revises the time by which the Judicial Department must submit its initial budget request to the Department of Management from September 1 to October 1.

- HOUSE FILE 29** - Jurisdiction in Kidnapping Cases
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act confers jurisdiction upon Iowa courts in certain interstate kidnapping cases by providing a rebuttable presumption that the act of kidnapping occurred in the state when the victim or the body of the victim of the offense is found within the state.
- HOUSE FILE 118** - Witness Compensation for Volunteer Fire Fighters
SEE STATE GOVERNMENT. This Act provides that the party who subpoenas a volunteer fire fighter must pay reasonable compensation, based on the pay received by regular full-time fire fighters of the same rank within the judicial district, to volunteer fire fighters when subpoenaed to be witnesses related to activities arising in the course of duty.
- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
SEE APPROPRIATIONS. This Act includes an item vetoed provision which would have appropriated \$4 million to the Judicial Department for completion of the Iowa Court Information System and reserves additional moneys for correctional facility bond payments from collections of fines, fees, and forfeited bail.
- HOUSE FILE 198** - Custom Cattle Feedlot Liens
SEE AGRICULTURE. This Act establishes a lien upon cattle by a custom cattle feedlot where cattle owned by a person are subject to care and feeding performed by another person.
- HOUSE FILE 303** - Pipelines and Underground Hazardous Liquid Storage
SEE ENERGY & PUBLIC UTILITIES. This Act provides an exemption from liability for the owner of farmland who damages an underground facility if the damage occurred in the normal course of the farming operation, unless the owner intentionally caused the damage or acted with wanton disregard or recklessness.
- HOUSE FILE 478** - Immunity from Liability Regarding Oil Spill Response
SEE ENVIRONMENTAL PROTECTION. This Act provides that a person is not liable for removal costs or damages which result from actions or omissions taken or made in the course of rendering care, assistance, or advice relating to an oil spill if the actions or omissions taken or made are consistent with the national contingency plan or as otherwise directed by the federal on-scene coordinator or by the state official with responsibility for oil spill response.
- HOUSE FILE 483** - Human Services Activities — Mental Retardation Commitment Proceedings
SEE HUMAN SERVICES. This Act relates to Department of Human Services activities and institutions involving persons with disabilities and includes procedural provisions for voluntary commitment of persons with mental retardation and provides for appointment of judicial hospitalization referees for commitment proceedings for persons with mental retardation.
- HOUSE FILE 485** - Remedies for Dishonor of Financial Instruments
SEE BUSINESS, BANKING & INSURANCE. This Act amends the Consumer Credit Code and the Uniform Commercial Code to provide for remedies of a holder of a payment instrument, and specifically a check, draft or order which has been dishonored.
- HOUSE FILE 504** - Liability of Motor Vehicle Owners
SEE TRANSPORTATION. This Act defines the term "owner" for purposes of

determining liability for damages caused by the driver of a motor vehicle who operates the vehicle with the owner's consent.

- HOUSE FILE 519** - Animal Feeding Operations
SEE AGRICULTURE. This Act relates to animal feeding operations and their regulation by providing for the cleanup of abandoned sites, separation requirements, the use of treatment processes, permitting processes, plans for the storage and disposal of manure, penalties, mediation, and restrictions regarding nuisance actions.
- HOUSE FILE 528** - Criminal and Juvenile Justice
SEE CHILDREN & YOUTH. This Act provides that juveniles who commit certain offenses are excluded from the jurisdiction of the juvenile court and changes the provisions regarding postconviction bail for adults involved in certain drug offenses.
- HOUSE FILE 549** - State Collection of Taxes and Debts
SEE STATE GOVERNMENT. This Act provides for the collection of taxes and debts owed the state.
- HOUSE FILE 552** - Motor Fuel and Special Fuel Taxation and Regulation
SEE TAXATION. This Act changes the point of taxation for motor fuel and special fuel. The Act provides civil and criminal penalties for the illegal use of dyed fuel in the supply tank of a vehicle, for the illegal importation of motor fuel or undyed special fuel without a valid importer's or supplier's license, for the filing of an incorrect refund claim or a fraudulent refund claim, for the deliberate heating of taxable motor fuel or special fuel by dealers prior to consumer sale, for attempting to prevent, stop or delay an inspection of fuel or shipping papers, and for failing to conspicuously label a fuel pump or other delivery facility.
- HOUSE FILE 579** - Compensation for Public Employees
SEE APPROPRIATIONS. This Act relates to and appropriates moneys to fund salary adjustments for the fiscal year beginning July 1, 1995, and increases the salary rates of justices, judges and judicial magistrates by approximately 3 percent from the last increase. Senior judges who retired after July 1, 1994, and who are appointed by the Supreme Court, are to receive a salary of \$5,000.

COURTS, CIVIL LAW & PROCEDURE, & PROBATE**SENATE FILE 140 - Legalization of Cedar Rapids Community School District Sale of Property**

BY HORN. This Act legalizes the sale of two parcels of property by the Cedar Rapids Community School District by curing a procedural defect in the manner in which the school district advertised for bids on the properties. Section 297.23 requires a school district to advertise for bids on property for sale in a newspaper of general circulation for two consecutive weeks. The school district, however, advertised the request for bids for two weeks, skipping a week in between. Bids were received on the properties and two bids were subsequently accepted by the school district in the belief that all procedural requirements had been met.

The Act takes effect April 19, 1995.

SENATE FILE 239 - Mediation in Dissolution of Marriage Proceedings

BY HANSEN. This Act relates to mediation provided in dissolution of marriage proceedings and in the awarding of child custody. The Act provides that in a dissolution proceeding, the court may require the parties to participate in mediation to attempt to resolve differences between the parties relative to the granting of the dissolution, unless there is a history of domestic abuse or unless the court determines that direct physical harm or significant emotional harm to the child, other children or a parent is likely to result. The Act also makes conforming changes in the reference to mediation under the section relating to child custody determinations.

SENATE FILE 403 - Collection of Restitution and Other Court Revenues

BY COMMITTEE ON JUDICIARY. This Act requires county treasurers to refuse to renew a motor vehicle registration if the person seeking to renew the registration has not paid victim restitution and authorizes the setoff of debts owed the clerk of the district court against a person's income tax refund.

The Act eliminates the current grounds for refusing registration, namely, where a person has an outstanding arrest warrant for violations of Chapter 321 regarding the operation of a motor vehicle or a local traffic ordinance. The Act also makes this change applicable to counties with a population of 25,000 or more, instead of 200,000, and provides that counties of less than 25,000 may adopt the provision by resolution of the board of supervisors.

The Act also eliminates the provision that clerks of the district court may charge a fee for accepting payments by credit card and requires all fines, penalties, fees, court costs, surcharges, and restitution to be paid to the clerk of the district court.

The Act further provides that if a county attorney has not filed a notice of commitment to collect delinquent amounts by July 1 of each year, the Judicial Department may assign collection of the amounts to the centralized collection unit of the Department of Revenue and Finance or its designee. The Department of Revenue and Finance is authorized to impose a fee to cover the costs of collection, which is to be added to the debt collected, and to adopt administrative rules to provide for the payment of fees to the department or outside collection entities.

The Act provides that an outstanding obligation to the clerk of the district court is not considered satisfied in full until the entire amount and any applicable fees and charges are paid in full. The Act also changes the reporting period for unpaid obligations from the calendar year to the fiscal year and changes the reporting date to August 15 from January 15.

The Act takes effect January 1, 1996.

SENATE FILE 409 - Duties of District Court Clerks — Additional Court Fees

BY COMMITTEE ON JUDICIARY. This Act deals with the activities of the clerks of the district court and provides for increased and additional fees to be collected by the clerks.

This Act eliminates requirements that the clerk of the district court and certain local officials enter certain actions relating to redemption of property in the sale book. Section 602.8104 currently does not require the clerk of the district court to maintain a sheriff's sale book.

This Act also requires a \$25 fee payable to the clerk of the district court for filing a motion to show cause in a civil case. The Act also increases from \$2 to \$10 the fee collected by the clerk of the district court for filing a hospital lien claim.

This Act also requires that the sheriff certify, to the clerk of the district court of the county from which an inmate was sentenced, the amount of time the inmate has served in a county jail or other correctional facility prior to sentencing or after sentencing but prior to a decision on appeal. The clerk of the district court shall forward this certification to the warden. Prior law required the clerk to certify the days served to the warden.

SENATE FILE 439 - False Reports or Communications With Public Safety Entities

BY COMMITTEE ON JUDICIARY. This Act provides that a person who makes a false report to a fire department, law enforcement agency, or other public safety entity commits a serious misdemeanor if the false criminal act reported is a serious or aggravated misdemeanor or felony. The Act also makes it a simple misdemeanor for a person to call an emergency 911 communications center knowing that the person is not reporting an emergency. The Act also provides that a person providing false information on a citation commits a simple misdemeanor unless the citation is for a serious or aggravated misdemeanor or felony, in which case, the penalty is a serious misdemeanor.

Senate File 486 (See Appropriations) amends this Act to repeal a provision that made the Act's effective date contingent upon a state appropriation.

SENATE FILE 440 - Miscellaneous Probate and Inheritance Tax Provisions

BY COMMITTEE ON JUDICIARY. This Act provides for the following:

- ♦ Section 450.7 is amended to provide that an inheritance tax lien expires 10 years from the date of death of the person owning the property at death regardless of whether the decedent's estate has been probated or not. Previously, inheritance tax liens continued for a period of 20 years for estates that had not been administered in probate and 10 years for estates that had been administered in probate. Section 450.12 is amended to provide that the gross value of the estate for estate tax purposes may be reduced by any administration expenses allowable pursuant to Section 2053 of the federal Internal Revenue Code.
- ♦ Sections 633.108 and 633.574 are amended to increase from \$4,000 to \$10,000 the amount that may be bequeathed to a minor without the appointment of a conservator, and to provide that the bequest may be paid to a custodian under the Uniform Transfers to Minors Act. Under prior law, the bequest had to be paid to a parent or other person entitled to the custody of the minor.
- ♦ Section 633.219, regarding the passing of property where no will has been executed, is amended to provide that, if the decedent has no descendants or parents, the decedent's estate is to be divided into two shares, with one share each being distributed among the surviving descendants of each parent. If no descendants survive from one parent, the surviving descendants of the other parent get both shares. The section is further amended to provide that if the decedent has no descendants, parents, or living descendants of the decedent's parents, then half the estate passes to the maternal grandparents and half to the paternal grandparents, to the surviving maternal and paternal grandparent, or to the surviving descendants of the grandparents, and if no descendants from one set of grandparents are living, then the other set of grandparents or their surviving descendants get the whole estate.
- ♦ Section 633.273 is amended to provide that if a person who would receive a bequest dies prior to the date the testator dies, the bequest shall be divided among the person's living descendants.
- ♦ Section 633.704 is amended to provide that a person acting as an attorney in fact pursuant to a power of attorney may disclaim an interest in property on behalf of the person who executed the power of attorney in the same manner as that person would.
- ♦ Chapter 634A, regarding the creation of certain supplemental needs trusts for persons with disabilities, enacted during the 1994 Session, is repealed.

SENATE FILE 468 - Legalization of Keokuk Property Transfer

BY COMMITTEE ON JUDICIARY. This Act legalizes the transfer by quitclaim deed of property of the city of Keokuk, described as vacated F Street, lots 7, 10, and 11, in block 17, Reid's addition to the city of Keokuk, to

Clarence and Rose Bergheger by curing a defect in the record of the transfer. Section 364.7 requires the city council to adopt a resolution regarding the proposed sale of city property, publish notice of the proposal, hold a public hearing on the proposal, and then adopt another resolution authorizing the sale. However, although the quitclaim deed was recorded, the city kept no record of the actions required by Section 364.7.

This Act takes effect May 16, 1995.

HOUSE FILE 94 - Dissolution of Marriage — Hearing Exemption

BY COMMITTEE ON JUDICIARY. This Act permits the court to enter an order for dissolution of marriage without a hearing in two instances. The first instance is when the parties to the dissolution have certified in writing that there has been a breakdown in the marriage relationship, all required documents have been filed, the parties have entered into a written agreement settling all of the issues involved in the dissolution of marriage, and there are no children of the marriage for whom support may be ordered. The second instance is when the respondent in the dissolution has not entered a general or special appearance or filed a motion or pleading in the case, the 90-day waiting period has elapsed, the petitioner has certified that there has been a breakdown of the marriage relationship, all required documents have been filed, and there are no children of the marriage for whom support may be ordered.

Under prior law, the court had to hold a dissolution of marriage hearing in all cases, but could close or limit attendance at certain hearings.

HOUSE FILE 246 - Civil Litigation by Inmates and Prisoners — Inmate Accounts

BY GRUBBS. This Act provides that an inmate or prisoner of an Iowa Department of Corrections facility or of a county jail or detention facility is required to pay 20 percent of the filing fee prior to the court taking any action on a civil action or appeal filed by the inmate or prisoner. The Act also provides that the inmate or prisoner is to make monthly payments of at least 10 percent of the outstanding fees and costs associated with the action or appeal. In the case of an inmate of a Department of Corrections facility who has an inmate account, the Department of Corrections shall withdraw the necessary sums for payment of the fees and costs.

The inmate or prisoner may still qualify for deferral of costs under Iowa's *in forma pauperis* statute (Chapter 610) if the inmate has insufficient funds in or income going into the inmate's account or, in the case of a prisoner at a county jail or detention facility, the prisoner otherwise meets the requirements of Chapter 610.

The Act also provides that an action or appeal by an inmate or prisoner may be dismissed by the court if the court finds that the inmate or prisoner falsely claims to be unable to pay or the action or appeal is frivolous or malicious in whole or in part. If the court finds that an action is malicious or filed solely to harass, or in which the inmate or prisoner testifies falsely or presents false information, the inmate shall lose some or all of the inmate's good conduct time.

The Act provides that the state or a county shall have the right of setoff against any monetary obligation owed to an inmate or prisoner for whom the cost of incarceration can be calculated.

The Act also amends Section 904.702 to provide that an inmate account shall be established if the inmate is entitled to allowances from prison work. The account may also receive moneys from sources outside the Department of Corrections. The Act also provides that the following amounts shall be deducted from the inmate's account as necessary:

- ♦ Ten percent of allowances for deposit in an inmate savings fund.
- ♦ An amount established by the inmate's restitution plan of payment.
- ♦ An amount sufficient to pay all or part of any judgments against the inmate, costs and fees assessed as a result of the inmate's confinement, and litigation expenses.
- ♦ An amount sufficient to pay all or a part of any costs assessed against the inmate for misconduct or damage to the property of others.

The Act further provides that the director shall provide the inmate with notice of any deductions against the inmate, although only one notice need be given for each action or appeal. The inmate has five days under the Act to object to the deductions.

In addition, the Act provides that the director, the institutional division, and the Department of Corrections are not subject to liability for damages to any person as a result of the withdrawal of funds or the failure to withdraw funds from an inmate's account.

HOUSE FILE 257 - Deposits of Estate Funds by Corporate Fiduciaries

BY COMMITTEE ON COMMERCE AND REGULATION. This Act provides that a corporate fiduciary may deposit estate funds in a bank affiliated with the corporate fiduciary. Previously, the fiduciary could only deposit funds in its own banking department or that of an independent bank.

HOUSE FILE 337 - Involuntary Hospitalization Criteria and Procedures

BY GRUNDBERG. This Act strikes language from one of the criteria used to establish that a person is seriously mentally impaired for purposes of an involuntary hospitalization proceeding and makes changes in the probable cause procedures applicable to the emergency hospitalization of a person alleged to be seriously mentally impaired.

The Act strikes language in the serious mental impairment criteria which requires that the physical injuries likely to be suffered are to be substantial; that the physical debilitation likely to be suffered be serious; and that the physical injury, physical debilitation, or death be likely to occur within the reasonably foreseeable future.

The Act also provides that, for an emergency hospitalization, upon notification by the chief medical officer of a facility to which a person is taken by a peace officer, the magistrate shall give the chief medical officer verbal instructions on whether to detain or release the person from the facility. If the magistrate does not instruct the chief medical officer to release the person, the magistrate is to file a report stating the basis for the person's continued detention by the close of the next business day, and proceed to the facility within 24 hours of giving instructions that the person be detained. Under prior law, upon receipt of notice from the chief medical officer that a person whom the chief medical officer believes to be seriously mentally impaired is being held at the medical facility, the magistrate was required to immediately proceed to the facility for a probable cause hearing, unless the notification occurs between the hours of midnight and 7:00 a.m., in which case the hearing could be delayed.

HOUSE FILE 492 - Landlords and Tenants

BY COMMITTEE ON LOCAL GOVERNMENT. This Act makes changes to the Uniform Residential Landlord and Tenant Act (Chapter 562A) and the Mobile Home Parks Residential Landlord and Tenant Act (Chapter 562B) regarding landlord and tenant remedies for defaults or situations creating a clear and present danger.

The Act excludes transitional housing provided by a nonprofit organization for persons released from drug or alcohol treatment facilities and homeless persons from the provisions of Chapter 562A and provides that late payment fees in residential leases shall not exceed \$10 a day or \$40 per month.

The Act provides that in situations where there is noncompliance with the rental agreement for failure to maintain a fit premises materially affecting health and safety, by the landlord or the tenant, the required notice that the rental agreement will terminate unless the breach is remedied is reduced to seven days from 30 days regarding the termination date and from 14 days to seven days to comply with the agreement. A second occurrence of noncompliance within six months is subject to termination of the rental agreement with seven days' written notice, instead of 14 days.

The Act also extends out to 1,000 feet from the landlord's property the area in which acts constituting a clear and present danger to other persons, tenants or the landlord may result in an eviction of the tenant under Chapter 562A or 562B.

The provisions defining transitional housing and relating to the transitional housing exclusion take effect May 1, 1995.

ECONOMIC DEVELOPMENT

HOUSE FILE 573 - Workforce Development

RELATED LEGISLATION

- SENATE FILE 69** - Income and Property Tax Relief --- Mental Health Funding
SEE TAXATION. This Act relates to tax provisions involving state income tax and county property taxes and includes provisions for the property tax on industrial machinery, equipment and computers.
- HOUSE FILE 115** - Rest Areas
SEE TRANSPORTATION. This Act requires the Department of Economic Development, in consultation with the Department of Transportation and the Department for the Blind, to develop a program to promote Iowa agricultural products at rest areas. The Act also permits nonprofit organizations to provide free refreshments to motorists at rest areas during certain holiday periods.
- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
SEE APPROPRIATIONS. This Act includes a FY 1994-1995 supplemental appropriation to the Department of Economic Development for deposit in the Iowa Strategic Investment Fund and a requirement for the development of a management process so that supplemental appropriations for the Community Economic Betterment Program are not necessary.
- HOUSE FILE 512** - Appropriations — Economic Development
SEE APPROPRIATIONS. This Act appropriates and transfers from the General Fund and other funds to the Department of Economic Development, the Department of Employment Services, the Public Employment Relations Board, the Wallace Technology Transfer Foundation, and the Iowa Seed Capital Corporation, and makes related statutory changes. Provisions relating to implementing the reorganization of the Small Business Resource Office take effect April 24, 1995.
- HOUSE FILE 577** - Real Estate Improvement District Pilot Project and Related Matters
SEE LOCAL GOVERNMENT. This Act establishes a two-year pilot project in six counties to be determined by the Iowa Finance Authority for the creation of real estate improvement districts to facilitate the development of housing in the state.
- HOUSE FILE 583** - Restrictions on Community College Projects Involving Confinement Feeding Operations
SEE APPROPRIATIONS. This Act eliminates a provision in H.F. 519 (See Agriculture) that prohibits a community college from entering into job training agreements for employees of a confinement feeding operation, but reduces appropriations to community colleges which enter into such agreements.

ECONOMIC DEVELOPMENT

HOUSE FILE 573 - Workforce Development

BY COMMITTEE ON WAYS AND MEANS. This Act establishes a Workforce Development Fund as a revolving fund under the control of the Department of Economic Development to be used for the Iowa Conservation Corps, apprenticeship programs, job training programs, the Loan Loss Reserve Program, and the Workforce Investment Program. The fund will consist of moneys appropriated to it and moneys for employer or business withholding, up to a maximum yearly amount of \$2 million, which formerly had been used to repay job training program certificates or other obligations.

The Act also creates a Loan Loss Reserve Account to encourage private businesses to invest in employee training. Funds in the account will be used to guarantee the amounts outstanding under loans made by financial institutions for the purpose of employee training.

In addition, the Act provides that withholding amounts from employers or businesses which had been used to repay Job Training Program expenses under Chapter 260E shall be transferred by the Department of Revenue and Finance to the Workforce Development Fund for a period of 10 years, up to a maximum of \$2 million per year.

The Act creates the Workforce Investment Program to provide workforce training and support to segments of the population that have historically faced barriers to employment and which have not been served by existing programs.

The Act also provides that in FY 1995-1996, \$657,422 from the Workforce Development Fund shall be allocated to the Job Training Fund under Chapter 260F (Iowa Small Business New Jobs Training Act) and \$219,000 shall be allocated to the Loan Loss Reserve Account.

The Act requests the Legislative Council to establish a 17-member task force to study the job training needs of the state, particularly the needs of targeted technology industries. Membership in the task force consists of three senators and three representatives and 11 members appointed by the Governor to represent targeted technology industries.

Finally, the provisions of the Act are to sunset June 30, 1997.

EDUCATION

- SENATE FILE 17 - School Finance — State Percent of Growth for 1995-1996 Budget Year
- SENATE FILE 32 - Expansion of Educational Excellence Program
- SENATE FILE 83 - School Finance — Regular Program District Cost Guarantee
- SENATE FILE 205 - Supplementary Weighting Plans — Jointly Employed Superintendents
- SENATE FILE 206 - College Student Aid Commission — Miscellaneous Provisions
- SENATE FILE 390 - Arts and Cultural Enhancement and Endowment
- SENATE FILE 406 - Guidance and Media Services Programs — Waivers
- SENATE FILE 460 - School Finance — State Percent of Growth for 1996-1997 and Future Budget Years
- HOUSE FILE 238 - Joint Purchase of Group Health Benefits by School Districts and Area Education Agencies
- HOUSE FILE 387 - Student Membership on State Board of Regents - VETOED BY THE GOVERNOR
- HOUSE FILE 565 - School-to-Work Transition System — Career Pathways Program
- HOUSE FILE 575 - Iowa Hope Loan Program

RELATED LEGISLATION

- SENATE FILE 88 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including changing references contained in various provisions pertaining to the State Board of Education and to school district reorganization from "qualified electors" to "registered voters," in conformity with changes enacted in 1994.
- SENATE FILE 120 - Inmate Literacy and Educational Requirements
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act permits both the Department of Corrections and the Parole Board to consider an inmate's educational participation and attainments while at an institution under the control of the Department of Corrections for purposes of determining whether an inmate is eligible for certain privileges or release on parole or work release.
- SENATE FILE 150 - Miscellaneous Provisions Concerning Children
SEE CHILDREN & YOUTH. This Act includes various provisions involving children who are abused or removed from their home and includes a requirement for in-service training of area education agency and school employees concerning mental or emotional disorders which may afflict children and the impact of the disorders upon families.
- SENATE FILE 234 - Scientific Collector's Licenses and Related Permits
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act provides that the Natural Resource Commission shall establish the tenure and fees for scientific collector's licenses, wildlife salvage permits, educational project permits, and wildlife rehabilitation permits.
- SENATE FILE 247 - State Purchases of Plastic Garbage Can Liners
SEE ENVIRONMENTAL PROTECTION. This Act removes current requirements that state agencies, including the State Board of Regents, purchase a minimum percentage of starch-based garbage can liners and instead requires that by July 1, 1995, a minimum of 10 percent of the purchases of garbage can liners must be plastic garbage can liners with

EDUCATION

SENATE FILE 17 - School Finance — State Percent of Growth for 1995-1996 Budget Year

BY COMMITTEE ON EDUCATION. This Act establishes for the school budget year beginning July 1, 1995, for the State School Foundation Aid Program, a state percent of growth equal to 3.5 percent. Section 257.8 of the Code, rewritten in 1992, requires that the state percent of growth for a budget year be established by statute in the previous year.

The Act takes effect March 23, 1995.

SENATE FILE 32 - Expansion of Educational Excellence Program

BY COMMITTEE ON EDUCATION. This Act restores language relating to the definition of "teacher" for purposes of the Educational Excellence Program. The language was struck from the Code in 1989 with the enactment of H.F. 794, which established an autonomous board to perform the duties of the Board of Educational Examiners and the Professional Practices Commission.

Prior to 1989, school nurses and area education agency professionals were included in the definition of teacher and could qualify to receive payments under the Educational Excellence Program. The restored language includes individuals holding a letter of authorization or statement of professional recognition in the definition of "teacher." The Board of Educational Examiners issues letters of authorization and statements of professional recognition to school nurses who have at least a bachelor of science in nursing, and to school social workers, occupational therapists, physical therapists, hearing clinicians, and speech clinicians.

The Act takes effect February 20, 1995, and is retroactively applicable to July 1, 1994.

SENATE FILE 83 - School Finance — Regular Program District Cost Guarantee

BY COMMITTEE ON EDUCATION. Presently, a school district's regular program district cost for the budget year beginning July 1, 1995, is guaranteed to equal at least 100 percent of that district cost plus any cost guarantee adjustment for the previous school budget year. This Act extends this guarantee to the school budget year beginning July 1, 1996. The Act also increases the budget guarantee for the 1995-1996 budget year to 101 percent with the additional 1 percent being paid by the state rather than raised through property taxation.

The Act takes effect May 1, 1995.

SENATE FILE 205 - Supplementary Weighting Plans — Jointly Employed Superintendents

BY COMMITTEE ON EDUCATION. This Act defines the word "superintendent" for purposes of eligibility in the supplementary weighting plan for public school districts. Under the Act, "superintendent" includes a person jointly employed by a school district or under a contract with an area education agency to provide superintendency services, or a person jointly employed by two or more school districts and who serves in the capacity of a school superintendent and holds a superintendent's endorsement issued by the Board of Educational Examiners.

The Act takes effect April 27, 1995, and is retroactively applicable to July 1, 1994.

SENATE FILE 206 - College Student Aid Commission — Miscellaneous Provisions

BY COMMITTEE ON EDUCATION. This Act repeals a number of unfunded programs administered by the College Student Aid Commission and strikes language requiring a college or university receiving more than \$50,000 for the Iowa College Work Study Program to allocate at least 10 percent of its funding for off-campus public interest student employment.

The unfunded programs repealed under the Act are as follows: the Displaced Workers Financial Aid Program; programs for loan reimbursement payments for occupational therapists, nurses, and for members of the National Guard; and the Iowa Work for College, the Educational Savings, and the Access to Education programs. Also repealed are sections relating to optometry school contracts for permitting 10 Iowa optometry students per academic class to study in out-of-state colleges of optometry.

SENATE FILE 390 - Arts and Cultural Enhancement and Endowment

BY COMMITTEE ON EDUCATION. This Act provides changes to the Arts and Cultural Enhancement and Endowment Act, specifying that applicants for funds must have secured nonstate matching funds at least equal to the amount of a grant award; striking language that limited awards of grants to organizations that represent at least 70 percent of its defined membership; requiring the Department of Cultural Affairs to adopt rules governing the eligibility for, and the distribution of, block grants; abolishing and replacing an advisory council for block grants, and creating a governing board for the administration of the Arts and Cultural Endowment Foundation. The Act also permits a cooperating teacher to direct incentive payments for work with a student teacher into a scholarship fund.

Rules adopted by the Department of Cultural Affairs shall include requirements that organizations eligible for Iowa Arts and Cultural Enhancement block grants have adequate by-laws, mission statements, representational board structure, and publicly accessible arts programming.

The Act provides that the advisory council, whose responsibility it is to review and advise the department regarding the awarding of block grant funds, shall consist of seven members and the majority shall not include any member who has a conflict of interest.

The Act strikes a requirement that the Statewide Caucus on Arts and Cultural Enhancement meet in Des Moines. The Act makes a distinction between regional, voting delegates to the statewide caucus to provide for the attendance at the caucus by other interested persons who may attend the statewide caucus as nonvoting attendees.

The Act strikes a prior law requiring that the costs for arranging and conducting the conferences be paid from funds in the enhancement account.

A governing board is created to administer and adopt rules for the Arts and Cultural Endowment Foundation. The governing board consists of seven members, three of whom shall be appointed by the Iowa Humanities Board and four of whom shall be appointed by the Director of the Department of Cultural Affairs. Members shall be knowledgeable about education, arts, the humanities, and fund-raising activities in this state. Members shall serve three-year staggered terms. The Iowa Arts Council shall provide administrative services for the Arts and Cultural Endowment Foundation and shall advise and assist the governing board.

Under transition language included in the Act, the terms of members serving on the advisory council abolished by the Act shall expire June 30, 1995. Members of the initial advisory council established under the Act shall be appointed not later than July 1, 1995. The Act also provides for the terms of the members of the initial governing board of the Arts and Cultural Endowment Foundation.

The Act also provides that recompense due a teacher for serving as a cooperating teacher to a student teacher may be paid into a scholarship fund, at the direction of the cooperating teacher, by an institution of higher learning under the control of the State Board of Regents. The scholarship fund shall have been established jointly by the board of directors of the school district that employs the cooperating teacher and the local teachers' association.

SENATE FILE 406 - Guidance and Media Services Programs — Waivers

BY COMMITTEE ON EDUCATION. This Act extends the periods in which an accredited nonpublic school or school district may apply to the Department of Education to waive the requirement that the school or school district provide an articulated sequential elementary-secondary guidance program and the requirement that the school or school district provide a media services program. Schools and school districts have until August 1, 1995, for the school year beginning July 1, 1995, to apply for a waiver, and until August 1, 1996, for the school year beginning July 1, 1996, to apply for a one-year extension of the waiver. The waiver request shall describe actions being taken by the school or school district to meet the requirement for which the school or school district has requested a waiver.

SENATE FILE 460 - School Finance — State Percent of Growth for 1996-1997 and Future Budget Years

BY HORN AND RIFE. This Act sets the state percent of growth under the State School Foundation Aid Program at 3.3 percent for the budget year beginning July 1, 1996. The Act provides that the state percent of growth for subsequent budget years be set in the year preceding the base year. This is a year sooner than under prior law.

The Act expresses the intent of the General Assembly that the Technology/School Improvement Program be in existence and funds for the program be appropriated for school districts and area education agencies for FY 1996-1997.

The Act takes effect January 1, 1996, for school budget years beginning after that date.

HOUSE FILE 238 - Joint Purchase of Group Health Benefits by School Districts and Area Education Agencies

BY DAGGETT. This Act provides that a school board may enter into an intergovernmental agreement with another school district or an area education agency for the purpose of jointly procuring a group health insurance plan, nonprofit group hospital service plan, nonprofit group medical service plan, or group life insurance plan for the benefit of the districts or agencies which are parties to the agreement. The plan may include a cafeteria plan as defined in 26 C.F.R. § 1.125-2T. An agreement entered into pursuant to this paragraph shall not be construed to establish a multiple employer welfare arrangement as defined in Section 3 of the federal Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1002, paragraph 40.

HOUSE FILE 387 - Student Membership on State Board of Regents - VETOED BY THE GOVERNOR

BY HANSON, MYERS, BURNETT, MASCHER, BERNAU, AND RANTS. This bill would have reduced the term of the student, or ninth, member of the State Board of Regents from six to four years. Also, the recognized student government organization at each institution of higher learning under the control of the board would be directed to submit to the Governor a list of at least three names of students eligible to represent the institution on the board.

HOUSE FILE 565 - School-to-Work Transition System — Career Pathways Program

BY COMMITTEE ON APPROPRIATIONS. This Act establishes a policy for the state to provide an education system that prepares the students of this state to meet the high skills demands of today's workplace. To assist in meeting this need, the Act provides for the creation of a Career Pathways Program if the General Assembly appropriated moneys for its establishment. The Act also moves the section of the Code entitled School-to-Work Transition System from the Vocational Education chapter to the Department of Education chapter.

Senate File 266 (Sec Appropriations) appropriates \$900,000 for FY 1996 for the purposes of the program and stipulates that of the funds, \$50,000 is to be used by the Department of Education to employ an administrator for the program. A portion of the moneys shall be made available to schools to pay for the issuance of employability skills assessments to public or nonpublic school students. Career pathways programs are eligible for Phase III funding.

The department is directed to develop a career pathways grant program, criteria for the formation of ongoing career pathways consortia in each merged area, and guidelines and a process to be used in selecting career pathways consortium grant recipients, including a requirement that grant recipients shall provide matching funds or match grant funds with in-kind resources on a \$1-for-\$1 basis. The department shall provide assistance to consortia in planning and implementing career pathways program efforts and shall direct and monitor the progress of each career pathways consortium. By January 15, 1998, the department shall submit to the General Assembly any findings and recommendations of the career pathways consortia, along with the department's recommendations for specific career pathways program efforts and for appropriate funding levels to implement and sustain the recommended programs.

A career pathways program must include, but is not limited to, the following: a means of measuring the employability skills of students, which include reading for information, applied mathematics, listening, and writing; curricula designed to integrate academic and work-based learning; and staff development to implement the high-standard curriculum. A career pathways program may include career guidance and exploration for students; involvement and recognition of business, labor, and community organizations as partners in the career pathways program; provision for program accountability; encouragement of team teaching within the school or in partnership

with postsecondary schools, and business, labor, community, and nonprofit organizations; and service learning opportunities for students.

HOUSE FILE 575 - Iowa Hope Loan Program

BY COMMITTEE ON APPROPRIATIONS. This Act establishes the Iowa Hope Loan Program and creates an Iowa Hope Loan Revolving Fund.

An Iowa hope loan may be awarded to an Iowa resident who is admitted and in attendance as a student in a single, 12-month or less, vocational-technical or career option program in a community college in the state, who meets the eligibility requirements for a Pell Grant, and who is working toward certification, a diploma or a degree in a skilled occupation. The Act requires that an eligible applicant shall have obtained the bona fide intent of a company operating in Iowa to employ the applicant or shall be currently employed by a company operating in Iowa that has expressed a bona fide intent to employ the applicant upon the attainment of a certificate, diploma or degree. The amount of an Iowa hope loan shall not exceed the cost of tuition for the program in which the student is enrolled. A student's Iowa hope loan is to supplement, not supplant, any other financial aid the student receives.

The College Student Aid Commission shall administer the Iowa Hope Loan Program. The Act requires the commission to make an annual report to the Governor and General Assembly and adopt rules for determining financial need, requiring that no interest be charged for an Iowa hope loan, defining residence for the purposes of the program, processing and approving applications for loans, determining priority for loans, and establishing procedures for loan repayment.

The Act also creates the Iowa Hope Loan Revolving Fund in the State Treasury.

For FY 1996, S.F. 481 (See Appropriations) provides for a transfer of remaining lottery revenues in the amount of \$100,000 to the College Student Aid Commission for purposes of the Iowa Hope Loan Program. However, the Governor item vetoed that transfer.

ELECTIONS, ETHICS AND CAMPAIGN FINANCE

- SENATE FILE 225** - Printing of Election Ballots — Elimination of Competitive Bidding
HOUSE FILE 437 - Campaign Finance
HOUSE FILE 494 - Elections

RELATED LEGISLATION

- SENATE FILE 88** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including changing references from the term "qualified electors" to "registered voters" to conform with legislation enacted in 1994.

recycled content. The percentage required to be purchased increases by 10 percent annually until 50 percent of the purchases of garbage can liners are plastic garbage can liners with recycled content.

- SENATE FILE 266** - Appropriations — Education
SEE APPROPRIATIONS. This Act appropriates moneys from the General Fund of the State to the Department of Education, the College Student Aid Commission, the State Board of Regents and its institutions, and the Department of Cultural Affairs. This year's Act appropriated a total of \$753 million and provided for 17,511.3 full-time equivalent positions (FTEs), which exceeded the Governor's recommendations by \$3.4 million and 62.16 FTEs and was \$14.6 million and 131.2 FTEs over that of FY 1994-1995.
- SENATE FILE 290** - Motor Vehicle and Highway Regulation
SEE TRANSPORTATION. This Act makes several changes to the transportation provisions in the Code. The Act also provides that any school bus used exclusively for the transportation of children enrolled in a federal Head Start program is exempt from registration under Chapter 321. Upon application, the department shall, without charge, issue a registration certificate and plates for the school bus. The driver of a school bus used to transport children to and from school must turn on flashing warning lamps at a distance of not less than 150 feet from the point of receiving or discharging pupils if that point is located in an area with a speed limit of less than 45 miles per hour. Previously, the law provided that a driver must turn on flashing warning lamps not less than 300 feet nor more than 500 feet from the point where pupils are to be received or discharged from the bus.
- SENATE FILE 436** - Access to Child and Dependent Adult Abuse Information — Required Records Checks
SEE HUMAN SERVICES. This Act relates to certification and registry provisions involving the state child and dependent adult abuse registries and includes child abuse registry access for personnel offices of school districts as necessary for presentation in grievance or arbitration procedures.
- SENATE FILE 459** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act appropriates approximately \$1.85 million for the fiscal year beginning July 1, 1995, and ending June 30, 1996, to the Department of Corrections to provide for educational programs for inmates. In prior years, this appropriation was made to the Department of Education.
- SENATE FILE 475** - State Financial Provisions
SEE APPROPRIATIONS. This Act revises various state financial provisions and includes amendments to Chapter 282, relating to school attendance and tuition, which revise the time for adjusting the foundation aid for the costs of educating children placed in foster care; change state payments to merged area schools from quarterly to monthly; and revise an effective date for various provisions as a result of the state making various school-related payments in accordance with generally accepted accounting principles (GAAP).
- SENATE FILE 481** - Appropriations — Transportation, Infrastructure, and Capital Projects
SEE APPROPRIATIONS. This Act appropriates moneys from the General Fund and the Rebuild Iowa Infrastructure Fund to the State Board of Regents, the Department of Cultural Affairs, the College Student Aid Commission, Iowa State University, and the Department of Education. However, the Governor item vetoed a number of the appropriations.
- SENATE FILE 486** - Miscellaneous Appropriations, State Budget Processes, and Statutory Corrections
SEE APPROPRIATIONS. Division I increases the appropriation for the Educational Excellence Program and sets it at the sum for the previous fiscal year, including

ELECTIONS, ETHICS AND CAMPAIGN FINANCE

SENATE FILE 225 - Printing of Election Ballots — Elimination of Competitive Bidding

BY COMMITTEE ON LOCAL GOVERNMENT. This Act eliminates the requirement that competitive bids be taken on the printing of ballots if the cost exceeds \$5,000.

HOUSE FILE 437 - Campaign Finance

BY COMMITTEE ON STATE GOVERNMENT. This Act makes a variety of changes in the "Campaign Finance" chapter, provides that the salaries of the Executive Director and Legal Counsel to the Ethics and Campaign Disclosure Board are to be set by the board, and permits the board to establish signature codes for the electronic filing of various reports that persons must file with the agency.

Section 56.2 is amended to add a definition of the term "commissioner," which is used extensively throughout Chapter 56, providing that the term means the county auditor of each county who is designated as the county commissioner of elections by statute.

The reporting threshold contained in Section 56.2 for political committees supporting or opposing candidates is raised from \$250 to \$500, which is the same level set for political committees supporting or opposing ballot issues.

Political committees are required to have both a chairperson and a treasurer who have reached the age of majority under changes made in Section 56.3. Political committees are also either to have a treasurer who is an Iowa resident, or maintain all of the committee's funds in bank accounts in a financial institution located in Iowa. Every candidate's committee is required to maintain all of the committee's funds in a bank account in a financial institution located in Iowa. Expenditures made by committees are required to be remitted to the designated recipients within 15 days of the date of the issuance of the payment.

Statements and reports filed with the board are required to be kept at least five years from the later of either the date of the election in which the committee is involved or the date of the dissolution of the committee, under the changes made to Section 56.4. The commissioner is required to keep the statements and reports for three years. Political committees supporting or opposing candidates for state or federal office are required to file their statements and reports required under state and federal law with the board, instead of with the Secretary of State. A registered political committee that has filed full disclosure reports with the Federal Election Commission is allowed to file verified statements attesting to those filings and their compliance with state law in lieu of filing the federal reports with the board.

Changes to Section 56.5 include a provision that, unless formal organization has already taken place, formal committee organization is deemed to have occurred as of the date that the committee transactions exceeded their reporting threshold. Committee names are required to be unique and candidate's committee names are to contain the name of the candidate.

A political committee is prohibited in Section 56.5A from supporting or opposing only one candidate, except in the case of political committees formed to support or oppose judges who are standing for retention.

The filing deadline specified under Sections 56.6 and 56.13 for financial activity disclosure reports is changed from the twentieth to the nineteenth. A postmark indicating mailing on the date on or before the deadline will still suffice for purposes of meeting the deadline. Under other changes to Section 56.6, city statutory political committees are exempted from filing in May and July of a year in which no primary or general election is held at that level. The content requirements for first financial activity disclosure reports that are filed by new committees are changed to include a requirement that all financial activity engaged in prior to the end of the reporting period, which caused the committee to exceed the financial reporting threshold, be included in the report, even if the activity took place during another calendar year. The Act contains a transition provision indicating that this does not apply to required reporting of financial activities which occurred prior to January 1, 1995, although if the threshold is crossed as a result of those activities, activities since January 1, 1995, must be reported. A procedure for certification of

dissolution of committees is specified, which requires board approval of the committee's statement of dissolution and final report before the committee is relieved of further filing requirements.

Language added to Section 56.12 states that a contribution made by one person which is reimbursed by another person who is not reported as the source of the contribution is an illegal contribution in the name of another.

Language is added to Section 56.14 providing that entities which are not registered political or candidate's committees and which publish material in support of or in opposition to a candidate or ballot issue are required to indicate their authorship of the materials if a reasonable person would believe that a registered political or candidate's committee was responsible for the publication. Language is added to the section to exclude individuals who are acting independently and expending their own modest resources to publish or distribute materials in support of or in opposition to a candidate or ballot issue from the requirement that those individuals include information disclosing their identity and address on those materials. County and city law enforcement authorities are given the authority to remove yard signs that create impermissible obstructions in city and county streets, roads, and highways. Farm family limited liability companies are added to the groups of family farm operations permitted to erect or place yard signs on their property.

Section 56.15 is amended to add insurance companies, financial institutions, and corporations organized under the laws of the United States to the list of corporations prohibited from engaging in political activity.

Section 56.41 is amended to provide that the purchase of subscriptions to newspapers from or which circulate within the area represented by the office which a candidate is seeking or holds is presumed to be an expense associated with the duties of the campaign for, and duties of, office.

Section 56.42 is amended to permit a candidate's committee to transfer campaign funds to partisan political committees organized to represent persons within a congressional district and to an appropriate treasurer for deposit in the general fund of a political subdivision of the state.

Section 56.43 is amended to require the separate disclosure of materials purchased and materials received in-kind as campaign property in the financial activity disclosure reports that must be filed by a candidate's committee. Campaign property with a value of \$500 or more when acquired is to be separately disclosed as committee inventory and will continue to be disclosed in the financial activity disclosure reports until the property is either disposed of or has a residual value of less than \$100. Imprinted materials that are left when a candidate's committee dissolves are deemed to have a value of \$25 or less and are not required to be accounted for upon dissolution of a candidate's committee.

Section 68B.32 is amended to provide that the board is to fix the salaries of the Executive Director and the Legal Counsel of the Ethics and Campaign Disclosure Board. The salary range for the director is to be set by the General Assembly and the salary range for the legal counsel is to be the same as for comparable positions in state government. The Ethics and Campaign Disclosure Board is permitted to establish a process for assigning signature codes to persons who are required to file reports with the agency. The signature codes are for use in electronic filings and are to be kept confidential by the board.

HOUSE FILE 494 - Elections

BY COMMITTEE ON STATE GOVERNMENT. This Act makes numerous changes to the election laws.

Code Sections 43.49 and 50.24 are amended to provide that write-in votes constituting less than 2 percent of the vote for an office shall be listed on the abstract of votes under the heading "scattering."

Code Section 43.53 is amended to allow for nomination for any township office by write-in votes if the person receives at least five votes.

Code Sections 43.63 and 50.36 through 50.38 are amended to require that tabulation of the county abstracts of votes begins as soon as the abstracts are available from the counties. Under previous law, the tabulation was to begin

nearly two weeks after the primary election and three weeks after the general election. Sections 43.63 and 50.36 are also amended to allow one representative from each political party to attend the canvass by the Secretary of State.

Amendments to Code Sections 43.88, 44.4, and 69.14 increase the amount of time required for notice of a special election to fill a vacancy in the General Assembly while it is in session or within 45 days of convening. The Act requires the Governor to give at least 18 days' notice of the election. Previously, the law required the Governor to give 10 days' notice. The Act changes the candidate filing deadline from seven to 14 days before the date of the election.

Code Section 47.8 is amended to add a county commissioner of registration to the membership of the State Voter Registration Commission and to add promotion of interagency cooperation and planning as one of the purposes of the commission. The Act also requires the membership of the commission to be balanced by political party affiliation and further requires that the State Commissioner of Elections serve as chairperson to the commission. Finally, the Act requires the State Registrar to provide to the commission, at no charge, statistical reports for planning and analyzing voter registration services in the state.

Code Section 49.66 is amended to require that precinct election officials telephone the county auditor to request additional ballots as soon as they believe that additional ballots are needed. If no telephone is available, the officials are required to send a written request for additional ballots with a messenger.

Code Section 49.67 is amended to allow the county auditor to photocopy additional ballots if the supply of ballots is insufficient. The Act also requires that two precinct election officials initial the photocopied ballots voted in partisan elections.

Code Section 50.49 is created to allow persons to request a recount for a public measure. Under previous law, the only way to obtain a recount for a public measure on the ballot was to contest the election.

Code Section 53.2 is amended to provide that an application for an absentee ballot for a primary election which specifies a political party other than that recorded on the applicant's voter registration record shall be considered a change or declaration of party affiliation and the change or declaration shall be noted on the applicant's voter registration record. The Act also requires that notice of the change or declaration be mailed to the applicant along with the absentee ballot.

Code Section 53.23 is amended to allow persons in favor of a public measure on the ballot and persons opposed to the measure to be observers allowed to be present at the counting of the absentee ballots on the measure.

Code Section 275.23A is amended to make two technical corrections regarding the drawing of school director district boundaries. The Act adds two types of school director district plans to the list of plans required to comply with standards for drawing boundaries. The Act also provides that school director district boundaries follow census block lines rather than the precinct boundaries of those areas which have census block lines. An amendment to this section enacted by the General Assembly in 1994 omitted striking the word "precinct."

Code Section 277.4 is amended to change the number of signatures of eligible electors required on a nomination petition for a school district director board from a number equal to not less than 1 percent of the number of registered voters in the district to a number equal to not less than 1 percent of the number of registered voters in the district, but at least 10 eligible electors.

Code Section 296.2 amends the school corporation bond issuance petition requirement to specify that the petition may be signed by eligible electors.

Code Section 384.12, subsection 20, is amended to require that a city council give notice of a special election on the question of whether to exceed the statutory property tax levy limit at least 32 days before the date of the election, which is held on the second Tuesday in March. Prior law provided that notice be given by February 15.

ENERGY AND PUBLIC UTILITIES

- SENATE FILE 377** - Cooperative Associations — Patronage Dividends
HOUSE FILE 303 - Pipelines and Underground Hazardous Liquid Storage

RELATED LEGISLATION

- SENATE FILE 88** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including the updating of a reference to an administrative fee which may be charged by the county treasurer for liens imposed for delinquent city utility and enterprise service charges to reflect an increase in the fee which was enacted during the 1993 Legislative Session, and the updating of references to the federal Resource Conservation and Recovery Act, which are contained in the section establishing penalties for unlawful transportation of hazardous waste and the federal Natural Gas Pipeline Safety Act.
- SENATE FILE 228** - Statewide Notification Center — Miscellaneous Provisions
SEE STATE GOVERNMENT. This Act provides that the statewide Notification Center is subject to the open meetings and public records provisions of Chapters 21 and 22. The Act provides that the Notification Center is to be audited at least once each year by a certified public accountant. The Act also prohibits the Notification Center from making political contributions.
- HOUSE FILE 186** - Appropriations — Energy Conservation — Petroleum Overcharge Funds
SEE APPROPRIATIONS. This Act appropriates moneys from the Energy Conservation Trust for energy conservation programs for low-income persons, for the state Energy Conservation Program, and for administration of petroleum overcharge programs.
- HOUSE FILE 461** - Studies Concerning the Iowa Communications Network
SEE STATE GOVERNMENT. This Act directs the Iowa Telecommunications and Technology Commission to study, in consultation with the Utilities Division of the Department of Commerce, the possible conversion of the Iowa Communications Network into a public utility.
- HOUSE FILE 550** - Sales, Services, and Use Tax Exemption — Statewide Notification Center
SEE TAXATION. This Act exempts the gross receipts from services rendered, furnished or performed by the statewide Notification Center, and the vendor selected to provide the notification service, from the tax imposed under Chapters 422 and 423.

The Act takes effect May 3, 1995, and applies retroactively to tax years beginning on or after January 1, 1995.

ENERGY AND PUBLIC UTILITIES

SENATE FILE 377 - Cooperative Associations — Patronage Dividends

BY COMMITTEE ON COMMERCE. This Act amends several provisions in Chapter 499 that regulate the organization and administration of cooperative associations, which are utilities furnishing gas, electricity, water, or telephone service.

Section 499.30 of the 1995 Iowa Code provides for the annual distribution of earnings. Currently, after earnings are distributed for purposes of building or maintaining reserves, paying debts and expenses, special purposes, and the payment of dividends, remaining earnings are deposited into the account of each member, ratably in proportion to the business the member did with the association during that year. Under existing law, the board of directors, or the articles of incorporation or bylaws of the association, may specify the percentage or the amount of the allocation to be paid in cash. However, so long as there are unpaid local deferred patronage dividends of deceased members for prior years, the amount payable in cash cannot exceed 20 percent of the allocation. The Act provides that the 20 percent requirement does not apply to cooperative associations which are utilities.

Currently, Section 499.30 of the 1995 Code of Iowa also provides that the remaining allocation not paid in cash must be transferred to a revolving fund and credited to the members and subscribers. The credits in the revolving fund are referred to as deferred patronage dividends.

Section 499.33 of the 1995 Code of Iowa provides for the use of the revolving fund. The section provides that deferred patronage dividends for a current year have priority over those for subsequent years. The section provides for cases where the priority rule does not apply. In cases not involving public utilities, prior to other payments of deferred patronage dividends or redemption of preferred stock held by members, the directors of a cooperative association must pay local deferred patronage dividends and redeem local deferred patronage preferred stock of deceased natural persons who were members, and may pay deferred patronage dividends or may redeem preferred stock of deceased natural persons who were members, or of members who become ineligible. In cases involving a cooperative association which is a utility, the directors may set aside the rule of priority to pay deferred patronage dividends and redeem preferred stock of deceased natural persons who were members, and may pay deferred patronage dividends or redeem preferred stock of members who become ineligible without reference to priority. This Act provides that the directors may pay all deferred patronage dividends or redeem preferred stock of members without reference to priority.

HOUSE FILE 303 - Pipelines and Underground Hazardous Liquid Storage

BY COMMITTEE ON COMMERCE AND REGULATION. This Act creates a new Chapter 479B to regulate hazardous liquid pipelines, and amends Chapter 479 regulating pipelines and underground gas storage and Chapter 479A regulating interstate natural gas pipelines. The creation of the new chapter is prompted by a United States Eighth Circuit Court opinion, *Kinley Corporation v. Iowa Utilities Board*, 999 F.2d 354 (8th Circuit 1993), which held that the state was unable to regulate hazardous liquid pipelines because Chapter 479 was invalid as it pertained to hazardous liquid pipelines.

The purpose of Chapter 479B is to grant the Iowa Utilities Board the authority to implement certain controls over hazardous liquid pipelines to protect landowners and tenants from environmental or economic damages that may result from the construction, operation or maintenance of a hazardous liquid pipeline or underground storage facility within the state; to supervise the location and route of hazardous liquid pipelines and underground storage facilities; and to grant eminent domain rights when necessary.

A pipeline company is prohibited from constructing, maintaining or operating a pipeline or underground storage facility without a permit issued by the board. The company is required to hold informational meetings in each county where property rights will be affected at least 30 days before filing a petition for a new pipeline. Chapters 479 and 479A are also amended to provide that informational hearings must be held at least 30 days prior to filing a petition for a new pipeline and to simplify the process for obtaining an extension of the original permit.

After the company files a petition, the board sets a date for a hearing. A person whose rights may be affected by the permit may file written objections with the board. During the hearing the board considers the petition, the

objections, and any other relevant testimony. The applicant must pay all the costs of the meetings, hearing and investigative work and the costs of inspections conducted by the board. The Act provides that if the board enters into an agreement with the United States Department of Transportation, a pipeline company must pay an annual fee of 50 cents per mile of pipeline or fraction thereof for each inch of diameter of the pipeline located in the state. The inspection fees are to be paid to the board between January 1 and February 1 of each year. A pipeline company which fails to pay the fees may be subject to civil penalties or the revocation of the permit.

The Act requires that before a permit may be granted, the applicant must satisfy the board that the applicant is in good financial condition or provide a bond. Permits are limited to 25 years and may be sold or transferred by the permittee under certain conditions.

After receipt of a permit, a pipeline company has the right to survey and examine the proposed construction area. A pipeline company issued a pipeline permit has the right of eminent domain to the extent necessary and as approved by the board, but not to exceed 75 feet in width for right-of-way and not to exceed one acre in any one location in addition to right-of-way for the location of pumps, pressure apparatus, or other stations or equipment necessary to the operation of the pipeline. In addition to adding these provisions to Chapter 479B, the Act amends Chapters 479 and 479A to provide that the board may grant additional eminent domain rights where the pipeline company has presented sufficient evidence to adequately demonstrate that a greater area is required for the proper construction, operation and maintenance of the pipeline or for the location of pumps, pressure apparatus, or other stations or equipment necessary to the proper operation of its pipeline. A pipeline company granted a permit for underground storage of hazardous liquid is vested with the right of eminent domain over any subsurface stratum or formation in any land the board finds to be suitable for the location of an underground storage facility.

A pipeline company is granted reasonable access to the area for the purposes of constructing, operating, maintaining, or locating pipes, pumps, pressure apparatus, or other stations, wells, devices, or equipment and is responsible for payment of damages caused by the pipeline or storage facility.

The board has the ability to adopt land restoration standards to protect underground improvements during the construction of a pipeline or underground storage facility, soil conservation practices and drainage structures, and for the restoration of agricultural lands. The Act provides that rules adopted may apply within the boundaries of a city if the land is used for agricultural purposes. The county board of supervisors inspects the site to ensure compliance with the standards.

In Chapter 479B, the Act provides that if an agreement for damages cannot be reached 90 days after completion of the installation, a landowner or pipeline company may file a request with the board of supervisors of the county that a compensation commission be appointed to determine the damages arising from the installation of the pipeline. Chapters 479 and 479A are also amended to provide that either the landowner or the pipeline company may request the establishment of the compensation commission and to change the time period in which the petition may be filed from between 75 and 100 days from installation to not less than 90 days from installation of the pipeline.

The Act provides that the additional costs of new tile construction caused by an existing pipeline must be paid by the pipeline company. For Chapters 479 and 479A, the Act changes the way compensation may be obtained for these damages. The Act allows the landowner to enter into an agreement as to costs with the pipeline company during the planning of the tiling project.

The Act contains other provisions regarding cancellation of the easement, arbitration agreements, and further damage provisions. The Act provides exemption from liability for the owner of farmland for damage occurring to an underground facility under Chapter 480, if the damage occurred in the normal course of the farming operation. The Act provides that any person who violates a provision of Chapter 479B is subject to a civil penalty of up to \$1,000 for each violation. Each day the violation continues constitutes a separate violation, but the amount is not to exceed \$250,000. The moneys are to be credited to the Iowa Energy Center created in Section 266.39C.

The Act takes effect May 26, 1995. Provisions of the Act under new Chapter 479B relating to damages, arbitration agreements, and subsequent tiling are retroactive to July 1, 1993.

ENVIRONMENTAL PROTECTION

- SENATE FILE 37** - Air Contaminants — Permits — Moratorium Regarding Grain Storage Facility Requirements
- SENATE FILE 147** - Water Quality and Solid Waste Disposal — Single General Permits
- SENATE FILE 157** - Elimination of Polystyrene Ban
- SENATE FILE 215** - Rural Water Well Grants
- SENATE FILE 247** - State Purchases of Plastic Garbage Can Liners
- SENATE FILE 256** - Application of Pesticides and Other Chemicals
- SENATE FILE 292** - State Sewage Treatment Loans — Repayment With Park Revenues
- SENATE FILE 407** - Alkaline Manganese Batteries
- HOUSE FILE 217** - Educational Requirements for Nurses
- HOUSE FILE 289** - Solid Waste Tonnage Fees
- HOUSE FILE 425** - Elimination of Air Toxics Fees
- HOUSE FILE 478** - Immunity From Liability Regarding Oil Spill Response
- HOUSE FILE 508** - Underground Storage Tanks

RELATED LEGISLATION

- SENATE FILE 88** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including the updating of references to the federal Resource Conservation and Recovery Act, which are contained in the section establishing penalties for unlawful transportation of hazardous waste and the federal Natural Gas Pipeline Safety Act.
- HOUSE FILE 519** - Animal Feeding Operations
SEE AGRICULTURE. This Act relates to animal feeding operations and their regulation by providing for the cleanup of abandoned sites, separation requirements, the use of treatment processes, permitting processes, plans for the storage and disposal of manure, penalties, mediation, and restrictions regarding nuisance actions.
- HOUSE FILE 553** - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by providing appropriations to support related entities, including the Department of Agriculture and Land Stewardship and the Department of Natural Resources. The Act also provides directions to a number of agencies, and makes statutory changes relating to agriculture, natural resources, and environmental protection.

supplemental payments. Division II appropriates up to \$5 million for four-year-old at-risk children programs contingent upon a reduction in state school aid because of a greater than estimated amount of taxable property. Division III provides that students from two or more school districts that attend class via the Iowa Communications Network are not sharing classes for purposes of supplemental weighting under the state School Aid Formula; increases the appropriation for the School-based Youth Services Education Program; and allows school districts to provide, without state reimbursement, transportation services to prekindergarten nonpublic school children.

- HOUSE FILE 406** - Public Investment and Use of Bond Proceeds
SEE LOCAL GOVERNMENT. This Act strikes Section 12C.4, which provided separate provisions for the investment of proceeds from the issue of school corporation bonds. The school corporations are included with other political subdivisions of the state regarding the investment of idle funds or the proceeds of bond issues.
- HOUSE FILE 475** - State Archives
SEE STATE GOVERNMENT. This Act adds electronic records to the definition of archives. It states that county, municipal, and local government archives are not considered state archives unless they are delivered to the state archives and accepted by the written consent of the State Archivist. The Act requires that records for state archives must be delivered to the state archives in accordance with the retention schedule set up in the records management manual. Section 303.15 is amended to show that the records are in the custody of the State Archivist and not the Department of Cultural Affairs.
- HOUSE FILE 494** - Elections
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Act makes technical corrections regarding the drawing of school director district boundaries, changes the number of signatures of eligible electors required on a nomination petition for a school district director board, and amends the school corporation bond issuance petition requirement to specify that the petition may be signed by eligible electors.
- HOUSE FILE 528** - Criminal and Juvenile Justice
SEE CHILDREN & YOUTH. The Act changes a number of provisions of the juvenile code. The Act requires a peace officer who takes a juvenile into custody for a drug or alcohol offense to notify a juvenile court officer who is then required to make a reasonable effort to notify the juvenile's school. A new section makes it a class "D" felony for going armed with, carrying, or transporting a firearm on the grounds of a public or nonpublic school unless the person fits within a designated exemption. The Act requires school officials to establish procedures relating to dangerous weapons possessed on school premises and permits school districts to adopt a dress code policy that prohibits students from wearing gang-related or other specific apparel. The Act eliminates the requirement that students be provided at least 24 hours' notice before a locker inspection. School officials may inspect all or a randomly selected number of school lockers without notice if the school has provided prior written notice of its intent to inspect lockers and if the student is present when the locker is inspected.
- HOUSE FILE 584** - Crediting the Rebuild Iowa Infrastructure Fund — Miscellaneous Appropriation Provisions
SEE APPROPRIATIONS. This Act relates to state appropriation matters by providing for the crediting of moneys to the Rebuild Iowa Infrastructure Fund and revising education appropriation provisions.

ENVIRONMENTAL PROTECTION

SENATE FILE 37 - Air Contaminants — Permits — Moratorium Regarding Grain Storage Facility Requirements
BY COMMITTEE ON AGRICULTURE. This Act amends Chapter 455B, which provides for environmental regulations. The Act amends provisions in the chapter regulating air quality by requiring the Environmental Protection Commission to adopt rules for the issuance of a single general permit. The permit is required to cover numerous facilities to the extent that they represent a class of facilities which can be identified and conditioned by a single permit. The Act is similar to S.F. 147 relating to water quality and solid waste disposal.

The Act also establishes a moratorium during which the Department of Natural Resources is prohibited from requiring persons to complete or submit to the department any form, application, or information relating to the control of emissions of dust or other particulate matter in, on, or around facilities used for the storage of grain, to the extent that it is related to the administration or enforcement of the Air Operating Permit Program as regulated under the federal Clean Air Act Amendments of 1990. The moratorium expires upon the date the state is delegated authority by the United States to administer and enforce the Air Operating Permit Program.

The department is required to adopt forms and procedures which ensure that persons involved in grain storage may conveniently, simply, and inexpensively comply with the program's requirements. The department is also required to conduct a statewide education project in order to assist persons in complying with the requirements. The department must periodically report progress in carrying out the provisions of the Act to the chairpersons, vice chairpersons, and ranking members of the Standing Committees on Agriculture of the Senate and House of Representatives.

The Act takes effect February 17, 1995.

SENATE FILE 147 - Water Quality and Solid Waste Disposal — Single General Permits
BY COMMITTEE ON AGRICULTURE. This Act amends Chapter 455B, which provides for environmental regulations. The Act amends provisions in the chapter regulating water quality and solid waste disposal by requiring the Environmental Protection Commission to adopt rules for the issuance of a single general permit. The permit is required to cover numerous facilities to the extent that they represent a class of facilities which can be identified and conditioned by a single permit. The Act is similar to S.F. 37 relating to the control of emissions from grain storage facilities.

The Act takes effect April 24, 1995.

SENATE FILE 157 - Elimination of Polystyrene Ban
BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act repeals Section 455D.16, which required the Department of Natural Resources to establish a recycling program to increase the recycling of polystyrene packaging products and food service items by 25 percent by July 1, 1993, and by 50 percent by July 1, 1994. If the recycling goals were not met, Section 455D.16 prohibited the manufacturing, offering for sale, selling, or use of any polystyrene packaging products or food service items in this state beginning January 1, 1996. This Act makes conforming changes in the polystyrene recycling and purchasing requirements for the Department of General Services, the Department for the Blind, the State Board of Regents, and for the State Department of Transportation.

The Act takes effect April 20, 1995.

SENATE FILE 215 - Rural Water Well Grants
BY BLACK. This Act changes an allocation from the Agricultural Management Account of the Groundwater Protection Fund under Section 455E.11 to the Department of Natural Resources for the purpose of providing grants to counties and conducting oversight of county-based programs for the testing of private rural water supply wells and the proper closure of private rural abandoned wells and cisterns by allowing for moneys to be spent on private rural water supply well sealing. The section allocates 2 percent of any moneys remaining in the Agricultural Management Account after other allocations are made for administering grants to counties for private water supply wells and closure of private abandoned wells and for county oversight. Prior law designated that not more than 17.5

percent of the moneys could be used for private rural water supply testing and not more than 17.5 percent of the moneys could be used for properly closing abandoned rural water supply wells and cisterns. This Act does not provide for additional moneys but removes the 17.5 percent limitations and replaces them with a limitation that not more than 35 percent of the moneys be allocated for any of the purposes.

A county applying for a grant is required to submit only one application. To be eligible for a grant, a county must have adopted standards for private water supply and private disposal facilities at least as stringent as the standards adopted by the Environmental Protection Commission. During each fiscal year, the amount granted each eligible applicant county is the total funds available divided by the number of eligible counties applying. Upon receipt of the grant, the county may apply the funds to any one or more of the three programs.

SENATE FILE 247 - State Purchases of Plastic Garbage Can Liners

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act removes current requirements that state agencies, including the State Board of Regents, purchase a minimum percentage of starch-based garbage can liners and instead requires that by July 1, 1995, a minimum of 10 percent of the purchases of garbage can liners must be plastic garbage can liners with recycled content. The percentage required to be purchased increases by 10 percent annually until 50 percent of the purchases of garbage can liners are plastic garbage can liners with recycled content. The Act defines "recycled content" to mean that a minimum of 30 percent of the content of the product consists of postconsumer material. The Act amends provisions that direct the Department of General Services, the Department for the Blind, the State Board of Regents, and the State Department of Transportation to comply with the directive.

SENATE FILE 256 - Application of Pesticides and Other Chemicals

BY COMMITTEE ON AGRICULTURE. This Act relates to the regulation of pesticides. The Act amends a provision which, in part, provides that the Department of Agriculture and Land Stewardship must cooperate with municipalities to determine the proper notice to be given by commercial and public applicators to occupants of adjoining properties in urban areas prior to or after the exterior application of pesticides. The Act requires departmental rules to provide that a commercial or public applicator must provide notice only if an occupant requests that the commercial or public applicator provide the occupant notice, in writing, in a timely manner prior to the application. The request must include the name and address of the occupant, a telephone number of a location where the occupant may be contacted during normal business and evening hours, and the address of each property that adjoins the occupant's property. The notification shall expire on December 31 of each year, or the date when the occupant no longer occupies the property, whichever is earlier.

The Act also repeals provisions regulating a type of pesticide application referred to as "chemigation," in which chemicals are injected into water used in an irrigation distribution system.

SENATE FILE 292 - State Sewage Treatment Loans — Repayment With Park Revenues

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act authorizes the Department of Natural Resources to participate in the State Sewage Treatment Works Financing Program and provides for the dedication of some fees collected from park and recreation areas to repay loans for wastewater treatment projects built for state parks and recreation areas.

SENATE FILE 407 - Alkaline Manganese Batteries

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act clarifies that a person cannot sell, distribute or offer for retail sale any alkaline manganese button cell battery containing more than 25 milligrams of mercury, but allows for the retail sale of alkaline manganese household batteries after January 1, 1996, provided the batteries were manufactured on or prior to that date.

HOUSE FILE 217 - Educational Requirements for Nurses

BY COMMITTEE ON STATE GOVERNMENT. This Act requires that an individual complete one academic year of study as prescribed by the Board of Nursing Examiners to be licensed as a practical nurse. The law no longer recognizes an equivalent in theory and practice for licensing of practical nurses or registered nurses. A person enrolled in an academic course of study for registered nurses on June 30, 1995, is allowed to apply for a license as practical nurse which will be issued after demonstrating completion of the equivalent of one academic year course

of study. Section 152.7 is rewritten to simplify the language and reflect the change for the licensing of practical nurses.

The board is to complete a study by January 1, 1997, on the impact of modifications in the licensed practical nurse educational requirements on the availability of nursing personnel in Iowa. If the study demonstrates a significant reduction in the availability of nursing personnel, the board is directed to report these findings and make recommendations to the General Assembly.

HOUSE FILE 289 - Solid Waste Tonnage Fees

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act rewrites Section 455B.310 and Section 455E.11, subsection 2, paragraph "a," relating to the collection and allocation of solid waste tonnage fees. A tonnage fee is that amount per ton which is charged for disposal of solid waste. The tonnage fee is \$4.25 per ton. This Act does not change the amount or allocation of the tonnage fees, but eliminates deadlines and events no longer applicable, consolidates provisions establishing the tonnage fee, and simplifies language for distribution of the fees. The Act also strikes a 38 percent waste reduction and recycling goal added during the 1994 Legislative Session that allowed a planning area which met the 38 percent goal to reduce the amount of the tonnage fees imposed by 25 cents per ton.

HOUSE FILE 425 - Elimination of Air Toxics Fees

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act repeals the temporary air toxics fee imposed under Section 455B.133A. The temporary fee is an annual fee of \$25 per ton of hazardous air pollutants included in Title III of the federal Clean Air Act Amendments of 1990. Affected sources pay the annual fee based upon actual air emissions of hazardous air pollutants as reported or estimated by the source in the previous calendar year. Section 455B.133A stated that the fee was to be imposed until such time as the operating permit fee is established by rule of the Environmental Protection Commission and approved by the United States Environmental Protection Agency under Section 502(b) of the federal Clean Air Act Amendments of 1990. The operating fee has been established and approved by the Environmental Protection Commission and the U.S. Environmental Protection Agency and is currently being collected.

HOUSE FILE 478 - Immunity from Liability Regarding Oil Spill Response

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act provides that a person is not liable for removal costs or damages which result from actions or omissions taken or made in the course of rendering care, assistance, or advice relating to an oil spill if the actions or omissions taken or made are consistent with the national contingency plan or as otherwise directed by the federal on-scene coordinator or by the state official with responsibility for oil spill response. However, the immunity does not apply to a responsible party when the damage involves personal injury or wrongful death, or if the person is grossly negligent or engages in willful misconduct. A responsible party is defined in the federal regulations to mean any person owning, operating, or chartering a vessel; any person owning or operating an onshore facility, with certain exceptions; the lessee or permittee of the area of an offshore facility, with certain exceptions; the licensee of a deepwater port; or any person owning or operating a pipeline.

HOUSE FILE 508 - Underground Storage Tanks

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act makes several changes to the Underground Storage Tank Program.

The Act provides additional moneys for the Underground Storage Tank Program by increasing the cap on the environmental protection charge from \$15.3 million to \$17 million and by allocating \$10 million for the first two years and \$17 million for the subsequent five years from use tax revenues to the new Marketability Fund. The Iowa Comprehensive Petroleum Underground Storage Tank Board is prohibited from using Marketability Fund moneys for bonding purposes.

The Act creates a Marketability Fund and an Innocent Landowners Fund. Of the moneys allocated to the Marketability Fund, \$5 million are to be appropriated annually to the Innocent Landowners Fund to provide an owner of petroleum-contaminated property, who is not otherwise eligible for benefits under the Remedial Account, with benefits for the costs of correction action subject to copayment requirements. The remainder of the moneys

appropriated to the Marketability Fund are to be used to pay remedial benefits under Section 455G.9. In addition, any moneys collected from cost recovery actions are to be allocated to the Innocent Landowners Fund.

The Act amends provisions relating to site classification and cleanup requirements in Chapter 455B to require the Department of Natural Resources to implement the use of national risk-based corrective action (RBCA) standards developed by the American Society for Testing and Materials. The Act eliminates the current monitoring schedule and requires that low risk sites be monitored as the department deems necessary. The Act replaces the previous "clean site" certificate with a "no further action" certificate and requires that the department accept a site cleanup report or corrective action design report submitted by a groundwater professional unless the report is incorrect, inaccurate, or the site classification or corrective action response cannot be determined. The Act includes several provisions relating to implementation of the new RBCA rules.

The Act strikes a provision authorizing the board to prioritize remedial benefits if the fund is currently insufficient to pay all claims, thereby invalidating the previous prioritization rules which mandated that small businesses with high risk sites receive first priority in payment of remedial benefits. The Act establishes a benefit for an owner or operator with a net worth of \$100,000 or less, who owns no more than one site, to pay no more than 18 percent of the total costs of corrective action for that release.

The Act expands the Loan Guarantee Program by eliminating the requirement that the applicant be a small business, thus allowing anyone to apply for a loan guarantee, and by providing that a loan guarantee may be granted for capital improvements on a tank site or for purchase of property contaminated by a leaking underground storage tank. The Act amends the insurance program by extending the upgrade date to December 22, 1998, and providing for expansion of property transfer coverage. An owner or operator who has not completed upgrading may still be eligible to receive insurance through the state program, but will be required to pay two times the cost of the regular premium in addition to a surcharge of \$800 per tank. These provisions apply retroactively to January 1, 1995.

The Act requires that all groundwater professionals be certified. Certification includes completing a course of instruction and passing a certification examination.

The Act repeals the environmental damage offset. The environmental damage offset was based upon the amount of environmental protection charge an owner or operator, who received remedial benefits from the fund and who closed or removed a tank and did not replace it, would have paid had the tank remained in operation and was offset annually against any benefit received under the remedial account. The Act requires the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board to study the issues of expanding the Innocent Landowners Fund and privatization of the Insurance Fund.

Sections of this Act providing for the extension of upgrade deadlines are retroactive to January 1, 1995. Sections relating to implementation of risk-based corrective action standards; requiring cost recovery enforcement proceeds be deposited in the Innocent Landowners Fund; striking prioritization, expanding loan guarantees, extending upgrade deadlines, and expanding property transfer insurance; requiring certification for groundwater professionals; repealing the environmental damage offset; and relating to implementation of RBCA rules and the board study take effect May 24, 1995. The provision establishing the Marketability and Innocent Landowners Funds takes effect January 1, 1996. The remainder of the Act takes effect July 1, 1995.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A requirement that a release occurring after January 1, 1996, for which the owner or operator had financial responsibility, be cleaned in accordance with corrective action rules existing as of January 1, 1995, rather than new RBCA standards.
2. A provision requiring the board to prove the percentage of fault by a preponderance of the evidence for cost recovery enforcement.
3. A provision requiring the administrator of the fund to administer the certification program for groundwater professionals.

GAMING

- SENATE FILE 146** - Iowa-Foaled Horses and Iowa-Whelped Dogs for Pari-Mutuel Racing
- HOUSE FILE 117** - Amusement Concessions
- HOUSE FILE 571** - Gambling

RELATED LEGISLATION

- SENATE FILE 88** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections which are substantive in nature, including updating provisions relating to the circumstances under which certain gambling questions are automatically submitted to a vote of the county electorate. The Act also changes a reference from "qualified electors" to "registered voters" to conform with changes enacted in 1994.
- SENATE FILE 459** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act appropriates moneys for FY 1995-1996, to several departments involved in the justice system, including the Department of Public Safety, and contains related statutory provisions. The Act provides for additional agents and officers within the Department of Public Safety to staff several new riverboats. The Act also makes a statutory change to provide that the license fees and state admission fees for excursion gambling boats shall be set to provide revenues to fund, at most, 65 percent of the salary costs for no more than two special agents and four gaming enforcement officers for each excursion gambling boat. The Act also requests the Legislative Council to establish an interim study committee concerning the enforcement of activities on excursion gambling boats.
- SENATE FILE 462** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act does not make an appropriation to the Department of Human Services for the Gamblers Assistance Program, but does codify a requirement that the State Racing and Gaming Commission and the Iowa Lottery Board cooperate with the Gamblers Assistance Program to incorporate information regarding the Gamblers Assistance Program and its toll-free telephone number in printed materials distributed by the commission and the board.
- SENATE FILE 475** - State Financial Provisions
SEE APPROPRIATIONS. This Act revises various state financial provisions and includes a provision requiring the Revenue Estimating Conference to annually estimate the amount of lottery revenues available for disbursement in the succeeding fiscal year.
- SENATE FILE 481** - Appropriations — Transportation, Infrastructure, and Capital Projects
SEE APPROPRIATIONS. Division III of this Act provides for the transfer of lottery revenues in excess of \$34,400,000 deposited into the General Fund of the State during FY 1995 to various agencies. However, the Governor item vetoed a number of the provisions.
- HOUSE FILE 575** - Iowa Hope Loan Program
SEE EDUCATION. This Act establishes the Iowa Hope Loan Program and creates an Iowa Hope Loan Revolving Fund. For FY 1996, S.F. 481 (See Appropriations) provides for a transfer of remaining lottery revenues in the amount of \$100,000 to the College Student Aid Commission for purposes of the Iowa Hope Loan Program. However, the Governor item vetoed the transfer.

GAMING

SENATE FILE 146 - Iowa-Foaled Horses and Iowa-Whelped Dogs for Pari-Mutuel Racing

BY COMMITTEE ON AGRICULTURE. This Act makes several changes relating to the requirements to qualify an Iowa-foaled horse or an Iowa-whelped dog for pari-mutuel racing purposes. These changes include defining who is a breeder for Iowa-foaled quarter and standard bred horses, modifying residency requirements for Iowa stallions, and mandating the Department of Agriculture and Land Stewardship to adopt rules and prescribe forms to verify residency for Iowa-whelped dogs.

HOUSE FILE 117 - Amusement Concessions

BY BRAUNS. This Act increases the maximum cost to play a game of skill or game of chance at an amusement concession from \$1 to \$3. The Act also increases the value of the prize which may be offered for winning a game of skill or game of chance from \$25 to \$50.

HOUSE FILE 571 - Gambling

BY COMMITTEE ON WAYS AND MEANS. This Act provides that the owners of pari-mutuel racetracks and gambling game operations on excursion boats may be a nonprofit corporation organized under Iowa law in lieu of being a qualifying organization defined by the Internal Revenue Code and exempt from federal income taxation. The Act also provides for a two-year waiting period after a gambling game proposal for slot machines at a pari-mutuel racetrack or on an excursion boat has been defeated before another referendum may be called on the issue.

This Act takes effect May 16, 1995. However, the option for gambling games owners to be organized as Iowa nonprofit corporations is retroactive to January 1, 1995, and the delay on submitting a defeated gambling issue to another election is retroactive to September 1, 1994.

HEALTH AND SAFETY

- SENATE FILE 118** - Statewide Trauma Care System
- SENATE FILE 178** - Regulation of Emergency Medical Services
- HOUSE FILE 197** - Expansion of Volunteer Physician Program

RELATED LEGISLATION

- SENATE FILE 79** - Transfer of Dogs From Pounds to Institutions
SEE AGRICULTURE. This Act provides that a pound has discretion to transfer dogs to a research institution.
- SENATE FILE 82** - Medical Assistance
SEE HUMAN SERVICES. This Act relates to the payment of medical assistance debt of a deceased recipient through the moneys remaining in irrevocable burial trust funds or a homestead which descends to issue, exempts payment of medical assistance debts from the filing date for claims against an estate, requires certain health care facilities and the personal representative of a recipient of medical assistance to report the death of the recipient to the Department of Human Services within 10 days of the death, provides for rulemaking to implement reimbursement to counties which provide payment to the department for medical assistance recipients under certain conditions, provides conditions relating to the expenditure of income and principal placed in a medical assistance income trust or a special needs trust beginning October 1, 1995, and provides conditions relating to presumptive eligibility for pregnant women.
- SENATE FILE 84** - Individual Health Insurance Market Reform — Taxation
SEE BUSINESS, BANKING & INSURANCE. This Act creates a new Chapter 513C which establishes the Individual Health Insurance Market Reform Act and provides a tax deduction equal to the amount paid by the taxpayer for the purchase of health benefits coverage or insurance for the taxpayer or the taxpayer's spouse or dependent. The Act provides that the purpose of the Act is to promote the availability of health insurance coverage to individuals regardless of their health status or claims experience, prevent abusive rating practices, and improve the overall fairness and efficiency of the individual health insurance market.
- SENATE FILE 88** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including restoration of a provision referring to the representation of the State Fire Marshal by the county attorney and updating of references to the federal Resource Conservation and Recovery Act which are contained in the section establishing penalties for unlawful transportation of hazardous waste.
- SENATE FILE 114** - Controlled Substances — Anabolic Steroids
SEE STATE GOVERNMENT. This Act amends the section placing anabolic steroids into Schedule III of the Iowa Uniform Controlled Substances Act by listing the actual substances identified as anabolic steroids.
- SENATE FILE 116** - Access to Dependent Adult Abuse Information
SEE HUMAN SERVICES. This Act relates to access to confidential dependent adult abuse information by certain representatives of the Department of Human Services involved in an investigation of dependent adult abuse.

- SENATE FILE 117** - Anatomical Gifts
SEE HUMAN SERVICES. This Act replaces the former Uniform Anatomical Gift Act (Chapter 142A) with a new Act (Chapter 142C).
- SENATE FILE 150** - Miscellaneous Provisions Concerning Children
SEE CHILDREN & YOUTH. This Act includes various provisions involving children who are abused or removed from their home and includes a requirement for the Iowa Department of Public Health to adopt rules for medically relevant drug tests and to maintain a list of laboratories approved to perform the tests.
- SENATE FILE 174** - Regulation of Health Care Facilities — Dependent Adult Abuse
SEE HUMAN SERVICES. This Act relates to health facilities under the purview of the Department of Inspections and Appeals including reporting requirements related to alteration, addition or new construction; provisional licensure of psychiatric medical institutions for children; sexual exploitation by a caretaker in a facility; and time limitations for the reporting of suspected dependent adult abuse.
- SENATE FILE 202** - Birth Certificates — Licensure of Athletic Trainers
SEE STATE GOVERNMENT. This Act strikes the separate process by which out-of-wedlock birth certificates are filed directly with the State Registrar of Vital Statistics at the Department of Public Health. Additionally, the department is allowed to provide information on all births to local public health officials to support immunization activities. The Act also establishes the same requirements for an athletic trainer license for in-state and out-of-state licensee candidates.
- SENATE FILE 208** - Child Abuse and Termination of Parental Rights
SEE CHILDREN & YOUTH. This Act relates to child abuse and termination of parental rights provisions and creates an Iowa Child Death Review Team staffed by the Iowa Department of Public Health.
- SENATE FILE 280** - Provision of Emergency Medical Services by Townships
SEE LOCAL GOVERNMENT. This Act authorizes townships to provide emergency medical care. Currently, townships may provide ambulance service if the county does not provide the ambulance service.
- SENATE FILE 311** - Medical Advance Directives on Driver's Licenses
SEE TRANSPORTATION. This Act provides that a person may request the State Department of Transportation to indicate on the person's driver's license or nonoperator's identification card that the person has a medical advance directive.
- SENATE FILE 315** - Mental Health and Developmental Disabilities Assistance and Related Matters
SEE HUMAN SERVICES. This Act relates to various provisions regarding mental health and developmental disabilities and includes a provision affecting the Health Facilities Council of the Iowa Department of Public Health by extending a certificate of need moratorium on the number of intermediate care facility for the mentally retarded beds in the state and provides for access to certain mental health information by a county responsible for payment of costs.
- SENATE FILE 346** - Establishment of Licensee Review Committees by Licensing Boards
SEE HUMAN SERVICES. This Act relates to the establishment of licensee review committees for the purpose of evaluating and monitoring licensees who self-report physical or mental impairments to the respective board included under the chapter of the Code titled, "Continuing Education and Regulation — Professional and Occupational."
- SENATE FILE 431** - Child Support Collection — Licensing Sanctions and Other Miscellaneous Provisions
SEE HUMAN SERVICES. This Act relates to child support enforcement including establishment of a procedure to affect the license of certain child support obligors. For

the purposes of the Act, "license" means a license, certification, registration, permit, approval, renewal, or other similar authorization issued to an obligor by a licensing authority which evidences the admission to, or granting of authority to engage in, a profession, occupation, business, or industry, or to operate or register a motor vehicle.

- SENATE FILE 436** - Access to Child and Dependent Adult Abuse Information — Required Records Checks
SEE HUMAN SERVICES. This Act relates to certification and registry provisions involving the state child and dependent adult abuse registries and includes child abuse registry access, for purposes of certifying sex offender treatment providers, for employees of certain publicly operated child-serving programs and facilities, and for employees of certain waiver services under the Medicaid Program.
- SENATE FILE 443** - Assaults Upon and Interference With Certain Officials — Other Assault Provisions
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act creates the new offense of assault on peace officers, emergency medical care providers, or fire fighters; enhances the penalties applicable to interference with official acts of a peace officer, emergency medical care provider, or fire fighter; and also makes changes in the elements of serious misdemeanor domestic abuse assault and the aggravated misdemeanor assault in violation of individual rights.
- SENATE FILE 446** - Operating While Intoxicated and Related Provisions
SEE TRANSPORTATION. This Act makes a variety of changes relating to the use or possession of alcohol and the operation of motor vehicles, including moving language prohibiting the possession of open receptacles containing alcoholic beverages in a motor vehicle from Chapter 123 to Chapter 321 and providing that violations are punishable by a scheduled fine, establishing periods of "hard" revocation (no driving privileges) for persons who are convicted of operating while intoxicated, reducing the effective date of revocation of driver's licenses for OWI convictions, reducing the time within which a new hearing must be granted after an OWI license revocation hearing result is contested, providing for the administrative revocation of the motor vehicle license or nonresident operating privileges of persons under the age of 21 who are found to be operating a motor vehicle while having an alcohol concentration level of .02 or greater, but less than .10, and providing for the impoundment or immobilization of motor vehicles used by the person to commit second or subsequent operating while intoxicated offenses.
- SENATE FILE 462** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and contains various provisions relating to the Iowa Department of Public Health and health and safety matters, including the transfer of \$950,000 from the Iowa Department of Public Health to the Medical Assistance program for implementation of a substance abuse treatment managed care system, reimbursement of health service providers, and other provisions.
- SENATE FILE 481** - Appropriations — Transportation, Infrastructure, and Capital Projects
SEE APPROPRIATIONS. Division III of this Act provides for the transfer of lottery revenues in excess of \$34,400,000 deposited into the General Fund of the State during FY 1995 to the Department of Public Health for a grant to establish a rural medical care center in Tama, a conference to develop a plan to provide health insurance coverage to children of low-income families, and for a domestic violence center; and to the Department of Human Services for grants to establish pilot projects for placement of geriatric patients with mental illness. However, the Governor item vetoed these provisions.
- HOUSE FILE 41** - Establishment of Legal Settlement
SEE HUMAN SERVICES. This Act relates to legal settlement and includes a provision that requires a county public hospital, which furnishes care and treatment to an indigent

person who has legal settlement outside of the county, to notify, by regular mail, the auditor of the county of legal settlement of the indigent person that the county public hospital has provided care and treatment to the indigent person.

The Act takes effect May 1, 1995.

- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
SEE APPROPRIATIONS. This Act includes an item vetoed provision that would have required the Iowa Department of Public Health to take certain actions regarding implementation of managed care for substance abuse.
- HOUSE FILE 139** - Disclosure of Fee Determinations for Dental Care Benefit Coverage
SEE BUSINESS, BANKING & INSURANCE. This Act relates to the required disclosure by insurance companies and nonprofit health service corporations of the methods used to determine usual and customary fees for all dental care benefit coverages written in the state.
- HOUSE FILE 154** - Military Dentists and Dental Hygienists — Licensing Exemption
SEE STATE GOVERNMENT. This Act adds dentists and dental hygienists licensed in another state who are acting in the line of duty as members of the United States military service to the list of those individuals exempt from licensing by the Board of Dental Examiners.
- HOUSE FILE 217** - Educational Requirements for Nurses
SEE STATE GOVERNMENT. This Act requires that an individual complete one academic year of study as prescribed by the Board of Nursing Examiners to be licensed as a practical nurse. The law no longer recognizes an equivalent in theory and practice for licensing of practical nurses or registered nurses.
- HOUSE FILE 489** - Taxes Dedicated to Emergency Services by Townships
SEE LOCAL GOVERNMENT. This Act increases the allowable amount of tax credited to the reserve account for township fire protection and related emergency purposes from 10 cents to 30 cents per \$1,000 of taxable valuation.
- HOUSE FILE 492** - Landlords and Tenants
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act makes changes to the Uniform Residential Landlord and Tenant Act (Chapter 562A) and the Mobile Home Parks Residential Landlord and Tenant Act (Chapter 562B) regarding landlord and tenant remedies for defaults or situations creating a clear and present danger.
- HOUSE FILE 505** - Persons With Mental Retardation — Payment of Expenses
SEE HUMAN SERVICES. This Act addresses the service mandate for persons with mental retardation by authorizing counties to provide for the diagnosis of mental retardation by a qualified provider and requires counties to report any excess costs associated with an administrative rules change in the definition of "persons with mental retardation" to the Department of Human Services.
- HOUSE FILE 530** - 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 Iowa Department of Public Health, the Department of Human Rights, the Commission of Veterans Affairs, and the Governor's Alliance on Substance Abuse.

HEALTH AND SAFETY

SENATE FILE 118 - Statewide Trauma Care System

BY COMMITTEE ON HUMAN RESOURCES. This Act authorizes the Iowa Department of Public Health to develop and implement a coordinated system for the delivery of acute trauma care for injured Iowans. This system of care would include development of care criteria for hospitals and other emergency care facilities, protocols for treatment of injuries, and patient transfer guidelines for referrals from one institution to another. The department would receive advice and counsel from an advisory council consisting of providers from representative groups as specified in the Act. System oversight and evaluation would be achieved through data collection in a trauma system registry and analyzed by a quality assurance committee.

The Act creates a new division in Chapter 147A. Legislative findings and intent are set out in the Act. The Act designates the Iowa Department of Public Health as the lead agency for the implementation of the statewide trauma care system. The department is authorized to adopt rules to implement the Act. The department would categorize all hospitals and emergency care facilities to determine their capabilities to provide acute trauma care. All categorized facilities would then go through a verification process. The department is authorized to establish fees to help defray the costs of administering the categorization and certification processes.

The Act creates the Trauma System Advisory Council to assist the department in implementing the Act. The Act also creates a System Evaluation and Quality Improvement Committee and provides confidentiality protection for the peer review activities of the committee.

The Act also establishes a data reporting process to monitor and evaluate the implementation and effectiveness of the system. The data collected by and furnished to the department pursuant to the Act is not a public record under Chapter 22.

The Act allows the department to enjoin and assess a civil penalty against hospitals or emergency care facilities which misrepresent their trauma care capabilities as certified under the Act.

The Act requires the Iowa Trauma Advisory Council and the department to use findings and recommendations contained in the Iowa Trauma Care Plan developed by the Iowa Trauma Systems Project Planning Consortium. The consortium is abolished once the Trauma System Advisory Council is established.

SENATE FILE 178 - Regulation of Emergency Medical Services

BY COMMITTEE ON HUMAN RESOURCES. This Act consolidates Code regulation of emergency medical services (EMS) into Chapter 147A and eliminates previous references to basic EMS providers in Chapter 147 and other sections of the Code. An EMS Advisory Council is established to advise the Director of the Iowa Department of Public Health on policy and administration. The Act requires the department to inspect and license all EMS services. Those services previously not regulated that experience undue hardship through immediate compliance with these regulations may be granted variances by the director. The Act allows the department to define by rule the skills of the three levels of EMS providers and clarifies the role of the EMS provider.

The term "EMS provider" is expanded to include all levels of provider. The Act includes provisions for emergency rescue technician and instructor certification. The Act defines emergency medical services, nonemergency medical services, and emergency rescue technician.

The Act establishes the EMS Advisory Council to be appointed by the director of the department. The duties of the council are to advise the director and develop policy recommendations concerning the regulation, administration and coordination of emergency medical services. The Act applies service regulations to all EMS service providers and allows the director to grant variances in cases of hardship if the service adopts a plan by July 1, 1996, to achieve compliance within a period not to exceed seven years.

The Act provides that the department may issue, deny, revoke, or suspend EMS provider certificates. The department is directed to adopt rules to recognize previous training and experience of first responders and

emergency medical technicians to provide for an equitable transition to the EMT-basic certification and may require additional training.

The Act requires the department to adopt medical care procedures that can be initiated by EMS personnel before remote supervision commences or remote supervision fails. Voluntary services are not required to provide a level of care beyond minimum basic care standards.

The Act adds advanced registered nurse practitioners and licensed practical nurses to EMS personnel who are exempt from liability if following orders from a physician, physician's designee, advanced registered nurse practitioner, or physician assistant at the scene of an emergency and adds registered nurses and advanced registered nurse practitioners to those individuals not subject to civil liability solely for not obtaining consent before starting emergency aid.

The Act establishes the department as being jointly responsible, with the medical director of the ambulance, rescue or first response services, in consultation with the Board of Nursing Examiners and the Board of Physician Assistant Examiners, for developing rules governing nurses and physician assistants in emergency care roles. The department is responsible for any additional cost for training and equipment as a result of this Act.

HOUSE FILE 197 - Expansion of Volunteer Physician Program

BY MUNDIE. This Act expands the Volunteer Physician Program to include other health care providers and to be applicable to certain charitable organizations. The Act defines the terms "health care provider" to include physicians, nurses and physician assistants and "charitable organization" to include nonprofit organizations providing or supporting medical services to children. The program provides for the utilization of voluntary medical services through registration with the Iowa Department of Public Health and provides for protection from liability to the volunteer for services provided to the extent that a state employee is indemnified and held harmless under the Iowa Tort Claims Act.

HUMAN SERVICES

- SENATE FILE 82 - Medical Assistance
- SENATE FILE 116 - Access to Dependent Adult Abuse Information
- SENATE FILE 117 - Anatomical Gifts
- SENATE FILE 149 - Miscellaneous Child Support Recovery Provisions
- SENATE FILE 174 - Regulation of Health Care Facilities — Dependent Adult Abuse
- SENATE FILE 223 - Notification of Tax Suspension — Public Assistance Recipients
- SENATE FILE 315 - Mental Health and Developmental Disabilities Assistance and Related Matters
- SENATE FILE 346 - Establishment of Licensee Review Committees by Licensing Boards
- SENATE FILE 431 - Child Support Collection — Licensing Sanctions and Other Miscellaneous Provisions
- SENATE FILE 432 - Sexually Violent Predators
- SENATE FILE 436 - Access to Child and Dependent Adult Abuse Information — Required Records Checks
- HOUSE FILE 41 - Establishment of Legal Settlement
- HOUSE FILE 483 - Human Services Activities — Mental Retardation Commitment Proceedings
- HOUSE FILE 505 - Persons With Mental Retardation — Payment of Expenses

RELATED LEGISLATION

- SENATE FILE 69 - Income and Property Tax Relief — Mental Health Funding
SEE TAXATION. This Act relates to tax provisions involving state income tax and property taxes, including county mental health, mental retardation and developmental disabilities services, expenditures, and property tax levies for the expenditures. The service provisions involve the Department of Human Services.
- SENATE FILE 88 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including conforming language in the child abuse reporting procedures to other provisions enacted in 1994 to specify that it is the subject of the child abuse report who is entitled to access to the list of persons who have received information referring to the subject.
- SENATE FILE 114 - Controlled Substances — Anabolic Steroids
SEE STATE GOVERNMENT. This Act amends the section placing anabolic steroids into Schedule III of the Iowa Uniform Controlled Substances Act by listing the actual substances identified as anabolic steroids.
- SENATE FILE 118 - Statewide Trauma Care System
SEE HEALTH & SAFETY. This Act establishes a statewide trauma care delivery system to be implemented by the Iowa Department of Public Health in consultation with the Trauma System Advisory Council. This system of care includes development of care criteria for hospitals and other emergency care facilities, protocols for treatment of injuries, and patient transfer guidelines for referrals from one institution to another.
- SENATE FILE 132 - Victim Compensation
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act adds a new category of persons, termed secondary victims, who are eligible to receive compensation

under Chapter 912, the "Crime Victim Compensation" chapter, and increases the cap on compensation that may be received by a victim for lost wages from \$2,000 to \$6,000.

- SENATE FILE 150** - Miscellaneous Provisions Concerning Children
SEE CHILDREN & YOUTH. This Act includes various provisions involving children and the Department of Human Services, including foster care, termination of parental rights, adoption proceedings and services, children affected by drugs, judges and other court employee training, child abuse information, child custody proceedings and mediation, and consideration of a history of domestic abuse in certain proceedings.
- SENATE FILE 208** - Child Abuse and Termination of Parental Rights
SEE CHILDREN & YOUTH. This Act relates to child abuse and termination of parental rights provisions and includes a directive for the Department of Human Services to implement pilot projects for an assessment-based approach for responding to child abuse reports.
- SENATE FILE 239** - Mediation in Dissolution of Marriage Proceedings
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act provides for required mediation in dissolution of marriage proceedings under certain circumstances and makes conforming changes in the law relating to the awarding of child custody.
- SENATE FILE 352** - Family Investment and Related Human Services Programs — Additional Requirements
SEE CHILDREN & YOUTH. This Act is one of two bills (see also S.F. 433) relating to the Family Investment Program and related human services programs. The Act requires the Department of Human Services to apply for certain federal waivers to change program policies and financial provisions.
- SENATE FILE 433** - Family Investment and Related Human Services Programs — Limited Benefit Plans
SEE CHILDREN & YOUTH. This Act relates to the Family Investment Program (FIP, formerly known as Aid to Families with Dependent Children) by requiring the Department of Human Services to apply for a federal waiver to revise the limited benefit plan provisions of the program.
- SENATE FILE 462** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and includes various provisions relating to the department and its programs.
- SENATE FILE 475** - State Financial Provisions
SEE APPROPRIATIONS. This Act revises various state financial provisions and includes an item vetoed provision which would have required the Revenue Estimating Conference to agree to a preliminary projection of the amount required to fund the Medical Assistance (Medicaid) Program in the succeeding fiscal year.
- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
SEE APPROPRIATIONS. This Act includes item vetoed provisions that would have reallocated certain appropriations to the Department of Human Services for FY 1994-1995 and makes an appropriation to the department for FY 1995-1996 for certain Medicaid expenditures for minors with mental retardation.
- HOUSE FILE 139** - Disclosure of Fee Determinations for Dental Care Benefit Coverage
SEE BUSINESS, BANKING & INSURANCE. This Act relates to the required disclosure by insurance companies and nonprofit health service corporations of the methods used to determine usual and customary fees for all dental care benefit coverages written in the state.

- HOUSE FILE 197** - Expansion of Volunteer Physician Program
SEE HEALTH & SAFETY. This Act expands the existing Volunteer Physician Program to include other health care providers and to be applicable to certain charitable organizations as defined in the Act.
- HOUSE FILE 337** - Involuntary Hospitalization Criteria and Procedures
SEE COURTS, CIVIL LAW & PROCEDURE & PROBATE. This Act strikes language from one of the criteria used to establish that a person is seriously mentally impaired for purposes of an involuntary hospitalization proceeding and makes changes in the probable cause procedures applicable to the emergency hospitalization of persons alleged to be seriously mentally impaired.

HUMAN SERVICES

SENATE FILE 82 - Medical Assistance

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the Medical Assistance (Medicaid) Program.

The Act provides that a pregnant woman who is establishing eligibility for medical assistance under the presumptive eligibility provisions is eligible for ambulatory prenatal care until the last day of the month following the month of determination of presumptive eligibility. If the Department of Human Services receives the woman's application for medical assistance during the time in which the woman is presumptively eligible, the woman is eligible until the time that the department actually determines the woman's ineligibility.

The Act also provides for the notification of the department by the administrator of a nursing facility, an intermediate care facility for the mentally retarded, or a mental health institute, and by the personal representative of a person within 10 days of the person's death if a debt is due from the person's estate to the state for medical assistance provided. The Act provides that moneys remaining in an irrevocable burial trust fund, after all payments are made in accordance with the conditions and terms of the agreement for funeral merchandise or funeral services or for cemetery merchandise, are to be returned to the decedent's estate for probate, or, if the estate is not subject to probate and a medical assistance debt is due the state, the remaining funds are available for payment of the debt.

The Act also provides that a homestead which descends to an issue of a recipient of medical assistance for whom a debt is owing is not exempt for the purpose of payment of the debt and also provides that claims against a decedent's estate for medical assistance debt are not subject to the filing date deadline applicable to other claims against an estate. The Act also amends the conditions for expenditure of income and principal placed in medical assistance income trusts and special needs trusts, and requires the Department of Human Services to adopt rules to provide that if the state is repaid for a medical assistance debt through a medical assistance income trust or a medical assistance special needs trust, the department is required to reimburse the county if a county had previously reimbursed the department for medical assistance provided the recipient.

The Act takes effect July 1, 1995, with the exception of the section relating to the conditions for expenditure of income and principal placed in medical assistance income trusts and special needs trusts that takes effect October 1, 1995.

SENATE FILE 116 - Access to Dependent Adult Abuse Information

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to access to confidential dependent adult abuse information by adding to the list of persons involved in an investigation of dependent adult abuse with access, those representatives of the Department of Human Services who are involved with the certification or accreditation of an agency or program providing care or services to a dependent adult alleged to have been a victim of abuse.

SENATE FILE 117 - Anatomical Gifts

BY COMMITTEE ON HUMAN RESOURCES. This Act replaces the former Uniform Anatomical Gift Act (Chapter 142A) with a new Uniform Anatomical Gift Act (Chapter 142C).

The new Act provides a definition of "anatomical gift," expands the definition of "bank or storage facility" (organization), and defines "document of gift," "enucleator" (a person certified to remove eyes or eye parts), "medical examiner," "organ procurement organization," and "technician." Other existing definitions are retained or amended only nonsubstantively.

The new Act provides that in addition to competent persons 18 years of age or older, a person 14 through 17 years of age may make an anatomical gift if the person and the person's parent or legal guardian sign the document of gift. The new Act also provides that an indication of donation on a donor's individual motor vehicle driver's license is an expression of intent to make an anatomical gift. The new Act also eliminates the requirement that the document of gift, if other than a will, and if signed by the donor, be signed in the presence of two witnesses who also must sign the document in the presence of the donor. The new Act does retain the requirement of the signing of a document of gift in the presence of two witnesses in the presence of the donor, if the document of gift is signed for the donor by another person.

In the area of revocation of an anatomical gift, the new Act eliminates the required delivery or communication of a signed or oral statement to a donee, and eliminates the provision of destruction, cancellation, or mutilation of the document and all executed copies of the document as a means of revocation. The new Act also provides that a donor may refuse to make an anatomical gift, and provides that if a donor makes a gift of a part, this does not limit the donation of other parts by the donor, nor does the revocation of a gift preclude subsequent donations. The new Act also provides an example of a uniform donor card form.

The new Act amends the list of individuals other than the donor who may make an anatomical gift of the decedent's body by adding grandparents of the decedent to the list and by eliminating the category of "any other person obligated to dispose of the body." The new Act also provides that the right of an attorney in fact under a durable power of attorney for medical care supersedes all others listed as to donation of the decedent's body or parts.

The new Act provides for the coordination of procurement use between hospitals and organ procurement organizations throughout the state. The new Act also specifies what is not considered valuable consideration in regard to sale or purchase of parts and establishes sale or purchase of parts as a class "C" felony with an increased fine. The new Act specifies the types of examination of an anatomical gift that may be performed to ensure medical acceptability of the gift and provides additional immunity for donors and their estates for donations made in good faith.

The Act also provides for transition from the former Act to the new Act beginning July 1, 1995. A provision included in S.F. 486 (See Appropriations) also provides that a document of gift, revocation, or refusal to make an anatomical gift pursuant to the law in effect prior to July 1, 1995, is not affected by the new law. The new Act also provides for repeal of the former Uniform Anatomical Gift Act (Chapter 142A).

SENATE FILE 149 - Miscellaneous Child Support Recovery Provisions

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to child support recovery.

The Act provides that if the Department of Human Services is responsible for the foster care costs of a child, any order establishing paternity and support for the child shall establish the obligation of the parent or guardian for the cost of foster care provided by the department. The Act also provides that establishment of paternity by affidavit is only applicable if paternity has not previously been legally established.

The Act also amends prior law to provide for notice of only the duty to provide medical support in the notice of support debt issued prior to administrative establishment of support rather than a demand for immediate payment, and provides that an income withholding order sent to an employer or other payor of income is binding whether or not the copy sent is a copy file-stamped by the clerk of court.

The Act specifies that the procedure to overcome paternity under the "Dissolution of Marriage" chapter is only to be used in a pending dissolution action and that in all other situations the procedure to overcome paternity under Section 600B.41A is to be used. The Act also provides that if paternity is overcome, the previously established father is relieved of support obligations unless a subsequent determination is made that paternity was incorrectly overcome.

The Act provides for use of other testing procedures to establish paternity in addition to the use of blood types.

SENATE FILE 174 - Regulation of Health Care Facilities — Dependent Adult Abuse

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to health facilities under the purview of the Department of Inspections and Appeals. The Act eliminates a requirement that a hospital licensee or license applicant submit plans to the department prior to alteration, addition or new construction, for inspection and approval or recommendations by the department; provides for provisional licensure for psychiatric medical institutions for children; defines sexual exploitation by a caretaker, employed by or providing services to a health care facility, as dependent adult abuse for the purposes of the "Adult Abuse" chapter; and requires the person in charge of a health care facility or the person's designated agent to make a report of suspected dependent adult abuse to the Department of Human Services by the end of the next business day following the receipt of a report.

SENATE FILE 223 - Notification of Tax Suspension — Public Assistance Recipients

BY COMMITTEE ON HUMAN RESOURCES. This Act removes the requirement that the Department of Human Services notify the appropriate county boards of supervisors to suspend taxes when a landowner or a person purchasing land under contract in the county receives state payment for care either as a recipient of supplemental security income or state supplementary assistance, or as a resident of a health care facility. Under the Act, the recipient of state payment for care is responsible for notifying the board of supervisors.

SENATE FILE 315 - Mental Health and Developmental Disabilities Assistance and Related Matters

BY TINSMAN AND SORENSEN. This Act relates to various provisions regarding mental health and developmental disabilities by extending a moratorium on the number of intermediate care facility for the mentally retarded (ICF/MR) beds, providing for access to certain mental health information by a county responsible for payment of costs, and applying certain requirements to the State-County Management Committee.

Legislation enacted during the 1993 Legislative Session applied a moratorium through June 30, 1995, on the number of ICF/MR beds by restricting issuance of a certificate of need by the Health Facilities Council. This moratorium was revised in legislation enacted during the 1994 Legislative Session to permit the development of new beds in underserved areas so long as the overall cap is not exceeded. This moratorium is part of session law and was not codified. The Act extends the moratorium through June 30, 1997, and codifies the moratorium as part of the certificate of need provisions in Chapter 135. The extension of the moratorium takes effect May 1, 1995.

The Act provides for access to certain mental health information by a county responsible for payment of costs. Chapter 228, relating to disclosure of mental health and psychological information, is amended to include the name and number of the third-party payor in the definition of administrative information. Prior law included only the third-party payor number of a patient in the definition of administrative information. Section 229.24, relating to confidentiality provisions in the chapter providing for hospitalization of persons with mental illness, is amended to authorize a county of legal settlement and the county in which the hospitalization takes place to have access to administrative and payment information concerning a patient. Similar access to information is provided in Section 230.20, which provides for charging of per diems to counties for care provided in a state mental health institute.

The State-County Management Committee consists of state, county, service provider, and consumer representatives and ex officio legislator members who are charged to study, make recommendations, and consult with the Department of Human Services regarding information and rules development for mental health and developmental disabilities services. The Act addresses the county membership of the committee by requiring members to be selected, through a secret ballot process, from members of the county supervisor affiliate of the Iowa State Association of Counties. This provision applies as vacancies in the county representatives membership occur on the committee.

In addition, the Act charges the committee to include additional items in the statutorily required report to be submitted to the Governor and the General Assembly by January 1, 1996. The additional items include proposed benchmarks for efficiency and quality in the delivery of mental health and developmental disabilities assistance by the state and counties, recommendations for the state and counties to provide assistance under a fixed funding budget, and issues involving ICF/MRs. This committee was also assigned additional issues for study in S.F. 69 (See Taxation).

SENATE FILE 346 - Establishment of Licensee Review Committees by Licensing Boards

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for the establishment by each licensing board named under Chapter 272C, titled "Continuing Education and Regulation - Professional and Occupational," of a licensee review committee for the purpose of evaluating and monitoring licensees who self-report physical or mental impairments to the board. The Act provides that if a licensee referred to the committee violates an existing ground for revocation or suspension of a license while under the review of the committee, the licensee will be referred to the licensing board for appropriate action.

The Act directs each licensing board to adopt rules for the establishment and administration of the respective committee, provides that information in possession of the licensing board or the committee due to self-reporting of a

licensee is confidential, and provides that the establishment of the committee does not relieve the licensing board of the board's duties nor does the establishment of the committee divest the board of the authority or jurisdiction that the board would otherwise have.

SENATE FILE 431 - Child Support Collection — Licensing Sanctions and Other Miscellaneous Provisions

BY COMMITTEE ON HUMAN RESOURCES. This Act establishes new provisions relating to child support enforcement. The Act creates a new Chapter 252J, which provides a process for the denial of initial issuance or renewal of a license, the suspension of a license, or the revocation of a license of an obligor if the obligor's support order is being enforced by the Child Support Recovery Unit (CSRU) of the Department of Human Services, if the obligor is delinquent in payment of support in an amount equal to the payment for 90 days, and if the obligor also meets other criteria established by rule of CSRU.

For the purposes of the Act, "license" means a license, certification, registration, permit, approval, renewal, or other similar authorization issued to an obligor by a licensing authority which evidences the admission to, or granting of authority to engage in, a profession, occupation, business, or industry, or to operate or register a motor vehicle. "License" does not mean or include licenses for hunting, fishing, boating, or other recreational activity. The Act also provides a procedure for application of the provisions which includes a conference to challenge CSRU's actions under the chapter, termination of an action taken by CSRU under certain circumstances including payment of the total amount of delinquent support by the obligor, request by an obligor for a hearing before the district court to challenge an action of the unit, and requirements of a licensing authority under the Act.

The Act also establishes a monthly child support payment amount of \$25 for a parent who is 19 years of age or younger, who has not received a high school or high school equivalency diploma, and to whom other specified criteria apply.

SENATE FILE 432 - Sexually Violent Predators

BY COMMITTEE ON JUDICIARY. This Act makes changes in the procedures contained in, and effective date of, the Sexually Violent Predator Act. The county attorney and Attorney General will both receive notice of the impending release of a person who has been convicted of a sexually violent offense. If a petition is filed, the trial to determine whether the person is a sexually violent predator is to be held in the county in which person was originally convicted of the sexually violent offense. The costs incurred by a county in filing a sexually violent predator petition, the cost of evaluations, the cost of trial and prosecution of the petition, the cost of court-appointed counsel, and the costs of holding and treating a person found to be a sexually violent predator are to be paid by the state. If a person who has been found to be a sexually violent predator is to be released from a facility under the control of the Department of Human Services, the registered victim of any sexually violent offense committed by the person is to be notified of the impending release. The effective date of the "Sexually Violent Predators" chapter is pushed back one year, to July 1, 1996, and is made to apply to persons convicted of sexually violent offenses on or after July 1, 1997. However, S.F. 486 (See Appropriations) amends this Act to change the July 1, 1996, effective date to July 1, 1997, so that the chapter takes effect and applies to persons convicted on or after July 1, 1997.

The Act provides that the Department of Justice, in consultation with the Department of Human Services, is to conduct a study of the issues involved in the implementation of the "Sexually Violent Predators" chapter and submit a report to the General Assembly, on the costs of and security problems related to the confinement of sexually violent predators, legal issues surrounding the commitment and confinement of sexually violent predators, and potential alternatives to commitment and confinement of sexually violent predators. The report is due by January 1, 1996.

SENATE FILE 436 - Access to Child and Dependent Adult Abuse Information — Required Records Checks

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to certification and registry provisions involving the state child and dependent adult abuse registries and requires records checks for certain Medicaid Program service providers.

The Act provides access to child abuse registry information to the Iowa Board for Treatment of Sexual Abusers for purposes of certifying sex offender treatment providers, and to the administrator of a facility or program operated by

the state, a city, or a county which provides care directly to children, for employment screening purposes. In addition, authorization for access to the child abuse registry by the Department of Personnel, as necessary for presentation in grievance or arbitration procedures, is expanded to provide access for this purpose to the personnel office of any public employer.

The Act also requires that employees of service providers under a Medicaid home and community-based waiver have a criminal history and child and dependent adult abuse registry check. The waiver programs currently available are directed to persons with special needs, for example, persons with mental retardation. The Act authorizes access to the registries for the purpose of performing those checks.

HOUSE FILE 41 - Establishment of Legal Settlement

BY BLODGETT. This Act relates to legal settlement provisions. The Act provides that provisions relating to legal settlement of an individual found within the state and legal settlement involving nonresidence or unknown settlement apply to legal settlement disputes under Section 230.12, which relates to persons admitted or committed to a state hospital for persons with mental illness.

The Act also amends current statutory provisions relating to legal settlement for blind persons. The Act provides that a blind person who has resided in one county of the state for six months acquires legal settlement for support in that county. However, if the blind person is only in that county due to the person receiving treatment or support services from an institution, facility or provider in that county, the blind person does not acquire legal settlement in that county after six months, unless the person resided in the county in which the institution, facility or provider is located for a period of six months either prior to commencement of receipt of assistance or subsequent to the date of termination of assistance. The Act also provides that redetermination of legal settlement for a blind person who acquired legal settlement in the state on or after July 1, 1994, and prior to May 1, 1995, may be made notwithstanding law which provides that legal settlement, once established, continues until the person acquires legal settlement in another county or state or until the person has been absent from the state for more than one year. The Act also provides that if legal settlement of a blind person was established in Iowa prior to May 1, 1995, eligibility of the blind person for future assistance may be redetermined. If eligibility is redetermined and if the blind person had no legal settlement in Iowa prior to receiving assistance, the state is to pay the costs of any assistance provided subsequent to the redetermination. The Act provides that the provisions of the Act are not retroactive, with the exception of the provisions relating to redetermination of eligibility of a blind person for assistance, and that the Act is not to be construed in a manner which affects, denies or negates assistance, services or treatment provided to individuals prior to May 1, 1995.

The Act also requires a county public hospital that furnishes care and treatment to an indigent person, who has legal settlement outside of the county, to notify, by regular mail, the auditor of the county of legal settlement of the indigent person that the county public hospital has provided care and treatment to the indigent person.

The Act takes effect May 1, 1995.

HOUSE FILE 483 - Human Services Activities — Mental Retardation Commitment Proceedings

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to Department of Human Services activities and institutions involving persons with disabilities. The Act originated from prefiled legislation submitted by the department and includes provisions agreed to by the state in the consent decree for Conner v. Branstad, a federal district court case involving placement, care, and treatment procedures at the state hospital-schools. This Act includes department provisions involving the state hospital-schools and other institutions and the department's public housing unit.

This Act addresses wages paid to residents of institutions under the control of the department. These institutions include the two state hospital-schools, the four mental health institutes, the State Training School at Eldora, and the Iowa Juvenile Home at Toledo. Under prior law, the superintendent of an institution could pay wages to residents for services rendered to the state, if deemed practicable, in an amount based upon consideration of the costs of the resident's care. The Act requires payment for services rendered to the state in accordance with federal wage and hour requirements.

The Act amends the statutory authority for the Division of Mental Health and Developmental Disabilities to establish a public housing unit. The Act removes the prior law that restricted the unit's scope to persons with mental illness, mental retardation or other developmental disability, or brain injury.

The Act authorizes the state hospital-schools and state mental health institutes to contract with a person (the term "person" is defined in Section 4.1 to include an individual, corporation, political subdivision, or other legal entity) to provide consultation or treatment services. The contract must include charges reflecting the actual costs of providing the services. Any income realized under a contract may be retained by the institution. The provisions are incorporated into the Code sections which detail computation of charges to counties for services provided in the institutions. Any income or expense associated with a contract cannot be included in the computation of the charges unless a county is a voluntary party to the contract.

The Act addresses placements at the state hospital-schools and related facilities by applying procedural requirements to placements at these institutions. Prior law in Section 222.13, providing for voluntary placement of an individual by the individual's parent, guardian, or custodian, is modified by restricting voluntary placement of an adult to the individual or the individual's guardian and by establishing a separate procedure for minors. In new Section 222.13A, procedures for a juvenile court hearing are provided in the event a minor objects to a voluntary placement initiated by the minor's parent, guardian or custodian.

The Act also strikes and rewrites Section 222.15, relating to discharge of residents of a state hospital-school or other facility who were voluntarily admitted. The Act establishes procedural provisions in the event the person or the person's guardian makes a written request for the person's release. If a person was admitted at the person's own request or at the request of a guardian, the person requesting admission must also approve the request for release. If the person is a minor, the minor's legal agent must approve the release, as must the juvenile court if the court was involved with the placement. In addition, the Act provides procedures to prohibit release of the person in the event the placement agency believes the person's or the community's safety would be affected by the release.

The Act authorizes the chief judge of each judicial district to appoint county judicial hospitalization referees to fulfill the court's duties regarding involuntary commitments of persons with mental retardation. A petitioner may appeal a referee's finding or commitment order to a district court judge. The juvenile court is given jurisdiction over cases of minors with mental retardation.

The Act also strikes and rewrites Section 222.59. Under prior law, this section provided for superintendents of hospital-schools or special units to transfer or release patients. Prior law also provided for advance planning, written records, notice of affected parties, and continuing responsibility for patient welfare. The rewritten section provides for the resident or the resident's legal agent to request a superintendent's assistance in locating alternative services or placement. The assistance can either be in the form of provision of information or of a referral. If the resident was voluntarily admitted and an alternative placement is desired, the Act's discharge provisions for voluntary admissions apply. If the resident was involuntarily admitted, court authorization is required to change the placement. Section 225C.4 is amended to remove a responsibility for the Administrator of the Division of Mental Health and Developmental Disabilities to provide consultation to patients' advocates appointed pursuant to Section 222.59. The rewritten Section 222.59 no longer refers to patients' advocates.

The statutory purpose of the state hospital-schools is expanded to include disabilities other than mental retardation. Section 222.60, which includes a mandate for counties to pay for services to persons at the state hospital-schools, is amended to limit that liability to persons with mental retardation.

HOUSE FILE 505 - Persons With Mental Retardation — Payment of Expenses

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to payment of expenses for persons with mental retardation. The provisions of the Act have been an item of controversy before the Administrative Rules Review Committee and the Act includes cost provisions associated with that controversy.

The Act amends Section 222.60, relating to costs paid by a county of legal settlement or the state for expenses associated with admission or commitment, treatment, training, instruction, care, habilitation, support, and

transportation of persons with mental retardation in state, public or private facilities within or outside of the state. The amendment authorizes a county to require a diagnosis to determine if a person has mental retardation or an evaluation of a person's mental retardation service needs prior to approving the payment of the expenses. In addition, following the initial approval for payment of expenses, the county may require an evaluation to be performed at reasonable time periods. If a person is without legal settlement or the settlement is unknown, the state may apply the same diagnosis and evaluation provisions. The cost of an evaluation is to be paid by the county of legal settlement or the state.

The Act also requires that a diagnosis of mental retardation be made only when the onset of the person's condition is prior to age 18 and is to be based on an assessment of the person's intellectual functioning and level of adaptive skills. The individual performing the diagnosis must be a psychologist or psychiatrist who is professionally trained to administer the tests and evaluate adaptive skills. In addition, the diagnosis must be made in accordance with the criteria provided in the Diagnosis and Statistical Manual of Mental Disorders, fourth edition, published by the American Psychiatric Association (commonly referred to as the DSM-IV).

The Act specifies that a diagnosis or an evaluation may be performed as part of a county's single entry point process under Section 331.440, provided that a diagnosis is performed by an individual qualified as provided in the Act. The single entry point process under Section 331.440 authorizes a clinical assessment to be performed using a qualified mental retardation professional.

The Act includes a provision requiring counties to report any increased costs associated with changes to administrative rules made by the Department of Human Services to the definition of "persons with mental retardation" which result in increased costs to counties in the period beginning July 1, 1993, and ending June 30, 1995. If the increased costs exceed \$2 million, a supplemental appropriation for the excess is to be requested during the 1996 Legislative Session for pro rata distribution to counties.

LABOR AND EMPLOYMENT

- SENATE FILE 155** - Unemployment Compensation — Overpayment and Wage Credit Liability Transfer Provisions
- SENATE FILE 159** - Wage Payment Upon Suspension or Termination of Employment
- SENATE FILE 286** - Workers' Compensation — Computation of Weekly Earnings — Judicial Review Procedures

RELATED LEGISLATION

- SENATE FILE 266** - Appropriations — Education
SEE APPROPRIATIONS. This Act appropriates funds to the Department of Education for the purposes of developing and implementing a Career Pathways Program (See also Education - H.F. 565).
- SENATE FILE 431** - Child Support Collection — Licensing Sanctions and Other Miscellaneous Provisions
SEE HUMAN SERVICES. This Act relates to child support enforcement including establishment of a procedure to affect the license of certain child support obligors. For the purposes of the Act, "license" means a license, certification, registration, permit, approval, renewal, or other similar authorization issued to an obligor by a licensing authority which evidences the admission to, or granting of authority to engage in, a profession, occupation, business, or industry, or to operate or register a motor vehicle.
- SENATE FILE 436** - Access to Child and Dependent Adult Abuse Information — Required Records Checks
SEE HUMAN SERVICES. This Act relates to certification and registry provisions involving the state child and dependent adult abuse registries and includes child abuse registry access for personnel offices of public employers as necessary for presentation in grievance or arbitration procedures.
- SENATE FILE 437** - Iowa Public Employees' Retirement System
SEE STATE GOVERNMENT. This Act contains changes pertaining to the Iowa Public Employees' Retirement System.
- HOUSE FILE 215** - Hard Labor by Inmates
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act requires that all inmates of institutions under the control of the Department of Corrections, who are determined to be physically and mentally able to perform work and who in performing the work will not present an unreasonable security risk, perform hard labor on the average of, and as nearly as possible for, 40 hours per week. The Act provides for incremental implementation of the hard labor requirements and does not require full compliance with the requirements until July 1, 1997.
- HOUSE FILE 277** - Availability of Group Health Care Coverage for Unemployed Individuals
SEE BUSINESS, BANKING & INSURANCE. This Act repeals a law requiring the Department of Employment Services to make health care coverage available to individuals receiving unemployment benefits, payable through a deduction from unemployment benefits received by the individual.
- HOUSE FILE 483** - Human Services Activities — Mental Retardation Commitment Proceedings
SEE HUMAN SERVICES. This Act relates to Department of Human Services activities and institutions involving persons with disabilities and includes specification of the amount of wages paid to persons residing in the department's institutions.
- HOUSE FILE 512** - Appropriations — Economic Development
SEE APPROPRIATIONS. This Act appropriates and transfers from the General Fund

and other funds to the Department of Economic Development, the Department of Employment Services, the Public Employment Relations Board, the Wallace Technology Transfer Foundation, and the Iowa Seed Capital Corporation, and makes related statutory changes.

HOUSE FILE 565**- School-To-Work Transition System — Career Pathways Program**

SEE EDUCATION. This Act provides for the creation of a career pathways program. A portion of the moneys appropriated for the program shall be available to schools to pay for the issuance of employability skills assessments to students. A career pathways program must include the means of measuring the employability skills of students and curricula designed to integrate academic and work-based learning. A career pathways program may include career guidance and exploration for students; involvement and recognition of business, labor, and community organizations as partners in the career pathways program; and encouragement of team teaching within the school or in partnership with postsecondary schools, and business, labor, community, and nonprofit organizations.

LABOR AND EMPLOYMENT

SENATE FILE 155 - Unemployment Compensation — Overpayment and Wage Credit Liability Transfer Provisions
BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act eliminates the wage credit liability transfer provisions of the unemployment compensation law. Previously, when an employer hired a worker who quit another job, the employer inherited the wage credits the worker earned at the employee's previous job. Then, if a person filed an unemployment compensation claim, the employer was charged for the benefits earned with the previous employer. This Act provides that the employer is charged only for the benefits earned in their employ.

This Act allows both contributory and reimbursable employers to be credited on the appropriate employer's account when unemployment compensation benefit overpayments are made.

This Act also allows benefits for wage credits to be transferred to the Unemployment Compensation Fund in cases where an individual quit employment for another or better job and actually worked for the new employer.

The Act requires the Unemployment Compensation Fund, rather than a specific employer's account, to be charged for benefits when a person quits a job voluntarily without good cause attributable to the employer, refuses suitable work, or when a person was discharged for misconduct.

The Act deletes language that provided whether the former employer's or the succeeding employer's would be charged for benefits paid and provides that this Act applies to all decisions concerning claims for benefits made on or after July 2, 1995.

SENATE FILE 159 - Wage Payment Upon Suspension or Termination of Employment

BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act provides that wages earned by an employee whose employment is suspended or terminated shall be paid at the next regular payday in the pay period for which the wages were earned.

SENATE FILE 286 - Workers' Compensation — Computation of Weekly Earnings — Judicial Review Procedures
BY COMMITTEE ON BUSINESS AND LABOR RELATIONS. This Act makes several changes concerning workers' compensation. The provision specifying how the gross weekly earnings for seasonal occupations are to be calculated is struck from the Code. The earnings for seasonal employees will be calculated based on the other provisions of Section 85.36 concerning weekly earnings.

The Act also provides that the weekly rate of workers' compensation for volunteer ambulance drivers and emergency medical technician trainees shall be calculated based on the amount the individual would be paid if injured during the individual's regular employment or on an amount equal to 140 percent of the statewide average weekly wage, whichever is greater.

The Act also requires the industrial commissioner to transmit the record of a contested case proceeding to the reviewing court within 30 days of receiving written notice from the party filing the petition that a petition for judicial review has been filed.

The Act also provides that the state shall not pay any additional costs incurred by a political subdivision as a result of this Act.

LOCAL GOVERNMENT

- SENATE FILE 9 - Place of Filing Upon Abolition of County Recorder
- SENATE FILE 45 - Iowa League of Cities
- SENATE FILE 141 - Notice for Vacating and Closing Roads
- SENATE FILE 176 - Recording of Intergovernmental Agreements
- SENATE FILE 179 - Tax Levy for Certain County Hospitals
- SENATE FILE 226 - Removal of Valueless Mobile, Modular, and Manufactured Homes
- SENATE FILE 229 - Procedures for Public Purchases of Coal
- SENATE FILE 280 - Provision of Emergency Medical Services by Townships
- SENATE FILE 351 - Membership of Certain City Commissions and Boards
- SENATE FILE 385 - City Boards of Review
- SENATE FILE 394 - Requirements for Instruments Presented to County Recorders
- SENATE FILE 422 - Duties of County Recorders and District Court Clerks — Fees
- SENATE FILE 458 - Duties of County Treasurers
- HOUSE FILE 128 - Rural Water Districts
- HOUSE FILE 212 - Authority of City Administrative Agencies
- HOUSE FILE 406 - Public Investment and Use of Bond Proceeds
- HOUSE FILE 470 - City Assessments for Public Improvement Costs
- HOUSE FILE 489 - Taxes Dedicated to Emergency Services by Townships
- HOUSE FILE 577 - Real Estate Improvement District Pilot Project and Related Matters

RELATED LEGISLATION

- SENATE FILE 69 - Income and Property Tax Relief — Mental Health Funding
SEE TAXATION. This Act relates to tax provisions involving state income tax, county mental health and developmental disabilities expenditures and property tax levies for the expenditures, the county property tax limitation, and the property tax on industrial machinery, equipment and computers, and includes appropriations for property tax relief.
- SENATE FILE 82 - Medical Assistance
SEE HUMAN SERVICES. This Act relates to the Medical Assistance (Medicaid) Program and includes a provision requiring the Department of Human Services to adopt rules to provide that if the state is repaid for a medical assistance debt through a medical assistance income trust or a medical assistance special needs trust, the department is required to reimburse the county if a county had previously reimbursed the department for medical assistance provided the recipient.

- SENATE FILE 88** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including the restoration of a provision referring to the representation of the State Fire Marshal by the county attorney and the updating of a reference to an administrative fee that may be charged by the county treasurer for liens imposed for delinquent city utility and enterprise service charges.
- SENATE FILE 150** - Miscellaneous Provisions Concerning Children
SEE CHILDREN & YOUTH. This Act includes consideration of a history of domestic abuse in marriage dissolution court proceedings and requires the court to provide security in the courtroom under certain circumstances.
- SENATE FILE 215** - Rural Water Well Grants
SEE ENVIRONMENTAL PROTECTION. This Act allows the use of Agricultural Management Account moneys for grants to counties for private rural water supply well sealing.
- SENATE FILE 223** - Notification of Tax Suspension — Public Assistance Recipients
SEE HUMAN SERVICES. This Act removes the requirement that the Department of Human Services notify the appropriate county boards of supervisors to suspend taxes when a landowner or a person purchasing land under contract in the county receives state payment for care either as a recipient of supplemental security income or state supplementary assistance, or as a resident of a health care facility. Under the Act, the recipient of state payment for care is responsible for notifying the board of supervisors.
- SENATE FILE 225** - Printing of Election Ballots — Elimination of Competitive Bidding
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Act eliminates the requirement that competitive bids be taken on the printing of ballots if the cost exceeds \$5,000.
- SENATE FILE 315** - Mental Health and Developmental Disabilities Assistance and Related Matters
SEE HUMAN SERVICES. This Act relates to various provisions regarding mental health and developmental disabilities by extending a moratorium on the number of intermediate care facility for the mentally retarded beds, providing for access to certain mental health information by a county responsible for payment of costs, and applying certain requirements to the State-County Management Committee.
- SENATE FILE 333** - Drainage and Levee District and Water District Work — Notice Requirements
SEE AGRICULTURE. This Act amends procedures regarding notice of work completed within a drainage or levee district of land within the district by its governing body.
- SENATE FILE 409** - Duties of District Court Clerks — Additional Court Fees
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act requires that the sheriff certify, to the clerk of the district court of the county from which an inmate was sentenced, the amount of time the inmate has served in a county jail or other correctional facility prior to sentencing or after sentencing but prior to a decision on appeal. The clerk of the district court shall forward this certification to the warden.
- SENATE FILE 436** - Access to Child and Dependent Adult Abuse Information — Required Records Checks
SEE HUMAN SERVICES. This Act relates to certification and registry provisions involving the state child and dependent adult abuse registries and includes child abuse registry access for administrators of certain facilities or programs operated by a city or county and for personnel offices of any public employer as necessary for presentation in grievance or arbitration procedures.

- SENATE FILE 437** - Iowa Public Employees' Retirement System
SEE STATE GOVERNMENT. This Act contains changes pertaining to the Iowa Public Employees' Retirement System.
- SENATE FILE 462** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and contains various provisions affecting state funds provided to counties for juvenile justice, shelter care, and detention services; provides for continued decategorization of child welfare funding; provides state funding to counties for mental health, mental retardation, and developmental disabilities services; and fixes reimbursement rates for various services.
- SENATE FILE 472** - Local Option Sales and Services Tax
SEE TAXATION. This Act makes changes in the local option sales and services tax law in Chapter 422B.
- HOUSE FILE 41** - Establishment of Legal Settlement
SEE HUMAN SERVICES. This Act relates to legal settlement including provisions relating to blind persons and indigent persons.
- HOUSE FILE 118** - Witness Compensation for Volunteer Fire Fighters
SEE STATE GOVERNMENT. This Act provides that the party who subpoenas a volunteer fire fighter must pay reasonable compensation, based on the pay received by regular full-time fire fighters of the same rank within the judicial district, to volunteer fire fighters when subpoenaed to be witnesses related to activities arising in the course of duty.
- HOUSE FILE 132** - Supplemental Appropriations, Funding of Mental Retardation Services, and Related Matters
SEE APPROPRIATIONS. This Act includes a FY 1995-1996 appropriation to the Department of Human Services for Medicaid funding of certain services for children with mental retardation as required to void a contingent repeal of the county property tax limitation.
- HOUSE FILE 203** - Commission of Veterans Affairs
SEE STATE GOVERNMENT. This Act strikes and repeals provisions of the Code and the Iowa Acts that require the office of the Commission of Veterans Affairs be located at the Iowa Veterans Home in Marshalltown. The Act also directs the commission to study the costs of training currently provided to executive directors of county commissions of veterans affairs and to report its findings and recommendations to the General Assembly by January 1, 1996.
- HOUSE FILE 246** - Civil Litigation by Inmates and Prisoners — Inmate Accounts
SEE COURTS, CIVIL LAW & PROCEDURE & PROBATE. This Act requires an inmate or prisoner in a county jail to pay 20 percent of the required filing fee for a civil action or appeal filed by the inmate or prisoner prior to the action or appeal being heard. The county shall also have the right of setoff against any monetary obligation owed to an inmate or prisoner for whom the cost of incarceration can be calculated.
- HOUSE FILE 289** - Solid Waste Tonnage Fees
SEE ENVIRONMENTAL PROTECTION. This Act rewrites Section 455B.310 and Section 455E.11, subsection 2, paragraph "a," relating to the collection and allocation of solid waste tonnage fees. The Act also strikes a 38 percent waste reduction and recycling goal added during the 1994 Legislative Session which allowed a planning area that met the 38 percent goal to reduce the amount of the tonnage fees imposed by 25 cents per ton.

- HOUSE FILE 483** - Human Services Activities — Mental Retardation Commitment Proceedings
SEE HUMAN SERVICES. This Act relates to Department of Human Services activities and institutions involving persons with disabilities and includes provisions for certain institutions to contract with local governments and other entities to provide services.
- HOUSE FILE 505** - Persons With Mental Retardation — Payment of Expenses
SEE HUMAN SERVICES. This Act includes provisions providing for the diagnosis of mental retardation by a qualified provider.
- HOUSE FILE 556** - Property Tax Exemption for Speculative Shell Buildings
SEE TAXATION. This Act provides that a not-for-profit cooperative association may build a speculative shell building in a city or county and receive the same property tax exemption currently received by community development organizations or for-profit entities which build speculative shell buildings.

LOCAL GOVERNMENT

SENATE FILE 9 - Place of Filing Upon Abolition of County Recorder

BY HANSEN. This Act provides for the filing of documents and the performance of the duties of the office of the recorder if the office is abolished under Section 331.323, and ensures uniformity throughout the state of the performance of the duties of the recorder upon abolition of the office. However, the licensing duties of the recorder relating to hunting, fishing, boating, waterfowl, and snowmobiles are to be assigned by the board of supervisors.

The Act takes effect April 19, 1995, and is retroactive to January 1, 1995, for instruments filed or recorded between January 1, 1995, and April 19, 1995.

SENATE FILE 45 - Iowa League of Cities

BY COMMITTEE ON LOCAL GOVERNMENT. This Act changes the name of the League of Iowa Municipalities to the Iowa League of Cities. Members of the League of Iowa Municipalities adopted a resolution at their 1994 annual meeting changing the League's name.

SENATE FILE 141 - Notice for Vacating and Closing Roads

BY GIANNETTO. This Act requires that only those property owners outside the boundary of a city who own 10 or more acres of land within one mile of a road that is being vacated or closed be notified by regular mail of the public hearing. Prior law required that all property owners within one mile of the road be notified by regular mail of the public hearing. Section 306.11 requires that the agency in control of a road must hold a public hearing relating to the vacating and closing of the road in the county, or one of the counties, in which the road is located.

SENATE FILE 176 - Recording of Intergovernmental Agreements

BY HANSEN. This Act provides that intergovernmental agreements for the joint exercise of governmental power, commonly known as Chapter 28E agreements, shall be filed in the county auditor's office in those counties in which the office of the county recorder has been abolished.

SENATE FILE 179 - Tax Levy for Certain County Hospitals

BY COMMITTEE ON LOCAL GOVERNMENT. This Act increases the maximum property tax levy for improvements and maintenance of county hospitals in counties with a population of 225,000 or more from \$1.35 to \$1.75 per \$1,000 of assessed value for taxes payable in the fiscal year beginning July 1, 1996, and for subsequent fiscal years.

SENATE FILE 226 - Removal of Valueless Mobile, Modular, and Manufactured Homes

BY COMMITTEE ON LOCAL GOVERNMENT. This Act outlines procedures for the disposal of valueless mobile, modular and manufactured homes by the mobile home park owner in which the valueless homes are located. A mobile home, modular or manufactured home may be considered a valueless home and removed if all of the following conditions exist:

- ♦ The home has been abandoned as defined in Section 562B.27, subsection 1, and the home has not been removed after the right to possession of the underlying real property has terminated pursuant to Chapter 648.
- ♦ A lien of record, other than a tax lien filed under Chapter 435, does not exist against the property.
- ♦ The value of the home and other personal property is equal to or less than the reasonable cost of disposal plus all sums owing to the real property owner pertaining to the home.

A person removing or disposing of a valueless home is not liable to the previous owner for the valueless home or any related personal property.

The Act also provides for the canceling of any tax liens and the titling of the valueless home in the name of the person who disposes of the valueless home.

SENATE FILE 229 - Procedures for Public Purchases of Coal

BY COMMITTEE ON LOCAL GOVERNMENT. This Act repeals the bidding requirements for state and local governments for the purchase of coal if the value of the contract exceeds \$300 for a year. State and local government contracts for the purchase of coal valued at \$300 or less were not subject to the repealed provisions.

SENATE FILE 280 - Provision of Emergency Medical Services by Townships

BY COMMITTEE ON LOCAL GOVERNMENT. This Act authorizes townships to provide emergency medical care. Previously, townships could provide ambulance service only if the county did not provide the ambulance service.

SENATE FILE 351 - Membership of Certain City Commissions and Boards

BY COMMITTEE ON LOCAL GOVERNMENT. This Act authorizes a city with a population of more than 100,000 to increase the membership of certain city boards and commissions, the membership of which is specified by state law. These boards and commissions include the Veterans Memorial Building Commission, Civil Service Commission, a commission for an urban renewal agency, and a commission for a municipal housing agency. This Act allows these larger cities the option of appointing more than three or five members to these boards and commissions.

SENATE FILE 385 - City Boards of Review

BY COMMITTEE ON LOCAL GOVERNMENT. This Act allows a city council of a city having a population of 75,000 or more, which is represented on the county conference board, to appoint a city board of review to hear appeals of property tax assessments by the city's property taxpayers. The city council is responsible for the expenses incurred by its board of review. The city board of review has the same powers and duties under Chapter 441 as the county board of review appointed by the county conference board.

SENATE FILE 394 - Requirements for Instruments Presented to County Recorders

BY COMMITTEE ON LOCAL GOVERNMENT. This Act requires that instruments filed or recorded with the office of county recorder are to contain a specified amount of space at the top of the instrument to add the name, address and telephone number of the preparer of the instrument. Space at the top of the instrument is also provided for use by the office of county recorder.

The Act applies to instruments filed or recorded on or after January 1, 1996.

SENATE FILE 422 - Duties of County Recorders and District Court Clerks — Fees

BY COMMITTEE ON LOCAL GOVERNMENT. This Act transfers many of the duties of the clerk of the district court relating to vital statistics to the office of county recorder. The county recorder serves as the county registrar of vital statistics for the purposes of maintaining birth and death records, issuing marriage licenses, and maintaining related information concerning the solemnization of marriages. The Act also provides for a new fee of \$4 to provide a certified copy of a birth, death, or marriage certificate and a birth registration. This fee will be remitted to the county general fund. Fees currently collected by the Department of Public Health as state registrar and the clerk of the district court will remain unchanged. The Act also provides that the county recorder will provide services related to passport applications which the clerks of the district court have discontinued.

The Act amends Chapter 144 to divide the duties of the county registrar between the county recorder and the clerk of the district court. The clerks of the district court will keep the duties of the county registrar related to birth and death records where the district court is involved. Chapters 331 and 595 are amended to provide cross-references to the county recorder's duties and transfer duties relating to the issuing and keeping of marriage records. The board of supervisors shall assign the duties of county registrar in counties where the office of county recorder is abolished.

Section 25, which requires the clerks of the district court and the county recorders to implement a modernization of the vital statistics records system within the counties, takes effect May 1, 1995. The remainder of the Act takes effect July 1, 1997.

SENATE FILE 458 - Duties of County Treasurers

BY COMMITTEE ON WAYS AND MEANS. This Act changes some duties, eliminates some duties, and adds some powers and duties of county treasurers. The changes are as follows:

All county treasurers are required to mail a statement of fees due for the renewal of vehicle registrations. Under prior law, the treasurers of counties of over 100,000 population were required to make the mailing while the remainder have the option of doing the mailing.

A requirement that mobile home dealers provide certain information to the county treasurer within seven days of the sale of a mobile home is removed. This information is available when the title is transferred. However, mobile home dealers and manufactured home dealers must apply for a new title within 15 days after acquiring a used mobile or manufactured home.

The Act provides that each county warrant shall include the purpose for which it is issued along with other information entered into the county system.

The Act also provides that the official county seal shall be placed on a motor vehicle certificate of title rather than on the certificate of registration.

The Act allows each county treasurer to charge a \$5 administration fee for each rate, rental, charge, or special assessment certified for collection by the county treasurer. The Act increases from \$2 to \$5 the fee the county treasurer may charge for administrative expenses.

The Act strikes references to outdated procedures regarding warrants and the recording of their numbers, amounts, interest, and other information. The information is currently kept in the county system.

Procedures for the prepayment of special assessments by a taxpayer are outlined in the Act.

The Act also amends the definition of "mobile home park" and adds drainage taxes to the definition of "taxes" in Chapter 445. The provision defining "mobile home park" applies to the tax year beginning July 1, 1995, for which taxes are payable during FY 1996-1997, and for subsequent tax years.

The Act allows collection of taxes by personal judgment which were delinquent prior to April 1, 1992, when the procedure was originally authorized.

The delinquency dates for the collection of semiannual real estate taxes are specified and procedures relating to the tax sale of each separate parcel of property by the county treasurer for delinquent taxes are amended.

The Act provides a random selection process to determine the successful bidder if two or more bids are equal and authorizes the county treasurer to make bids on parcels of land which have delinquent taxes and no other bids.

The Act includes a provision related to the collection of delinquent taxes by sale of the property and issuance of a tax sale certificate of purchase to the county.

This Act also provides for an assignment transaction fee of \$10 payable when a tax sale certificate of purchase is assigned and outlines assignment procedures and compromise and assignment procedures.

An amendment provides that after the 90 days' notice of the right of redemption has been filed with the treasurer, a party that has subsequently acquired a record of interest in a parcel would be allowed to redeem from the tax sale even though the party was not provided with the notice. The Act also recognizes the right and interest of a holder of a certificate of purchase from a tax sale occurring after the tax sale for which the deed was issued.

The Act provides that a titleholder who has an interest in, but not necessarily possession of, a parcel of land by virtue of a tax deed may file an affidavit requesting that claims against the same parcel be filed with the county

recorder within 120 days of the filing of the affidavit. Previously, only a titleholder by virtue of a tax deed in possession of the parcel could file the 120-day affidavit.

The Act amends the delinquency date for the annual payment of special assessments for drainage projects.

Sections of this Act relating to the annual tax sale held in June take effect April 24, 1995. The remainder of this Act takes effect July 1, 1995.

HOUSE FILE 128 - Rural Water Districts

BY COMMITTEE ON LOCAL GOVERNMENT. This Act changes the percentage, from 50 percent to 30 percent, of real property located within the proposed boundaries of a water district whose owners must petition the county board of supervisors for inclusion in a water district. The petition must still be filed with the county auditor and the supervisors will have to set a hearing on the question of inclusion. Chapter 357A provides for publication of notice of the hearing, opportunity to be heard, and modification, approval, or disapproval of the petition.

This Act also changes the final authorized date for an annual meeting of the members of a rural water district from March 1 to May 1.

HOUSE FILE 212 - Authority of City Administrative Agencies

BY COMMITTEE ON LOCAL GOVERNMENT. This Act authorizes a city council the option of delegating the authority to issue revenue bonds to an administrative agency of the city established for the purpose of operating an airport or keeping the power with the city council. The delegation of power would recognize restrictions or limitations imposed by outstanding revenue bonds or pledge orders.

HOUSE FILE 406 - Public Investment and Use of Bond Proceeds

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that the proceeds from the sale of notes, bonds, and other evidences of indebtedness of political subdivisions shall be invested if not immediately needed and the interest earned shall be credited to the project fund for which the bonds were sold or used to reduce indebtedness.

The Act strikes Section 12C.4, which provided separate provisions for the investment of proceeds from the issue of school corporation bonds. The school corporations are included with other political subdivisions of the state regarding the investment of idle funds or the proceeds of bond issues.

HOUSE FILE 470 - City Assessments for Public Improvement Costs

BY COMMITTEE ON LOCAL GOVERNMENT. This Act authorizes a city to repair or replace sidewalks, water stop boxes, and driveway approaches located outside the lot and property lines and inside curb lines, and assess the costs of the repair or replacement to the abutting property owners. The costs may be assessed and paid as other special assessments if the property owners request the repairs, waive the requirement of notice that the improvement in its present condition constitutes a nuisance, and consent to the assessment of the cost. Also, if, during the repairing or replacing process, the city finds that adjacent improvements in the same area also need repair or replacement, the additional improvements to the sidewalks, water stop boxes, or driveway approaches may be completed and the costs assessed as provided in Section 364.12, subsection 5, with the owner's consent.

The Act also authorizes a city to accumulate individual assessments for the repair or replacement of sidewalks, driveway approaches, and water stop boxes, and periodically certify the assessments to the county treasurer for collection.

HOUSE FILE 489 - Taxes Dedicated to Emergency Services by Townships

BY COMMITTEE ON LOCAL GOVERNMENT. This Act increases the allowable amount of tax credited to the reserve account for township fire protection and related emergency purposes from 10 cents to 30 cents per \$1,000 of taxable valuation. The reserve account is dedicated to the purchase or replacement of supplies and equipment used for fire protection, emergency warning systems, and ambulance services offered by a township.

HOUSE FILE 577 - Real Estate Improvement District Pilot Project and Related Matters

BY COMMITTEE ON WAYS AND MEANS. This Act provides for the creation of a real estate improvement district pilot project.

Real estate improvement districts may be established under the pilot project for up to two years in six counties to be designated by the Iowa Finance Authority. Districts have the authority to construct and install many types of infrastructure to facilitate the development or redevelopment of real estate.

A real estate improvement district is created by the petition of at least a majority of the owners having an interest in real property within a proposed district to the board of supervisors of the county in which the largest part of the proposed district is located. The petition shall either request that the establishment of a district be voted on by all voters in the district or state that all property owners agree to the establishment of the district. The proposed district shall only include contiguous parcels of land and is restricted to land within the boundaries of a city, land within two miles of a city, or both.

If a district is created, the board of trustees may proceed to construct or install the public improvements authorized by the district voters. The board has the authority to levy annually 54 cents per \$1,000 of assessed valuation for administrative purposes, to adopt by ordinance rates, charges, or rentals for utilities such as sewer service, to issue general obligation bonds and revenue bonds and to impose taxes and charges to repay the interest and principal on the bonds, and to provide for special assessment for certain improvements. The district may exercise the power of eminent domain if necessary. Bond issues shall not exceed 5 percent of the value of the taxable property in the district and special assessments are limited to the value of the property with the proposed public improvement completed.

The Act also provides procedures for the dissolution of a district, the annexation of all or part of a district, merger, and the attachment or detachment of land to or from a district.

The Act requests the Iowa League of Cities and the Iowa State Association of Counties to hold a housing summit to examine housing development in Iowa. The summit shall also include representatives from the housing industry and economic developers. The summit is to report to the Studies Committee of the Legislative Council by September 1, 1995. The Act also requests the Legislative Council to establish a study committee to review the report from the housing summit and make recommendations to the council by November 15, 1995. Members of the study committee, in addition to legislators, are the Directors of the Department of Economic Development and the Iowa Finance Authority, and representatives of the Iowa League of Cities, the Iowa State Association of Counties, home builders, bond counsel, housing advocates, real estate brokers, financial interests, and the Iowa Association of Regional Councils.

NATURAL RESOURCES AND OUTDOOR RECREATION

- SENATE FILE 234** - Scientific Collector's Licenses and Related Permits
- S.J.R. 6** - Proposed Constitutional Amendment — Use of Funds for Fish and Wildlife Protection
- HOUSE FILE 30** - Combined Hunting and Fishing License Fee
- HOUSE FILE 113** - Resident Fishing and Hunting Licenses

RELATED LEGISLATION

- SENATE FILE 85** - Farm Deer
SEE AGRICULTURE. This Act removes authority from the Department of Natural Resources to regulate certain deer and elk as wildlife, if the deer or elk are classified as part of a genus produced for agricultural purposes.
- SENATE FILE 147** - Water Quality and Solid Waste Disposal — Single General Permits
SEE ENVIRONMENTAL PROTECTION. This Act amends Chapter 455B, which provides for environmental regulations. The Act amends provisions in the chapter regulating water quality and solid waste disposal by requiring the Environmental Protection Commission to adopt rules for the issuance of a single general permit.
- SENATE FILE 215** - Rural Water Well Grants
SEE ENVIRONMENTAL PROTECTION. This Act allows the use of Agricultural Management Account moneys for grants to counties for private rural water supply well sealing.
- SENATE FILE 292** - State Sewage Treatment Loans — Repayment With Park Revenues
SEE ENVIRONMENTAL PROTECTION. This Act authorizes the Department of Natural Resources to borrow moneys from the State Sewage Treatment Works Financing Program for wastewater treatment projects and repay the loans with related fees.
- SENATE FILE 481** - Appropriations — Transportation, Infrastructure, and Capital Projects
SEE APPROPRIATIONS. This Act appropriates moneys from marine fuel tax receipts deposited in the General Fund of the State to the Department of Natural Resources and provides that moneys in the Living Roadway Trust Fund in excess of \$500,000 revert to the Resources Enhancement and Protection Fund. The Governor item vetoed a number of other provisions that would have transferred lottery revenues to the department for various purposes.
- HOUSE FILE 340** - Snowmobile and All-Terrain Vehicle Operation on Public Land
SEE TRANSPORTATION. This Act defines public land for purposes of Chapter 321G, which governs snowmobiles and all-terrain vehicles.
- HOUSE FILE 553** - Appropriations — Agriculture and Natural Resources
SEE APPROPRIATIONS. This Act relates to agriculture and natural resources by providing appropriations to support related entities, including the Department of Agriculture and Land Stewardship and the Department of Natural Resources. The Act also provides directions to a number of agencies, and makes statutory changes relating to agriculture and natural resources.

NATURAL RESOURCES AND OUTDOOR RECREATION

SENATE FILE 234 - Scientific Collector's Licenses and Related Permits

BY COMMITTEE ON NATURAL RESOURCES, ENVIRONMENT AND ENERGY. This Act provides that the Natural Resource Commission shall establish the tenure and fees for scientific collector's licenses, wildlife salvage permits, educational project permits, and wildlife rehabilitation permits. Previously, the scientific collector's license fees were set by law under Section 483A.1, subsection 6, and were valid for one year.

SENATE JOINT RESOLUTION 6 - Proposed Constitutional Amendment — Use of Funds for Fish and Wildlife Protection

BY COMMITTEE ON STATE GOVERNMENT. This Joint Resolution proposes an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing and trapping, and other public and private funds appropriated, allocated or received by the state for fish and wildlife protection purposes.

Because this Joint Resolution was previously passed as House Joint Resolution 28 by the Seventy-fifth General Assembly, 1993 Legislative Session (1993 Iowa Acts, Chapter 184), and adopted by the Seventy-sixth General Assembly, the proposed amendment will be submitted to the state electorate for ratification at the general election held in November 1996.

HOUSE FILE 30 - Combined Hunting and Fishing License Fee

BY BRUNKHORST. This Act reduces the fee for the resident hunting and fishing combined license from \$23.50 to \$23.00. The \$23.00 fee equals the two fees for purchasing the resident fishing license and resident hunting license separately, \$10.50 and \$12.50.

This Act takes effect December 15, 1995, and applies to the 1996 license year and subsequent years.

HOUSE FILE 113 - Resident Fishing and Hunting Licenses

BY ARNOLD. This Act provides that for the purposes of obtaining licenses for fishing, hunting or taking fur, a person must show certain indications of residency such as filing for a homestead exemption, registering to vote, or enrolling a child in school. In addition, a person who is a full-time student at an educational institution in this state is eligible for resident hunting, fishing and related license fees. A nonresident under 18 years of age whose parent is a resident is eligible for resident fees for hunting, fishing and related licenses.

STATE GOVERNMENT

- SENATE FILE 87** - Nonsubstantive Code Corrections
- SENATE FILE 88** - Substantive Code Corrections
- SENATE FILE 94** - License Fees for Nonresident Real Estate Brokers and Salespersons
- SENATE FILE 106** - Disaster Leave for State Employees
- SENATE FILE 114** - Controlled Substances — Anabolic Steroids
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- SENATE FILE 197** - Confidentiality of Financial Information — Department of Agriculture and Land Stewardship
- SENATE FILE 202** - Birth Certificates — Licensure of Athletic Trainers
- SENATE FILE 228** - Statewide Notification Center — Miscellaneous Provisions
- SENATE FILE 375** - Abandoned Property
- SENATE FILE 427** - Senior Judges — Appointment, Compensation, and Retirement
- SENATE FILE 437** - Iowa Public Employees' Retirement System
- SENATE FILE 457** - Civil Rights
- HOUSE FILE 3** - State Flag Requirements
- HOUSE FILE 118** - Witness Compensation for Volunteer Fire Fighters
- HOUSE FILE 154** - Military Dentists and Dental Hygienists — Licensing Exemption
- HOUSE FILE 161** - Iowa Communications Network Fees
- HOUSE FILE 170** - Merit System Exemption of State Fair Authority Employees
- HOUSE FILE 203** - Commission of Veterans Affairs
- HOUSE FILE 252** - Regulation of Real Estate Brokers and Salespersons — Miscellaneous Provisions
- HOUSE FILE 256** - Professional Engineers and Land Surveyors
- HOUSE FILE 447** - State Purchasing Procedures and Publication Charges
- HOUSE FILE 461** - Studies Concerning the Iowa Communications Network
- HOUSE FILE 475** - State Archives
- HOUSE FILE 477** - Administrative Rules — Deposit of Referenced Publications
- HOUSE FILE 507** - State Personnel Systems
- HOUSE FILE 515** - Regulation of Real Estate Salespersons and Brokers — Transaction Requirements
- HOUSE FILE 549** - State Collection of Taxes and Debts
- H.J.R. 13** - Proposed Constitutional Amendment — Equal Rights

RELATED LEGISLATION

- SENATE FILE 141** - Notice for Vacating and Closing Roads
SEE LOCAL GOVERNMENT. This Act requires that only those property owners outside the boundary of a city who own 10 or more acres of land within one mile of a road that is being vacated or closed be notified of a public hearing by regular mail. Prior law required that all property owners within one mile of the road be notified of the public hearing by regular mail.
- SENATE FILE 157** - Elimination of Polystyrene Ban
SEE ENVIRONMENTAL PROTECTION. This Act removes polystyrene recycling and purchasing requirements for the Department of General Services, the Department for the Blind, the State Board of Regents, and the State Department of Transportation. The Act repeals Section 455D.16, which required the Department of Natural Resources to establish a recycling program to increase the recycling of polystyrene packaging products and food service items by 25 percent by July 1, 1993, and by 50 percent by July 1, 1994.
- SENATE FILE 174** - Regulation of Health Care Facilities — Dependent Adult Abuse
SEE HUMAN SERVICES. This Act relates to health facilities under the purview of the Department of Inspections and Appeals, including reporting requirements related to alteration, addition or new construction; provisional licensure of psychiatric medical institutions for children; sexual exploitation by a caretaker in a facility; and time limitations for the reporting of suspected dependent adult abuse.
- SENATE FILE 229** - Procedures for Public Purchases of Coal
SEE LOCAL GOVERNMENT. This Act repeals the bidding requirements for state and local governments for the purchase of coal if the value of the contract exceeds \$300 for a year.
- SENATE FILE 247** - State Purchases of Plastic Garbage Can Liners
SEE ENVIRONMENTAL PROTECTION. This Act removes current requirements that state agencies, including the State Board of Regents, purchase a minimum percentage of starch-based garbage can liners and instead requires that by July 1, 1995, a minimum of 10 percent of the purchases of garbage can liners must be plastic garbage can liners with recycled content. The percentage required to be purchased increases by 10 percent annually until 50 percent of the purchases of garbage can liners are plastic garbage can liners with recycled content.
- SENATE FILE 272** - Validity of Notarial Acts
SEE BUSINESS, BANKING & INSURANCE. This Act provides that the validity of a notarial act is not affected or impaired by the fact that a notary is an officer, director, or shareholder of a corporation that may have a beneficial interest in a notarial act.
- The Act is retroactively applicable to January 1, 1985.
- SENATE FILE 292** - State Sewage Treatment Loans — Repayment With Park Revenues
SEE ENVIRONMENTAL PROTECTION. This Act authorizes the Department of Natural Resources to borrow moneys from the State Sewage Treatment Works Financing Program for wastewater treatment projects and repay the loans with related fees.
- SENATE FILE 346** - Establishment of Licensee Review Committees by Licensing Boards
SEE HUMAN SERVICES. This Act relates to the establishment of licensee review committees for the purpose of evaluating and monitoring licensees who self-report physical or mental impairments to the respective board included under Chapter 272C, titled, "Continuing Education and Regulation — Professional and Occupational."

- SENATE FILE 390** - Arts and Cultural Enhancement and Endowment
SEE EDUCATION. This Act provides changes to the Arts and Cultural Enhancement and Endowment Act, specifying that applicants for funds must have secured nonstate matching funds at least equal to the amount of a grant award, striking language that limited awards of grants to organizations that represent at least 70 percent of its defined membership, requiring the Department of Cultural Affairs to adopt rules governing the eligibility for, and the distribution of, block grants, abolishing and replacing an advisory council for block grants, and creating a governing board for the administration of the Arts and Cultural Endowment Foundation. The Act also permits a cooperating teacher to direct incentive payments for work with a student teacher into a scholarship fund.
- SENATE FILE 398** - Commutation of Life Sentences
SEE CORRECTIONS, CRIMINAL LAW & PROCEDURE. This Act replaces the prior procedure for commutation of sentences of life imprisonment with a procedure that permits inmates convicted of class "A" felonies to make application for commutation only once every 10 years to the Governor. The Director of the Department of Corrections may make application for commutation of a person's sentence at any time.
- SENATE FILE 422** - Duties of County Recorders and District Court Clerks — Fees
SEE LOCAL GOVERNMENT. This Act transfers many of the duties of the clerk of the district court relating to vital statistics to the office of county recorder.
- SENATE FILE 475** - State Financial Provisions
SEE APPROPRIATIONS. This Act revises various state financial provisions and includes provisions revising capital project and lease-purchase reporting requirements, revising the date by which state agencies must submit their initial budget requests, and establishing a State Innovations Fund for making innovation loans to state agencies.
- SENATE FILE 484** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act relates to and appropriates moneys to various state departments, agencies, funds, and certain other interstate and national entities for FY 1995-1996. The total amount appropriated in this Act is \$81,900,000. 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 Government and Terrace Hill quarters, Department of Inspections and Appeals, Department of Management, Department of Personnel, Iowa Public Employees' Retirement System, Department of Revenue and Finance, Secretary of State, and Treasurer of State.
- S.J.R. 6** - Proposed Constitutional Amendment — Use of Funds for Fish and Wildlife Protection
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Joint Resolution proposes an amendment to the Constitution of the State of Iowa to restrict the expenditure of state license fees received from hunting, fishing, and trapping, and other public and private funds appropriated, allocated, or received by the state for fish and wildlife protection purposes.
- S.J.R. 12** - Capitol Restoration Events Involving the Rotary Club
SEE ALCOHOL REGULATION & SUBSTANCE ABUSE. This Joint Resolution authorized the Des Moines Rotary Club and the Friends of Capitol Hill, Inc., to serve alcoholic beverages at a social event located in the State Capitol for members of the Rotary Club International of Iowa on March 23, 1995.
- HOUSE FILE 54** - Qualifications for Licensure of Real Estate Brokers and Salespersons
SEE BUSINESS, BANKING & INSURANCE. This Act grants the Real Estate Commission the discretion to deny a license to an applicant who has been convicted of

certain criminal acts, who has had a professional license of any kind revoked in this state or any other jurisdiction, or who has submitted a false application to the commission.

- HOUSE FILE 197** - Expansion of Volunteer Physician Program
SEE HEALTH & SAFETY. This Act expands the existing Volunteer Physician Program to include other health care providers and to be applicable to certain charitable organizations as defined in the Act.
- HOUSE FILE 387** - Student Membership on State Board of Regents - VETOED BY THE GOVERNOR
SEE EDUCATION. This bill would have reduced the term of the student, or ninth, member of the State Board of Regents from six to four years. In addition, the recognized student government organization at each institution of higher learning under the control of the board would have been directed to submit to the Governor a list of at least three names of students eligible to represent the institution on the board.
- HOUSE FILE 437** - Campaign Finance
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Act provides that the salaries of the Executive Director and Legal Counsel to the Ethics and Campaign Disclosure Board are to be set by the board, and permits the board to establish signature codes for the electronic filing of various reports that persons must file with the agency.
- HOUSE FILE 482** - Iowa Communications Network — Supplemental, Operational, and Miscellaneous Appropriations
SEE APPROPRIATIONS. This Act appropriates moneys to the Iowa Communications Network Fund for FY 1994-1995 for supplemental expenditures, and for FY 1995-1996 for debt service, operations, a network revolving fund, and for the study established pursuant to H.F. 461 relating to the sale or conversion of the network.
- HOUSE FILE 571** - Gambling
SEE GAMING. This Act amends the requirements for ownership of pari-mutuel racetracks and the frequency of referendums after a gambling proposal has been defeated.
- HOUSE FILE 578** - Iowa Communications Network Appropriations — Additional Connections and Support Services
SEE APPROPRIATIONS. This Act appropriates funds for FY 1995-1996 from the Rebuild Iowa Infrastructure Account and the General Fund of the State for purposes related to the Iowa Communications Network. The Act identifies certain sites to be connected to the network during the fiscal year.
- HOUSE FILE 579** - Compensation for Public Employees
SEE APPROPRIATIONS. This Act relates to and appropriates moneys to fund salary adjustments for the fiscal year beginning July 1, 1995, for state elected executive branch officials, appointed non-elected officers, justices, judges, magistrates, employees subject to collective bargaining agreements, and noncontract employees. Increases for the salaries and expenses of legislators begin in January 1997.

STATE GOVERNMENT

SENATE FILE 87 - Nonsubstantive Code Corrections

BY COMMITTEE ON JUDICIARY. This Act makes Code changes and corrections that are considered to be nonsubstantive and noncontroversial, in addition to style changes.

SENATE FILE 88 - Substantive Code Corrections

BY COMMITTEE ON JUDICIARY. This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

Many of the changes made in this Act relate to the implementation of the election laws through the passage of S.F. 2223, 1994 Iowa Acts, Chapter 1169. Citations to federal Acts are updated and several provisions are amended to conform them to changes made in the Code last year. The Act amends Chapter 17A to provide for legislative notification to the Administrative Code Editor regarding final disposition of rules that are delayed by the Administrative Rules Review Committee. In a provision relating to procedures for the correction of child abuse reports, the Act specifies that it is the subject of the child abuse report who is entitled to access to the list of persons who have received information referring to the subject, in conformity with legislation enacted in 1994. In the list of duties of county attorneys, the Act restores a provision referring to representation of the State Fire Marshal in legal proceedings. The Act updates a reference to an administrative fee that may be charged by the county treasurer for liens imposed for delinquent city utility and enterprise service charges to reflect an increase in the fee which was enacted during the 1993 Session but inadvertently omitted in the 1994 rewrite of the section.

In the chapter relating to limitations on judgments, the Act adds a reference to real estate contracts to the section on future judgments without foreclosure, so that the language parallels the language in the section prohibiting the execution on certain judgments against real property. The Act also eliminates an inconsistency in Chapter 729 pertaining to penalties established for the violation of Section 4, relating to religious tests, of the Iowa Constitution's Bill of Rights.

SENATE FILE 94 - License Fees for Nonresident Real Estate Brokers and Salespersons

BY BANKS, HANSEN AND GRONSTAL. This Act provides that a nonresident person making application to be licensed as a real estate broker or salesperson is to be charged a fee equal to the greater of the fee which would be charged a resident of Iowa, or a fee equal to the fee the nonresident person would be charged by the person's state of residence if that person was a resident of Iowa making application for a license in that state and that state charges a nonresident a fee greater than that charged by that state to a resident of that state.

SENATE FILE 106 - Disaster Leave for State Employees

BY HAMMOND AND TINSMAN. This Act allows an individual employed by an appointing authority of state government who is a certified disaster service volunteer of the American Red Cross to be granted leave with pay to participate in disaster relief services in Iowa for the American Red Cross at the request of the American Red Cross for not more than 15 working days in any 12-month period. An employee on leave under this provision is not considered to be a state employee for purposes of workers' compensation or for purposes of the Iowa Tort Claims Act.

SENATE FILE 114 - Controlled Substances — Anabolic Steroids

BY COMMITTEE ON HUMAN RESOURCES. This Act amends the section placing anabolic steroids into Schedule III of the Iowa Uniform Controlled Substances Act by listing the actual substances identified as anabolic steroids.

SENATE FILE 152 - Practice of Podiatry

BY COMMITTEE ON STATE GOVERNMENT. This Act changes the name of those individuals licensed to practice podiatry from podiatrist to podiatric physician.

SENATE FILE 164 - Meetings of the Commission on the Status of African-Americans

BY TINSMAN. This Act requires the Commission on the Status of African-Americans to meet at least once each quarter. Previously, the commission was required to meet once every other month.

SENATE FILE 197 - Confidentiality of Financial Information — Department of Agriculture and Land Stewardship

BY JUDGE. This Act provides that certain financial information submitted to the Department of Agriculture and Land Stewardship for the purpose of obtaining business planning assistance is considered a confidential record. Previously, the law provided that this financial information was considered confidential only if submitted to the Agricultural Diversification Bureau of the department.

This Act takes effect April 26, 1995.

SENATE FILE 202 - Birth Certificates — Licensure of Athletic Trainers

BY COMMITTEE ON STATE GOVERNMENT. This Act strikes the separate process by which out-of-wedlock birth certificates are filed with the State Registrar of Vital Statistics at the Department of Public Health. Additionally, the department is allowed to provide information on all births to local public health officials to support immunization activities.

The Act also establishes the same requirements for an athletic trainer license for in-state and out-of-state licensee candidates.

SENATE FILE 228 - Statewide Notification Center — Miscellaneous Provisions

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that the statewide Notification Center is subject to the open meetings and public records provisions of Chapters 21 and 22. The Act provides that the Notification Center is to be audited at least once each year by a certified public accountant. The Act also prohibits the Notification Center from making political contributions.

SENATE FILE 375 - Abandoned Property

BY COMMITTEE ON COMMERCE. This Act amends Chapter 556, which provides for the disposition of abandoned property by the Treasurer of State under Iowa's Uniform Disposition of Unclaimed Property Act. The Act changes the period of abandonment for money orders from three to seven years. Chapter 556 provides that persons holding funds or other tangible or intangible property, presumed abandoned under the chapter, must report to the Treasurer of State.

The Act amends a provision in the chapter to provide for the annual filing of reports of abandoned property before November 1 for the fiscal year ending on the preceding June 30 and provides that life insurance companies must file by these dates as well. The Act eliminates a provision requiring that, within 120 days from the filing date, the Treasurer of State must provide notice to be published in a newspaper of general circulation in the county in which is located the last known address of any person to be named in the notice. The Act provides that if a report has been filed with the Treasurer of State, or property has been paid or delivered to the Treasurer of State for the fiscal year ending on June 30, the Treasurer must provide for the publication of a notice not later than the following November 30. Finally, the Act provides that the Treasurer of State may elect to allow a holder of property to file a report or to deliver or pay property to the Treasurer of State, before the property is presumed abandoned, upon consent of the Treasurer of State and according to terms and conditions prescribed by the Treasurer of State.

SENATE FILE 427 - Senior Judges — Appointment, Compensation, and Retirement

BY COMMITTEE ON STATE GOVERNMENT. This Act changes the manner in which senior judges are appointed and compensated.

The Act authorizes the appointment of a judge, at the discretion of the Iowa Supreme Court, for a two-year period as a senior judge. In addition, a senior judge may be reappointed to additional two-year terms at the discretion of the Iowa Supreme Court. A judge who retires on or after July 1, 1994, and who is appointed a senior judge is to be paid a salary as determined by the General Assembly while serving as a senior judge. Judges who retired and were appointed senior judges prior to that date will continue to be paid an annuity instead of a salary.

The Act takes effect May 2, 1995.

SENATE FILE 437 - Iowa Public Employees' Retirement System

BY COMMITTEE ON STATE GOVERNMENT. This Act makes several changes to the Iowa Public Employees' Retirement System (IPERS). The Act provides that elective officials may terminate membership in IPERS at the expiration of their terms of office, and members of the General Assembly may terminate membership in IPERS by filing a notice of intent to terminate, rather than at their termination from covered employment.

The Act provides for \$3.86 million to be set aside within the Retirement Fund. The moneys set aside shall not be used in determining the covered wage limitation on January 1, 1996, but if the funds are not specifically dedicated to a purpose by the Seventy-sixth General Assembly, the moneys shall be used in subsequent covered wage determinations. The Act establishes that members who retired between July 1, 1986, and June 30, 1990, will receive a dividend in November 1996 and 1997, in an amount determined by the General Assembly.

The Act also adds a definition for "first month of entitlement" commencing retroactive to January 1, 1995, for a member retiring under IPERS. A member who meets the minimum age requirements, who has terminated employment covered or formerly covered under the chapter (if under 70 years of age), who has filed an application for benefits with the Department of Personnel, and who has survived into the month for which the member's first retirement allowance is payable, has reached the first month of entitlement and is eligible to receive benefits.

The Act also provides that a member has a bona fide retirement when the member terminates all employment covered or formerly covered under the chapter, files an application for benefits, survives into the first month of entitlement, and does not return to covered employment for four calendar months (changed from 120 days).

The Act takes effect April 26, 1995, and applies retroactively to January 1, 1995.

SENATE FILE 457 - Civil Rights

BY COMMITTEE ON JUDICIARY. This Act makes changes concerning the Civil Rights Commission by expanding the definition of "court" for civil rights cases, providing for mediation during the Civil Rights Commission complaint process, and modifying the provisions concerning housing discrimination.

This Act amends the definition of "court" in Section 216.2 by providing that "court," for purposes of the Civil Rights Commission chapter, includes all district courts in any judicial district in Iowa. Previously, "court" was defined as the judicial district where the alleged unfair or discriminatory act occurred. The venue provisions of Section 216.16, subsection 4, remain unchanged so that a respondent can still transfer a case filed in Iowa to the county where the unfair act occurred or where the respondent resides or has its business.

The Act also provides an exception to the housing discrimination provisions of Chapter 216 for discrimination on the basis of familial status concerning dwellings for the elderly and discrimination on the basis of sex where residents of both sexes would share a living area of a dwelling. It provides that the exceptions to housing discrimination do not apply to advertising for certain rental or leased dwellings which are for two families or which contain less than four rooms.

Section 216.15, subsection 1, is changed to eliminate the requirement to file a discriminatory complaint in triplicate.

The Act also adds mediation to the Civil Rights Commission complaint process and provides for the procedure involved in conducting mediation and for the confidentiality of the information obtained.

The Act also provides that the remedies for a civil action alleging housing discrimination filed on behalf of the Civil Rights Commission apply to an action filed by the aggrieved person.

HOUSE FILE 3 - State Flag Requirements

BY VAN MAANEN. This Act reenacts provisions of 1921 Iowa Acts, Chapter 78 (H.F. 398), which provided for and described the state flag. The Act, as passed by the House of Representatives and the Senate in 1921, was never signed by the Speaker of the House as required by Article III, Section 15, of the Iowa Constitution. The Act also updates the language describing the flag of the state of Iowa. The term "banner" is replaced by the word "flag." The Act passed in 1921 and this Act both require boards of directors of public buildings to fly the flag of Iowa as well as the flag of the nation.

HOUSE FILE 118 - Witness Compensation for Volunteer Fire Fighters

BY BODDICKER. This Act provides that the party who subpoenas a volunteer fire fighter must pay reasonable compensation, based on the pay received by regular full-time fire fighters of the same rank within the judicial district, to volunteer fire fighters when subpoenaed to be witnesses related to activities arising in the course of duty. The party is not required to reimburse the volunteer fire fighter if the fire fighter's regular employer pays the regular salary or compensation to which the employee is entitled pursuant to the employer's policy when the fire fighter is subpoenaed as a witness.

HOUSE FILE 154 - Military Dentists and Dental Hygienists — Licensing Exemption

BY COMMITTEE ON STATE GOVERNMENT. This Act adds dentists and dental hygienists licensed in another state who are acting in the line of duty as members of the United States military service to the list of those individuals exempt from licensing by the Board of Dental Examiners.

HOUSE FILE 161 - Iowa Communications Network Fees

BY COMMITTEE ON TECHNOLOGY. This Act provides that the fee charged by a receiving site, related to the use of the Iowa Communications Network, is to be charged to the originator of the communication rather than to the originating site.

HOUSE FILE 170 - Merit System Exemption of State Fair Authority Employees

BY RENKEN AND CATALDO. This Act provides that employees of the Iowa State Fair Authority are exempt from the state merit personnel system provisions of Chapter 19A.

HOUSE FILE 203 - Commission of Veterans Affairs

BY VAN MAANEN, KREMER, BRADLEY, VANDE HOEF, BAKER, DRAKE, DAGGETT, HAMMITT, AND CORMACK. This Act strikes a requirement that the office of the Commission of Veterans Affairs be located at the Iowa Veterans Home in Marshalltown. The Act also repeals a section of the 1992 Iowa Acts relating to the relocation of the commission office to the Iowa Veterans Home.

The number of commissioners on the Commission of Veterans Affairs who must be honorably discharged members of the armed forces of the United States is increased to six to include a member from the Vietnam Veterans of America organization. An equal number of commission meetings is to be held at Camp Dodge and the Iowa Veterans Home and each meeting's agenda shall include time for public comment.

The commission is to develop and issue requests for proposals for storing information and data, including that concerning military service records of Iowa's veterans, and for purchasing the equipment needed to store the information and data. The commission is also directed to study the costs of training currently provided to executive directors of county commissions of veterans affairs. The commission is to report its findings and recommendations to the General Assembly by January 1, 1996.

The Act takes effect May 4, 1995.

HOUSE FILE 252 - Regulation of Real Estate Brokers and Salespersons — Miscellaneous Provisions

BY COMMITTEE ON COMMERCE AND REGULATION. This Act amends provisions of the Iowa Code regulating real estate brokers and salespersons. The Act rewrites the licensing requirement to provide that it is unlawful for a person to offer, attempt, agree to perform, or perform any single act as a real estate broker for compensation, or to represent oneself as a real estate broker, broker associate, or salesperson, without first obtaining a license and otherwise complying with the requirements of Chapter 543B. The Act amends the definitions of "real estate broker," "real estate," "broker associate," and "salesperson," and establishes several new definitions.

The Act provides that the chapter regulating real estate brokers and salespersons, Chapter 543B, does not apply to a person who as owner, owner's spouse, general partner of a limited partnership, lessor, or prospective purchaser, or through another engaged by any of these persons, buys, sells, manages, or performs any other act related to property owned, rented, leased, or to be acquired by these persons; a person acting as a resident manager; an officer or employee of the state, federal government, or political subdivision; or a person employed by a public utility with respect to property owned, leased, or to be acquired by the public utility.

The Act amends provisions relating to the payment of commissions and provides that a license may be suspended or revoked for the improper payment of a commission to a person in a foreign country, and identifies certain payments which are not considered to be improper. The Act provides that a broker may deposit a sum not to exceed \$500 in the broker's trust account, an increase from the current \$100 maximum.

HOUSE FILE 256 - Professional Engineers and Land Surveyors

BY COMMITTEE ON COMMERCE AND REGULATION. This Act strikes the definition of the practice of "professional engineering" and inserts a definition of "practice of engineering." The Act also provides that the Engineering and Land Surveying Examining Board may suspend or revoke the certificate of registration of a professional engineer or land surveyor upon the certificate holder's conviction of a felony under the laws of this state, or the conviction of a felony under the laws of the United States, any other state, territory, or possession of the United States, or other country, which would be a felony under the laws of this state. The board may also suspend the certificate if the certificate holder's registration in another state, territory, or foreign country has been suspended or revoked. A certified copy of the record or order of suspension, revocation, or other disciplinary action is prima facie evidence of such fact. Prior to this Act, revocation or suspension resulting from the conviction of a felony must have involved a felonious act related to the profession or occupation of the certificate holder, or a felonious act affecting the certificate holder's ability to engage in the practice of engineering or land surveying.

HOUSE FILE 447 - State Purchasing Procedures and Publication Charges

BY COMMITTEE ON STATE GOVERNMENT. This Act amends Section 18.36 to allow the State Printing Division of the Department of General Services to receive bids by telephone or through facsimile machines. The Act changes the ceiling from \$2,000 to \$5,000 for an emergency contract to be let by the Director of the Department of General Services and deletes any reference to mimeograph paper, which is no longer in use.

The Act requires payment of postage for publications handled through the State Printing Division, except that counties are not required to pay postage for the mailing of old Code copies.

HOUSE FILE 461 - Studies Concerning the Iowa Communications Network

BY COMMITTEE ON TECHNOLOGY. This Act directs the Iowa Telecommunications and Technology Commission established in Section 8D.3 to initiate and complete a study concerning the possible sale of the Iowa Communications Network. The study is to include a review of legal and practical issues that may affect the sale. The Act identifies certain issues that must be included in the study and directs the commission to consult with other state and federal agencies and private associations and vendors in completing the study.

The Act also directs the commission to study, in consultation with the Utilities Division of the Department of Commerce, the possible conversion of the network into a public utility. The commission is directed to complete the studies prior to November 1, 1995, and deliver a written report to the members of the House of Representatives Committee on Technology and the Senate Committee on Communications and Information Policy.

HOUSE FILE 475 - State Archives

BY COMMITTEE ON STATE GOVERNMENT. This Act adds electronic records to the definition of archives. It states that county, municipal, and local government archives are not considered state archives unless they are delivered to the state archives and accepted by the written consent of the State Archivist. The Act requires that records for state archives must be delivered to the state archives and that they will be kept according to a retention schedule set up in the records management manual. Section 303.15 is amended to show that the records are in the custody of the State Archivist and not the Department of Cultural Affairs.

HOUSE FILE 477 - Administrative Rules — Deposit of Referenced Publications

BY COMMITTEE ON STATE GOVERNMENT. This Act provides that all agencies which list standards adopted by reference to another publication must purchase and provide a copy of the publication to the Administrative Rules Coordinator who shall deposit the copy with the State Law Library where it will be available for inspection and reference.

HOUSE FILE 507 - State Personnel Systems

BY COMMITTEE ON STATE GOVERNMENT. This Act affects a number of state government areas. It provides that each statewide elected official may hire up to six nonprofessional employees at the discretion of the elected official. It also provides that the exempt classification of employees of statewide elected officials as of June 30, 1994, shall remain exempt from merit classification and that any employees hired subsequently to fill these positions shall be classified as exempt employees.

The Act changes the definition of seasonal employment to mean any six-month period of employment within a 12-month period. A new section permits the Director of the Department of Personnel the flexibility to pilot innovative changes in the personnel system by conducting experimental or research-related projects. The chairpersons of the appropriations committees and appropriate subcommittees must be notified of the nature of the projects and be given a two-week period to review and comment on the projects. The director must report to the Legislative Council by September 30 on the projects conducted during the preceding fiscal year.

The Act changes the name of the state management training system to include employees other than managers and eliminates the requirement that amounts remaining in the Training Revolving Fund in excess of \$50,000 revert to the General Fund. The fund is not to cover the salaries of employees of the department.

This Act removes from routine public disclosure the home addresses and home phone numbers of public employees. It also provides that the State Employee Workers' Compensation Fund pay administrative costs associated with state workers' compensation claims. The annual deadline for the department to report on affirmative action programs in state government is changed from August 31 to September 1.

This Act adds railroad retirement disability income as income subject to offset against state disability payments and provides that disability income benefits shall not exceed predisability covered monthly compensation. The Act also excludes state employees from state employee disability insurance if they have selected another disability program through a collective bargaining agreement.

The Act adds organized delivery systems to the programs with which governing bodies of public organizations may contract.

The Act requires companies wishing to provide deferred compensation investment contracts to government employees to follow the plan document established by the governing body. The requirement that the program be administered so that the Director of Revenue and Finance or the director's designee remit one sum for the entire program according to a single billing is eliminated. New language is added to provide that the state of Iowa does not become a shareholder or owner of a corporation when the state acquires an investment program.

HOUSE FILE 515 - Regulation of Real Estate Salespersons and Brokers — Transaction Requirements

BY COMMITTEE ON COMMERCE AND REGULATION. This Act establishes certain duties and responsibilities related to the contractual relationship between a licensed real estate broker or salesperson and the licensee's customers and clients. Duties of the broker or salesperson to all parties to a transaction involving real property are established, including providing brokerage services honestly and in good faith, diligently exercising reasonable skill and care in providing brokerage services, disclosing certain material adverse facts, accounting for all property in the possession of the broker or salesperson that belongs to any party to the transaction, and requiring certain disclosures. The Act prohibits certain conduct including the acceptance of any fee or compensation related to a transaction from a person other than the broker's or salesperson's client unless the broker or salesperson has disclosed that fact in writing to all parties to the transaction, and acting in a transaction on the broker's or salesperson's own behalf, on behalf of the broker's or salesperson's immediate family or firm, or on behalf of an organization or business in which the broker or salesperson has an interest unless the broker or salesperson has the written consent of all parties to the transaction.

The Act requires a licensed real estate broker or salesperson to make an affirmative written disclosure to all parties to a transaction identifying which party the broker or salesperson represents. A licensed real estate broker or salesperson is prohibited from representing both a buyer and a seller in a transaction unless written consent has been obtained from both parties. A real estate broker or salesperson may provide brokerage services *simultaneously* to

more than one party in different transactions unless the broker agrees with a client that the broker is to provide services only to that client. The Act also provides that the duties of a licensed real estate broker or salesperson established in Chapter 543B supersede any fiduciary duties of a licensee to a party to a transaction based on common law principles of agency to the extent those duties are inconsistent with the duties specified in Chapter 543B, except that the licensee's duty under common law as to negligent or fraudulent misrepresentation of material information is not modified.

HOUSE FILE 549 - State Collection of Taxes and Debts

BY COMMITTEE ON WAYS AND MEANS. This Act contains a number of provisions pertaining to the collection of debts by the state and creates a Driver's License Indebtedness Clearance Pilot Project.

The Act requires an application for registration or certificate of title of a motor vehicle to include the owner's date of birth and the motor vehicle license number. The Act requires the State Department of Transportation or the county treasurer to refuse to renew the registration for a motor vehicle to a person, if the department or the county treasurer knows that the person owes an indebtedness to or has an indebtedness being collected by the state from information obtained through the Department of Revenue and Finance. The Act provides that an applicant who is refused a renewal on this basis may contest the refusal through contested case proceedings involving the agency which referred the debt for collection. The Act also requires the Director of Transportation to maintain records pertaining to debts owed to the state using information provided through the computerized data bank established by the Department of Revenue and Finance.

The Act includes taxes or other indebtedness being collected by the state in the centralized debt collection system established in Section 421.17, subsection 34, which provides for the denial, revocation or suspension of licenses or renewals issued by the state.

The Act allows the Director of Revenue and Finance to distribute for publication the names, addresses, and amounts of indebtedness owed by certain debtors included in the centralized debt collection procedure, pursuant to guidelines established through departmental rules.

The Act provides for an administrative levy to be utilized by the centralized debt collection facility of the Department of Revenue and Finance to collect debts due the state or being collected by the state. The administrative levy would be used for bank accounts and certificates of deposit, and is a streamlined collection method.

This Act establishes a one-year pilot project for the State Department of Transportation to refuse to issue or renew or to suspend an applicant's or licensee's driver's license if the applicant or licensee has a delinquent account, charge, fee, loan, or other indebtedness owed to or being collected by the state.

The Act takes effect January 1, 1996.

HOUSE JOINT RESOLUTION 13 - Proposed Constitutional Amendment — Equal Rights

BY GRUNDBERG, DODERER, SIEGRIST, METCALF, GIPP, JACOBS, HOUSER, NELSON OF MARSHALL, HANSON, MARTIN, DISNEY, SUKUP, LAMBERTI, COON, RANTS, CHURCHILL, BLODGETT, GRIES, TEIG, BRAUNS, KLEMME, HEATON, HALVORSON, MILLAGE, HARRISON, WELTER, BRAND, DINKLA, JOCHUM, HARPER, MASCHER, NELSON OF POTTAWATTAMIE, MERTZ, BURNETT, MYERS, CONNORS, McCOY, LARSON, KOENIGS, VAN FOSSEN, WARNSTADT, OLLIE, RUNNING, SCHRADER, MAY, LARKIN, MUNDIE, O'BRIEN, FALLON, WEIGEL, MORELAND, CATALDO, WITT, WISE, BRAND, BERNAU, KREIMAN, BAKER, BELL, HOLVECK, MURPHY, SCHOULTZ, DREES, COHOON, AND BRAMMER. This Joint Resolution proposes an amendment to the Constitution of the State of Iowa, for adoption by the second consecutive General Assembly, which would provide for equality of rights under the law for both men and women. The Joint Resolution will be referred to the next General Assembly before being submitted to the electorate for ratification.

TAXATION

- SENATE FILE 69** - Income and Property Tax Relief — Mental Health Funding
- SENATE FILE 181** - Sales Tax Exemption for Aircraft
- SENATE FILE 189** - Real Estate Transfer Tax Exemptions — Purchase Money Mortgage Liens
- SENATE FILE 201** - Internal Revenue Code References and Income Tax Provisions
- SENATE FILE 472** - Local Option Sales and Services Tax
- SENATE FILE 473** - Refund of Erroneously Paid Property Taxes
- SENATE FILE 478** - Franchise Tax on Financial Institutions
- HOUSE FILE 149** - Sales Tax Exemption for Auxiliary Attachments
- HOUSE FILE 159** - Sales Tax Exemption — Plant Production
- HOUSE FILE 185** - Sales, Services, and Use Tax Exemption — Printers and Publishers
- HOUSE FILE 548** - Business Income for Corporate Income Tax Purposes
- HOUSE FILE 550** - Sales, Services, and Use Tax Exemption — Statewide Notification Center
- HOUSE FILE 552** - Motor Fuel and Special Fuel Taxation and Regulation
- HOUSE FILE 554** - Miscellaneous State and Local Tax Provisions
- HOUSE FILE 556** - Property Tax Exemption for Speculative Shell Buildings
- HOUSE FILE 558** - Fruit-Tree or Forest Reservation Recapture Tax
- HOUSE FILE 559** - Assessment of Certain Cooperative and Nonprofit Residential Property
- HOUSE FILE 566** - Residential Service Contracts — Exclusion From Taxation

RELATED LEGISLATION

- SENATE FILE 88** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including substitution of the term "registered voters" for "qualified electors" in the provision governing qualifications of members of the State Board of Tax Review.
- SENATE FILE 179** - Tax Levy for Certain County Hospitals
SEE LOCAL GOVERNMENT. This Act increases the maximum property tax levy for improvements and maintenance of county hospitals in counties with a population of 225,000 or more from \$1.35 to \$1.75 per \$1,000 of assessed value for taxes payable in the fiscal year beginning July 1, 1996, and for subsequent fiscal years.
- SENATE FILE 385** - City Boards of Review
SEE LOCAL GOVERNMENT. This Act allows a city council of a city having a population of 75,000 or more, which is represented on the county conference board, to appoint a city board of review to hear appeals of property tax assessments by the city's property taxpayers.
- SENATE FILE 403** - Collection of Restitution and Other Court Revenues
SEE COURTS, CIVIL LAW & PROCEDURE, & PROBATE. This Act provides that if a county attorney has not filed a notice of commitment to collect delinquent amounts by

July 1 of each year, the Judicial Department may assign collection of the amounts to the centralized collection unit of the Department of Revenue and Finance or its designee. The Department of Revenue and Finance is authorized to impose a fee to cover the costs of collection, which is to be added to the debt collected, and to adopt administrative rules to provide for the payment of fees to the department or outside collection entities.

The Act takes effect January 1, 1996.

- SENATE FILE 458** - Duties of County Treasurers
SEE LOCAL GOVERNMENT. This Act changes some duties, eliminates some duties, and adds some powers and duties of county treasurers.
- SENATE FILE 462** - Appropriations — Human Services
SEE APPROPRIATIONS. This Act makes appropriations to the Department of Human Services and includes a provision for continuation of authorization of use of moneys deposited in the Child Day Care Credit Fund for state child care assistance.
- HOUSE FILE 549** - State Collection of Taxes and Debts
SEE STATE GOVERNMENT. This Act provides for the collection of taxes and debts owed the state.
- HOUSE FILE 573** - Workforce Development
SEE ECONOMIC DEVELOPMENT. This Act provides that withholding amounts from employers or businesses which had been used to repay job training program expenses under Chapter 260E shall be transferred by the Department of Revenue and Finance to the Workforce Development Fund for a period of 10 years, up to a maximum of \$2 million per year.
- HOUSE FILE 577** - Real Estate Improvement District Pilot Project and Related Matters
SEE LOCAL GOVERNMENT. This Act establishes a two-year pilot project for the creation of real estate improvement districts, which will have the power to levy property taxes against property in the districts.

TAXATION

SENATE FILE 69 - Income and Property Tax Relief — Mental Health Funding

BY COMMITTEE ON WAYS AND MEANS. This Act relates to tax provisions involving state income tax, certain county mental health and developmental disabilities service expenditures and property tax levies for the expenditures, the county property tax limitation, and property tax on industrial machinery, equipment and computers, and includes appropriations for property tax relief.

Division I - Pension Income and Dependent Tax Credit - Study

This Division allows a disabled person, a person who is 55 or older, and a surviving spouse to deduct pension income in computing income for state income tax purposes. The amount of the deduction is \$3,000 for singles and \$6,000 for marrieds. Pension income includes income from defined benefit or defined contribution plans, annuities, IRAs, plans maintained or contributed to by an employer or by a self-employed person as an employer, and deferred compensation plans. The Division also increases the dependent tax credit from \$15 to \$40 for individual income tax purposes.

The Division requests the Legislative Council to establish a taxation study during the 1995 Interim to address the taxation of businesses, tax incentives and disincentives for economic development, and long-term objectives of business taxation, and requests \$100,000 be available for consultants.

The Division applies retroactively to January 1, 1995, for tax years beginning on or after that date.

Division II - County Levy Authority

In Division II, Section 331.424, subsection 1, providing supplemental levy authority for general county services, is amended to remove authority to levy under the supplemental levy for mental health, mental retardation, and developmental disabilities (MH/MR/DD) services. Conforming amendments are made to various sections of the Code.

New Section 331.424A creates a county MH/MR/DD Services Fund. County authority to levy for MH/MR/DD services is provided for under this section and all county revenues and expenditures for such services are to be paid from this fund. The levy authority is limited to a base year amount and is subject to further reductions for property tax relief paid by the state. This Division takes effect January 1, 1996, for fiscal years beginning on or after July 1, 1996.

Division III - Property Tax Relief

Section 222.60 requires counties to pay for services for persons with mental retardation. This Division amends this section by making the payment requirement subject to the county management plan provisions codified by this Act in Section 331.439.

Section 331.438 relates to state payment to counties for the costs of MH/MR/DD services. Under prior law, FY 1993-1994 was established as a base year for net county expenditures for MH/MR/DD services. Beginning with FY 1996-1997, the state was to provide annual funding to eligible counties for 50 percent of the increase in the prior fiscal year over the amount of the base year expenditures. This Division changes the state funding requirement for system growth to 100 percent of an inflation factor adjustment established by the General Assembly. The inflation factor adjustment is to be calculated by applying the factor to the county's MH/MR/DD expenditures in the previous fiscal year.

Section 331.439 provides the eligibility requirements for a county to receive the state payment under Section 331.438. This section was stricken and rewritten. The changes from prior law include changing the dates by which a county must submit for approval and implement a managed care system for mental health services from submitting by March 1, 1995, and implementing in FY 1995-1996 to submitting by April 1, 1996, and

implementing July 1, 1996; revising provisions involving managed care for mental retardation services by authorizing a county to implement managed care for mental retardation and developmental disabilities under a range of options and setting a specific date of January 1, 1997, for the initial implementation; authorizing a county to provide services to populations which are not included in the service management provisions if funding is available; requiring county MH/MR/DD service expenditures to operate under a fixed budget beginning with FY 1996-1997; requiring the county management plan to incorporate the single entry point and clinical assessment provisions required under current law; providing the elements comprising the basis for determining whether a system for managed mental health care proposed by a county is comparable to the state-approved managed care contractor; requiring the county plan to address the county's criteria for serving persons with chronic mental illness; requiring implementation of the county management plan by budgeting for 99 percent of the anticipated funding; and, as under prior law, providing that the Director of Human Services' approval of a county management plan does not constitute certification of the county's budget.

Section 331.440 provides requirements for counties to implement a "single entry point process" for the delivery of MH/MR/DD services paid for in whole or part by county funds. This section is amended to require the process to incorporate a management information system.

New Section 426B.1 creates a Property Tax Relief Fund under the authority of the Department of Revenue and Finance and makes standing limited appropriations to the fund. New Section 426B.2 outlines requirements for making payments from the Property Tax Relief Fund.

A three-part distribution mechanism is incorporated in the permanent statute for the Property Tax Relief Fund. The first \$61 million is to be distributed to counties for property tax relief based upon a county's share according to the formula described below. (However, for FY 1995-1996, the amount of the distribution is \$54.4 million.) Next, remaining moneys are distributed for the state payment under Sections 331.438 and 331.439. The third part of the mechanism requires any other remaining moneys to be distributed for property tax relief for MH/MR/DD expenditures until the relief is equal to 50 percent of the total of county base year expenditures. When this point is reached, moneys are to be transferred to the Homestead Credit Fund. The amount of property tax relief moneys received by a county is determined by a three-factor formula based upon the county's proportion of the state's population, proportion of the taxable property valuation, and the proportion of spending for MH/MR/DD services in the base year according to Section 331.438.

New Section 426B.3 requires the Director of Revenue and Finance to notify counties of the amount the counties will receive from the fund for property tax relief in the next fiscal year. The county auditor is required to reduce the property tax dollars requested for the county's certified budget for the county's MH/MR/DD Services Fund in the succeeding fiscal year by the amount the county will receive for property tax relief. In addition, the county auditor is to compute the reduction in property taxes for each parcel as a result of the state funding and note the reduction amount on the tax statement.

New Section 426B.4 authorizes the Council on Human Services, in consultation with the State-County Management Committee and Director of Revenue and Finance, to adopt administrative rules to implement the codified provisions in this Division.

This Division provides that property tax relief received by a county for FY 1995-1996 is to be reduced from the county's certified budget for that fiscal year and requires reporting to the Department of Management. This provision takes effect May 2, 1995.

Included in 1994 Iowa Acts, Chapter 1163, which provided an extension in the property tax limitations on counties for FY 1995-1996 and FY 1996-1997, were contingent repeal provisions of the extension in the event the state does not enact appropriations to fulfill statutory funding obligations included in that Act to be enacted by certain dates in 1995 and 1996. The required 1995 Legislative Session enactment was enacted in 1995 Iowa Acts, H.F. 132 (See Appropriations). However, for 1996, this Act specifies that, if enacted, the appropriations in the Act fulfill the statutory funding obligations required by no later than April 1, 1996, and the contingent repeal which would take effect on that date does not apply, so the property tax limitations would continue for FY 1996-1997.

The State-County Management Committee, a policy review group established by statute to consider MH/MR/DD issues, is required to review the effect of various provisions of the Act and to report recommendations by December 1, 1995. The Act also requires the County Finance Committee to work with four legislators in studying the ramifications of consolidating county property tax levies. The study report is to be submitted to the Governor and the General Assembly in January 1996.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Procedures for establishing the amount of the inflation factor related to the state funding requirement for system growth.
2. Provisions describing an inflation factor adjustment for the fixed budget. The vetoed provisions would have authorized the State-County Management Committee to recommend the inflation factor adjustment to the Council on Human Services for inclusion in the Governor's proposed budget, and required that the Governor's recommendation be used for county budgets if the General Assembly did not enact an adjustment amount by the time county budgets must be certified.
3. A provision that would have limited a county's financial liability for MH/MR/DD services to the fixed budget amount.
4. A provision requiring that a county not receive less for property tax relief than was received by the county in the previous fiscal year.

Division IV - Property Tax Limitation

Division IV extends the county property tax limitation for an additional year through FY 1997-1998 and provides for a reduction of the amount of property tax which may be levied under the limitation to reflect property tax relief received by a county from the Property Tax Relief Fund.

Division V - Industrial Machinery, Equipment and Computers Property Tax Exemption and Replacement

This Division eliminates the property tax on industrial machinery, equipment and computers (generally referred to as the machinery and equipment tax) by exempting from property taxation certain machinery and equipment and by phasing out the existing property tax on other machinery and equipment. The Division also provides for state reimbursement, and other guarantees, to local governments for revenue lost from the elimination of the property tax on machinery and equipment.

The Division provides that machinery and equipment first assessed for taxation in this state on or after January 1, 1995, is exempt from property tax. The property tax on remaining machinery and equipment acquired or leased on or after January 1, 1982, is phased out over four years as follows:

- ♦ For the assessment year beginning January 1, 1999, such machinery and equipment shall be valued at 22 percent of net acquisition cost.
- ♦ For the assessment year beginning January 1, 2000, at 14 percent of the net acquisition cost.
- ♦ For the assessment year beginning January 1, 2001, at 6 percent of the net acquisition cost.
- ♦ For subsequent assessment years, at 0 percent of the net acquisition cost.

Machinery and equipment located in an urban renewal area designated in an urban renewal plan under which indebtedness, to be repaid with tax increment financing revenues, was incurred between January 1, 1982, and June 30, 1995, shall continue to be assessed at 30 percent of net acquisition cost until the indebtedness is retired or refinanced. This provision also applies to property taxes on machinery and equipment used to finance a new jobs training project undertaken between January 1, 1982, and June 30, 1995.

Beginning with FY 1996-1997 through FY 2005-2006, local governments shall receive reimbursement from the state to replace revenue lost from the elimination of the property tax on machinery and equipment. The replacement

claims are computed based on the difference between the assessed value for that fiscal year and the assessed value as of the 1994 assessment year. This amount is multiplied by the tax rate for each taxing district for that fiscal year. Beginning with FY 2001-2002, in computing replacement claims, the amount of increase in the assessed value of commercial and industrial property over the assessed value of such property in the 1994 assessment year shall be subtracted from the amount of loss in machinery and equipment valuations. The Division establishes the Industrial Machinery, Equipment and Computers Property Tax Replacement Fund from which the replacement claims will be paid by the state.

The Division provides for a guarantee of replacement funds. Local governments are allowed to make up any deficiency in replacement claim payments by increasing the assessment on machinery and equipment in the taxing district in order to collect an amount equal to the amount of the deficiency. This amount is not allowed when computing the amount of property tax dollars a county may certify under the property tax limitation.

The Division does not apply to machinery and equipment assessed by the Department of Revenue and Finance. The Division also does not apply to machinery and equipment used in an electric power generating plant which operated at a net capacity factor of more than 20 percent during the preceding assessment year.

SENATE FILE 181 - Sales Tax Exemption for Aircraft

BY KIBBIE. This Act provides a sales and use tax exemption for the gross receipts from the sale or rental of aircraft; the sale or rental of tangible personal property permanently attached as a component part of the aircraft; and the gross receipts of all services used for aircraft repair, remodeling and maintenance. Aircraft is defined in the Act to mean aircraft used in a scheduled interstate Federal Aviation Administration-certified air carrier operation.

The Act is retroactive to July 1, 1988, and allows for refunds of taxes, interest or penalties arising from claims occurring between July 1, 1988, and June 30, 1995, but requires that claims be filed by October 1, 1995, and limits claims to \$25,000 in the aggregate. The Department of Revenue and Finance is authorized to prorate the \$25,000 among all claimants in relation to the amount of the claimants' claims.

The Act takes effect May 1, 1995, and is retroactive to July 1, 1988.

SENATE FILE 189 - Real Estate Transfer Tax Exemptions — Purchase Money Mortgage Liens

BY COMMITTEE ON JUDICIARY. This Act provides that the exemption from the real estate transfer tax for transfers between a family corporation, partnership or limited partnership and its shareholders or partners also applies to transfers between a family limited liability partnership or limited liability company and its partners or members. The Act also provides that a purchase money mortgage lien has priority over preexisting judgments against the purchaser or any other right, title, interest, or lien against the property which arises through the purchaser.

SENATE FILE 201 - Internal Revenue Code References and Income Tax Provisions

BY COMMITTEE ON WAYS AND MEANS. This Act updates the references to the Internal Revenue Code to make the federal income tax changes enacted by Congress in 1994 and through April 15, 1995, applicable for Iowa income tax purposes. The Act updates the Iowa Code references for the state research credits for individuals and corporations to include changes in the federal research activities credits.

The Act allows individuals and corporations to deduct in computing state taxable income the amount of the employer social security credit allowed under the federal Income Revenue Code to the extent that the credit increases the taxpayer's federal adjusted gross income.

The Act takes effect May 4, 1995, and applies retroactively to tax years beginning on or after January 1, 1994.

SENATE FILE 472 - Local Option Sales and Services Tax

BY COMMITTEE ON WAYS AND MEANS. This Act changes the local option sales and services tax law in Chapter 422B in three ways as follows:

1. The Act allows cities, counties or other political subdivisions of the state to issue bonds in anticipation of the collection of the local option sales and services tax. The Act provides powers to issue bonds payable from local option sales and services tax revenues comparable to current law with respect to hotel and motel tax bonds. In order for a political subdivision other than a city or county to issue bonds, the political subdivision will be required to enter into a Chapter 28E agreement with a city or county to receive part of the local sales and services tax revenues that the city or county receives.

The political subdivision would issue bonds in one of two ways. One way would be to issue the bonds as revenue bonds which are to be paid off only from the sales and services tax revenues and not from property tax revenues. This approach does not require an election. The alternative procedure involves bonds payable from sales and services tax revenues backed by a property tax levy. This procedure allows the residents to petition to have an election held on the question of issuing the bonds. If such an election is held, the vote in favor of issuing the bonds must equal at least 60 percent before the bonds may be issued.

2. The Act authorizes a city, which is located in two counties but all of its residents are located in one county, to impose a city local sales and services tax in the county where none of its residents live. Present law only allows counties to impose the local sales and services tax and only in incorporated areas that have voted for the imposition. Therefore, the area of the city located in the county where no residents live could not under present law have the tax apply in its area.

The Act contains certain conditions and restrictions on the city-imposed tax. These include imposing the tax only if the county has imposed the tax in the city area where all its residents live, agreeing to split the revenues equally with the county where no residents of the city live, the rate of tax and its effective date being the same as for the county-imposed tax, and any rate reduction, increase or repeal for the county also being done for the city tax.

The Act provides that a city cannot impose such a city local sales and services tax after January 1, 1998, but if one is imposed on or before that date, it may continue until such time as it is repealed.

3. Present law requires all areas in the county in which a county local option sales and services tax has been imposed to have an election to vote on the change in the use of the revenues from such tax even if only one area wants to change its use of the revenues. The Act makes it possible for each area, upon the request of the governing body for that area, to have its own election to vote on its proposed change in use.

The Act takes effect May 22, 1995, and applies retroactively to local option sales and services taxes approved on or after July 1, 1994.

SENATE FILE 473 - Refund of Erroneously Paid Property Taxes

BY COMMITTEE ON WAYS AND MEANS. This Act allows the board of supervisors in a county having a population of more than 25,000 but less than 26,000 to refund property taxes erroneously paid by a taxpayer if the erroneous payment resulted from an overassessment of the taxpayer's property.

The Act takes effect May 4, 1995, and applies retroactively to property taxes payable in the fiscal period beginning July 1, 1986, and ending June 30, 1993. The Act is repealed effective June 15, 1995.

SENATE FILE 478 - Franchise Tax on Financial Institutions

BY COMMITTEE ON WAYS AND MEANS. This Act amends the franchise tax to disallow the expenses related to investments in investment subsidiaries of financial institutions. To counteract the loss of franchise tax revenue caused by financial institutions setting up subsidiaries and transferring interest-producing assets to them, the Act disallows the deduction of a pro rata portion of all expenses. The expenses are disallowed in the ratio of the investment in investment subsidiaries to total assets.

The Act is retroactive to January 1, 1995, for tax years beginning on or after that date. However, the retroactivity application applies to financial institutions that have an investment in an investment subsidiary on or after July 1, 1995.

HOUSE FILE 149 - Sales Tax Exemption for Auxiliary Attachments

BY COMMITTEE ON WAYS AND MEANS. This Act provides an exemption from the state sales tax for the lease or sale of auxiliary attachments that improve the performance, safety, operation, or efficiency of self-propelled and non-self-propelled farm machinery and equipment. Prior law allowed an exemption for the sale or lease of only replacement parts for repair or reconstructions of self-propelled and non-self-propelled farm machinery and equipment.

HOUSE FILE 159 - Sales Tax Exemption — Plant Production

BY COMMITTEE ON WAYS AND MEANS. This Act defines "agricultural production" and "agricultural products" to include the production of flowering, ornamental or vegetable plants for the purpose of the state sales tax. The Act defines "farm machinery and equipment" as machinery and equipment used in agricultural production. The Act exempts from sales taxation fuel used to provide heat or cooling for greenhouses and buildings dedicated to the production of flowering, ornamental or vegetable plants intended to be sold in the ordinary course of business and non-self-propelled machinery and equipment used in the production of flowering, ornamental or vegetable plants.

HOUSE FILE 185 - Sales, Services, and Use Tax Exemption — Printers and Publishers

BY COMMITTEE ON WAYS AND MEANS. This Act amends the present sales and use tax exemption of sales made by trade shops to printers for use to complete a finished product. The Act makes the exemption for sales or rentals made by any business to printers and publishers who will use the items to complete a product for retail sale. The Act identifies approximately 100 specific items that are exempt. The exemption does not apply to an in-house printer who prints or copyrights its own materials.

The Act takes effect May 4, 1995, and applies retroactively to July 1, 1983, and allows for refunds for taxes paid for sales and rentals made between that date and June 30, 1995. However, the total amount of refunds cannot exceed \$25,000.

HOUSE FILE 548 - Business Income for Corporate Income Tax Purposes

BY COMMITTEE ON WAYS AND MEANS. The Iowa Supreme Court in *Phillips Petroleum Company v. Iowa Department of Revenue and Finance*, 511 N.W. 2d 608 (Iowa 1993) held that capital gains resulting from transactions not in the regular course of a taxpayer's trade or business were nonbusiness income, even if the capital assets generated business income when they were used in the taxpayer's trade or business. The Act amends the definition of "business income" to overturn that decision. This amendment creates a separate functional test for business income. This amendment treats as business income any gain or loss resulting from property which, while owned by the taxpayer, was operationally related to the taxpayer's trade or business carried on in Iowa or resulting from stock in a corporation which was operationally related to the taxpayer's trade or business carried on in Iowa. The amendment expresses the General Assembly's intent that apportionable business income is all income that may be treated as apportionable under the United States Constitution.

This Act also provides that if a taxpayer treated income covered by the amendment as business income or as nonbusiness income consistent with the *Phillips Petroleum Company* decision on a filed Iowa tax return for tax periods beginning prior to January 1, 1995, the Director of Revenue and Finance must accept such treatment. The amendment does not allow or require the filing of an Iowa income tax return on a combined reporting basis.

The Act takes effect May 1, 1995, and applies retroactively to January 1, 1995, for tax years beginning on or after that date.

HOUSE FILE 550 - Sales, Services, and Use Tax Exemption — Statewide Notification Center

BY COMMITTEE ON WAYS AND MEANS. This Act exempts the gross receipts from services rendered, furnished or performed by the statewide Notification Center and the vendor selected to provide the notification service, from the tax imposed under Chapters 422 and 423.

The Act takes effect May 3, 1995, and applies retroactively to tax years beginning on or after January 1, 1995.

HOUSE FILE 552 - Motor Fuel and Special Fuel Taxation and Regulation

BY COMMITTEE ON WAYS AND MEANS. This Act changes the point of taxation for motor fuel and special fuel. Previous law required that a distributor of motor fuel be licensed and that the motor fuel tax be imposed upon and collected from the distributor based upon a formula as provided in Section 452A.8. This Act makes it unlawful for any person to sell motor fuel or undyed special fuel within the state or to otherwise act as a supplier, restrictive supplier, importer, exporter, dealer, or user unless the person has a supplier's, restrictive supplier's, importer's, exporter's, dealer's, or user's license issued by the Department of Revenue and Finance.

The Act provides that tax on all motor fuel or undyed special fuel will be collected by the person who owns the fuel immediately prior to being withdrawn from the terminal or by the person who causes the fuel to be imported into this state. The Act provides that motor fuel tax be imposed in accordance with the following:

1. For a supplier, upon the invoiced gallonage of all motor fuel or undyed special fuel withdrawn from a terminal for delivery in this state.
2. For a person who owns or causes fuel to be brought into the state by a restrictive supplier or importer, upon the invoiced gross gallonage of motor fuel or undyed special fuel that is imported.
3. For the blender, on total invoiced gross gallonage of alcohol or other product sold to be blended with motor fuel or special fuel.
4. For any other person who possesses taxable fuel upon which the tax has not been paid to a licensee.

The Act provides that indelible dye meeting United States Environmental Protection Agency and Internal Revenue Service regulations must be added to fuel before or upon withdrawal at a terminal or refinery rack in order for the fuel to be exempt from the motor fuel tax and may be used only for exempt purposes. Suppliers and distributors are allowed to prorate a distribution allowance of not more than 1.6 percent of all gallons of motor fuel, with 0.4 percent retained by the supplier and 1.2 percent to the distributor and a distribution allowance of not more than 0.7 percent of all gallons of undyed special fuel removed from a terminal during the reporting period, with 0.35 percent retained by the supplier and 0.35 percent to the distributor or dealer purchasing directly from the supplier.

The Act requires that terminal operators report the state of destination, date, terminal, purchaser, purchaser's federal identification number, bill of lading number, product sold, and total gallons sold for each load of fuel removed from the terminal. Suppliers and restrictive suppliers are required to submit a monthly report showing state of destination, date, terminal, purchaser, purchaser's federal identification number, bill of lading number, product sold, and total gallons sold for each load of fuel removed from the terminal. Exchanges within a terminal are tax free. Importers are required to submit reports twice monthly; blenders are required to submit a supplier/importer report for fuel blended off-site of the terminal. All reports are due on the last day of the month following the month the fuel was removed from the terminal or imported except for importers, and the Director of Revenue and Finance may require that reports be filed by electronic transmission. A supplier, restrictive supplier or importer is required to pay the amount of tax due at the time of filing the report.

Previous law allowed for a claim for a refund if the amount of the refund was greater than \$10. This Act allows a claim for refund when the claimant has accumulated \$60 in credits for one calendar quarter and provides that if the \$60 credit has not been met in the calendar year, the credit may be claimed on the claimant's income tax return.

The Act provides penalties and enforcement provisions. For the illegal use of dyed fuel in the supply tank of a vehicle, the owner or operator is assessed a civil penalty of \$200 for the first violation, \$500 for the second violation within three years of the first violation, and \$1,000 for a third and subsequent violation within three years of the first violation. For the illegal importation of motor fuel or undyed special fuel without a valid importer's or supplier's license, the owner or operator of the importing vehicle or the owner of the fuel is subject to a \$2,000 civil penalty and detention of the importing vehicle until the fine is paid. For a second violation, the importing vehicle is detained and a fine of \$5,000 must be paid before the vehicle will be released. For a third and subsequent violation,

the importing vehicle and the fuel will be seized and a fine of \$10,000 must be paid before the vehicle is released. An additional \$5,000 fine is imposed if the vehicle or the fuel is moved before the tax, penalty and interest are paid. However, the owner or operator of the importing vehicle is not guilty if the owner or operator can show that the owner or operator reasonably did not know or reasonably should not have known of the illegal transportation. The Act provides that a person who files an incorrect refund claim shall be subject to a 10 percent penalty for the amount by which the amount claimed and refunded exceeds the amount due. If a person files a fraudulent refund claim, the penalty is 75 percent of the amount by which the amount claimed and refunded exceeds the amount due. The Act provides that the deliberate heating of taxable motor fuel or special fuel by dealers prior to consumer sale is a simple misdemeanor and that anyone who attempts to prevent, stop or delay an inspection of fuel or shipping papers is subject to a civil penalty of not more than \$1,000. The Act provides that a retailer who does not conspicuously label a fuel pump or other delivery facility is subject to a \$100 penalty.

The Act takes effect January 1, 1996.

HOUSE FILE 554 - Miscellaneous State and Local Tax Provisions

BY COMMITTEE ON WAYS AND MEANS. This Act makes a number of changes to the state tax laws, including income tax changes that treat income from intangible property as income from sources within the state for corporate income tax purposes (applies retroactively to January 1, 1995); increases from 80 percent to 90 percent the amount of estimated tax payments to be paid by corporations and financial institutions (effective July 1, 1995, for tax years beginning on or after that date); and gives the Department of Revenue and Finance 60 days to assess tax on amended returns received within 60 days of the statute of limitations (takes effect April 25, 1995, and applies retroactively to April 1, 1995, for amended tax returns filed on or after that date).

Sales and use tax provisions include changes that expand taxable services of testing laboratories to include mobile and field testing laboratories; eliminate the requirement that out-of-state retailers collect sales tax if their only activity is catalogue sales; allow interest on refunds to governmental bodies, private nonprofit educational institutions, and private museums to accrue the first day of the second month after receipt of the refund claim by the Department of Revenue & Finance; provide that the definition of "retailer" includes persons providing enumerated services; include services used in this state as subject to use tax if sales tax is not paid; and modify certain evasion of use tax provisions.

The Act modifies certain bonding requirements on appeal; provides that contested case hearing costs in fraud cases are taxed to the taxpayer; repeals certain obsolete property tax exemptions; and imposes a tax on unprocessed marijuana plants.

HOUSE FILE 556 - Property Tax Exemption for Speculative Shell Buildings

BY COMMITTEE ON WAYS AND MEANS. This Act provides that a not-for-profit cooperative association may build a speculative shell building in a city or county and receive the same property tax exemption that is currently received by community development organizations or for-profit entities which build speculative shell buildings.

HOUSE FILE 558 - Fruit-Tree or Forest Reservation Recapture Tax

BY COMMITTEE ON WAYS AND MEANS. This Act requires the seller of property to notify the buyer that the property is subject to a recapture tax on fruit-tree and forest reservation property tax exemptions. Property tax exemptions are allowed for fruit-tree reservations (eight years) and forest reservations (no limit) that meet certain criteria. However, a recapture tax is imposed if at any time during the exemption period or within five years after the exemption is no longer applied, the property ceases to be used as a fruit-tree or forest reservation. The recapture tax also applies to a person who may not have owned the property when it was receiving the exemption.

The Act takes effect May 4, 1995, for sales or transfers of property made on or after that date.

HOUSE FILE 559 - Assessment of Certain Cooperative and Nonprofit Residential Property

BY COMMITTEE ON WAYS AND MEANS. This Act provides that land and buildings owned by multiple housing cooperatives and land and buildings used for human habitation and owned and operated by certain organizations granted tax-exempt status under Internal Revenue Code Section 501(c)(3) are considered residential

property for the purpose of assessing the property's actual value for purposes of taxation. The Act is made retroactively applicable to January 1, 1995, for valuations established on or after that date.

HOUSE FILE 566 - Residential Service Contracts — Exclusion From Taxation

BY COMMITTEE ON WAYS AND MEANS. This Act provides that the sales and use taxes on optional service or warranty contracts do not include a tax on residential service contracts regulated by the Commissioner of Insurance. A residential service contract is a contract between a residential customer and a service company which undertakes, for a predetermined fee and for a specified period of time, to maintain, repair or replace all or any part of the structural components, appliances, or electrical, plumbing, heating, cooling, or air-conditioning systems of residential property containing not more than four dwelling units.

TRANSPORTATION

- SENATE FILE 158 - Travel Trailers
- SENATE FILE 214 - Consumer Protection Provisions Pertaining to Motor Vehicles
- SENATE FILE 233 - Suspension and Revocation of Driver's Licenses
- SENATE FILE 290 - Motor Vehicle and Highway Regulation
- SENATE FILE 298 - Implements of Husbandry
- SENATE FILE 311 - Medical Advance Directives on Driver's Licenses
- SENATE FILE 358 - Habitual Offenders of Motor Vehicle Laws — Operating While Intoxicated
- SENATE FILE 446 - Operating While Intoxicated and Related Provisions
- HOUSE FILE 115 - Rest Areas
- HOUSE FILE 340 - Snowmobile and All-Terrain Vehicle Operation on Public Land
- HOUSE FILE 393 - Exemptions From Motor Carrier Safety Requirements
- HOUSE FILE 460 - Condemnation Damages — Right-of-Way Notices — Scenic Highway Advertising
- HOUSE FILE 504 - Liability of Motor Vehicle Owners

RELATED LEGISLATION

- SENATE FILE 88 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that are substantive in nature, including the updating of references to the federal Resource Conservation and Recovery Act which are contained in the section establishing penalties for unlawful transportation of hazardous waste.
- SENATE FILE 117 - Anatomical Gifts
SEE HUMAN SERVICES. This Act replaces the former Uniform Anatomical Gift Act (Chapter 142A) with a new Act (Chapter 142C) and includes a provision which recognizes an indication of donation on a donor's individual motor vehicle driver's license as an expression of intent to make an anatomical gift.
- SENATE FILE 141 - Notice for Vacating and Closing Roads
SEE LOCAL GOVERNMENT. This Act requires that only those property owners outside the boundary of a city who own 10 or more acres of land within one mile of a road that is being vacated or closed be notified of a public hearing by regular mail. Prior law required that all property owners within one mile of the road be notified of the public hearing by regular mail.
- SENATE FILE 181 - Sales Tax Exemption for Aircraft
SEE TAXATION. This Act provides a sales and use tax exemption for the gross receipts from the sale or rental of aircraft, the sale or rental of tangible personal property permanently attached as a component part of the aircraft, and the gross receipts of all services used for aircraft repair, remodeling and maintenance.
- SENATE FILE 431 - Child Support Collection — Licensing Sanctions and Other Miscellaneous Provisions
SEE HUMAN SERVICES. This Act relates to child support enforcement including establishment of a procedure to affect the license of certain child support obligors. For the purposes of the Act, "license" means a license, certification, registration, permit,

approval, renewal, or other similar authorization issued to an obligor by a licensing authority which evidences the admission to, or granting of authority to engage in, a profession, occupation, business, or industry, or to operate or register a motor vehicle.

- SENATE FILE 481** - Appropriations — Transportation, Infrastructure, and Capital Projects
SEE APPROPRIATIONS. Division V of this Act makes permanent the six pilot project counties in which the county treasurers issue driver's licenses, requests an interim study on expansion of the pilot program, and provides for funding and other related provisions.
- HOUSE FILE 549** - State Collection of Taxes and Debts
SEE STATE GOVERNMENT. This Act provides for the collection of taxes and debts owed the state and establishes a one-year pilot project to refuse the issuance or renewal or require suspension of a person's driver's license if the person has a delinquent account, charge, fee, loan, or other indebtedness owed to or being collected by the state.
- HOUSE FILE 552** - Motor Fuel and Special Fuel Taxation and Regulation
SEE TAXATION. This Act changes the point of taxation for motor fuel and special fuel. The Act requires that indelible dye be added to fuel in order for the fuel to be exempt from the motor fuel tax. The Act provides penalties and enforcement provisions.

TRANSPORTATION

SENATE FILE 158 - Travel Trailers

BY COMMITTEE ON TRANSPORTATION. This Act conforms the statutory definition of "travel trailer" to the statutorily authorized width for travel trailers and certain other vehicles, which is 8 feet 6 inches. Section 321.454 was amended in 1994 to provide that travel trailers having a total outside width not exceeding 8 feet 6 inches are exempt from excessive size and weight permitting requirements of Chapter 321E and may be operated on the roads of the state; however, the definition of travel trailer in Section 321.1 was not amended in 1994.

SENATE FILE 214 - Consumer Protection Provisions Pertaining to Motor Vehicles

BY CONNOLLY. This Act requires that the designation "REBUILT" be stamped and printed on the face of all registration receipts issued for rebuilt motor vehicles if the prior certificate of title is from another state, and that the designation "SALVAGE" be stamped and printed on the face of all registration receipts indicating that a motor vehicle was previously titled on a salvage certificate of title. The stamped designations are required to be in black and in letters no bigger than 16 point type and located on the center of the right side of the registration receipt. The Act limits owners holding junking certificates from obtaining regular certificates of title by filing a bond with the State Department of Transportation to only those owners with antique vehicles.

The Act requires the damage disclosure statement to include a statement of whether the transferor knows whether the vehicle was titled as a salvage or flood vehicle in this or another state prior to ownership of the vehicle and excludes the cost of repairing, replacing or reinstalling air bags from the calculation of damages. The Act requires that transferors of motor vehicles with salvage or rebuilt titles must comply with damage disclosure statement requirements. The Act requires damage disclosure statements in motor vehicle lease transactions and provides that persons, dealers and auto recyclers are not liable to subsequent owners if a prior lessee issued a false or inaccurate damage disclosure statement or failed to issue a statement that the vehicle had been damaged or titled as salvage or rebuilt, unless the person, dealer or recycler knew or should have known of the prior false statement or failure to disclose.

Chapter 322G, the "Lemon Law," is amended in this Act to expand the application of the chapter to include motor vehicles purchased or leased in other states if the consumer is a resident of Iowa.

The Act makes a motor vehicle dealer liable for violating provisions prohibiting resale of returned vehicles. The Act also defines "settlement" in Section 322G.12 to include agreements entered into in disputes brought before state-certified or state-operated dispute resolution programs but only after the first written or oral presentation.

The provisions of the Act requiring damage disclosure statements for salvage, rebuilt or flood vehicles are effective on the date the State Department of Transportation prescribes the appropriate forms or January 1, 1996, whichever is earlier. The remainder of the Act takes effect on July 1, 1995.

SENATE FILE 233 - Suspension and Revocation of Driver's Licenses

BY COMMITTEE ON TRANSPORTATION. This Act defines the term "commercial motor carrier" to mean a person who is responsible for the safe operation of a commercial motor vehicle operated in interstate commerce. The Act allows the State Department of Transportation to refuse to issue a motor vehicle registration or certificate of title or to suspend or revoke the registration or certificate of title of a commercial motor vehicle operated by a commercial motor carrier whose ability to operate has been terminated or denied by a federal agency. A person is disqualified from operating a commercial motor vehicle for 90 days for the first violation of an out-of-service order; for one year for a second violation within 10 years; and for not less than three, and not more than five, years for a third and subsequent violation within a 10-year period. In addition, a person who violates an out-of-service order while transporting hazardous materials required to be placarded or while operating a commercial motor vehicle designed to transport more than 15 passengers is disqualified for one year for the first violation and for not less than three, and not more than five, years for any subsequent violations. The Act also provides a \$100 fine for persons who violate an out-of-service order.

The Act prevents the department from destroying operating records pertaining to arrests or convictions for operating a commercial motor vehicle while intoxicated in violation of Section 321J.2 if all of the provisions of the court order have not been satisfied. Currently, the department may destroy O.W.I. records which are more than 12 years old, unless the motor vehicle which was operated was a commercial motor vehicle.

Sections 321.213 and 321.213A are amended to provide that a juvenile's driver's license is suspended for a one-year period of time for violations of Chapter 124 (controlled substances), Section 126.3 (prohibited acts relating to drugs, devices, or cosmetics), or Chapter 453B (excise tax on unlawful dealing in certain substances). Section 321.215 prevents persons convicted of out-of-state drug and drug-related offenses under Section 321.205 and juveniles whose driver's licenses were suspended under Section 321.213A for violations of Chapter 124 or 453B or Section 126.3 from being issued a temporary restricted license. However, it allows these persons to apply to the district court for a temporary restricted permit which may only be issued under certain circumstances. The Act provides that persons who are applying for a motor vehicle license following a period of suspension or revocation for violations under Section 321.205 for out-of-state drug or drug-related offenses and juveniles whose driver's licenses are suspended under Section 321.213A are not required to maintain proof of financial responsibility in order to have the driver's license reinstated.

The Act allows the department to revoke a driver's license without waiting for an order from the court in those cases where the driver is found guilty of or pleads guilty to operating while intoxicated and is granted a deferred judgment.

Finally, the Act excludes the transportation of students or clients of the Iowa Braille and Sight Saving School or of the Iowa School for the Deaf from the definition of "chauffeur" for the purposes of determining which type of motor vehicle license is required.

SENATE FILE 290 - Motor Vehicle and Highway Regulation

BY COMMITTEE ON TRANSPORTATION. This Act makes several changes to the transportation provisions in the Code.

This Act defines "special truck" for purposes of Chapter 321 to include trucks, not used for hire and within a specified weight range, that are used by a person engaged in farming who assists another farmer through an exchange of services.

Section 321.13 is amended to allow the State Department of Transportation to retain a record or document if it appears, or is later determined, that the record or document is fictitious or unlawfully or erroneously issued.

The Act also provides that any school bus used exclusively for the transportation of children enrolled in a federal Head Start program is exempt from registration under Chapter 321. Upon application, the department shall, without charge, issue a registration certificate and plates for the school bus.

Section 321.19 is amended to allow the Department of Inspections and Appeals to be issued regular registration plates for motor vehicles regularly used for conducting investigations.

The Act creates a new Section 321.20A concerning the issuance of certificates of title to owners who own over 50 commercial motor vehicles based in Iowa. The section provides that registration fees need not be paid until the commercial motor vehicle is driven upon the highways. The certificate of title surcharge in Section 321.52A is applicable to this new section.

Section 321.34, subsection 2, and Section 321.166, subsection 7, are amended to permit the issuance of one validation sticker containing both the month and year of expiration for use on registration plates instead of previous law which provided for issuance of two stickers, one for the month and one for the year. These changes take effect January 1, 1997.

The Act amends Section 321.34, subsection 4, and Sections 321.105 and 321.122 to provide for the issuance of a permanent registration plate for trailers and semitrailers licensed under Chapter 326. The Act retains the three-year

multiyear plate but replaces the six-year plate with the permanent plate. The annual registration fee for the permanent plate is \$10, which may be remitted annually or at five-year intervals.

The Act changes Section 321.34, subsection 7, and Section 321L.2, subsection 3, to eliminate the \$5 charge for issuance of handicapped registration plates and handicapped identification devices.

The Act prohibits the department from entering into any contract requiring the expenditure of at least \$500,000 for the reissuance of registration plates without following competitive bidding procedures.

Section 321.47 is amended to allow the county treasurer to transfer title to a motor vehicle if it has been so ordered in a dissolution decree. A person who has been granted title to a motor vehicle must comply with other requirements for transferring title.

Sections 321.89 and 321.90 are changed to require the acquisition of a junking certificate for demolishing vehicles which have been abandoned. Previously, a demolisher was allowed to demolish, wreck or dismantle an abandoned vehicle purchased at an auction without further titling of the vehicle. This Act provides that the demolisher must apply for a junking certificate within 15 days of purchase and can use the sales receipt in lieu of a certificate of title. In addition, a person who wishes to dispose of an abandoned motor vehicle or whose title is faulty, lost, or destroyed may dispose of the vehicle by obtaining a certificate of authority from the police authority and then using the certificate in lieu of a certificate of title in order to obtain a junking certificate. Prior law allowed the person or governmental unit to transfer the abandoned motor vehicle to a demolisher without obtaining a junking certificate.

Section 321.126, subsection 6, is amended to allow county treasurers to refund registration fees to the owner for vehicles sold or junked. This change takes effect January 1, 1997.

Section 321.182 is amended to require an applicant for a motor vehicle license to surrender all nonoperator's identification cards.

Section 321.189, subsection 7, exempts motorcycle operators who obtain a permit prior to May 1, 1997, from the motorcycle education requirement of the subsection. Sections 37 and 39 of the Act delay the effective date of the motorcycle rider education requirements for persons 18 and older until May 1, 1997. These provisions take effect April 29, 1995.

New Section 321.253B restricts the department from enacting metric-only traffic signs unless required by federal law.

The amendment to Section 321.372 requires that a driver of a school bus used to transport children to and from school must turn on flashing warning lamps at a distance of not less than 150 feet from the point of receiving or discharging pupils if that point is located in an area with a speed limit of less than 45 miles per hour. Previously, the law provided that a driver must turn on flashing warning lamps not less than 300 feet nor more than 500 feet from the point where pupils are to be received or discharged from the bus.

Section 321.423 is changed to allow the chief of a fire department to issue an authorization for a member of the fire department to use a flashing blue light on the person's own vehicle rather than requiring the Director of the Department of Transportation to issue the authorization.

The Act also permits indivisible loads operating under the permit requirements of Sections 321E.7, 321E.8, and 321E.9 to be allowed a maximum of 20,000 pounds per axle.

Amendments to Sections 321.484 and 321F.6 and the repeal of Section 321F.7 eliminate the requirements for a lessor of a motor vehicle to file a copy of a certificate evidencing financial responsibility and a copy of the lease with the department. Evidence of financial responsibility and the lease must still be carried in the leased vehicle at all times.

Amendments to Section 327B.1 eliminate the filing fee for motor carriers with Interstate Commerce Commission authority while retaining the filing fee for motor carriers exempt from Interstate Commerce Commission authority and authorize collection of an annual \$1 fee per vehicle to issue the registration. Amendments to Section 327B.6 allow the department to accept insurance filings for regulated motor carriers from insurance carriers authorized to do business in any state and accepted by the Interstate Commerce Commission, eliminate citing obsolete references for filing forms, and make applicable only to exempt carriers the revocation of registration when insurance lapses. If Interstate Commerce Commission-regulated motor carriers' insurance lapses, the registration receipt is no longer valid. New Section 327B.7 provides for reciprocity with other states for an exempt commodity base state registration system.

The amendments to Chapter 805 provide that a citation issued to a person and produced electronically shall provide a means for obtaining the cited person's signature.

SENATE FILE 298 - Implements of Husbandry

BY COMMITTEE ON TRANSPORTATION. This Act adds to the definition of "implement of husbandry" machinery towed by a motor vehicle or farm tractor operated at speeds of less than 30 miles per hour and machinery drawn by a motor vehicle or farm tractor and used for the application of organic or inorganic plant food materials.

The Act also eliminates the requirement that certain self-propelled machinery considered implements of husbandry be subject to the gross weight restriction provided in Section 321.463. Instead, the machinery is treated similarly to other equipment deemed an implement of husbandry and subject to the exceptions to size, weight, and load requirements as provided in Section 321.453.

SENATE FILE 311 - Medical Advance Directives on Driver's Licenses

BY TINSMAN, KRAMER, BOETTGER, AND KIBBIE. This Act provides that a person may request the State Department of Transportation to indicate on the person's driver's license or nonoperator's identification card that the person has a medical advance directive. The Act provides that a medical advance directive includes, but is not limited to, a valid power of attorney for health care. The Act also allows a person renewing their license by mail to request the department to indicate on the renewal document that the licensee has a medical condition, is a donor under the Uniform Anatomical Gift Act, or has a medical advance directive.

SENATE FILE 358 - Habitual Offenders of Motor Vehicle Laws — Operating While Intoxicated

BY COMMITTEE ON JUDICIARY. This Act provides for the administrative determination by the State Department of Transportation of whether a person's license is to be barred for being a habitual offender, expands the eligibility of habitual offenders for issuance of temporary restricted licenses, adds a requirement that persons obtaining a temporary restricted license under the operating while intoxicated provisions install ignition interlock devices on their vehicles, and establishes a youthful offender substance abuse program for persons whose motor vehicle licenses are revoked for a violation of driving while having a blood alcohol concentration of greater than .02 but less than .10.

Under previous law, the determination of whether a person was to be declared a habitual offender was made by the court. Under the Act, administrative hearings are to be conducted by the department in the same manner as contested case hearings under Chapter 17A, although provision is made for a change in the location of the hearing and for telephone hearings if the person who is the subject of the hearing and the department agree. Service is to be made in the same manner as in other administrative hearings, except that a peace officer who has stopped a person for another reason may serve the person with the notice on forms to be developed by the department. Service on nonresidents of this state may be made in the same manner as other action taken by the department against nonresidents. If a person is found to be a habitual offender under Section 321.555, subsection 1, for commission of three offenses, within a six-year period, of vehicular manslaughter, operating while intoxicated, driving while the person's license is suspended, revoked, or barred, a felony vehicle offense, or failure to stop and leave information, the person's license will be barred for no less than two and no more than six years from the date on which the department's decision becomes final. If a person is found to be a habitual offender under Section 321.555, subsection 2, for the commission of six reportable traffic or license offenses within a two-year period, the person's license is to be barred for one year. The department's decision is considered final by the latter of the date of the

agency's decision or the date on which the agency's decision is affirmed by the court. The department is to adopt rules establishing a point system to determine the length of time for which the person is to be barred from possessing a license to operate a motor vehicle in this state if the person is found to be a habitual offender. The person's license is to be barred for a least two, but not more than six, years.

The Act also permits persons whose licenses are barred as a result of three or more convictions for driving a motor vehicle while the person's license was suspended, revoked, or barred to apply to the district court for a temporary restricted license during the period in which the person's license is barred. The Act permits the issuance of a temporary restricted license prior to the payment of the civil penalty for operating while intoxicated. The civil penalty will have to be paid, however, before the person's regular license or operating privileges are reinstated.

The Act requires that persons obtaining a temporary restricted license due to an operating while intoxicated conviction are required to install an ignition interlock device on their motor vehicles for either the period of the revocation, or one year, whichever period is shorter, unless a court order otherwise provides.

The Act also contains a youthful offender program for persons under the age of 21 whose licenses are revoked for the first time under the new provisions enacted in S.F. 446, which provide for a motor vehicle license revocation for persons who operate a motor vehicle while having a blood alcohol concentration of more than .02 but less than .10. The program provides for a substance abuse evaluation, an insight class, and potentially an education tour, which may include a tour of a hospital or other emergency medical care facility, a facility for the treatment of chemical substance abuse, and a morgue or other similar facility. Parents will be encouraged to participate in the program. Program participants who complete a program will receive a 50 percent reduction in the time period during which their license is revoked. The costs of the program will be borne by the participants, based upon a sliding fee scale established by the program providers.

By January 1, 1996, the department is directed to submit a report to the General Assembly regarding the number of habitual offender contested cases and the average length and costs of conducting the hearings.

SENATE FILE 446 - Operating While Intoxicated and Related Provisions

BY COMMITTEE ON JUDICIARY. This Act makes a variety of changes relating to the use or possession of alcohol and the operation of motor vehicles. The Act moves language prohibiting the possession of open receptacles containing alcoholic beverages in a motor vehicle from Chapter 123, which regulates alcoholic beverages, to Chapter 321, which governs motor vehicles, and provides that violations are punishable by a scheduled fine of \$50.

The Act contains language that establishes periods of "hard" revocation (no driving privileges), which is one of the prerequisites for the receipt of federal funds through the National Highway Traffic Safety Administration for enhancement of drunk driving prevention programs. Minimum revocation periods of 30 days are established if the person submits to and fails a chemical test which results in an indication of an alcohol concentration of .10 or more, 90 days if the person refuses to submit to a chemical test, and one year for a person who has had one or more previous revocations under Chapter 321J within the previous six years. The Act further provides for a reduction of the effective date of revocation from 20 to 10 days after notice of revocation, and requires that a request for hearing must be completed and returned to the State Department of Transportation within 10 days (currently 30) upon receipt of the notice of revocation. The Act also reduces the time within which a new hearing must be granted after a hearing result is contested. Persons subject to judicial, as well as administrative, revocations are subject to the "hard" revocation provisions.

The Act requires that the local prosecuting attorney and the department be given notice by the clerk of the district court of, and the opportunity to request a hearing on, a petition for a temporary restricted license pursuant to Section 321J.4.

This Act also provides for the administrative revocation of the motor vehicle license or nonresident operating privileges of persons under the age of 21 who are found to be operating a motor vehicle while having an alcohol concentration level of .02 or greater, but less than .10. Under this Act, revocations are for 30 days for a first offense

and 90 days for a second or subsequent offense. Once the period of revocation ends, the individual is not subject to the motor vehicle financial responsibility provisions, but if the person drives while the person's license is revoked, criminal penalties will apply. A person whose license or operating privilege is revoked under the new provisions is required to pay the civil penalty to regain the person's license or privilege. The implied consent provisions and the two-hour limitation on chemical test results apply to the requests for chemical testing under the .02 standard. Under the Act, persons whose licenses are revoked for being over the .02 level are not eligible to receive temporary restricted licenses during the period of revocation. Provision is made for the destruction of records relating to the administrative revocation after the revocation is 12 years old.

The Act also provides, upon the conviction of a person for operating while intoxicated and being a second or subsequent offender (OWI 2nd or OWI 3rd), that the court may order the impoundment or immobilization of motor vehicles used by the person to commit the offense. The person or agency responsible for carrying out the order will determine whether the vehicle is to be impounded or immobilized. The term "immobilized" is defined to include the installation of a device that completely prevents a motor vehicle from being operated, or the installation of an ignition interlock device in the motor vehicle. If a motor vehicle is impounded or immobilized, the period of impoundment or immobilization is to be for 180 days or the period during which the person's license is to be suspended, whichever period is longer. The person convicted is prohibited from purchasing another vehicle or selling or transferring title to an impounded or immobilized vehicle during the period of impoundment or immobilization. Violation of the prohibition is a serious misdemeanor.

Unless the person convicted is not in lawful possession of the motor vehicle, owners of motor vehicles which are the subject of orders for impoundment or immobilization are to pay a fee of \$100 plus expenses to cover the cost of impoundment or immobilization before the owner can obtain the return of the motor vehicle. However, if the owner of the motor vehicle is not the person who is convicted of the offense or the owner of the motor vehicle is a rental or leasing company, the owner may submit a claim for return of the vehicle within 24 hours of receipt of the order for impoundment or immobilization. The owner must, however, prove to the satisfaction of the court that the person did not know or should not have known, and, in the case of a rental or leasing company, that the person did not consent to, the operation of the motor vehicle in the commission of an operating while intoxicated offense.

Holders of security interests may seek and gain return of motor vehicles which are subject to orders for impoundment or immobilization, without payment of any fees or surcharges, unless the value of the vehicle exceeds the value of the security interest held by the creditor. Joint owners of motor vehicles, who are not members of the convicted person's immediate family, may make application for permission to operate a motor vehicle which has been impounded or immobilized if the joint owner's license is not also under suspension or revocation, or the joint owner has not otherwise been denied a license, if an ignition interlock device is installed in the vehicle. A member of a convicted person's immediate family may also make application for permission to operate an impounded or immobilized motor vehicle, subject to installation of an ignition interlock device, if the family member can demonstrate that the vehicle is the only vehicle possessed by the family.

Motor vehicles that are impounded or immobilized shall be forfeited to the state if the owner fails to claim the vehicle within 30 days of expiration of the period of impoundment or immobilization. Motor vehicles subject to an order for impoundment or immobilization, which are operated on a street or highway in the state during the period of impoundment or immobilization, are to be seized and forfeited to the state. If the value of a motor vehicle which is the subject of an order for impoundment or immobilization is less than the costs of impounding or immobilizing the vehicle and the owner of the vehicle does not prepay the costs of impoundment or immobilization, the state may treat the vehicle as abandoned.

Loss of use of a vehicle due to impoundment or immobilization does not constitute loss of use of the motor vehicle for purposes of a contract for insurance.

The Act also provides that the statutory provision which would relieve a political subdivision from complying with a state mandate if funding for the cost of the state mandate is not provided or specified does not apply to the Act. However, the Act also specifies that it is the intent of the General Assembly that the fees and funds generated by the Act are to be used to cover the costs associated with the additional duties imposed.

HOUSE FILE 115 - Rest Areas

BY BODDICKER. This Act provides that nonprofit organizations can serve free refreshments to motorists at rest areas during the Memorial Day and Labor Day weekends and the Fourth of July period pursuant to rules adopted by the State Department of Transportation. The Act also requires the Department of Economic Development, in consultation with the State Department of Transportation and the Department for the Blind, to develop a program to promote Iowa agricultural products at rest areas.

The Act defines "free refreshments" as being limited to water, coffee, cookies, any nonintoxicating, noncarbonated beverage not already bottled or canned, doughnuts, or baked dessert goods. Nonprofit organizations are permitted to accept, without active solicitation, voluntary donations from motorists. The State Department of Transportation shall approve or disapprove applications by nonprofit organizations to serve free refreshments at rest areas at least 60 days prior to the holiday period.

HOUSE FILE 340 - Snowmobile and All-Terrain Vehicle Operation on Public Land

BY O'BRIEN. This Act defines "public land," for the purposes of the chapter governing the operation of snowmobiles and all-terrain vehicles, as land owned by government and land acquired for public recreation pursuant to an appropriation from the special conservation fund, which receives moneys acquired from snowmobile and all-terrain vehicle fees.

HOUSE FILE 393 - Exemptions From Motor Carrier Safety Requirements

BY COMMITTEE ON TRANSPORTATION. This Act concerns exemptions from federal motor carrier safety regulations relating to driver qualifications, hours of service and recordkeeping requirements. Previously, private carriers who were not for hire, who were engaged exclusively in intrastate commerce, and who operated not more than 100 miles from the driver's work reporting location, were exempt from the federal requirements. This Act changes the exemption to provide that the driver of a commercial vehicle engaged exclusively in intrastate commerce is exempt if the vehicle's gross vehicle weight rating is 26,000 pounds or less, unless the vehicle is used to transport hazardous materials or is used to transport more than 15 passengers. The Act exempts certain farm-related drivers from rules adopted under Section 321.449 and allows a driver-salesperson for a private carrier, who is not for hire and who is engaged exclusively in intrastate commerce, to operate for specified periods of time.

HOUSE FILE 460 - Condemnation Damages — Right-of-Way Notices — Scenic Highway Advertising

BY COMMITTEE ON TRANSPORTATION. This Act provides for a market-based interest rate for condemnation damages, provides for right-of-way notice filings, and deals with advertising control laws on scenic highways.

This Act amends Section 6B.24 to provide for a market-based interest rate for condemnation damages rather than the current rate of 10 percent. In addition, it provides that interest on an award which has been determined on appeal to be greater than the amount set by the Compensation Commission should be accrued from the date of condemnation rather than from the date of the commencement of the action as provided in Section 535.3.

The State Department of Transportation may notify a county or city that a road under the department's jurisdiction will be established, improved, relocated, or maintained and that the department may need to acquire additional right-of-way. The notice is valid for three years from the date of notification and can be refiled by the department for an additional three-year period. The Act amends Section 306.19 to provide that the department can refile this notice every three years.

This Act also gives the State Department of Transportation authority to adopt rules controlling the erection of new advertising devices on a scenic highway or byway in order to comply with federal requirements concerning scenic byways.

HOUSE FILE 504 - Liability of Motor Vehicle Owners

BY COMMITTEE ON TRANSPORTATION. This Act defines the term "owner" for purposes of determining liability for damages caused by the driver of a motor vehicle. Section 321.493 formerly provided that where damage was done by a motor vehicle due to the negligence of the driver and the motor vehicle was driven with the consent of the owner, the owner of the motor vehicle was liable for the damage. This Act provides that "owner" means the person to whom the certificate of title for the vehicle has been issued or assigned or to whom a

manufacturer's or importer's certificate of origin for the vehicle has been delivered or assigned. If the vehicle is leased, the Act provides that "owner" means the person to whom the vehicle is leased. The Act also amends Section 321A.1 to provide that for purposes of motor vehicle financial responsibility, the lessee is deemed to be the owner.

CHAPTER NUMBERS OF THE 1995 IOWA ACTS AND JOINT RESOLUTIONS

SENATE FILES

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
9	38	189	175	367	180
17	9	197	100	371	86
32	4	201	152	373	127
37	2	202	94	375	34
45	3	205	111	377	106
66	107	206	70	385	74
69	206	207	101	386	75
79	122	208	147	390	173
82	68	214	45	394	160
83	130	215	97	398	128
84	5	223	151	400	188
85	134	225	103	402	60
87	67	226	104	403	169
88	49	228	112	406	96
93	146	229	71	407	99
94	36	233	55	409	91
106	132	234	46	422	124
114	6	239	183	423	139
116	50	247	62	427	145
117	39	255	42	428	88
118	40	256	172	431	115
120	179	266	218	432	144
132	85	271	32	433	116
140	30	272	105	436	93
141	54	274	33	437	102
142	87	278	43	438	92
146	133	280	123	439	89
147	61	286	140	440	63
149	52	290	118	443	90
150	182	292	98	446	48
152	108	293	126	457	129
155	109	298	56	458	57
157	44	311	95	459	207
158	10	315	120	460	11
159	37	320	148	462	205
162	35	333	47	468	181
164	69	341	113	472	186
174	51	346	72	473	153
175	31	347	73	475	214
176	110	351	114	478	193
178	41	352	53	481	220
179	159	358	143	484	219
181	142	366	168	486	209

SENATE JOINT RESOLUTIONS

No.	Acts Chapter
6	221

CHAPTER NUMBERS OF THE 1995 IOWA ACTS AND JOINT RESOLUTION

HOUSE FILES

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
3	1	252	170	504	136
29	178	256	65	505	190
30	12	257	164	507	162
41	119	277	23	508	215
54	64	289	80	512	204
94	165	303	192	515	17
113	76	337	24	518	199
115	18	340	177	519	195
117	163	346	81	520	66
118	19	393	171	528	191
126	117	406	25	530	212
128	77	425	26	548	141
132	202	437	198	549	194
139	78	447	27	550	150
149	8	456	28	552	155
154	16	460	135	553	216
159	174	461	131	554	83
161	20	470	58	556	84
170	13	475	29	558	156
179	7	477	14	559	157
185	154	478	15	565	196
186	203	481	208	566	187
197	121	482	210	571	176
198	59	483	82	573	184
203	161	485	137	575	197
212	21	486	149	577	200
215	166	489	158	578	217
217	79	490	138	579	211
238	22	492	125	583	201
246	167	494	189	584	213
247	185				

HOUSE JOINT RESOLUTION

No.	Acts Chapter
13	222

1995 SECTIONS AMENDED, ADDED OR REPEALED

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1B.1	Section amended	HF 3.1	J
1B.2	Section amended	HF 3.2	J
1B.3	Section amended	HF 3.3	J
2.10	Subsections 1, 3, 6, & 7 amended	HF 579.14	1/13/97
2.40	Subsection 1, unnumbered paragraph 2 amended	HF 579.15	J
2.47A	Subsection 1, paragraph d amended	SF 475.1	J
2B.13	Subsection 4 amended	SF 87.1	J
4.1	New subsection 13A	SF 278.1	J
6B.24	Section amended	HF 460.1	J
6B.42	Subsection 1 amended	HF 303.1	E
7G.1	Subsection 8, paragraph a amended	HF 579.16	J
8.21	New unnumbered paragraph	SF 475.4	VETO
8.22A	New subsection 5	SF 475.5	J
8.22A	New subsection 6	SF 475.5	VETO
8.23	Unnumbered paragraph 1 amended	SF 475.20	J
8.35A	Subsection 2 amended	SF 475.21	J
8.46	Section amended	SF 475.2	J
8.55	Subsection 4 amended	SF 475.13	E
8.56	Subsection 1 amended	SF 475.14	E
8.57	Subsection 1, paragraph a rewritten	SF 486.11	J
8.57	Subsection 1, paragraph b amended	SF 486.12	J
8.57	Subsection 2 amended	SF 475.15	E
8.57	Subsection 5 amended	SF 475.16	E
8.58	Section amended	SF 475.17	E
8.63	New section	SF 475.18	E
8D.3	Subsection 3, paragraph i amended	HF 482.1	J
8D.13	Subsection 12 amended	HF 161.1	J
8D.13	New subsection 13B	HF 482.2	VETO
8D.14	Section amended	HF 482.7	J
9E.10A	New section	SF 272.1	R 1/1/85
9H.5A	Subsection 3, paragraph g amended	SF 278.2	J
10A.104	Subsection 8 amended	SF 87.2	J
12.9	Section repealed	SF 484.46	J
12.12	Section repealed	SF 484.46	J
12.13	Section repealed	SF 484.46	J
12.21	Section amended	SF 484.36	J
12C.7	Subsection 2 amended	HF 406.1	J
12C.9	Section amended	HF 406.2	J
12C.14	Section repealed	HF 406.3	J
13.2	New subsection 13	SF 367.1	J
13.13	Subsection 2 amended	HF 519.1	E
13.15	Unnumbered paragraph 1 amended	HF 519.2	E
13B.8	Subsection 1, unnumbered paragraph 2 amended	SF 87.3	J
15.308	Subsection 2, paragraph h amended	SF 87.4	J
15.317	New subsection 4	HF 512.15	J
15.341	New section	HF 573.1	J
15.341	New section repealed	HF 573.12	6/30/97
15.342	New section	HF 573.2	J

EFFECTIVE DATE - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

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|---|------------------------------|----------|-------------------------------|----|--|
| A | - Applicability provisions | R | - Retroactive applicability | * | - Section amended by subsequent bill |
| C | - Conditional effective date | VETO | - Entire bill section vetoed | ** | - Bill section repealed by subsequent bill |
| E | - Effective upon enactment | IV | - Part of bill section vetoed | | |
| J | - Effective July 1, 1995 | 00-00-00 | - Specified effective date | | |

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
15.342	New section repealed	HF 573.12	6/30/97
15.343	New section	HF 573.3	J
15.343	New section repealed	HF 573.12	6/30/97
15.345	New section	HF 573.4	J
15.345	New section repealed	HF 573.12	6/30/97
15.346	New section	HF 573.5	J
15.346	New section repealed	HF 573.12	6/30/97
15.347	New section	HF 573.6	J
15.347	New section repealed	HF 573.12	6/30/97
15.348	New section	HF 573.7	J
15.348	New section repealed	HF 573.12	6/30/97
15A.9	Subsection 8, unnumbered paragraph 2 amended	SF 201.1	R 1/1/94
15E.120	Subsection 5 amended	SF 87.5	J
16.177	Subsection 10 stricken	HF 132.11	E
17A.6	New subsection 3A	HF 477.1	J
17A.8	Subsection 9 amended	SF 88.1	J
18.12	Subsection 15 amended	SF 475.3	J
18.18	Section amended	SF 247.1	J
18.21	Section repealed	SF 157.5	E
18.36	Section amended	HF 447.1	J
18.50	Section amended	HF 447.2	J
18.62	Section amended	HF 447.3	J
18.75	Subsection 8 amended	HF 447.4	J
18.83	Section amended	HF 447.5	J
18.84	Section amended	HF 447.6	J
18.85	Section amended	HF 447.7	J
18.86	Section amended	HF 447.8	J
18.88	Section amended	HF 447.9	J
18.92	Section amended	HF 447.10	J
18.95	Section amended	HF 447.11	J
18.96	Section amended	HF 447.12	J
19A.3	Subsection 9 amended	HF 507.2	J
19A.3	New subsection 23	HF 170.1	J
19A.3	New subsection 23	HF 507.1	J
19A.3A	New section	HF 507.3	J
19A.8A	New section	HF 507.4	J
19A.12	Subsection 2 amended	HF 507.5	J
19A.15	Unnumbered paragraph 1 amended	HF 507.6	J
19A.32	Section amended	HF 507.7	J
19B.5	Subsection 2 amended	HF 507.8	J
22.7	Subsection 13 amended	HF 528.1	J
22.7	Subsection 26 amended	SF 197.1	E
22.7	Subsection 32 amended	SF 457.1	J
25.2	Section amended	SF 484.37	J
28E.8	Section amended	SF 176.1	J
28E.17	Section amended	SF 87.53	J
28E.22	Section amended	SF 87.53	J
28E.25	Section amended	SF 87.53	J
28E.28A	Section amended	SF 87.53	J
28E.39	Section amended	SF 87.53	J
35A.2	Subsection 1 amended	SF 87.6	J
35A.2	Subsection 2 amended	HF 203.1	E
35A.2	Subsection 3 stricken	HF 203.2	E
35A.3	New subsection 13	HF 203.3	E
37.2	Section amended	SF 87.53	J
37.9	New unnumbered paragraph	SF 351.1	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
37.15	Section amended	SF 351.2	J
38	Chapter repealed	HF 512.19	J
39.22	Section amended	SF 87.53	J
43.49	New subsection 3	HF 494.1	J
43.53	Section amended	HF 494.2	J
43.63	Section rewritten	HF 494.3	J
43.88	Unnumbered paragraph 2 amended	HF 494.4	J
44.4	Unnumbered paragraph 1 amended	HF 494.5	J
47.5	Subsection 1, paragraph b stricken	SF 225.1	J
47.5	Subsection 1, paragraph d amended	SF 225.2	J
47.6	Section amended	SF 87.53	J
47.8	Subsection 1 amended	HF 494.6	J
47.8	Subsection 3 amended	HF 494.7	J
48A.14	Subsection 3 amended	SF 87.7	J
49.3	Section amended	SF 87.53	J
49.12	Section amended	SF 87.53	J
49.13	Section amended	SF 87.53	J
49.51	Section amended	SF 87.53	J
49.66	Section amended	HF 494.8	J
49.67	Section rewritten	HF 494.9	J
49.72	Section amended	SF 87.53	J
50.24	Unnumbered paragraph 1 amended	HF 494.10	J
50.36	Section rewritten	HF 494.11	J
50.37	Section amended	HF 494.12	J
50.38	Section rewritten	HF 494.13	J
50.49	New section	HF 494.14	J
53.2	Unnumbered paragraph 4 amended	HF 494.15	J
53.23	Subsection 4 amended	HF 494.16	J
53.30	Section amended	SF 87.53	J
53.37	Subsection 5 amended	SF 87.8	J
53.39	Section amended	SF 87.9	J
56.2	New subsection 5A	HF 437.1	J
56.2	Subsection 15 amended	HF 437.2	J
56.3	Subsections 1, 2, & 4 amended	HF 437.3	J
56.4	Section amended	HF 437.4	J
56.5	Subsection 1 amended	HF 437.5	J
56.5	Subsection 2, paragraph a amended	HF 437.6	J
56.5	Subsection 5 amended	HF 437.7	J
56.5A	Section amended	HF 437.8	J
56.6	Subsection 1, paragraphs a & d amended	HF 437.9	J
56.6	Subsections 4 & 5 amended	HF 437.10	J
56.12	Unnumbered paragraph 1 amended	HF 437.11	J
56.13	Subsection 2 amended	HF 437.12	J
56.14	Section amended	HF 437.13	J
56.15	Subsections 1, 2, & 3 amended	HF 437.14	J
56.19	Section amended	SF 87.53	J
56.41	Subsection 1 amended	HF 437.15	J
56.42	Subsection 1, paragraphs b & c amended	HF 437.16	J
56.43	Section amended	HF 437.17	J
68B.2A	Subsection 1, paragraph a amended	SF 178.1	J
68B.32	Subsection 5 amended	HF 437.18	J

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C	- Conditional effective date	VETO	- Entire bill section vetoed	**	- Bill section repealed by subsequent bill
E	- Effective upon enactment	IV	- Part of bill section vetoed		
J	- Effective July 1, 1995	00-00-00	- Specified effective date		

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
68B.32A	Subsection 2 amended	HF 437.19	J
69.14	Section amended	HF 494.17	J
70A.20	Section amended	HF 507.9	J
70A.26	New section	SF 106.1	J
73.7	Section repealed	SF 229.3	J
73.8	Section repealed	SF 229.3	J
73.9	Section amended	SF 229.1	J
80.9	Subsection 2, paragraph d amended	HF 528.2	J
80.41	New section	SF 481.23	J
80.41	New section repealed	SF 481.23	7/1/2000
85.36	Subsection 9 stricken	SF 286.1	J
85.36	Subsection 10, paragraph a amended	SF 178.2	J
85.36	Subsection 10, paragraph a amended	SF 286.2	J
85.61	Subsection 2 amended	SF 178.3	J
85.61	Subsection 7, unnumbered paragraph 3 amended	SF 178.4	J
85.61	Subsection 11, unnumbered paragraph 3 amended	SF 178.5	J
86.26	Section amended	SF 286.3	J
87.4	New unnumbered paragraph	HF 247.1	J
91A.4	Section amended	SF 159.1	J
96.3	Subsection 7, unnumbered paragraph 2 amended	SF 155.1	A 7/2/95
96.3	Subsection 10 stricken	HF 277.1	J
96.5	Subsection 1, paragraph a amended	SF 155.2	A 7/2/95
96.6	Subsection 2 amended	SF 155.3	A 7/2/95
96.7	Subsection 2, para. a, subpara. (2), unnumbered para. 3 amended	SF 155.4	A 7/2/95
96.7	Subsection 2, para. a, subpara. (2), unnumbered para. 4 stricken	SF 155.5	A 7/2/95
96.19	Subsection 18, para. g, subpara. (3), subpara. subdiv. (f) amended	SF 278.3	J
97B.41	Subsection 8, paragraph b, subparagraph (1) amended	SF 437.1	R 1/1/95
97B.41	Subsection 8, para. b, subpara. (4), unnumbered para. 1 amended	SF 437.2	R 1/1/95
97B.41	New subsection 9A	SF 437.4	R 1/1/95
97B.41	Subsection 14 amended	SF 437.3	R 1/1/95
97B.49	Subsection 5, paragraph b, unnumbered paragraph 5 amended	SF 437.5	R 1/1/95
97B.49	Subsection 13, paragraph c amended	SF 437.6	R 1/1/95
97B.49	Subsection 13, new paragraph f	SF 437.7	R 1/1/95
97B.51	Subsection 2 amended	SF 437.8	R 1/1/95
97B.52	Subsections 1 & 2 amended	SF 437.9	R 1/1/95
97B.52A	Section amended	SF 437.10	R 1/1/95
99B.3	Subsection 1, paragraphs d & h amended	HF 117.1	J
99D.5	Subsection 1 amended	SF 484.44	VETO
99D.7	New subsection 22	SF 462.34	J
99D.8	Unnumbered paragraphs 1 & 2 amended	HF 571.1	R 1/1/95
99D.22	Subsection 1 amended	SF 146.1	J
99D.22	Subsection 2, unnumbered paragraph 1 amended	SF 146.2	J
99D.22	Subsection 2, paragraph a amended	SF 146.3	J
99D.22	Subsection 2, paragraph c, unnumbered paragraph 1 amended	SF 146.4	J
99D.22	Subsection 2, paragraph c, subparagraph (1) rewritten	SF 146.5	J
99D.22	Subsection 3, paragraphs a & d amended	SF 146.6	J
99D.22	Subsection 4 amended	SF 146.7	J
99E.9	New subsection 8	SF 462.35	J
99F.1	Subsection 14 amended	HF 571.2	R 1/1/95
99F.6	Subsection 4, paragraph a amended	HF 571.3	R 1/1/95
99F.7	Subsection 10 amended	SF 88.2	J
99F.7	Subsection 10, paragraph a amended	HF 571.4	R 9/1/94
99F.7	Subsection 10, new paragraph d	HF 571.5	R 9/1/94
99F.10	Subsection 4 amended	SF 459.22	J
123.28	Unnumbered paragraph 2 stricken	SF 446.1	J
123.38	Unnumbered paragraph 2 amended	SF 69.5	A 1/1/96

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
123.47	Section amended	HF 528.3	J
123.47B	Section amended	HF 528.4	J
123A.1	New section	SF 207.1	J
123A.2	New section	SF 207.2	J
123A.3	New section	SF 207.3	J
123A.4	New section	SF 207.4	J
123A.5	New section	SF 207.5	J
123A.6	New section	SF 207.6	J
123A.7	New section	SF 207.7	J
123A.8	New section	SF 207.8	J
123A.9	New section	SF 207.9	J
123A.10	New section	SF 207.10	J
123A.11	New section	SF 207.11	J
123A.12	New section	SF 207.12	J
124.101	Subsections 1 & 23 amended	SF 152.1	J
124.208	Subsection 6 rewritten	SF 114.1	J
124.415	Section amended	HF 528.5	J
124.416	Section amended	HF 528.6	J
135.1	Subsection 4 amended	SF 152.2	J
135.24	Section amended	HF 197.1	J
135.43	New section	SF 208.2	J
135.63	New subsection 4	SF 315.1	E
135.107	Subsection 1, unnumbered paragraph 2 amended	SF 87.10	J
135B.9	Unnumbered paragraph 1 amended	SF 174.1	J
135C.2	Subsection 5, paragraph g amended	SF 87.11	J
135H.8A	New section	SF 174.2	J
139B.1	Subsection 1, paragraph d amended	SF 178.6	J
141.22A	Subsection 1, paragraph a amended	SF 178.7	J
142A	Chapter repealed	SF 117.15	J
142C.1	New section	SF 117.1	J
142C.2	New section	SF 117.2	J
142C.3	New section	SF 117.3	J
142C.4	New section	SF 117.4	J
142C.5	New section	SF 117.5	J
142C.6	New section	SF 117.6	J
142C.7	New section	SF 117.7	J
142C.8	New section	SF 117.8	J
142C.9	New section	SF 117.9	J
142C.10	New section	SF 117.10	J
142C.11	New section	SF 117.11	J
142C.12	New section	SF 117.12	J
142C.13	New section	SF 117.13	* J
142C.13	New section amended	SF 486.20	J
142C.14	New section	SF 117.14	J
144.5	Subsection 3 amended	SF 422.1	7/1/97
144.5	Subsection 6 amended	SF 422.2	7/1/97
144.9	Unnumbered paragraph 1 amended	SF 422.3	7/1/97
144.11	New section	SF 422.4	7/1/97
144.12A	Subsection 5, paragraph c amended	SF 87.12	J
144.13	Subsection 1, paragraph d amended	SF 202.1	J
144.13A	Section amended	SF 422.5	7/1/97

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A - Applicability provisions	R - Retroactive applicability	* - Section amended by subsequent bill
C - Conditional effective date	VETO - Entire bill section vetoed	** - Bill section repealed by subsequent bill
E - Effective upon enactment	IV - Part of bill section vetoed	
J - Effective July 1, 1995	00-00-00 - Specified effective date	

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
144.36	Subsections 1, 2, & 4 amended	SF 422.6	7/1/97
144.45	Unnumbered paragraph 1 amended	SF 422.7	7/1/97
144.46	Section amended	SF 422.8	7/1/97
144C.4	New subsection 1A	HF 247.2	J
145B.3	Section amended	SF 79.1	J
147.1	Subsections 1, 3, 4, & 6 stricken	SF 178.8	J
147.1	Subsection 7 amended	SF 152.3	J
147.74	Subsection 6 amended	SF 152.4	J
147.107	Subsections 1 & 2 amended	SF 152.5	J
147.136	Section amended	SF 152.6	J
147.138	Section amended	SF 152.7	J
147.161	Section repealed	SF 178.27	J
147A.1	Section rewritten	SF 178.9	J
147A.2	New section	SF 178.10	J
147A.3	New section	SF 178.11	J
147A.4	Section amended	SF 178.12	J
147A.5	Subsections 1 & 3 amended	SF 178.13	J
147A.6	Section amended	SF 178.14	J
147A.7	Subsection 1, unnumbered paragraph 1 amended	SF 178.15	J
147A.7	Subsection 1, paragraphs j & k amended	SF 178.16	J
147A.8	Section amended	SF 178.17	J
147A.9	Section amended	SF 178.18	J
147A.10	Section amended	SF 178.19	J
147A.11	Subsections 1 & 2 amended	SF 178.20	J
147A.12	Subsection 1 amended	SF 178.21	J
147A.13	Section amended	SF 178.22	J
147A.20	New section	SF 118.1	J
147A.21	New section	SF 118.2	J
147A.22	New section	SF 118.3	J
147A.23	New section	SF 118.4	J
147A.24	New section	SF 118.5	J
147A.25	New section	SF 118.6	J
147A.26	New section	SF 118.7	J
147A.27	New section	SF 118.8	J
147A.28	New section	SF 118.9	* J
147A.28	New section amended	SF 486.21	J
148A.1	Section amended	SF 152.8	J
149.1	Section amended	SF 152.9	J
149.5	Unnumbered paragraph 2 amended	SF 152.10	J
149.6	Section amended	SF 152.11	J
152.1	Subsection 5, paragraph c amended	SF 152.12	J
152.5	Subsection 1, paragraphs c & d amended	HF 217.1	J
152.7	Subsections 3 & 4 amended	HF 217.2	J
152B.11	Unnumbered paragraph 3 amended	SF 178.23	J
152D.3	Subsection 2 amended	SF 202.2	J
153.14	New subsection 4	HF 154.1	J
155A.3	Subsection 27 amended	SF 152.13	J
155A.21	Subsection 2 amended	SF 152.14	J
155A.23	Subsection 3 amended	SF 152.15	J
159.27	New section	HF 519.3	E
161C.4	Unnumbered paragraph 1 amended	HF 553.36	J
162.2	Subsection 17 amended	SF 278.4	J
163.47	Section amended	SF 87.13	J
166D.2	Subsection 29 amended	SF 278.5	J
169A.1	Section amended	SF 402.1	J
169A.2	Section amended	SF 402.2	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
169A.3	Section amended	SF 402.3	J
169A.6	Section amended	SF 402.4	J
169A.7	Section amended	SF 402.5	J
169A.10	Section amended	SF 402.6	J
169A.11	Section amended	SF 402.7	J
169A.13	Section amended	SF 402.8	J
169A.15	Section repealed	SF 402.10	J
169A.16	New section	SF 402.9	J
169A.16	New section repealed	SF 402.10	7/1/98
172B.1	Subsection 2 amended	SF 278.6	J
172D.1	Subsection 9 amended	SF 278.7	J
173.1	Unnumbered paragraph 1 amended	HF 170.2	J
174.10	Section amended	SF 87.53	J
176A.6	Section amended	SF 87.53	J
189A.2	New subsection 5A	SF 85.1	J
189A.2	Subsection 14 amended	SF 85.2	J
189A.2	Subsections 14, 16, & 25 amended	SF 278.8	** J
189A.2	Subsection 16 amended	SF 85.3	J
189A.18	Section amended	SF 85.4	J
189A.18	Section amended	SF 278.9	** J
192.124	Section amended	SF 87.14	J
196.1	New subsection 3A	HF 179.1	E
196.1	Subsection 9 amended	HF 179.2	E
196.2	Section amended	HF 179.3	E
196A.1	Section amended	HF 179.4	E
196A.2	Section repealed	HF 179.18	E
196A.3	Section repealed	HF 179.18	E
196A.4	Section amended	HF 179.5	E
196A.4A	New section	HF 179.6	E
196A.5	Section amended	HF 179.7	E
196A.5A	New section	HF 179.8	E
196A.5B	New section	HF 179.9	E
196A.6	Section repealed	HF 179.18	E
196A.7	Section repealed	HF 179.18	E
196A.8	Section repealed	HF 179.18	E
196A.9	Section repealed	HF 179.18	E
196A.10	Section repealed	HF 179.18	E
196A.11	New subsection 2A	HF 179.10	E
196A.12	Subsection 4 amended	HF 179.11	E
196A.13	Section amended	HF 179.12	E
196A.14	Section amended	HF 179.13	E
196A.15	Section amended	HF 179.14	E
196A.16	Subsection 5 amended	HF 179.15	E
196A.17	Section amended	SF 486.22	J
196A.18	Section repealed	HF 179.18	E
196A.19	Unnumbered paragraph 2 amended	HF 179.16	E
196A.24	Section amended	HF 179.17	E
198.9	Subsection 3, unnumbered paragraph 3 amended	SF 255.1	E
198.10	Section amended	SF 255.2	E
203.1	Subsection 2 amended	HF 456.1	J
203C.1	Subsection 4 amended	HF 456.2	J

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|--------------------------------|-------------------------------------|---|
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| C - Conditional effective date | VETO - Entire bill section vetoed | ** - Bill section repealed by subsequent bill |
| E - Effective upon enactment | IV - Part of bill section vetoed | |
| J - Effective July 1, 1995 | 00-00-00 - Specified effective date | |

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
204.1	New section	HF 519.4	E
204.2	New section	HF 519.5	E
204.3	New section	HF 519.6	E
204.4	New section	HF 519.7	E
204.4A	New section	HF 519.8	E
204.5	New section	HF 519.9	E
204.6	New section	HF 519.10	E
206.2	Subsection 7 stricken	SF 256.1	J
206.5	Subsection 6 stricken	SF 256.2	J
206.19	Subsection 3 amended	SF 256.3	J
206.22	Subsection 4 stricken	SF 256.4	J
206A	Chapter repealed	SF 256.5	J
216.2	Subsection 3 amended	SF 457.2	J
216.5	Subsection 2 amended	SF 457.3	J
216.5	New subsection 15	SF 457.4	J
216.12	Subsection 4, unnumbered paragraph 1 amended	SF 457.5	J
216.12	New subsection 6	SF 457.6	J
216.12	Unnumbered paragraph 2 amended	SF 457.7	J
216.15	Subsection 1 amended	SF 457.8	J
216.15	Subsection 4 amended	SF 457.9	J
216.15	Subsection 9 amended	SF 457.10	J
216.15	New subsection 13	SF 457.11	J
216.15B	New section	SF 457.12	J
216.16A	Subsection 2, paragraphs c, d, & e amended	SF 457.13	J
216.16A	Subsection 2, new paragraph f	SF 457.14	J
216.17A	Subsection 6, unnumbered paragraph 1 amended	SF 457.15	J
216.17A	Subsection 8, paragraph a amended	SF 457.16	J
216.17A	Subsection 9, paragraph b, unnumbered paragraph 1 amended	SF 457.17	J
216A.2	Section amended	HF 530.9	J
216A.71	Subsection 1 amended	HF 530.10	J
216A.112	Unnumbered paragraph 1 amended	HF 530.11	J
216A.143	Section amended	SF 164.1	J
216B.3	Subsection 12 amended	SF 247.2	J
216B.3	Subsection 14 amended	SF 157.1	E
217.3	Subsection 4 amended	SF 462.36	J
218.42	Section amended	HF 483.1	J
218.99	Section amended	SF 69.6	A 1/1/96
222.1	Unnumbered paragraph 1 amended	HF 483.6	J
222.13	Section amended	HF 483.7	J
222.13A	New Section	HF 483.8	J
222.15	Section amended	HF 483.9	J
222.16A	New section	HF 483.10	J
222.59	Section rewritten	HF 483.11	J
222.60	Unnumbered paragraph 1 amended	HF 483.12	* J
222.60	Unnumbered paragraph 1 amended	SF 69.13	J
222.60	New unnumbered paragraphs	HF 505.1	J
222.73	New subsection 5	HF 483.4	J
225C.4	Subsection 1, paragraph o stricken	HF 483.13	J
225C.4	Subsection 2, paragraph b amended	SF 69.7	A 1/1/96
225C.4	Subsection 2, paragraph e amended	HF 483.2	J
225C.45	Subsection 1 amended	HF 483.3	J
228.1	Subsection 1 amended	SF 315.2	J
229.1	Subsection 14, paragraph c amended	HF 337.1	J
229.22	Subsection 2 amended	HF 337.2	J
229.24	New subsection 3	SF 315.3	J
230.12	New subsection 4	HF 41.1	E

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
230.20	New subsection 7	HF 483.5	J
230.20	New subsection 7	SF 315.4	J
232.2	Subsection 4, unnumbered paragraph 1 amended	SF 150.1	J
232.2	Subsection 4, new paragraph g	SF 150.2	J
232.2	Subsection 6, paragraph o rewritten	SF 150.6	J
232.2	Subsection 10 amended	HF 528.7	J
232.2	Subsection 22, unnumbered paragraph 1 amended	SF 208.3	J
232.2	Subsection 23 amended	SF 152.16	J
232.8	Subsection 1, new paragraph c	HF 528.8	J
232.8	Subsection 1, new paragraph c	SF 367.2	J
232.22	Subsection 1, new paragraph f	HF 528.9	J
232.22	Subsection 1, new paragraph f	SF 367.3	J
232.28	Subsection 10 amended	HF 528.10	J
232.29	New subsection 3	HF 528.11	J
232.29	New subsection 3	SF 367.4	J
232.37	Subsection 4 amended	SF 438.1	J
232.44	Subsection 7 amended	SF 87.15	J
232.45A	Section amended	HF 528.12	J
232.46	New subsection 1A	SF 367.5	J
232.52	Subsection 2, paragraph a, new subparagraph (5)	HF 528.13	J
232.52	Subsection 2, new paragraph g	HF 528.14	J
232.52	Subsection 2, new paragraph g	SF 367.6	J
232.54	Subsection 6, unnumbered paragraph 2 amended	SF 438.2	J
232.68	Subsection 2, paragraph f amended	SF 150.7	J
232.68	Subsection 5 amended	SF 152.17	J
232.68	Subsection 5 amended	SF 178.24	J
232.71	Subsection 1 amended	SF 208.4	J
232.71A	New section	SF 208.5	J
232.73	Unnumbered paragraph 2 amended	SF 150.8	J
232.88	Section amended	SF 150.3	J
232.91	Section amended	SF 150.4	J
232.102	Subsection 3 amended	SF 87.16	J
232.104	Subsection 2, paragraph b amended	SF 150.5	J
232.106	New section	SF 150.9	A E
232.111	Subsection 1 amended	SF 208.6	J
232.116	Subsection 1, paragraph h amended	SF 150.10	J
232.116	Subsection 1, new paragraph m	SF 150.11	J
232.119	Subsection 5 amended	SF 150.12	J
232.147	Subsection 2 amended	HF 528.15	J
232.148	Subsections 1 & 2 amended	HF 528.16	J
232.148	Subsection 5 amended	SF 87.17	J
232.148	Subsection 5, paragraph c stricken	HF 528.17	J
232.149	Subsection 2 amended	HF 528.18	J
232.149	Subsections 3 - 6 stricken	HF 528.19	J
232.188	Subsection 6 amended	SF 462.37	VETO
232.189	Section amended	SF 150.13	J
234.7	New section	SF 150.14	J
234.39	Subsection 1 amended	SF 149.1	J
235A.15	Subsection 2, paragraph c, new subparagraphs (11) & (12)	SF 436.2	J
235A.15	Subsection 2, paragraph e, subparagraph (4) amended	SF 150.15	J
235A.15	Subsection 2, paragraph e, subparagraph (9) amended	SF 150.16	J

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E	- Effective upon enactment	IV	- Part of bill section vetoed		
J	- Effective July 1, 1995	00-00-00	- Specified effective date		

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
235A.15	Subsection 2, paragraph e, new subparagraph (13)	SF 436.1	J
235A.15	Subsection 4, unnumbered paragraph 1 amended	SF 436.3	J
235A.19	Subsection 5 amended	SF 88.3	J
235B.2	Subsection 5, new paragraph c	SF 174.3	J
235B.3	Subsection 3 amended	SF 174.4	J
235B.6	Subsection 2, paragraph b amended	SF 116.1	J
235B.6	Subsection 2, paragraph c, new subparagraph (5)	SF 436.4	J
235C.3	Subsection 3 amended	SF 150.17	J
236.2	Subsection 4 amended	SF 367.7	J
236.3	Unnumbered paragraph 1 amended	SF 367.8	J
236.3	New subsection 1A	SF 367.9	J
236.3	New unnumbered paragraph	SF 367.10	J
236.5	New subsection 2A	SF 367.11	J
236.8	Section amended	SF 367.12	J
236.20	New section	SF 367.13	J
236.21	New section	SF 367.14	J
237.15	Subsection 1, unnumbered paragraph 1 amended	SF 150.18	J
237.15	Subsection 1, new paragraph j	SF 150.19	J
249A.3	Subsection 1, paragraph i amended	SF 82.1	J
249A.5	Subsection 2, new paragraph f	SF 82.2	J
249A.12	Subsection 3 amended	SF 82.3	J
249A.29	New section	SF 436.5	J
252.16	Subsection 6 amended	HF 41.2	E
252A.3A	Subsection 2, unnumbered paragraph 1 amended	SF 149.2	J
252A.6A	Subsection 2, paragraph a amended	SF 87.18	J
252C.3	Subsection 1, paragraph a amended	SF 149.3	J
252C.3	Subsection 1, paragraph c stricken	SF 149.4	J
252C.4	Subsection 7, paragraph a amended	SF 87.19	J
252D.17	Unnumbered paragraph 1 amended	SF 149.5	J
252D.17	Subsection 4 amended	SF 149.6	J
252D.23	Section amended	SF 149.7	J
252H.10	New unnumbered paragraph	SF 431.10	J
252J.1	New section	SF 431.1	J
252J.2	New section	SF 431.2	J
252J.3	New section	SF 431.3	J
252J.4	New section	SF 431.4	* J
252J.4	New section, subsection 4, paragraph b amended	SF 486.23	J
252J.5	New section	SF 431.5	J
252J.6	New section	SF 431.6	* J
252J.6	New section, subsection 3, paragraph b amended	SF 486.24	J
252J.7	New section	SF 431.7	J
252J.8	New section	SF 431.8	J
252J.9	New section	SF 431.9	J
256.3	Unnumbered paragraph 1 amended	SF 88.4	J
256.11A	Subsections 1 & 2 amended	SF 406.1	J
256.33	Unnumbered paragraph 1 amended	SF 87.20	J
256.38	New section	HF 565.1	J
256.39	New section	HF 565.2	J
256.54	Subsection 2, paragraph b amended	HF 477.2	J
257.1	Subsection 2, new unnumbered paragraph	SF 83.1	E
257.3	Subsection 1, new unnumbered paragraph	SF 69.34	J
257.8	Subsection 1 amended	SF 460.1	1/1/96
257.11	Subsection 2, unnumbered paragraph 1 amended	SF 486.13	J
257.11	Subsection 5, new unnumbered paragraph	SF 205.1	R 7/1/94
257.14	Unnumbered paragraph 1 amended	SF 83.2	E
257.18	Section amended	SF 87.53	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
257.29	Section amended	SF 87.53	J
257B.1	Subsection 5 stricken	SF 266.16	E
257B.1A	Section rewritten	SF 266.17	E
258.18	Section repealed	HF 565.3	J
260C.24	New section	SF 266.18	J
260C.29	New section	SF 266.19	J
260D.12	Section amended	SF 475.9	J
260D.14A	Unnumbered paragraphs 1 & 5 amended	SF 266.20	J
260E.3	New subsection 6	HF 519.11	** E
260E.3	New subsection 6 stricken	HF 583.1	E
260F.6	Subsection 1 amended	HF 573.8	J
260F.6	Subsection 1 amendments stricken	HF 573.12	6/30/97
261.2	Subsections 10 & 14 stricken	SF 206.1	J
261.5	Section repealed	SF 206.3	J
261.12	Subsection 1, paragraph b amended	SF 266.21	J
261.17A	New section	HF 575.1	J
261.25	Subsection 1 amended	SF 266.22	J
261.26	Section repealed	SF 206.3	J
261.27	Section repealed	SF 206.3	J
261.46	Section repealed	SF 206.3	J
261.47	Section repealed	SF 206.3	J
261.49	Section repealed	SF 206.3	J
261.50	Section repealed	SF 206.3	J
261.51	New section	SF 266.23	J
261.81	Section amended	SF 206.2	J
261.85	Unnumbered paragraph 1 amended	SF 266.24	J
261.86	Section repealed	SF 206.3	J
261.87	Section repealed	SF 206.3	J
261.88	Section repealed	SF 206.3	J
261.89	Section repealed	SF 206.3	J
261.90	Section repealed	SF 206.3	J
261.91	Section repealed	SF 206.3	J
261.98	Section repealed	SF 206.3	J
261B.6	Section amended	SF 87.21	J
262.2	Section amended	HF 387.1	VETO
262.2	Section amended	SF 266.25	VETO
262.6	Section amended	HF 387.2	VETO
262.9	Subsection 4 amended	SF 247.3	J
262.9	Subsection 5 amended	SF 157.2	E
262.75	New unnumbered paragraph	SF 390.1	J
267.1	Subsection 2 amended	SF 278.10	J
272C.3	Subsection 1, new paragraph k	SF 346.1	J
273.2	Subsection 1 amended	SF 150.20	J
275.12	Subsection 1 amended	SF 88.5	J
275.22	Section amended	SF 87.53	J
275.23A	Subsection 1 amended	HF 494.18	J
275.27	Section amended	SF 88.6	J
275.51	Unnumbered paragraph 1 amended	SF 88.7	J
275.55A	Section amended	SF 266.26	E
277.4	Unnumbered paragraph 2 amended	HF 494.19	J
279.12	Section amended	HF 238.1	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse. File No.</u>	<u>Effective</u>
279.39	Section amended	SF 87.53	J
279.51	Subsection 1, unnumbered paragraph 1 amended	SF 486.14	J
279.53	Section amended	SF 87.53	J
279.58	New section	HF 528.20	J
280.5	Section amended	HF 3.4	J
280.17A	New section	HF 528.21	J
280.17B	New section	HF 528.22	J
280.21B	New section	HF 528.23	J
282.4	Section amended	SF 266.27	E
282.5	Section amended	SF 266.28	E
282.31	Subsection 1 amended	SF 475.6	E
282.31	Subsection 3 amended	SF 475.7	E
285.1	Subsection 1, paragraph c amended	SF 486.15	J
294.10A	Subsection 1 amended	SF 87.22	J
294A.2	Subsection 5 amended	SF 32.1	R 7/1/94
294A.25	Subsection 1 amended	SF 486.2	J
294A.25	Subsection 8 amended	SF 266.29	J
296.2	Section amended	HF 494.20	J
298.9	Section amended	SF 87.23	J
298A.11	Section amended	SF 87.24	J
300.2	Section amended	SF 87.53	J
303.3	Subsection 3 amended	SF 266.30	VETO
303.12	Section amended	HF 475.1	J
303.13	Section amended	HF 475.2	J
303.15	Section amended	HF 475.3	J
303.20	Section amended	SF 87.53	J
303.33	Section amended	SF 87.53	J
303C.4	Unnumbered paragraph 1 amended	SF 390.2	J
303C.5	Section amended	SF 390.3	J
303C.5A	New section	SF 390.4	J
303C.6	Subsection 2, unnumbered paragraph 1 amended	SF 390.5	J
303C.6	Subsection 2, paragraph a amended	SF 390.6	J
303C.6	Subsection 3 stricken	SF 390.7	J
303C.7	Section rewritten	SF 390.8	J
303C.8	New section	SF 390.9	J
306.6	Subsection 2, unnumbered paragraph 1 amended	SF 45.1	J
306.12	Section amended	SF 141.1	J
306.19	Subsection 5, paragraph a amended	HF 460.2	J
306A.3	Section amended	HF 303.2	E
306C.11	Unnumbered paragraph 1 amended	HF 460.3	J
306D.4	New section	HF 460.4	J
307.21	Subsection 4, paragraphs a & c amended	SF 247.4	J
307.21	Subsection 4, paragraph b, subparagraph (3) stricken	SF 157.3	E
313.8	Section amended	SF 481.25	VETO
314.21	Subsection 3, paragraph b, subparagraph (1) amended	SF 481.26	J
314.22	Subsection 3, paragraph a, subparagraph (8) amended	SF 45.2	J
314.27	New section	HF 115.1	J
321.1	Subsection 8, new unnumbered paragraph	SF 233.1	J
321.1	Subsection 11, paragraph d, subparagraph (1) amended	SF 290.1	J
321.1	Subsection 11, new paragraph d, paragraphs relettered	SF 233.2	J
321.1	Subsection 32, paragraph f amended	SF 298.1	J
321.1	Subsection 39, paragraph b amended	SF 158.1	J
321.1	Subsection 76 amended	SF 290.2	J
321.12	Unnumbered paragraph 2 amended	SF 233.3	J
321.12	New unnumbered paragraph	SF 446.2	J
321.13	Section amended	SF 290.3	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
321.18	Subsection 7 amended	SF 290.4	J
321.19	Subsection 1, unnumbered paragraph 2 amended	SF 290.5	J
321.20	Subsection 1 amended	HF 549.1	1/1/96
321.20A	New section	SF 290.6	J
321.24	Unnumbered paragraphs 4 & 10 amended	SF 214.1	J
321.30	New subsection 12	HF 549.2	1/1/96
321.30	New subsection 12	SF 233.4	J
321.31	Subsection 1, new unnumbered paragraph	HF 549.3	1/1/96
321.34	Subsection 2 amended	SF 290.7	1/1/97
321.34	Subsection 4 amended	SF 290.8	J
321.34	Subsection 7 amended	SF 290.9	J
321.35	Section amended	SF 290.10	J
321.40	Unnumbered paragraph 2 amended	SF 458.1	J
321.40	Unnumbered paragraph 4 amended	SF 403.1	1/1/96
321.40	New unnumbered paragraph	HF 549.4	1/1/96
321.45	Subsection 4 amended	SF 458.2	J
321.47	Unnumbered paragraph 1 amended	SF 290.11	J
321.52	Subsection 3, unnumbered paragraph 2 amended	SF 214.2	J
321.52	Subsection 4, paragraph b amended	SF 214.3	J
321.52A	Section amended	SF 290.12	J
321.69	Subsections 2 & 8 amended	SF 214.4	C
321.69	New subsection 3A	SF 214.5	J
321.69	Subsection 7 amended	SF 214.4	J
321.89	Subsection 1, paragraph b, new subparagraph (6)	SF 446.3	J
321.89	Subsection 4, unnumbered paragraph 1 amended	SF 290.13	J
321.90	Subsection 2, paragraphs d, e, & f amended	SF 290.14	J
321.90	Subsection 3 amended	SF 290.15	J
321.101	New subsection 8A	SF 233.5	J
321.105	Unnumbered paragraph 4 amended	SF 290.16	J
321.122	Subsection 2 amended	SF 290.17	J
321.123	Subsection 1, unnumbered paragraph 1 amended	SF 290.18	J
321.126	Subsection 6, unnumbered paragraph 1 amended	SF 290.19	1/1/97
321.166	Subsection 7 amended	SF 290.20	1/1/97
321.177	New subsection 10	HF 549.5	1/1/96
321.179	New section	SF 481.28	J
321.179	New section repealed	SF 481.35	VETO
321.182	Subsection 2 amended	SF 290.21	J
321.189	Subsection 4 amended	SF 311.1	J
321.189	Subsection 7, paragraphs a & b amended	SF 87.25	J
321.189	Subsection 7, paragraphs a & b amended	SF 290.22	R 5/1/95
321.208	New subsection 5A	SF 233.6	J
321.208A	Section amended	SF 233.7	J
321.210B	New section	HF 549.6	1/1/96
321.213	Section amended	SF 233.8	J
321.213A	Section amended	SF 233.9	J
321.215	Subsections 1 & 2 amended	SF 233.10	J
321.215	Subsection 2, unnumbered paragraph 1 amended	SF 358.1	J
321.218	Subsection 1 amended	SF 446.4	J
321.236	Subsection 1, paragraph c amended	SF 403.2	1/1/96
321.253B	New section	SF 290.23	J
321.284	New section	SF 446.5	J

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E	- Effective upon enactment	IV	- Part of bill section vetoed		
J	- Effective July 1, 1995	00-00-00	- Specified effective date		

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
321.372	Subsection 1, unnumbered paragraph 1 amended	SF 290.24	J
321.423	Subsection 1 amended	SF 178.25	J
321.423	Subsections 3 & 4 amended	SF 290.25	J
321.449	Unnumbered paragraph 4 amended	HF 393.1	J
321.454	Section amended	SF 87.26	J
321.463	New unnumbered paragraph	SF 290.26	J
321.484	Unnumbered paragraph 2 amended	SF 290.27	J
321.493	Section amended	HF 504.1	J
321.556	Section rewritten	SF 358.2	J
321.557	Section repealed	SF 358.13	J
321.558	Section repealed	SF 358.13	J
321.559	Section repealed	SF 358.13	J
321.560	Section amended	SF 358.3	J
321.561	Section amended	SF 358.4	J
321A.1	Subsection 8 amended	HF 504.2	J
321A.17	Subsection 5 amended	SF 233.11	J
321A.17	Subsection 5 amended	SF 446.6	J
321E.11	Unnumbered paragraph 1 amended	SF 87.27	J
321E.11	Unnumbered paragraph 1 amended	SF 290.28	J
321F.6	Section rewritten	SF 290.29	J
321F.7	Section repealed	SF 290.38	J
321G.1	New subsection 13A	HF 340.1	J
321J.2A	New section	SF 446.7	J
321J.4	Subsections 1 & 2 amended	SF 446.8	J
321J.4	Subsection 2 amended	SF 233.12	J
321J.4	Subsection 3, paragraph a amended	SF 446.9	J
321J.4	Subsections 4, 5, & 8 amended	SF 446.10	J
321J.4A	Section repealed	SF 446.24	J
321J.4B	New section	SF 446.11	* J
321J.4B	New subsection 12 amended	SF 358.5	J
321J.5	Section amended	SF 446.12	J
321J.6	Subsection 1, unnumbered paragraph 1 amended	SF 446.13	J
321J.6	Subsection 1, new paragraph g	SF 446.14	J
321J.8	Section amended	SF 446.15	J
321J.9	Section amended	SF 446.16	J
321J.12	Section amended	SF 446.17	* J
321J.12	New subsection 5 amended	SF 358.12	J
321J.13	Subsections 1 - 5 amended	SF 446.18	J
321J.15	Section amended	SF 446.19	J
321J.16	Section amended	SF 446.20	J
321J.17	Section amended	SF 358.6	J
321J.20	Subsections 1 & 2 amended	SF 446.21	J
321J.20	New subsection 6	SF 358.7	J
321J.24A	New section	SF 358.8	J
321L.2	Subsection 3 amended	SF 290.30	J
322G.2	Subsection 13 amended	SF 214.6	J
322G.11	Section amended	SF 214.7	J
322G.12	Section amended	SF 214.8	J
322G.15	Section amended	SF 214.9	J
323.1	Subsection 4 amended	HF 552.1	1/1/96
323.2	Section amended	HF 552.2	1/1/96
323.6	Subsection 3 amended	HF 552.3	1/1/96
327A.1	Subsection 4 amended	HF 552.4	1/1/96
327A.15	Section amended	HF 552.5	1/1/96
327B.1	Section amended	SF 290.31	J
327B.6	Unnumbered paragraph 1 amended	SF 290.32	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
327B.7	New section	SF 290.33	J
331.203	Section amended	SF 87.53	J
331.204	Section amended	SF 87.53	J
331.205	Section amended	SF 87.53	J
331.208	Section amended	SF 87.53	J
331.237	Section amended	SF 87.53	J
331.301	Section amended	SF 87.53	J
331.301	Subsection 12 amended	SF 69.8	A 1/1/96
331.306	Section amended	SF 87.53	J
331.341	Subsection 2 amended	SF 229.2	J
331.402	Section amended	SF 87.53	J
331.424	Subsection 1 amended	SF 69.9	A 1/1/96
331.424A	New section	SF 69.10	A 1/1/96
331.427	Subsection 2, new paragraph m	HF 553.37	J
331.438	Subsection 1, paragraph b amended	SF 69.14	J
331.438	Subsection 3, paragraph b amended	SF 315.5	A J
331.439	Section rewritten	SF 69.15	IV
331.440	Subsection 1, new paragraph c	SF 69.16	J
331.441	Section amended	SF 87.53	J
331.442	Section amended	SF 87.53	J
331.447	Section amended	SF 87.53	J
331.506	Subsection 1 amended	SF 458.3	J
331.507	Subsection 3 amended	SF 87.28	J
331.508	Subsection 3 amended	SF 88.8	J
331.552	Subsection 4 amended	SF 458.4	J
331.553	New subsection 4	SF 458.5	J
331.554	Subsections 1, 3, & 4 amended	SF 458.6	J
331.554	Subsection 2 stricken	SF 458.7	J
331.555	Subsection 6 amended	HF 128.1	J
331.601	New subsection 4	SF 422.9	7/1/97
331.602	Subsection 1 amended	SF 394.1	A 1/1/96
331.602	New subsection 40	SF 422.10	7/1/97
331.605	New subsections 6 & 7	SF 422.11	7/1/97
331.610	Section rewritten	SF 9.1	E
331.611	New section	SF 422.12	7/1/97
331.653	Subsection 53 amended	SF 87.29	J
331.653	Subsection 58 amended	HF 528.24	J
331.756	Subsection 5, unnumbered paragraph 4 amended	SF 403.3	1/1/96
331.756	New subsection 23	SF 88.9	J
331.756	Subsection 58 stricken	SF 358.9	J
336.2	Section amended	SF 87.53	J
346.27	Section amended	SF 87.53	J
347.7	Unnumbered paragraph 1 amended	SF 179.1	A 7/1/96
347.16	Subsection 2 amended	SF 88.10	J
347.16	Subsection 3 amended	HF 41.3	E
356.36	Unnumbered paragraph 1 amended	SF 45.3	J
357A.2	Unnumbered paragraph 3 amended	HF 128.2	J
357A.8	Subsection 1 amended	HF 128.3	J
357A.11	New subsection 12	HF 128.4	J
357A.20	Unnumbered paragraph 1 amended	HF 128.5	J
357G.4	Section amended	SF 87.30	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
357G.8	Section amended	SF 87.53	J
358.2	Section amended	SF 87.53	J
358.5	Section amended	SF 87.53	J
358C.1	New section	HF 577.1	J
358C.2	New section	HF 577.2	J
358C.3	New section	HF 577.3	J
358C.4	New section	HF 577.4	J
358C.5	New section	HF 577.5	J
358C.6	New section	HF 577.6	J
358C.7	New section	HF 577.7	J
358C.8	New section	HF 577.8	J
358C.9	New section	HF 577.9	J
358C.10	New section	HF 577.10	J
358C.11	New section	HF 577.11	J
358C.12	New section	HF 577.12	J
358C.13	New section	HF 577.13	J
358C.14	New section	HF 577.14	J
358C.15	New section	HF 577.15	J
358C.16	New section	HF 577.16	J
358C.17	New section	HF 577.17	J
358C.18	New section	HF 577.18	J
358C.19	New section	HF 577.19	J
358C.20	New section	HF 577.20	J
358C.21	New section	HF 577.21	J
358C.22	New section	HF 577.22	J
358C.23	New section	HF 577.23	J
359.42	Section amended	SF 280.1	J
359.43	Subsection 1 amended	SF 280.2	J
359.43	Subsection 4 amended	HF 489.1	J
360.3	Section amended	SF 87.53	J
364.4	Section amended	SF 87.53	J
364.5	Unnumbered paragraphs 2 and 3 amended	SF 45.4	J
364.12	New subsections 5, 6, & 7	HF 470.1	J
368.19	Section amended	SF 87.53	J
373.6	Section amended	SF 87.53	J
384.12	Subsection 20, paragraph a amended	HF 494.21	J
384.21	Section amended	HF 128.6	J
384.24A	Section amended	SF 87.53	J
384.26	Section amended	SF 87.53	J
384.65	Subsection 6 amended	SF 458.8	J
384.84	Subsection 4 amended	SF 88.11	J
384.84	Subsection 4 amended	SF 458.9	J
384.84	Subsection 6, paragraph a, subparagraph (5) amended	SF 87.31	J
384.84A	Section amended	SF 87.53	J
392.1	Section amended	HF 212.1	J
400.1	Unnumbered paragraph 1 amended	SF 351.3	J
403.15	Subsection 2 amended	SF 351.4	J
403A.5	Unnumbered paragraph 2 amended	SF 351.5	J
411.36	Subsection 1, paragraph c amended	SF 45.5	* J
411.36	Subsection 1, unnumbered paragraph 1 amended	SF 484.38	VETO
411.36	Subsection 1, unnumbered paragraph 2 amended	SF 484.39	VETO
411.36	Subsection 2 amended	SF 484.40	VETO
411.36	Subsection 5, paragraph a amended	SF 484.41	VETO
420.239	Section amended	SF 409.1	J
421.1	Unnumbered paragraph 2 amended	SF 88.12	J
421.10	Section amended	HF 554.1	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
421.17	Subsection 25, unnumbered paragraph 1 amended	SF 403.4	1/1/96
421.17	Subsection 25, paragraph f amended	SF 403.5	1/1/96
421.17	Subsection 34, paragraph a amended	HF 549.7	1/1/96
421.17	Subsection 34, paragraph e amended	HF 549.8	1/1/96
421.17	Subsection 34, new paragraph i	HF 549.9	1/1/96
421.17A	New section	HF 549.10	1/1/96
421.31	New subsection 11	SF 475.8	* E
421.31	New subsection 11, new unnumbered paragraph	SF 486.4	E
421.60	New subsection 10	HF 554.2	J
422.3	Subsection 4 amended	SF 201.2	R 1/1/94
422.7	New subsection 32	SF 84.1	A 1/1/96
422.7	New subsection 33	SF 69.1	R 1/1/95
422.7	New subsection 33	SF 201.3	R 1/1/94
422.9	Subsection 2, new paragraph i	SF 84.2	A 1/1/96
422.10	Unnumbered paragraph 1 amended	SF 201.4	R 1/1/94
422.12	Subsection 1, paragraph c amended	SF 69.2	R 1/1/95
422.16A	New section	HF 573.9	J
422.16A	New section repealed	HF 573.12	6/30/97
422.25	New subsection 11	HF 554.3	R 4/1/95
422.32	Subsection 2 amended	HF 548.1	R 1/1/95
422.33	Subsection 1, unnumbered paragraph 2 amended	HF 554.4	R 1/1/95
422.33	Subsection 5, unnumbered paragraph 1 amended	SF 201.5	R 1/1/94
422.35	New subsection 17	SF 201.6	R 1/1/94
422.42	New subsections 1 & 2A	HF 159.1	J
422.42	Subsection 11 amended	HF 159.2	J
422.43	Subsection 6 amended	HF 566.1	J
422.43	Subsection 11, unnumbered paragraph 1 amended	HF 554.5	J
422.43	Subsection 12 stricken	HF 554.6	J
422.45	Subsection 7, paragraph b, new unnumbered paragraph	HF 554.7	J
422.45	Subsection 21 rewritten	HF 185.1	R 7/1/83
422.45	Subsection 26, unnumbered paragraph 1 amended	HF 149.1	J
422.45	New subsection 38A	SF 181.1	R 7/1/88
422.45	Subsection 39, unnumbered paragraph 1 amended	HF 149.2	J
422.45	Subsection 39, paragraphs a & c amended	HF 159.3	J
422.45	New subsection 49	HF 550.1	R 1/1/95
422.47	Subsection 4, paragraph f amended	HF 159.4	J
422.53	Subsection 2 amended	HF 554.8	J
422.55	Subsection 2 rewritten	HF 554.9	J
422.61	New subsection 1A	SF 478.2	R 1/1/95
422.61	Subsection 2, new paragraph f	SF 478.1	R 1/1/95
422.70	Subsection 2 amended	HF 554.10	J
422.88	Subsections 2 & 3 amended	HF 554.11	A J
422.89	Subsection 3, unnumbered paragraph 1 amended	HF 554.12	A J
422.110	Unnumbered paragraph 1 amended	HF 552.6	1/1/96
422.110	Subsection 2 amended	HF 552.7	1/1/96
422A.2	Section amended	SF 87.53	J
422B.1	Section amended	SF 87.53	J
422B.1	Subsection 1 amended	SF 472.1	R 7/1/94
422B.1	New subsection 1A	SF 472.2	R 7/1/94
422B.1	Subsection 5, paragraph a, unnumbered paragraph 1 amended	SF 472.3	R 7/1/94
422B.1	New subsection 9	SF 472.4	R 7/1/94

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
422B.8	Unnumbered paragraph 1 amended	HF 554.13	J
422B.10	Subsection 1 amended	SF 472.5	R 7/1/94
422B.10	New subsection 4A	SF 472.6	R 7/1/94
422B.12	New section	SF 472.7	R 7/1/94
423.1	Subsection 7 amended	HF 554.14	J
423.1	Subsection 10 amended	HF 566.2	J
423.18	Subsections 2 & 3 amended	HF 554.15	J
423.21	Section amended	HF 554.16	J
423.24	Subsection 1, paragraph a amended into subparagraphs (1) & (2)	HF 508.1	J
423.24	Subsection 1, paragraph a, new subparagraph (2) repealed	HF 508.29	1/1/2003
423.24	Subsection 2 amended	SF 481.24	J
423.25	Section amended	HF 554.17	J
424.3	Subsection 5 amended	HF 508.2	J
424.13	Subsection 2 rewritten	HF 554.18	J
426B.1	New section	SF 69.17	J
426B.2	New section	SF 69.18	IV
426B.3	New section	SF 69.19	J
426B.4	New section	SF 69.20	J
427.1	Subsections 5, 14, 18, 19, & 22 stricken	HF 554.19	J
427.1	Subsection 41, unnumbered paragraph 1 amended	HF 556.1	J
427.1	Subsection 41, paragraph b amended	HF 556.2	J
427.1	Subsection 41, paragraph c amended	HF 556.3	J
427.9	Section amended	SF 223.1	J
427A.1	Subsection 1, unnumbered paragraph 1 amended	SF 87.32	J
427A.2	New section	SF 87.33	J
427B.17	Section amended	SF 69.29	J
427B.18	New section	SF 69.30	J
427B.19	New section	SF 69.31	J
427B.19A	New section	SF 69.32	J
427B.19B	New section	SF 69.33	J
427C.10	Section amended	SF 278.11	J
427C.12	Unnumbered paragraph 2 amended	HF 558.1	A E
428.1	Unnumbered paragraph 1 amended	HF 554.20	J
428.23	Section amended	HF 554.21	J
428.27	Section repealed	HF 554.33	J
428.37	Subsection 2, unnumbered paragraph 1 amended	HF 554.22	J
428A.2	Subsection 15 amended	SF 189.1	J
433.4	Section amended	HF 554.23	J
433.12	Section amended	HF 554.24	J
435.1	Subsection 4, unnumbered paragraph 1 rewritten	SF 458.10	A J
437.1	Section amended	HF 554.25	J
437.12	Section amended	HF 554.26	J
437.13	Section amended	HF 554.27	J
441.21	Subsection 9, paragraph b amended	HF 554.28	J
441.21	New subsection 12	HF 559.1	R 1/1/95
441.31	Section amended	SF 385.1	J
444.25A	Subsection 1 amended	SF 69.26	J
444.25A	Subsection 3, paragraph b, subparagraph (3) amended	SF 69.11	A 1/1/96
444.25B	New section	SF 69.27	J
444.27	Section amended	SF 69.28	J
445.1	Subsection 6 amended	SF 458.11	J
445.3	New unnumbered paragraph	SF 458.12	J
445.4	New unnumbered paragraph	SF 458.13	J
445.16	New unnumbered paragraph	SF 458.14	J
445.37	Unnumbered paragraph 1 amended	SF 458.15	J
446.15	Section amended	SF 458.16	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
446.16	Section amended	SF 458.17	E
446.19	Unnumbered paragraph 1 amended	SF 458.18	E
446.20	New subsection 3	SF 458.19	J
446.31	Unnumbered paragraph 1 amended	SF 458.20	E
447.9	Unnumbered paragraph 2 amended	SF 87.34	J
447.9	Unnumbered paragraph 2 amended	SF 458.21	E
448.3	Section amended	SF 458.22	J
448.15	Unnumbered paragraph 2 amended	SF 458.23	J
450.7	Subsection 1 amended	SF 440.1	J
450.12	Subsection 1, paragraph a amended	SF 440.2	J
452A.1	Section amended	HF 552.8	1/1/96
452A.2	Subsections 2 & 5 rewritten	HF 552.9	1/1/96
452A.2	Subsection 7 amended	HF 552.10	1/1/96
452A.2	Subsection 8 amended	HF 552.11	1/1/96
452A.2	Subsection 9 stricken	HF 552.12	1/1/96
452A.2	New subsections 1A, 1B, 5A, 6A-6F, 11A-11E, 12A, & 12B	HF 552.13	1/1/96
452A.3	Section rewritten	HF 552.14	1/1/96
452A.4	Section amended	HF 552.15	1/1/96
452A.5	Section rewritten	HF 552.16	1/1/96
452A.6	Section amended	HF 552.17	1/1/96
452A.7	New section	HF 552.18	1/1/96
452A.8	Section rewritten	HF 552.19	1/1/96
452A.9	Section amended	HF 552.20	1/1/96
452A.10	Section amended	HF 552.21	1/1/96
452A.12	Section amended	HF 552.22	1/1/96
452A.13	Section repealed	HF 552.43	1/1/96
452A.15	Section amended	HF 552.23	1/1/96
452A.16	Section repealed	HF 552.43	1/1/96
452A.17	Section amended	HF 552.24	1/1/96
452A.18	Section amended	HF 552.25	1/1/96
452A.20	Section repealed	HF 552.43	1/1/96
452A.21	Section amended	HF 552.26	1/1/96
452A.31	Section repealed	HF 552.43	1/1/96
452A.32	Section repealed	HF 552.43	1/1/96
452A.33	Section repealed	HF 552.43	1/1/96
452A.34	Section repealed	HF 552.43	1/1/96
452A.35	Section repealed	HF 552.43	1/1/96
452A.36	Section repealed	HF 552.43	1/1/96
452A.37	Section repealed	HF 552.43	1/1/96
452A.38	Section repealed	HF 552.43	1/1/96
452A.54	Unnumbered paragraph 1 amended	HF 552.27	1/1/96
452A.57	Subsections 1 & 5 amended	HF 552.28	1/1/96
452A.59	Section amended	HF 552.29	1/1/96
452A.60	Section amended	HF 552.30	1/1/96
452A.62	Section amended	HF 552.31	1/1/96
452A.63	Unnumbered paragraph 1 amended	HF 552.32	1/1/96
452A.71	Section amended	HF 552.33	1/1/96
452A.73	Section amended	HF 552.34	1/1/96
452A.74	Section amended	HF 552.35	1/1/96
452A.74A	New section	HF 552.36	1/1/96
452A.76	Section amended	HF 552.37	1/1/96

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- ** - Bill section repealed by subsequent bill

Section	Action	Sen/Hsc File No.	Effective
452A.80	Section amended	HF 552.38	1/1/96
452A.84	Section amended	HF 552.39	1/1/96
452A.85	Section amended	HF 552.40	1/1/96
452A.86	Section amended	HF 552.41	1/1/96
453B.1	Subsection 3, paragraph b amended	HF 554.29	J
453B.1	Subsection 3, new paragraph c -- paragraphs relettered	HF 554.30	J
453B.1	New subsections 7A & 10	HF 554.31	J
453B.7	Section amended	HF 554.32	J
455A.17A	New section	HF 553.38	E
455A.17A	Section repealed	HF 553.41	7/1/97
455A.19	Subsection 1, paragraph g rewritten	SF 481.29	J
455A.19	Subsection 2, new unnumbered paragraph	SF 481.30	J
455B.109	Subsection 4 amended	HF 519.12	E
455B.110	New section	HF 519.13	E
455B.133	Subsection 8, new paragraph c	SF 37.1	E
455B.133A	Section repealed	HF 425.4	J
455B.133B	Subsection 1 amended	HF 425.1	J
455B.133B	Subsection 2 stricken	HF 425.2	J
455B.134	Subsection 3, para. f, subpara. (1), unnumbered paragraph 2 amended	HF 519.14	E
455B.161	New section	HF 519.15	E
455B.162	New section	HF 519.16	E
455B.163	New section	HF 519.17	E
455B.164	New section	HF 519.18	E
455B.165	New section	HF 519.19	E
455B.171	New subsections 1A, 1B, 1C, 7A, 7B, & 23A	HF 519.20	E
455B.173	Subsection 3, unnumbered paragraph 1 amended	HF 519.21	E
455B.173	New subsection 12	HF 519.22	E
455B.173	New subsection 12	SF 147.1	E
455B.183A	Subsection 2, paragraph b amended	HF 553.39	E
455B.191	New subsections 7 & 8	HF 519.23	E
455B.201	New section	HF 519.24	E
455B.203	New section	HF 519.25	E
455B.204	New section	HF 519.26	E
455B.291	Subsection 4 amended	SF 292.1	J
455B.304	Subsection 15 stricken	HF 508.3	E
455B.304	New subsection 19	SF 147.2	E
455B.310	Section rewritten	HF 289.1	J
455B.471	Subsection 2 rewritten	HF 508.4	E
455B.474	Subsec. 1, para. d, subpara. (2), subpara. subdiv. (a), unnum. para. 1 rewritten	HF 508.5	E
455B.474	Subsection 1, para. d, subpara. (2), subpara. subdiv. (d) rewritten	HF 508.6	E
455B.474	Subsection 1, paragraph d, subpara. (2), new subpara. subdivision (e)	HF 508.7	E
455B.474	Subsection 1, paragraph f, subparagraphs (4) - (6) rewritten	HF 508.8	E
455B.474	Subsection 1, paragraph f, new subparagraph (6A)	HF 508.9	VETO
455B.474	Subsection 1, paragraph f, new subparagraph (6B)	HF 508.9	E
455B.474	Subsection 1, paragraph h rewritten	HF 508.10	E
455B.517	Subsection 4, paragraph b stricken	HF 425.3	J
455B.701	New section	HF 478.1	J
455D.3	Subsections 3 & 4 amended	HF 289.2	* J
455D.3	Subsection 3, para. c amended (relettered as para. b in HF289.2)	SF 486.25	J
455D.5	Subsection 3 stricken	SF 157.4	E
455D.10A	Subsection 2 amended	SF 407.1	J
455D.16	Section repealed	SF 157.5	E
455E.11	Subsection 2, paragraph a rewritten	HF 289.3	* J
455E.11	Subsection 2, para. a, subpara. (2), subpara. subdivision (f) amended	HF 553.35	J
455E.11	Subsection 2, para. b, subpara. (3), subpara. subdivision (b) rewritten	SF 215.1	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
455G.3	Subsection 1 amended	HF 508.11	J
455G.3	Subsection 3, new paragraph d	HF 508.12	J
455G.6	Subsection 4 amended	HF 508.13	J
455G.8	Subsection 2 amended	HF 508.14	J
455G.8	Subsection 5 amended	HF 508.15	E
455G.9	Subsection 4, paragraph a amended	HF 508.16	J
455G.9	Subsection 5 stricken	HF 508.17	E
455G.10	Subsections 1, 3, 5, & 6 amended	HF 508.18	E
455G.11	Subsection 3, paragraph c amended	HF 508.19	R 1/1/95
455G.11	Subsection 4, paragraph g, new unnumbered paragraph	HF 508.20	R 1/1/95
455G.11	Subsection 5, paragraph a rewritten	HF 508.21	E
455G.11	Subsection 10, paragraph a amended	HF 508.22	E
455G.11	Subsection 10, paragraph b, subparagraphs (1) & (4) amended	HF 508.23	E
455G.11	Subsection 10, paragraph d, subparagraph (5) stricken	HF 508.24	E
455G.11	Subsection 10, paragraph h stricken	HF 508.25	E
455G.13	Subsection 1 amended	HF 508.26	VETO
455G.18	Section amended	HF 508.27	IV
455G.19	Section repealed	HF 508.29	E
455G.21	New section	HF 508.28	1/1/96
456A.17	New unnumbered paragraph	SF 292.2	J
456A.19	Unnumbered paragraph 2 amended	SF 475.22	J
462A.78	Subsection 5 amended	SF 484.42	J
468.57	Subsection 2, unnumbered paragraph 1 amended	SF 458.24	J
468.101	Section amended	SF 333.1	J
474.1	Unnumbered paragraph 3 amended	HF 303.3	E
474.9	Section amended	HF 303.4	E
476.1D	New subsection 10	HF 518.1	J
476.3	Subsection 2, new unnumbered paragraph	HF 518.2	J
476.10	Unnumbered paragraph 4 amended	HF 518.3	J
476.11	New unnumbered paragraph	HF 518.4	J
476.29	Subsection 2 amended	HF 518.5	J
476.30	New section	HF 518.6	J
476.30A	New section	HF 518.7	J
476.30B	New section	HF 518.8	J
476.30C	New section	HF 518.9	J
476.30D	New section	HF 518.10	J
476.30E	New section	HF 518.11	J
476.30F	New section	HF 518.12	J
476.30G	New section	HF 518.13	J
479.1	Section amended	HF 303.5	E
479.2	Section amended	HF 303.6	E
479.5	Section amended	HF 303.7	E
479.23	Section amended	HF 303.8	E
479.24	Section amended	HF 303.9	E
479.25	Section amended	HF 303.10	E
479.27	Section amended	HF 303.11	E
479.29	Subsection 1 amended	HF 303.12	E
479.30	Section amended	HF 303.13	E
479.31	Unnumbered paragraph 1 amended	HF 303.14	E
479.33	Section amended	SF 88.13	J
479.41	Section amended	HF 303.15	E

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J	- Effective July 1, 1995	00-00-00	- Specified effective date		

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
479.42	Section amended	HF 303.16	E
479.46	Subsections 1, 2, & 3 amended	HF 303.17	E
479.47	Section amended	HF 303.18	E
479A.11	Section amended	HF 303.19	E
479A.13	Section amended	HF 303.20	E
479A.14	Subsection 1 amended	HF 303.21	E
479A.15	Section amended	HF 303.22	E
479A.16	Unnumbered paragraph 1 amended	HF 303.23	E
479A.18	Section amended	SF 88.14	J
479A.20	Section amended	HF 303.24	E
479A.21	Section amended	HF 303.25	E
479A.25	Subsections 1, 2, & 3 amended	HF 303.26	E
479A.26	Section amended	HF 303.27	E
479B.1	New section	HF 303.28	E
479B.2	New section	HF 303.29	E
479B.3	New section	HF 303.30	E
479B.4	New section	HF 303.31	E
479B.5	New section	HF 303.32	E
479B.6	New section	HF 303.33	E
479B.7	New section	HF 303.34	E
479B.8	New section	HF 303.35	E
479B.9	New section	HF 303.36	E
479B.10	New section	HF 303.37	E
479B.11	New section	HF 303.38	E
479B.12	New section	HF 303.39	E
479B.13	New section	HF 303.40	E
479B.14	New section	HF 303.41	E
479B.15	New section	HF 303.42	E
479B.16	New section	HF 303.43	E
479B.17	New section	HF 303.44	R 7/1/93
479B.18	New section	HF 303.45	E
479B.19	New section	HF 303.46	E
479B.20	New section	HF 303.47	E
479B.21	New section	HF 303.48	E
479B.22	New section	HF 303.49	E
479B.23	New section	HF 303.50	E
479B.24	New section	HF 303.51	E
479B.25	New section	HF 303.52	R 7/1/93
479B.26	New section	HF 303.53	E
479B.27	New section	HF 303.54	E
479B.28	New section	HF 303.55	E
479B.29	New section	HF 303.56	R 7/1/93
479B.30	New section	HF 303.57	R 7/1/93
479B.31	New section	HF 303.58	R 7/1/93
480.3	Section amended	SF 228.1	J
480.9	New section	HF 303.59	E
481A.1	Subsection 20, paragraph h amended	SF 85.5	J
481A.65	Section amended	SF 234.1	J
483A.1	Subsection 3 amended	HF 30.1	A 12/15/95
483A.1	Subsection 6, paragraph a stricken	SF 234.2	J
483A.1A	New subsection 4	HF 113.1	J
483A.17	Section amended	SF 234.3	J
483A.26	Section amended	HF 113.2	J
490A.202	Subsection 17, paragraph a, unnumbered paragraph 1 amended	HF 490.1	J
490A.401	Subsection 1 amended	HF 490.2	J
490A.702	Subsection 3, paragraph b amended	HF 490.3	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
490A.702	New subsection 6	HF 490.4	J
490A.1301	Subsection 3 amended	HF 490.5	J
490A.1501	Subsection 4 amended	HF 490.6	J
499.30	Subsection 5 amended	SF 377.1	J
499.33	Section amended	SF 377.2	J
502.207A	Subsection 5 amended	SF 87.35	J
504A.64A	New section	SF 400.1	R 7/1/90
504A.64A	New section repealed	SF 400.3	7/1/2000
504A.100	Subsection 13 amended	SF 400.2	E
505.22	New section	HF 247.3	J
507.2	Subsection 3 amended	HF 247.4	J
507.10	Subsection 4, para. b, subpara. (1), unnumbered para. 2 amended	HF 528.25	J
507A.10	Section amended	HF 247.5	J
507B.4	Subsection 7, new paragraph c	HF 247.6	J
508.5	Section amended	HF 247.7	J
508.9	Section amended	HF 247.8	J
508.36	Subsection 8, paragraph a amended	SF 87.36	J
509A.6	Section amended	HF 507.10	J
509A.12	Section amended	HF 507.11	J
513B.2	Subsection 10, paragraph b amended	HF 247.9	J
513C.1	New section	SF 84.3	J
513C.2	New section	SF 84.4	J
513C.3	New section	SF 84.5	J
513C.4	New section	SF 84.6	J
513C.5	New section	SF 84.7	J
513C.6	New section	SF 84.8	J
513C.7	New section	SF 84.9	J
513C.8	New section	SF 84.10	J
513C.9	New section	SF 84.11	J
513C.10	New section	SF 84.12	J
513C.11	New section	SF 84.13	J
514.18	Section amended	SF 152.18	J
514B.10	Section amended	HF 247.10	J
514B.17	Section amended	HF 247.11	J
514C.2	Section amended	HF 247.12	J
514C.3A	New section	HF 139.1	* J
514C.3A	New section, subsection 1, unnumbered paragraph 1 amended	SF 486.26	J
514C.8	New section	HF 247.13	J
514C.9	New section	HF 247.14	J
514C.10	New section	HF 247.15	J
514G.7	Subsection 3, paragraphs a & b rewritten	HF 247.16	J
514G.7	Subsection 3, paragraph c stricken	HF 247.17	J
514G.7	Subsection 6 rewritten	HF 247.18	J
515.8	Section amended	HF 247.19	J
515.10	Section amended	HF 247.20	J
515.12	Subsection 5 amended	HF 247.21	J
515.94	Section amended	HF 247.22	J
515.109	Section amended	HF 247.23	J
515A.15	Section amended	HF 247.24	* J
515A.15	Section amended	SF 484.45	VETO
515C.1	Section amended	SF 87.37	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
515F.5	Subsection 4 amended	HF 247.25	J
518.14	Section rewritten	HF 247.26	J
518.16	Section rewritten	HF 247.27	J
518.26	New section	HF 247.28	J
518.27	New section	HF 247.29	J
518.28	New section	HF 247.30	J
518.29	New section	HF 247.31	J
518.30	New section	HF 247.32	J
518A.12	Section rewritten	HF 247.33	J
518A.17	Unnumbered paragraph 3 amended	HF 247.34	J
518A.33	Section repealed	HF 247.47	J
518A.34	Section repealed	HF 247.47	J
518A.42	Section repealed	HF 247.47	J
518A.44	New section	HF 247.35	J
518A.51	New section	HF 247.36	J
518A.52	New section	HF 247.37	J
518A.53	New section	HF 247.38	J
518A.54	New section	HF 247.39	J
518A.55	New section	HF 247.40	J
519.1	Section amended	SF 152.19	J
519A.2	Subsection 3 amended	SF 152.20	J
521.1	Section amended	HF 247.41	J
521.2	Section amended	HF 247.42	J
521.16	New section	HF 247.43	J
521A.14	New section	HF 247.44	J
521B.2	Subsection 4, paragraph a amended	HF 247.45	J
523A.1	Unnumbered paragraphs 1 & 4 amended, subsections numbered	HF 486.1	J
523A.1	New subsection 2	HF 486.2	J
523A.2	Subsection 1, paragraphs a & c amended	HF 486.3	J
523A.2	Subsection 7 amended	HF 486.4	J
523A.8	Subsection 1, paragraphs e, h, & j amended	HF 486.5	J
523A.8	Subsection 1, new paragraph k	SF 82.4	J
523A.8	New subsection 1A	HF 486.6	J
523A.8	New subsection 3	HF 486.7	J
523A.20	Section amended	HF 486.8	J
523A.21	New section	HF 486.9	J
523A.22	New section	HF 486.10	J
523A.23	New section	HF 486.11	J
523E.1	Subsection 1 amended	HF 486.12	J
523E.1	New subsection 5	HF 486.13	J
523E.2	Subsection 1, paragraphs a & c amended	HF 486.14	J
523E.2	Subsection 6 amended	HF 486.15	J
523E.8	Subsection 1, paragraphs e, h, & j amended	HF 486.16	J
523E.8	Subsection 1, new paragraph k	SF 82.5	J
523E.8	New subsection 1A	HF 486.17	J
523E.8	New subsection 3	HF 486.18	J
523E.20	Section amended	HF 486.19	J
523E.21	New section	HF 486.20	J
523E.22	New section	HF 486.21	J
523H.2	Section amended	HF 126.1	J
523H.5	Section amended	HF 126.2	J
523H.6	Section rewritten	HF 126.3	J
523H.7	Section amended	HF 126.4	J
523H.8	Section amended	HF 126.5	J
523H.11	Section amended	HF 126.6	J
523J.1	New section	HF 486.22	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
523J.2	New section	HF 486.23	J
523J.3	New section	HF 486.24	J
523J.4	New section	HF 486.25	J
523J.5	New section	HF 486.26	J
523J.6	New section	HF 486.27	J
523J.7	New section	HF 486.28	J
524.103	New subsections 2A, 8A, 9A, 11A, 11B, 11C, 13A, 17A, 17B, 19A, 19B, 21A	SF 320.1	J
524.103	Subsections 7, 12, 15, 18, 22, 25, 26, & 27 amended	SF 320.2	J
524.103	Subsection 19 stricken	SF 320.3	J
524.104	Section amended	SF 320.4	J
524.105	Section amended	SF 320.5	J
524.106	Section repealed	SF 320.135	J
524.107	Subsection 1 amended	SF 320.6	J
524.109	Section amended	SF 320.7	J
524.201	Subsection 1 amended	SF 320.8	J
524.202	Section amended	SF 320.9	J
524.204	Section amended	SF 320.10	J
524.211	Subsections 1 & 2 rewritten	SF 320.11	J
524.211	New subsections 2A, 2B, & 2C	SF 320.12	J
524.211	Subsection 4 amended	SF 320.13	J
524.212	Section rewritten	SF 320.14	J
524.215	Section amended	SF 320.15	J
524.217	Section amended	SF 320.16	J
524.219	Section amended	SF 320.17	J
524.220	Subsections 2 & 3 amended	SF 320.18	J
524.224	Subsection 9 amended	SF 320.19	J
524.301	Section amended	SF 320.20	J
524.302	Section amended	SF 320.21	J
524.303	Unnumbered paragraph 2 stricken	SF 320.22	J
524.304	Section amended	SF 320.23	J
524.305	Section amended	SF 320.24	J
524.306	Section rewritten	SF 320.25	J
524.307	Section rewritten	SF 320.26	J
524.308	Subsection 1 stricken	SF 320.27	J
524.308	Subsection 3 amended	SF 320.28	J
524.309	Section amended	SF 320.29	J
524.310	Subsections 1 & 2 amended	SF 320.30	J
524.312	Subsections 1 & 2 amended	SF 320.31	J
524.312	New subsections 2A & 2B	SF 320.32	J
524.313	Section amended	SF 320.33	J
524.314	New section	SF 320.34	J
524.401	Section amended	SF 320.35	J
524.402	Section repealed	SF 320.135	J
524.403	Section repealed	SF 320.135	J
524.404	Subsections 1 & 3 amended	SF 320.36	J
524.405	Section amended	SF 320.37	J
524.501	Section rewritten	SF 320.38	J
524.501A	New section	SF 320.39	J
524.502	Section amended	SF 320.40	J
524.503	Section amended	SF 320.41	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
524.504	Section rewritten	SF 320.42	J
524.504A	New section	SF 320.43	J
524.505	Section rewritten	SF 320.44	J
524.506	Section rewritten	SF 320.45	J
524.506A	New section	SF 320.46	J
524.506B	New section	SF 320.47	J
524.507	Section amended	SF 320.48	J
524.509	Section amended	SF 320.49	J
524.509A	New section	SF 320.50	J
524.510	Section amended	SF 320.51	J
524.511	Section amended	SF 320.52	J
524.512	Section amended	SF 320.53	J
524.513	Section amended	SF 320.54	J
524.514	Section amended	SF 320.55	J
524.514A	New section	SF 320.56	J
524.516	Subsection 2 amended	SF 320.57	J
524.517	Subsection 2 amended	SF 320.58	J
524.518	Section repealed	SF 320.135	J
524.520	Section amended	SF 320.59	J
524.601	Subsection 1 amended	SF 320.60	J
524.602	Section amended	SF 320.61	J
524.604	Subsections 1 & 4 amended	SF 320.62	J
524.605	Subsection 3 amended	SF 320.63	J
524.606	Subsection 1 amended	SF 320.64	J
524.607	Unnumbered paragraph 1 amended	SF 320.65	J
524.608	Section rewritten	SF 320.66	J
524.610	Section amended	SF 320.67	J
524.612	Section amended	SF 320.68	J
524.613	Section amended	SF 320.69	J
524.614	Section amended	SF 320.70	J
524.701	Section rewritten	SF 320.71	J
524.703	Section amended	SF 320.72	J
524.704	Section repealed	SF 320.135	J
524.705	Section amended	SF 320.73	J
524.706	Section amended	SF 320.74	J
524.707	Section amended	SF 320.75	J
524.708	Section amended	SF 320.76	J
524.710	Section amended	SF 320.77	J
524.801	Subsection 1 stricken	SF 320.78	J
524.801	New subsection 13	SF 320.79	J
524.802	Section amended	SF 320.80	J
524.803	Section amended	SF 320.81	J
524.804	Section amended	SF 320.82	J
524.805	Subsections 1 & 4 amended	SF 320.83	J
524.805	Subsection 2 stricken	SF 320.84	J
524.809	Subsection 1 amended	SF 320.85	J
524.812	Subsection 2 amended	SF 320.86	J
524.825	Section amended	SF 320.87	J
524.901	Section rewritten	SF 320.88	J
524.903	Subsections 2 & 3 amended	SF 320.89	J
524.904	Section rewritten	SF 320.90	J
524.908	Section rewritten	SF 320.91	J
524.1009	New section	SF 320.92	J
524.1102	Section amended	SF 320.93	J
524.1103	New subsection 7	SF 320.94	J
524.1201	Section amended	SF 271.1	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
524.1202	Subsection 2, paragraph d amended	SF 320.95	J
524.1301	Section rewritten	SF 320.96	J
524.1303	Section amended	SF 320.97	J
524.1304	Section rewritten	SF 320.98	J
524.1304A	New section	SF 320.99	J
524.1305	Subsections 1, 2, & 3 amended	SF 320.100	J
524.1306	Subsection 1 amended	SF 320.101	J
524.1307	Section repealed	SF 320.135	J
524.1308	Section repealed	SF 320.135	J
524.1308A	New section	SF 320.102	J
524.1308B	New section	SF 320.103	J
524.1309	Unnumbered paragraph 1 amended	SF 320.104	J
524.1309	Subsections 1, 3, 4, 5, & 10 amended	SF 320.105	J
524.1309	Subsection 6 stricken	SF 320.106	J
524.1314	Subsection 2 amended	SF 320.107	J
524.1401	Section amended	SF 320.108	J
524.1402	Section amended	SF 320.109	J
524.1403	Section amended	SF 320.110	J
524.1404	Section amended	SF 320.111	J
524.1405	Subsection 1 amended	SF 320.112	J
524.1405	Subsections 2 & 3 rewritten	SF 320.113	J
524.1406	Section amended	SF 320.114	J
524.1407	Section repealed	SF 320.135	J
524.1408	Section amended	SF 320.115	J
524.1411	Subsections 3 & 5 amended	SF 320.116	J
524.1412	Section amended	SF 320.117	J
524.1413	Section amended	SF 320.118	J
524.1414	Section amended	SF 320.119	J
524.1415	Subsection 1 amended	SF 320.120	J
524.1415	New subsection 4	SF 320.121	J
524.1417	Subsection 1 rewritten	SF 320.122	J
524.1417	Subsection 2 amended	SF 320.123	J
524.1418	Section amended	SF 320.124	J
524.1419	Section amended	SF 320.125	J
524.1420	Section amended	SF 320.126	J
524.1501	Section amended	SF 320.127	J
524.1503	Section rewritten	SF 320.128	J
524.1504	Subsection 1, paragraph d amended	SF 320.129	J
524.1506	Section amended	SF 320.130	J
524.1507	Section repealed	SF 320.135	J
524.1508	Section amended	SF 320.131	J
524.1509	New section	SF 320.132	J
524.1510	New section	SF 320.133	J
524.1701	Section repealed	SF 320.135	J
524.1702	Section repealed	SF 320.135	J
524.1703	Section repealed	SF 320.135	J
524.1806	Section amended	SF 320.134	J
527.2	Subsection 10 amended	HF 520.1	E
527.3	New subsection 8	HF 520.2	E
527.5	Subsection 12 amended	HF 520.3	E
<u>527.5</u>	<u>Subscction 13 amended</u>	HF 520.4	E

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| J - Effective July 1, 1995 | 00-00-00 - Specified effective date | |

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
527.6	Section repealed	HF 520.5	E
527.8	Section repealed	HF 520.5	E
533D.1	New section	SF 423.1	J
533D.2	New section	SF 423.2	J
533D.3	New section	SF 423.3	J
533D.4	New section	SF 423.4	J
533D.5	New section	SF 423.5	J
533D.6	New section	SF 423.6	J
533D.7	New section	SF 423.7	J
533D.8	New section	SF 423.8	J
533D.9	New section	SF 423.9	J
533D.10	New section	SF 423.10	J
533D.11	New section	SF 423.11	J
533D.12	New section	SF 423.12	J
533D.13	New section	SF 423.13	J
533D.14	New section	SF 423.14	J
533D.15	New section	SF 423.15	J
533D.16	New section	SF 423.16	J
535.2	Subsection 7 amended	HF 492.1	J
535.10	Subsection 1, paragraph d amended	SF 162.1	J
537.1302	Section amended	SF 175.1	* J
537.1302	Section amended	SF 486.27	J
537.2501	Subsection 1, paragraph g amended	HF 485.1	J
537.2502	New subsection 8	SF 341.1	J
537.7102	Subsection 3 amended	SF 423.17	J
542B.1	Section amended	HF 256.1	J
542B.2	Unnumbered paragraphs 2, 4, & 8 amended	HF 256.2	J
542B.2	Unnumbered paragraphs 9 & 10 rewritten	HF 256.3	J
542B.13	Section amended	HF 256.4	J
542B.14	Subsection 1, paragraph d amended	HF 256.5	J
542B.17	Section amended	HF 256.6	J
542B.21	Subsection 5 amended	HF 256.7	J
542B.21	New subsection 5A	HF 256.8	J
542B.26	Section amended	HF 256.9	J
543B.1	Section rewritten	HF 252.1	J
543B.3	Section rewritten	HF 252.2	J
543B.4	Section amended	HF 252.3	J
543B.5	Section amended	HF 252.4	J
543B.5	Section amended	HF 515.1	J
543B.7	Section amended	HF 252.5	J
543B.15	Section amended	HF 54.1	J
543B.27	Section amended	SF 94.1	J
543B.29	Subsection 5 amended	HF 54.2	J
543B.29	New subsection 11	HF 54.3	J
543B.34	Subsection 9 amended	HF 252.6	J
543B.46	Subsection 4 amended	HF 252.7	J
543B.56	New section	HF 515.2	J
543B.57	New section	HF 515.3	J
543B.58	New section	HF 515.4	J
543B.59	New section	HF 515.5	J
543B.60	New section	HF 515.6	J
543B.61	New section	HF 515.7	J
543B.62	New section	HF 515.8	J
543B.63	New section	HF 515.9	J
543B.64	New section	HF 515.10	J
546.7	Section amended	HF 303.60	E

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
548.101	Subsection 1, paragraph a amended	SF 88.15	J
548.101	Subsection 9 amended	SF 87.38	J
548.101	Subsection 11, paragraph a amended	SF 87.39	J
548.102	Subsection 5, unnumbered paragraph 2 amended	SF 87.40	J
554.3102	Subsections 1 & 2 amended	SF 87.41	J
554.3512	New section	HF 485.2	J
554.3513	New section	HF 485.3	J
554.4104	Subsection 3 amended	SF 87.42	J
554.4109	Subsection 2 amended	SF 88.16	J
554.4212	Subsection 2 amended	SF 87.43	J
554.4215	New subsection 2	SF 88.17	J
554.4215	Subsection 6 amended	SF 87.44	J
554.4401	Subsection 1 amended	SF 87.45	J
554.9401	Subsection 6 amended	SF 484.43	J
554A.1	Subsection 1, unnumbered paragraph 1 amended	SF 278.12	J
555C.1	New section	SF 226.1	J
555C.2	New section	SF 226.2	J
555C.3	New section	SF 226.3	J
555C.4	New section	SF 226.4	J
555C.5	New section	SF 226.5	J
555C.6	New section	SF 226.6	J
556.1	New subsection 5A	SF 375.1	J
556.2	Subsection 4 amended	SF 375.2	J
556.11	Subsection 4 amended	SF 375.3	J
556.12	Subsection 1 amended	SF 375.4	J
556.22	Section amended	SF 375.5	J
556F.2	Section amended	SF 88.18	J
556F.7	Section amended	SF 88.19	J
556F.16	Section amended	SF 88.20	J
561.19	Section amended	SF 82.6	J
562A.5	New subsection 8	HF 492.2	E
562A.6	New subsection 15	HF 492.3	E
562A.21	Subsection 1, unnumbered paragraph 1 amended	HF 492.4	J
562A.21	Subsection 1, paragraph b amended	HF 492.5	J
562A.27	Subsection 1 amended	HF 492.6	J
562A.27	Subsection 4, paragraph b amended	HF 492.7	J
562A.27A	Subsection 1 amended	HF 492.8	J
562A.27A	Subsection 2, unnumbered paragraph 1 amended	HF 492.9	J
562A.28	Section amended	HF 492.10	J
562B.25A	Subsection 1 amended	HF 492.11	J
562B.25A	Subsection 2, unnumbered paragraph 1 amended	HF 492.12	J
566A.1	Subsection 1 amended	HF 486.29	J
566A.1A	New section	HF 486.30	J
566A.2A	New section	HF 486.31	J
566A.2B	New section	HF 486.32	J
566A.2D	New section	HF 486.33	J
566A.2E	New section	HF 486.34	J
566A.3	New unnumbered paragraph	HF 486.35	J
566A.5	Section rewritten	HF 486.36	J
566A.12	Section rewritten	HF 486.37	C
566A.13	Section amended	HF 486.38	J

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<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
566A.14	New section	HF 486.39	J
566A.15	New section	HF 486.40	J
570A.1	Subsection 11 amended	SF 278.13	J
579.1	Section amended	HF 198.1	J
579A.1	New section	HF 198.2	J
579A.2	New section	HF 198.3	J
579A.3	New section	HF 198.4	J
580.1	Section amended	HF 198.5	J
582.4	Section amended	SF 409.2	J
595.3	Unnumbered paragraph 1 amended	SF 422.13	7/1/97
595.4	Section amended	SF 422.14	7/1/97
595.5	Section amended	SF 422.15	7/1/97
595.6	Section amended	SF 422.16	7/1/97
595.7	Section amended	SF 422.17	7/1/97
595.10	Subsection 1 amended	SF 438.3	J
595.11	Section amended	SF 422.18	7/1/97
595.13	Subsection 2 amended	SF 422.19	7/1/97
595.15	Section amended	SF 422.20	7/1/97
595.16	Section amended	SF 422.21	7/1/97
598.7A	New section	SF 239.1	J
598.8	Section amended	HF 94.1	J
598.8	Section amended	SF 150.21	J
598.21	Subsection 4, new paragraph e	SF 431.11	J
598.21	Subsection 4A, paragraph c amended	SF 149.8	J
598.21	Subsection 8, new unnumbered paragraph	SF 431.12	J
598.41	Subsections 1 & 2 amended	SF 150.22	J
598.41	Subsection 2 amended	SF 239.2	J
598.41	Subsection 3, new paragraph j	SF 150.23	J
598.41	New subsection 7	SF 150.24	J
600A.5	Subsection 3, paragraph c amended	SF 88.21	J
600A.5	Subsection 3, paragraph c amended	SF 150.25	J
600A.8	New subsection 8	SF 150.26	J
600B.40	New unnumbered paragraph	SF 150.27	J
600B.41	Subsection 2 amended	SF 149.9	J
602.1203	Section amended	SF 150.28	J
602.1302	Subsection 1 amended	SF 459.23	J
602.1304	Section amended	SF 459.24	J
602.6201	Subsection 10 amended	SF 459.25	J
602.8102	Subsection 44 amended	SF 409.3	J
602.8102	Subsection 52 stricken	SF 358.10	J
602.8102	Subsection 83 stricken	SF 422.22	7/1/97
602.8102	Subsection 110 amended	SF 87.46	J
602.8102	Subsection 125 amended	HF 528.26	J
602.8105	Subsection 1, new paragraph f	SF 409.4	J
602.8105	Subsection 2, paragraph a stricken	SF 422.23	7/1/97
602.8106	Subsection 1, paragraph a amended	SF 358.11	J
602.8107	Subsection 1 amended	SF 403.6	1/1/96
602.8107	Subsection 4, unnumbered paragraphs 1 & 2 amended	SF 403.7	1/1/96
602.8107	Subsection 5 amended	SF 403.8	1/1/96
602.8108A	Subsection 1 amended	HF 132.12	E
602.9203	Subsection 2, unnumbered paragraph 1 amended	SF 427.1	E
602.9203	Subsection 5 rewritten	SF 427.2	E
602.9204	Subsection 1 amended	SF 427.3	E
602.9204	Subsection 2, paragraphs a & c amended	SF 427.4	E
602.9208	Subsection 3 amended	SF 427.5	E
610A.1	New section	HF 246.1	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
610A.2	New section	HF 246.2	J
610A.3	New section	HF 246.3	J
610A.4	New section	HF 246.4	J
614.1	Subsection 9 amended	SF 152.21	J
615.3	Section amended	SF 88.22	J
622.71A	New section	HF 118.1	J
626.10	Section amended	SF 409.5	J
628.13	Unnumbered paragraph 2 amended	SF 409.6	J
628.20	Section amended	SF 409.7	J
631.1	Subsection 5 amended	SF 88.23	J
631.4	Subsection 2, paragraph b amended	HF 492.13	J
633.108	Section amended	SF 440.3	J
633.156	Section amended	HF 257.1	J
633.219	Subsections 3 & 4 amended	SF 440.4	J
633.273	Subsection 1 amended	SF 440.5	J
633.410	Section amended	SF 82.7	J
633.574	Section amended	SF 440.6	J
633.703B	Section amended	SF 87.47	J
633.704	Subsection 3, new paragraph d	SF 440.7	J
633.708	Section amended	SF 82.8	10/1/95
634A	Chapter repealed	SF 440.8	J
648.5	Section amended	HF 492.14	J
648.22	Section amended	HF 492.15	J
654.12B	New section	SF 189.2	J
654C.1	New section	HF 519.27	E
654C.2	New section	HF 519.28	E
654C.3	New section	HF 519.29	E
654C.4	New section	HF 519.30	E
654C.5	New section	HF 519.31	E
654C.6	New section	HF 519.32	E
654C.7	New section	HF 519.33	E
657.1	Section amended	HF 519.34	E
657.2	Subsection 1 amended	HF 519.35	E
657.11	New section	HF 519.36	E
666.6	Section amended	SF 403.9	1/1/96
690.5	Unnumbered paragraph 2 amended	HF 528.27	J
692.1	New subsection 1, subsequent subsection renumbered	HF 528.28	J
692.1	Subsection 5, new paragraphs e & f	HF 528.29	J
692.1	Subsection 7 amended	HF 528.30	J
692.1	New subsection 7A	HF 528.31	J
692.2	Subsection 1, paragraph a amended	HF 528.32	J
692.2	Subsection 4 amended	HF 528.33	J
692.2	Subsection 6, unnumbered paragraph 2 amended	HF 528.34	J
692.3	Subsections 1 & 3 amended	HF 528.35	J
692.4	Unnumbered paragraph 1 amended	HF 528.36	J
692.8	Section amended	HF 528.37	J
692.9	Section amended	HF 528.38	J
692.10	Section amended	HF 528.39	J
692.11	Section amended	HF 528.40	J
692.12	Section amended	HF 528.41	J
692.13	Section amended	HF 528.42	J

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J - Effective July 1, 1995	00-00-00 - Specified effective date	

<u>Section</u>	<u>Action</u>	<u>Sen/Hsc File No.</u>	<u>Effective</u>
692.14	Section amended	HF 528.43	J
692.15	Section amended	HF 528.44	J
692.16	Section amended	HF 528.45	J
692.17	Section amended	HF 528.46	J
692.19	Subsection 6 amended	HF 528.47	J
692.21	Section amended	HF 528.48	J
692A.1	New section	SF 93.1	J
692A.2	New section	SF 93.2	J
692A.3	New section	SF 93.3	J
692A.4	New section	SF 93.4	J
692A.5	New section	SF 93.5	J
692A.6	New section	SF 93.6	J
692A.7	New section	SF 93.7	J
692A.8	New section	SF 93.8	J
692A.9	New section	SF 93.9	J
692A.10	New section	SF 93.10	J
692A.11	New section	SF 93.11	J
692A.12	New section	SF 93.12	J
692A.13	New section	SF 93.13	J
692A.14	New section	SF 93.14	J
692A.15	New section	SF 93.15	J
708.1	New unnumbered paragraph	HF 528.49	J
708.2A	Subsection 2, paragraph b amended	SF 443.1	J
708.2B	New unnumbered paragraph	SF 367.15	J
708.2C	Subsection 3 amended	SF 443.2	J
708.3A	New section	SF 443.3	J
709.17	New section	SF 371.1	J
709A.6	Subsection 2 amended	HF 528.50	J
709B.3	Subsection 14 amended	SF 87.48	J
709C.2A	New section	SF 432.1	7/1/97
709C.5	Section amended	SF 432.2	7/1/97
709C.11	New section	SF 432.3	7/1/97
709C.12	New section	SF 432.4	* 7/1/97
709C.12	New section amended	SF 486.28	J
709C	Chapter effective date changed	SF 432.4	7/1/97
716B.3	Section amended	SF 88.24	J
717.1	Subsection 2 amended	SF 85.6	J
717.1	Subsection 2 amended	SF 278.14	J
717A.1	Subsection 1, paragraph a amended	SF 278.15	J
717B.3	Subsection 3 amended	SF 88.25	J
717B.9	Subsections 1, 2, & 3 amended	SF 66.1	J
718.6	Section amended	SF 439.1	J
719.1	Subsection 1 amended	SF 443.4	J
723A.1	Subsection 1, new paragraph g	HF 528.51	J
723A.3	New section	HF 528.52	J
724.4B	New section	HF 528.53	J
724.6	Subsection 2 amended	SF 178.26	J
727.10	Section amended	SF 366.1	J
729.1	Section amended	SF 88.26	J
729.3	Section amended	SF 88.27	J
803.1	Subsection 2 amended	HF 29.1	J
803.6	New section	HF 528.54	J
805.3	Section amended	HF 346.1	J
805.3	Section amended	SF 290.34	J
805.5	Section amended	SF 290.35	J
805.6	Subsection 1, paragraph a, unnumbered paragraph 2 amended	HF 346.2	J

<u>Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
805.6	Subsection 1, paragraph a, unnumbered paragraph 3 amended	SF 290.36	J
805.6	Subsection 1, paragraph b amended	HF 346.3	J
805.6	Subsection 4 amended	HF 346.4	J
805.6	New subsection 6	HF 346.5	J
805.8	Subsection 10, new paragraph c	SF 446.22	J
808A.1	Subsection 1, paragraph d amended	HF 528.55	J
808A.2	New subsection 1A	HF 528.56	J
809.1	Subsection 4 amended	SF 446.23	J
811.1	Subsections 1 & 2 amended	SF 142.1	J
819A.1	New section	SF 428.1	E
819A.2	New section	SF 428.2	E
819A.3	New section	SF 428.3	E
819A.4	New section	SF 428.4	E
819A.5	New section	SF 428.5	E
819A.6	New section	SF 428.6	E
819A.7	New section	SF 428.7	E
819A.8	New section	SF 428.8	E
819A.9	New section	SF 428.9	E
819A.10	New section	SF 428.10	E
901.10	Section amended	HF 471.1	VETO
902.2	Section rewritten	SF 398.1	J
902.7	Section amended	SF 293.1	J
902.11	Unnumbered paragraph 1 amended	HF 471.2	VETO
902.11	Subsection 1 amended	HF 471.3	VETO
902.12	New section	HF 471.4	VETO
903A.2	Unnumbered paragraph 1 amended	HF 471.5	VETO
903A.3	Subsection 1 amended	HF 246.5	J
903A.5	Unnumbered paragraph 1 amended	SF 409.8	J
904.311A	New section	SF 459.26	R 7/1/94
904.508A	New section	SF 459.27	J
904.516	New section	SF 120.1	J
904.701	Section amended	HF 215.1	J
904.702	Section amended	HF 246.6	J
905.6	Subsection 4 amended	HF 128.7	J
906.4	New unnumbered paragraph	SF 120.2	J
907.3	Subsection 1, paragraph i amended	SF 367.16	J
907.3	Subsection 2 amended	SF 367.17	J
910.2	Section amended	SF 386.1	J
910.4	Unnumbered paragraph 1 amended	SF 373.1	J
910.5	Subsection 1, unnumbered paragraph 2 amended	SF 373.2	J
910.5	Subsections 2, 3, & 4 amended	SF 373.3	J
910A.9A	Section amended	SF 432.5	7/1/97
912.1	New subsection 4A	SF 132.1	J
912.6	Subsection 2 amended	SF 132.2	J
912.6	New subsection 8	SF 132.3	J
914.2	Section amended	SF 398.2	J
914.3	Subsection 1 amended	SF 398.3	J

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<u>Bill/Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
<u>1995 ACTS - Listed by Bill Number</u>			
<u>Bill #/Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
HF 132.13	Section amended	SF 69.35	J
HF 139.1	Section amended	SF 486.26	J
HF 203.5	Subsection 2 amended	SF 486.18	E
HF 247.24	Section amended	SF 484.45	VETO
HF 289.2	Section amended	SF 486.25	J
HF 289.3	Section amended	HF 553.35	J
HF 471.7	Section amended	HF 528.58	J
HF 483.12	Section amended	SF 69.13	J
HF 519.11	Section stricken	HF 583.1	E
HF 579.12	Section amended	HF 584.4	E
SF 45.5	Section amended	SF 484.38	VETO
SF 45.5	Section amended	SF 484.39	VETO
SF 69.35	Section amended	SF 486.30	J
SF 117.13	Section amended	SF 486.20	J
SF 118.9	Section amended	SF 486.21	J
SF 175.1	Section amended	SF 486.27	J
SF 266.1	Subsection 1, unnumbered paragraph 1 amended	HF 584.5	E
SF 266.1	Subsection 1, unnumbered paragraph 2 void	HF 584.5	E
SF 266.1	Subsection 11, unnumbered paragraph 2 amended	HF 584.3	E
SF 266.6	Subsection 3, paragraph b amended	HF 584.2	E
SF 278.8	Section repealed	SF 486.17	E
SF 278.9	Section repealed	SF 486.17	E
SF 431.4	Section amended	SF 486.23	J
SF 431.6	Section amended	SF 486.24	J
SF 432.4	Section amended	SF 486.28	J
SF 439.2	Section repealed	SF 486.31	J
SF 446.11	Section amended	SF 358.5	J
SF 446.17	Section amended	SF 358.12	J
SF 462.3	Subsection 13 amended	SF 486.29	J
SF 475.8	New unnumbered paragraph	SF 486.4	E

1994 ACTS AMENDED

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1038.3	Section amended	SF 274.1	E
1038.3	Section repealed	SF 274.1	7/1/96
1072.9	Section amended	HF 247.46	J
1102.4	Section amended	SF 290.37	R 5/1/95
1119.32	Subsection 2, unnumbered paragraph 1 amended	HF 553.32	E
1119.32	Subsection 2, paragraph b amended	HF 553.33	E
1119.32	Subsection 2, paragraph d amended	HF 553.34	E
1119.36	Section amended	SF 87.49	J
1130.9	Section repealed	SF 208.8	E
1130.20	Section repealed	SF 208.8	E
1163.8	Subsection 1 void	HF 132.14	E
1163.8	Subsection 2 void	SF 69.22	J
1171.52	Subsections 5 & 6 amended	SF 87.50	R 5/11/94
1172.74	Section amended	SF 432.6	J
1181.13	Section amended	SF 475.9	J
1181.18	Section amended	SF 475.10	E

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1183.89	Subsection 1 amended	SF 87.51	J
1186.10	Unnumbered paragraph 2 amended	SF 462.28	E
1186.18	Unnumbered paragraph 2 amended	SF 462.29	E
1186.19	Unnumbered paragraph 2 amended	SF 462.30	E
1186.19	Subsection 6, paragraph a amended	SF 462.31	E
1186.20	Unnumbered paragraph 2 amended	SF 462.32	E
1193.2	Section repealed	SF 486.9	E
1193.4	Section repealed	SF 486.9	E
1193.15	Section repealed	SF 266.32	J
1193.35	Section repealed	SF 486.9	E
1194.10	Subsections 2 & 3 amended	SF 462.33	E
1196.23	Section amended	SF 459.28	R 1/1/95
1198.1	Subsection 3, paragraph a, unnumbered paragraph 3 amended	SF 255.3	E
1198.31	Section amended	HF 553.31	E
1199.10	New unnumbered paragraph	SF 481.31	E
1199.12	Section amended	SF 481.16	E
1199.52	Section amended	SF 290.37	R 5/1/95
1199.70	Section amended	SF 462.31	E
1201.2	Section amended	SF 87.52	E

1993 ACTS AMENDED

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
168.7	New subsection 3	HF 481.56	R 10/1/93
171.11	Subsection 4 amended	SF 459.28	R 1/1/95
176.25	Subsection 2 amended	HF 553.31	E

1992 ACTS AMENDED

<u>Chap./Section</u>	<u>Action</u>	<u>Sen/Hse File No.</u>	<u>Effective</u>
1140.44	Section repealed	HF 203.4	E

PROPOSED CONSTITUTIONAL AMENDMENT

Constitution of the State of Iowa, Article VII, new subsection 9 - subject to approval by voters	SJR 6.1	upon approval of voters
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**OVERSIGHT, AUDIT AND
GOVERNMENT REFORM**

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Gronstal, Vice-chair
McLaren, Ranking Member

Boswell
Maddox

**TRANSPORTATION,
INFRASTRUCTURE AND
CAPITALS**

Halvorson, Chair
Palmer, Vice-chair
Douglas, Ranking Member
Jensen
Murphy

1995 House of Representatives Committees

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Weidman, Vice-Chair
Running, Ranking Member
Blodgett
Connors
Corbett
Gipp
Jochum
Moreland
Renken
Schrader
Siegrist
Van Maanen

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Meyer, Vice-Chair
Koenigs, Ranking Member
Boggess
Burnett
Drees
Fallon
Greig
Greiner
Hahn
Heaton
Huseman
Klemme
Main
May
Mertz
Mundie
Salton
Vande Hoef
Weigel
Welter

APPROPRIATIONS

Millage, Chair
Gipp, Vice-Chair
Murphy, Ranking Member
Brand
Branstad
Brauns
Cataldo
Churchill
Cormack
Ertl
Garman
Grundberg
Hahn
Hanson
Houser
Koenigs
Kreiman
Kremer
Metcalf
Meyer
Moreland

Ollie
Running
Sukup
Wise

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Metcalf, Chair
Nutt, Vice-Chair
Holveck, Ranking Member
Brand
Baker
Brunkhorst
Cataldo
Churchill
Cormack
Dinkla
Doderer
Halvorson
Jacobs
Lamberti
Larson
McCoy
Nelson, Linda
Renken
Sukup
Van Fossen
Weigel
Wise

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Larson, Chair
Teig, Vice-Chair
McCoy, Ranking Member
Baker
Boggess
Bradley
Brand
Cormack
Cornelius
Drake
Hammitt
Harper
Heaton
Lord
Main
Mascher
Nelson, Beverly
Nelson, Linda
O'Brien
Tyrrell
Warnstadt

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Grubbs, Chair
Gries, Vice Chair
Ollie, Ranking Member
Baker
Boddicker
Brunkhorst
Cohoon

Cornelius
Daggett
Garman
Grundberg
Hanson
Kreiman
Lord
Mascher
Nelson, Beverly
Nelson, Linda
Rants
Veenstra
Warnstadt
Wise

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Bradley, Vice Chair
Witt, Ranking Member
Bernau
Boggess
Burnett
Drake
Drees
Fallon
Gipp
Gries
Hahn
Holveck
Mascher
Meyer
Rants
Shoultz
Teig
Thomson
Vande Hoef
Van Fossen

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Salton, Vice-Chair
Moreland, Ranking Member
Harper
Hurley
Running

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Boddicker, Vice-Chair
Harper, Ranking Member
Blodgett
Brand
Burnett
Carroll
Ertl
Fallon
Hammitt
Harrison
Hurley
Lord
Martin

Moreland
Murphy
Myers
Salton
Schulte
Veenstra
Witt

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Lamberti, Vice-Chair
Brammer, Ranking Member
Bell
Bernau
Boddicker
Coon
Dinkla
Doderer
Greiner
Grubbs
Harrison
Holveck
Kreiman
Kremer
Millage
Moreland
Nutt
Schulte
Shoultz
Veenstra

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Sukup, Vice-Chair
Nelson, Linda, Ranking Member
Bell
Boddicker
Connors
Daggett
Halvorson
Hanson
Harper
Hurley
Jochum
Kremer
Lord
Metcalf
Millage
Murphy
O'Brien
Renken
Running
Veenstra

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Carroll, Vice-Chair
Myers, Ranking Member
Arnold
Brauns
Cohoon

Connors
Disney
Drees
Hanson
Houser
Huseman
Jacobs
Klemme
Koenigs
Larkin
Martin
Mertz
Mundie
Weidman
Welter

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Cornelius, Vice-Chair
O'Brien, Ranking Member
Arnold
Bell
Branstad
Brauns
Cohoon
Coon
Drees
Eddie
Garman
Greig
Huseman
May
Mertz
Mundie

Shoultz
Thomson
Tyrrell
Weidman

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Jacobs, Vice-Chair
Larkin, Ranking Member
Bernau
Bradley
Brammer
Cataldo
Churchill
Connors
Coon
Disney
Drake
Ertl
Gipp
Houser
Jochum
Renken
Running
Thomson
Tyrrell
Witt

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Cormack, Vice-Chair
Brand, Ranking Member
Baker
Coon

Dinkla
Disney
Doderer
Ertl
Grubbs
Hammit
Harrison
Jacobs
Kreiman
Lamberti
Mertz
Myers
Nutt
Schulte
Weigel
Wise

TRANSPORTATION

Welter, Chair
Heaton, Vice-Chair
May, Ranking Member
Arnold
Blodgett
Branstad
Brauns
Carroll
Cohoon
Eddie
Grundberg
Koenigs
Larkin
Main
McCoy
Mundie

Nelson, Beverly
Ollie
Salton
Warnstadt
Weidman

WAYS & MEANS

Halvorson, Chair
Dinkla, Vice-Chair
Bernau, Ranking Member
Blodgett
Brammer
Disney
Doderer
Drake
Greig
Gries
Grubbs
Holveck
Jochum
Lamberti
Larkin
Larson
Main
Myers
Nutt
Rants
Renken
Shoultz
Teig
Van Fossen
Weigel

APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION

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Coon, Vice-Chair
Cataldo, Ranking Member
Boddicker
Gipp
Main
McCoy
O'Brien
Tyrrell

AGRICULTURE & NATURAL RESOURCES

Hahn, Chair
Drake, Vice Chair
Mertz, Ranking Member
Cormack
Cornelius
Eddie
Greiner
Koenigs
May

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Van Fossen, Vice-Chair

Baker, Ranking Member
Bogges
Drees
Metcalf
Salton
Teig
Wise

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Hammit, Vice-Chair
Shoultz, Ranking Member
Daggett
Greig
Gries
Nelson, Linda
Rants
Witt

HEALTH & HUMAN RIGHTS

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Brunkhorst
Martin
Mascher
Nutt

Thomson
Weigel

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Fallon, Ranking Member
Blodgett
Burnett
Carroll
Jochum
Lord
Veenstra

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Schulte, Vice Chair
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Heaton
Jacobs
Larkin
Myers
Vande Hoef
Welter

OVERSIGHT, AUDIT AND GOVERNMENT REFORM

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Disney, Vice-Chair
Kreiman, Ranking Member

Branstad
Harper
Larson
Meyer
Moreland
Sukup

TRANSPORTATION, INFRASTRUCTURE AND CAPITALS

Brauns, Chair
Harrison, Vice-Chair
Cohoon, Ranking Member
Bradley
Huseman
Klemme
Ollie
Warnstadt
Weidman