

and care, under the circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for the purpose of speculation, but with regard to the permanent disposition of the funds, considering the probable income, as well as the probable safety, of their capital. Within the limitations of the standard prescribed in this section, the treasurer of state, the department, and the board may acquire and retain every kind of property and every kind of investment which persons of prudence, discretion, and intelligence acquire or retain for their own account.

Sec. 4. Section 262.14, unnumbered paragraph 1, Code 1993, is amended to read as follows:

The board may invest funds belonging to the institutions, subject to ~~chapter 12A~~ and the following regulations:

Sec. 5. Chapter 12A, Code 1993, is repealed.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved February 1, 1994

---

## CHAPTER 1002

### REGULATION OF FERTILIZERS, SOIL CONDITIONERS, AND PESTICIDES

*S.F. 94*

**AN ACT** relating to fertilizers or soil conditioners and pesticides by prohibiting regulations by local governmental entities.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION. 200.22 LOCAL LEGISLATION – PROHIBITION.**

1. As used in this section:

a. "Local governmental entity" means any political subdivision, or any state authority which is not the general assembly or under the direction of a principal central department as enumerated in section 7E.5, including a city as defined in section 362.2, a county as provided in chapter 359, or any special purpose district.

b. "Local legislation" means any ordinance, motion, resolution, amendment, regulation, or rule adopted by a local governmental entity.

2. The provisions of this chapter and rules adopted by the department pursuant to this chapter shall preempt local legislation adopted by a local governmental entity relating to the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, or manufacture of a fertilizer or soil conditioner. A local governmental entity shall not adopt or continue in effect local legislation relating to the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, or manufacture of a fertilizer or soil conditioner, regardless of whether a statute or rule adopted by the department applies to preempt the local legislation. Local legislation in violation of this section is void and unenforceable.

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

Sec. 2. **NEW SECTION. 206.34 LOCAL LEGISLATION – PROHIBITION.**

1. As used in this section:

a. "Local governmental entity" means any political subdivision, or any state authority which is not the general assembly or under the direction of a principal central department as enumerated in section 7E.5, including a city as defined in section 362.2, a county as provided in chapter 359, or any special purpose district.

b. "Local legislation" means any ordinance, motion, resolution, amendment, regulation, or rule adopted by a local governmental entity.

2. The provisions of this chapter and rules adopted by the department pursuant to this chapter shall preempt local legislation adopted by a local governmental entity relating to the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, or manufacture of a pesticide. A local governmental entity shall not adopt or continue in effect local legislation relating to the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, or manufacture of a pesticide, regardless of whether a statute or rule adopted by the department applies to preempt the local legislation. Local legislation in violation of this section is void and unenforceable.

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

Approved February 1, 1994

---

## CHAPTER 1003

### SCHOOL FINANCE — STATE PERCENT OF GROWTH *S.F. 2041*

**AN ACT** establishing the state percent of growth for the school budget year beginning July 1, 1994, for purposes of the state school foundation program and providing effective and applicability date provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **STATE PERCENT OF GROWTH.** There is established pursuant to section 257.8, subsection 1, for the school budget year beginning July 1, 1994, for the state school foundation program a state percent of growth equal to two and eighty-five hundredths percent.

Sec. 2. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment and is applicable for computing state aid under the state school foundation program for the school budget year beginning July 1, 1994.

Approved February 10, 1994

---

## CHAPTER 1004

### COMPENSATION OF DEPUTY COUNTY SHERIFFS *S.F. 218*

**AN ACT** relating to the compensation of deputy county sheriffs.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 331.904, subsection 2, Code 1993, is amended to read as follows:

2. Each deputy sheriff shall receive an annual base salary as determined by the board. Upon certification by the sheriff, the board shall review, and may modify, the annual base salary of each deputy before certifying it to the auditor. The annual base salary of a first or second deputy sheriff shall not exceed eighty-five percent of the annual base salary of the sheriff. The