

of this subsection shall apply to all satellite terminals, including limited-function terminals, full-function point-of-sale terminals as identified in subsection 12, paragraph "a", and multiple use terminals.

Sec. 5. Sections 527.6 and 527.8, Code 1995, are repealed.

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

Approved April 24, 1995

CHAPTER 67

NONSUBSTANTIVE CODE CORRECTIONS

S.F. 87

AN ACT relating to nonsubstantive Code corrections, and providing effective and applicability date provisions.

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

Section 1. Section 2B.13, subsection 4, Code 1995, is amended to read as follows:

4. The Iowa Code editor shall seek direction from the senate committee on judiciary and the house committee on judiciary ~~and law enforcement~~ when making Iowa Code or Code Supplement changes, and the administrative code editor shall seek direction from the administrative rules review committee and the administrative rules coordinator when making Iowa administrative code changes, which appear to require substantial editing and which might otherwise be interpreted to exceed the scope of the authority granted in this section.

Sec. 2. Section 10A.104, subsection 8, Code 1995, is amended to read as follows:

8. Establish by rule standards and procedures for certifying that targeted small businesses are eligible to participate in the procurement set-aside program ~~and that small businesses are eligible to participate in the construction procurement set-aside program~~ established in sections 73.15 through 73.21. The procedure for determination of eligibility shall not include self-certification by a business. Rules and guidelines adopted pursuant to this subsection are subject to review and approval by the director of the department of management. The director shall maintain a current directory of targeted small businesses which have been certified pursuant to this subsection.

Sec. 3. Section 13B.8, subsection 1, unnumbered paragraph 2, Code 1995, is amended to read as follows:

Before establishing or abolishing a local public defender office, the state public defender shall provide a written report detailing the reasons for the action to be taken to the regulation appropriations subcommittee, the chairperson, vice chairperson, and ranking member of the senate committee on judiciary and committee on appropriations, and the chairperson, vice chairperson, and ranking member of the house of representatives committee on judiciary ~~and law enforcement~~ and committee on appropriations. The report shall contain a statement of the estimated fiscal impact of the action taken. Any action taken in establishing or abolishing a local public defender office shall only take effect upon the approval of the general assembly. If the state public defender proposes to abolish a local public defender office prior to the beginning of any regular session of the general assembly

and the general assembly takes no action regarding that proposal during the first ninety days of the first regular session occurring after the proposal is made, the office shall be abolished.

Sec. 4. Section 15.308, subsection 2, paragraph h, Code 1995, is amended to read as follows:

h. ~~Establish a~~ The new jobs and income program.

Sec. 5. Section 15E.120, subsection 5, Code 1995, is amended to read as follows:

5. Loan repayments received by the Iowa department of economic development shall be deposited into a special account to be used at its discretion as matching funds to attract financial assistance from and to participate in programs with national rural development and finance corporations or as provided in subsection 6. Funds in this special account shall not revert to the state general fund at the end of any fiscal year. If the programs for which the funds in the special account are to be used are terminated or expire, the funds in the special account and funds that would be repaid, if any, to the special account shall be transferred or repaid to the community economic betterment account of the ~~Iowa plan fund for economic development as established in section 99E.31~~ strategic investment fund established in section 15.313.

Sec. 6. Section 35A.2, subsection 1, Code 1995, is amended to read as follows:

1. A commission of veterans affairs is created consisting of seven persons who shall be appointed by the governor, subject to confirmation by the senate. Members shall be appointed to staggered terms of four years beginning and ending as provided in section 69.19. The governor shall fill a vacancy for the unexpired portion of the term.

Sec. 7. Section 48A.14, subsection 3, Code 1995, is amended to read as follows:

3. A challenge shall contain a statement signed by the challenger in substantially the following form: "I swear or affirm that information contained on this challenge is true. I understand that knowingly filing a challenge containing false information is ~~a serious~~ an aggravated misdemeanor."

Sec. 8. Section 53.37, subsection 5, Code 1995, is amended to read as follows:

5. Citizens of the United States who do not fall under any of the categories described in subsections 1 to 4, but who are entitled to register and vote pursuant to section ~~47.4, sub-section 3~~ 48A.5, subsection 4.

Sec. 9. Section 53.39, Code 1995, is amended to read as follows:

53.39 REQUEST FOR BALLOT – WHEN AVAILABLE.

Section 53.2 does not apply in the case of a ~~registered~~ qualified voter of the state of Iowa serving in the armed forces of the United States. In any such case an application for ballot as provided for in that section is not required and an absent voter's ballot shall be sent or made available to any such ~~registered~~ qualified voter upon a request as provided in this division.

All official ballots to be voted by qualified absent voters in the armed forces of the United States at the primary election and the general election shall be printed prior to forty days before the respective elections and shall be available for transmittal to such ~~registered~~ qualified voters in the armed forces of the United States at least forty days before the respective elections. The provisions of this chapter apply to absent voting by qualified voters in the armed forces of the United States except as modified by the provisions of this division.

Sec. 10. Section 135.107, subsection 1, unnumbered paragraph 2, Code 1995, is amended to read as follows:

The advisory committee shall regularly meet with the administrative head of the center as well as the director of the center for agricultural health and safety established under

section 262.78. The head of the ~~office~~ center and the director of the center for agricultural health and safety shall consult with the advisory committee and provide the committee with relevant information regarding their agencies.

Sec. 11. Section 135C.2, subsection 5, paragraph g, Code 1995, is amended to read as follows:

g. The facilities licensed under this subsection shall be eligible for funding utilized by other licensed residential care facilities for the mentally retarded, or licensed residential care facilities for the mentally ill, including but not limited to funding under or from the federal social services block grant, the state supplementary assistance program, state mental health and ~~mental retardation~~ developmental disabilities services funds, and county funding provisions.

Sec. 12. Section 144.12A, subsection 5, paragraph c, Code 1995, is amended to read as follows:

c. Revocation ~~shall be deemed a nullity~~ nullifies the registration and the information provided by the registrant shall be expunged.

Sec. 13. Section 163.47, Code 1995, is amended to read as follows:

163.47 EXEMPTIONS.

The provisions of this division shall not apply to 4-H or Future Farmers of America organizations engaged in breeding programs, ~~the sale of semen collected before January 1, 1978.~~

Sec. 14. Section 192.124, Code 1995, is amended to read as follows:

192.124 RETENTION OF MARKED CONTAINER.

~~No~~ A person shall not, without the consent of the owner, retain for a longer period than three days a container bearing a registered mark, and any person receiving such a container shall immediately return it to the owner by a common carrier. A receipt from a common carrier ~~shall be prima facie~~ is prima facie evidence that ~~such~~ the container was returned.

~~Notwithstanding section 189.21, a person retaining a container used for the handling of dairy products intended for sale as provided in this section, which bears a mark registered pursuant to section 192.123, shall not be subject to any penalty provided by law, if the person returns the container to its owner on or after April 14, 1992, but before August 1, 1992.~~

Sec. 15. Section 232.44, subsection 7, Code 1995, is amended to read as follows:

7. If a child held in shelter care or detention by court order has not been released after a detention hearing or has not appeared at an adjudicatory hearing before the expiration of the order of detention, an additional hearing shall automatically be scheduled for the next court day following the expiration of the order. The child, the child's counsel, the child's guardian ad litem, and the child's parent, guardian or custodian shall be notified of this hearing not less than twenty-four hours before the hearing is scheduled to take place. The hearing required by this ~~section~~ subsection may be held by telephone conference call.

Sec. 16. Section 232.102, subsection 3, Code 1995, is amended to read as follows:

3. After a dispositional hearing and upon written findings of fact based upon evidence in the record that an alternative placement set forth in subsection 1, paragraph "b" has previously been made and is not appropriate the court may enter an order transferring the guardianship of the ~~court~~ child for the purposes of subsection 8, to the director of human services for the purposes of placement in the Iowa juvenile home at Toledo.

Sec. 17. Section 232.148, subsection 5, Code 1995, is amended to read as follows:

5. Fingerprints and photographs of a child shall be removed from the file and destroyed

upon notification by the child's guardian ad litem or legal counsel to the department of public safety that ~~any either~~ of the following situations apply:

a. A petition alleging the child to be delinquent is not filed and the child has not entered into an informal adjustment, admitting involvement in a delinquent act alleged in the complaint.

b. After a petition is filed, the petition is dismissed or the proceedings are suspended and the child has not entered into a consent decree and has not been adjudicated delinquent on the basis of a delinquent act other than one alleged in the petition in question.

e. ~~Upon Fingerprints and photographs of a child shall also be removed from the file and destroyed upon~~ petition by the child when the child reaches twenty-one years of age and the child has not been adjudicated a delinquent nor convicted of committing an aggravated misdemeanor or a felony after reaching sixteen years of age.

Sec. 18. Section 252A.6A, subsection 2, paragraph a, Code 1995, is amended to read as follows:

a. (1) If the prior determination of paternity is based on an affidavit of paternity filed pursuant to section 252A.3A, or an administrative order entered pursuant to chapter 252F, or an order by the courts of this state, or by operation of law when the mother and established father are or were married to each other, the provisions of section ~~600B.41~~ 600B.41A are applicable.

(2) If the court determines that the prior determination of paternity should not be overcome, pursuant to section ~~600B.41~~ 600B.41A, and that the respondent has a duty to provide support, the court shall enter an order establishing the monthly child support payment and the amount of the support debt accrued and accruing pursuant to section 598.21, subsection 4, or medical support pursuant to chapter 252E, or both.

Sec. 19. Section 252C.4, subsection 7, paragraph a, Code 1995, is amended to read as follows:

a. (1) If the prior determination of paternity is based on an affidavit of paternity filed pursuant to section 252A.3A, or an administrative order entered pursuant to chapter 252F, or an order by the courts of this state, or by operation of law when the mother and established father are or were married to each other, the provisions of section ~~600B.41~~ 600B.41A are applicable.

(2) If the court determines that the prior determination of paternity should not be overcome pursuant to section ~~600B.41~~ 600B.41A, and that the responsible person has a duty to provide support, the court shall enter an order establishing the monthly child support payment and the amount of the support debt accrued and accruing pursuant to section 598.21, subsection 4, or medical support pursuant to chapter 252E, or both.

Sec. 20. Section 256.33, unnumbered paragraph 1, Code 1995, is amended to read as follows:

The department shall consort with school districts, area education agencies, community colleges, and colleges and universities to provide assistance to them in the use of educational technology for instruction purposes. The department shall consult with ~~the advisory committee on the operation of the narrowcast system, established in section 256.82,~~ the advisory committee on telecommunications, established in section 256.7, subsection 7, and other users of educational technology on the development and operation of programs under this section.

Sec. 21. Section 261B.6, Code 1995, is amended to read as follows:

261B.6 LIST OF SCHOOLS.

The secretary shall maintain a list of registered schools and the list and the information submitted under sections 261B.3 and 261B.4 are public records under chapter ~~21~~ 22.

Sec. 22. Section 294.10A, subsection 1, Code 1995, is amended to read as follows:

1. Notwithstanding section 294.9 or other provisions of this chapter, beginning January

1, following the submission by ~~the~~ a board of trustees of an application to the federal internal revenue service requesting qualification of a plan in accordance with the requirements of the Internal Revenue Code, as defined in section 422.3, teacher assessments required under section 294.9 which are picked up by ~~the~~ an employing school district shall be considered employer contributions for federal income tax purposes, and each employing school district establishing a pension and annuity retirement system pursuant to this chapter shall pick up the teacher assessments to be made under section 294.9 by its employees commencing the January 1 following an application for qualification. Each employing school district shall pick up these teacher assessments by reducing the salary of each of the teachers covered by this chapter by the amount which each teacher is required to contribute through assessments under section 294.9 and shall pay to the board of trustees the amount picked up in lieu of the teacher assessments for recording and deposit in the fund.

Sec. 23. Section 298.9, Code 1995, is amended to read as follows:
298.9 SPECIAL LEVIES.

If the voter-approved physical plant and equipment levy, consisting solely of a physical plant and equipment property tax levy, is voted at a special election and certified to the board of supervisors after the regular levy is made, the board shall at its next regular meeting levy the tax and cause it to be entered upon the tax list to be collected as other school taxes. If the certification is filed prior to April 1, the annual levy shall begin with the tax levy of the year of filing. If the certification is filed after April 1 in a year, the levy shall begin with the levy of the fiscal year succeeding the year of the filing of the certification.

Sec. 24. Section 298A.11, Code 1995, is amended to read as follows:
298A.11 SCHOOL NUTRITION FUND.

A school nutrition fund is an enterprise fund. A school nutrition fund must be established in any school corporation receiving moneys from the school lunch meal program authorized under chapter 283A.

Sec. 25. Section 321.189, subsection 7, paragraphs a and b, Code 1995, are amended to read as follows:

- a. An operator who has been issued a class M license prior to ~~July 1, 1994~~ May 1, 1995.
- b. An operator who is renewing the operator's class M license issued prior to ~~July 1, 1994~~ May 1, 1995.

Sec. 26. Section 321.454, Code 1995, is amended to read as follows:
321.454 WIDTH OF VEHICLES.

The total outside width of any vehicle or the load on the vehicle shall not exceed eight feet except that a motor home, commercial motor vehicle, motor truck or trailer hauling grain or livestock, travel trailer, fifth-wheel travel trailer, or bus having a total outside width not exceeding eight feet six inches, exclusive of safety equipment, is exempt from the permit requirements of chapter 321E and may be operated on the public highways of the state. However, if hay, straw or stover moved on any implement of husbandry and the total width of load of the implement of husbandry exceeds eight feet in width, the implement of husbandry is not subject to the permit requirements of chapter 321E. If hay, straw or stover is moved on any other vehicle subject to registration, the moves are subject to the permit requirements for transporting loads exceeding eight feet in width as required under chapter 321E. ~~The vehicle width limitations imposed by this subsection only apply to the public highways of the state not subject to the width limitations imposed under subsection 2.~~

Sec. 27. Section 321E.11, unnumbered paragraph 1, Code 1995, is amended to read as follows:

Movements by permit in accordance with this chapter shall be permitted only during the hours from sunrise to sunset unless the issuing authority determines that the movement

can be better accomplished at another period of time because of traffic volume conditions or the vehicle subject to the permit has an overall length not to exceed one hundred feet, an overall width not to exceed eleven feet, and an overall height not to exceed fourteen feet, four inches, and the permit requires the vehicle to operate only on ~~the~~ those high-ways designated highway-system by the department. Additional safety lighting and escorts may be required for movement at night.

Sec. 28. Section 331.507, subsection 3, Code 1995, is amended to read as follows:

3. The auditor shall collect or receive the ~~following fees~~:

a. ~~The~~ bee entry fee collected from nonresidents importing bees by the state apiarist as provided under section 160.16.

Sec. 29. Section 331.653, subsection 53, Code 1995, is amended to read as follows:

53. Carry out duties relating to the disposition of lost property as provided in chapter 644 ~~556F~~.

Sec. 30. Section 357G.4, Code 1995, is amended to read as follows:

357G.4 TIME OF HEARING.

The public hearing required in section 357G.2 shall be held within thirty days of the presentation of the petition. Notice of hearing shall be given by publication in two successive issues of any ~~paper~~ newspaper of general circulation within the district. The last publication shall be not less than one week before the proposed hearing.

Sec. 31. Section 384.84, subsection 6, paragraph a, subparagraph (5), Code 1995, is amended to read as follows:

(5) Contract for a period not to exceed forty years with persons and other governmental bodies for the ~~purpose~~ purchase or sale of water, gas, or electric power and energy on a wholesale basis.

Sec. 32. Section 427A.1, subsection 1, unnumbered paragraph 1, Code 1995, is amended to read as follows:

~~All tangible property except that which is assessed and taxed as real property is subject to the personal property tax credits provided in this chapter, unless the property is taxed, licensed, or exempt from taxation under other provisions of law.~~ For the purposes of property taxation only, the following shall be assessed and taxed, unless otherwise qualified for exemption, as real property:

Sec. 33. NEW SECTION. 427A.2 PERSONAL PROPERTY NOT SUBJECT TO PROPERTY TAX.

Personal property shall not be listed or assessed for taxation and is not subject to the property tax.

Sec. 34. Section 447.9, unnumbered paragraph 2, Code 1995, is amended to read as follows:

Service of the notice shall also be made by mail on any mortgagee having a lien upon the parcel, a vendor of the parcel under a recorded contract of sale, a lessor who has a recorded lease or recorded memorandum of a ~~reecorded~~ lease, and any other person who has an interest of record, at the person's last known address, ~~and on the state of Iowa in case of an old age assistance lien by service upon the state department of human services.~~ The notice shall also be served on any city where the parcel is situated. Only those persons who are required to be sent the notice of expiration as provided in this section are eligible to redeem a parcel from tax sale.

Sec. 35. Section 502.207A, subsection 5, Code 1995, is amended to read as follows:

5. In connection with an offering registered under this section, a person may be registered as an agent of the issuer under section 502.301 by the filing of an application by the

issuer with the administrator for the registration of the person as an agent of the issuer and the paying of a fee of ten dollars. Notwithstanding any other provision of this chapter, the registration of the agent shall be effective until withdrawn by the issuer or until the securities registered pursuant to the registration statement have all been sold, whichever occurs first. The registration of an agent shall become effective when ordered by the administrator or on the fifth business day after the agent's application has been filed with the administrator, whichever occurs first, and the administrator shall not impose further conditions upon the registration of the agent. However, the administrator may deny, revoke, suspend, or withdraw the registration of the agent at any time as provided in section 502.304. ~~Notwithstanding section 502.302, subsection 5, for~~ For the purposes of registration of agents under this section, the issuer and agent are not required to post bond. An agent registered solely pursuant to this section is entitled to sell only securities registered under this section.

Sec. 36. Section 508.36, subsection 8, paragraph a, Code 1995, is amended to read as follows:

a. A company's aggregate reserves for all life insurance policies, excluding disability and accidental death benefits, issued on or after the operative date of section 508.37, shall not be less than the aggregate reserves calculated in accordance with the methods set forth in subsections 6, 7, 10, and 11, and the mortality table or tables and rate or rates of interest used in calculating nonforfeiture benefits for such policies.

Sec. 37. Section 515C.1, Code 1995, is amended to read as follows:
515C.1 DEFINITION.

"Mortgage guaranty insurance" means insurance against financial loss by reason of non-payment of principal, interest and other sums agreed to be paid under the terms of any note or bond or other evidence of indebtedness secured by a mortgage, deed ~~or~~ of trust or other instrument constituting a lien or charge on real estate or on an owner-occupied mobile home.

Sec. 38. Section 548.101, subsection 9, Code 1995, is amended to read as follows:

9. "Trademark" means a word, name, symbol, or device or any combination of a word, name, symbol, or device, used by a person to identify and distinguish the goods of that person, including a unique product, ~~from products those~~ manufactured and sold by others, and to indicate the source of the goods, even if that source is unknown.

Sec. 39. Section 548.101, subsection 11, paragraph a, Code 1995, is amended to read as follows:

a. On goods sold or transported in commerce in this state when the mark is placed in any manner on the goods or containers or associated displays, or on affixed tags or labels, ~~in this state~~ or if the nature of the goods makes the placement on the goods or containers impracticable, on documents associated with the goods or their sale.

Sec. 40. Section 548.102, subsection 5, unnumbered paragraph 2, Code 1995, is amended to read as follows:

This subsection 5 does not prevent the registration of a mark used by the applicant which has become distinctive of the applicant's goods or services. The secretary may accept as evidence that the mark has become distinctive, as used on or in connection with the applicant's goods or services, proof of continuous use thereof as a mark by the applicant in this state for the five years before the date on which the claim for distinctiveness is made.

Sec. 41. Section 554.3102, subsections 1 and 2, Code 1995, are amended to read as follows:

1. This Article applies to negotiable instruments. It does not apply to money, to payment orders governed by Article 8 12, or to securities governed by Article ~~12~~ 8.

2. If there is conflict between this Article and Article ~~4 or 9 or 12~~, Articles 4 and 9 and ~~12~~ govern.

Sec. 42. Section 554.4104, subsection 3, Code 1995, is amended to read as follows:

3. The following definitions in other Articles apply to this Article:

"Acceptance"	Section 554.3409
"Alteration"	Section 554.3407
"Cashier's check"	Section 554.3104
"Certificate of deposit"	Section 554.3104
"Certified check"	Section 554.3409
"Check"	Section 554.3104
"Draft"	Section 554.3104
"Good faith"	Section 554.3103
"Holder in due course"	Section 554.3302
"Instrument"	Section 554.3104
"Notice of dishonor"	Section 554.3503
"Order"	Section 554.3103
"Ordinary care"	Section 554.3103
"Person entitled to enforce"	Section 554.3301
"Presentment"	Section 554.3501
"Promise"	Section 554.3103
"Prove"	Section 554.3103
"Teller's check"	Section 554.3104
"Unauthorized signature"	Section 554.3403

Sec. 43. Section 554.4212, subsection 2, Code 1995, is amended to read as follows:

2. If presentment is made by notice and payment, acceptance, or request for compliance with a requirement under section 554.3501 is not received by the close of business on the day after maturity or, in the case of demand items, by the close of business on the third banking day after notice was sent, the presenting bank may treat the item as dishonored and charge any drawer or endorser by sending it notice of the facts.

Sec. 44. Section 554.4215, subsection 6, Code 1995, is amended to read as follows:

6. Subject to applicable law stating a time for availability of funds and any right of a bank to apply a deposit ~~of money~~ to an obligation of the ~~customer depositor~~, the a deposit of money becomes available for withdrawal as of right at the opening of the bank's next banking day after receipt of the deposit.

Sec. 45. Section 554.4401, subsection 1, Code 1995, is amended to read as follows:

1. A bank may charge against the ~~customer's~~ account of a customer an item that is properly payable from that account even though the charge creates an overdraft. An item is properly payable if it is authorized by the customer and is in accordance with any agreement between the customer and bank.

Sec. 46. Section 602.8102, subsection 110, Code 1995, is amended to read as follows:

110. Carry out duties relating to the disposition of lost property as provided in chapter 644 556F.

Sec. 47. Section 633.703B, Code 1995, is amended to read as follows:

633.703B AVAILABILITY OF AMENDMENT PROCEDURES.

Amendment procedures in ~~this chapter~~ section 633.703A and this section shall be available to trusts created in any manner, whether by trust agreement, will, deed, or otherwise, and may be used on or after July 1, 1994, for any trust created before or after that date.

Sec. 48. Section 709B.3, subsection 14, Code 1995, is amended to read as follows:

14. In addition to persons to whom disclosure of the results of a convicted offender's HIV-related test results is authorized under this chapter, the victim may also disclose the

results to the victim's spouse, persons with whom the victim has engaged in vaginal, anal, or oral intercourse subsequent to the sexual assault, or members of the victim's family within the ~~fourth~~ third degree of consanguinity.

Sec. 49. 1994 Iowa Acts, chapter 1119, section 36, is amended to read as follows:

SEC. 36. ELIMINATION OF FUNDING SOURCE - DIRECTIONS TO CODE EDITOR.

1. Section 423.24, subsection 1, paragraph b, Code Supplement 1993, as amended by 1994 Iowa Acts, chapter 1119, section 29, is amended by striking the paragraph.

2. No moneys shall be deposited into the value-added agricultural products and processes financial assistance fund or the renewable fuels and coproducts fund, pursuant to section 423.24, as provided in this Act, after June 30, 2000.

3. Notwithstanding this section, restrictions upon the amount of money used to support administrative expenses by the department of economic development and the office of renewable fuels and coproducts shall continue to apply to moneys deposited in the value-added agricultural products and processes financial assistance fund and the renewable fuels and coproducts fund, pursuant to section 423.24, as provided in this Act, after June 30, 2000.

4. a. Any unencumbered or unobligated moneys in the value-added agricultural products and processes financial assistance fund derived from moneys deposited pursuant to section 423.24, which are in excess of three million six hundred fifty thousand dollars of the unencumbered or unobligated moneys in the fund deposited pursuant to that section, and which are remaining on June 30, 2000, shall be credited on August 31, 2000, to the road use tax fund as created in section 312.1.

b. Any unencumbered or unobligated moneys in the renewable fuels and coproducts fund derived from moneys deposited pursuant to section 423.24, which are in excess of three hundred fifty thousand dollars of the unencumbered or unobligated moneys in the fund deposited pursuant to that section, and which are remaining on June 30, 2000, shall be credited on August 31, 2000, to the road use tax fund as created in section 312.1.

5. The Code editor is directed to eliminate provisions within sections of the Code as provided in this Act wherever references to section 423.24, subsection 1, paragraph "b", appear in those provisions.

6. This section takes effect on July 1, 2000.

Sec. 50. 1994 Iowa Acts, chapter 1171, section 52, subsections 5 and 6, are amended to read as follows:

5. Sections 40, 41, 42, and 46 through 48 of this Act, being deemed of immediate importance, take effect upon enactment.

6. Sections 40, 41, 42, and 46 through 48 of this Act apply to any action to overcome paternity, including any paternity determination made prior to the effective date of sections 40, 41, 42, and 46 through 48 of this Act.

Sec. 51. 1994 Iowa Acts, chapter 1183, section 89, subsection 1, is amended to read as follows:

1. The department of personnel, in consultation with the public retirement systems committee established in section 97D.4, shall develop a proposal concerning the possible establishment of a new benefit formula under the Iowa public ~~employee's~~ employees' retirement system created in chapter 97B. The proposed benefit formula shall provide a method by which a member may combine the value of the following different types of membership service:

a. Membership service as a sheriff or deputy sheriff or airport fire fighter in accordance with section 97B.49, subsection 16, paragraph "b".

b. Membership service in a protection occupation, as provided in section 97B.49, subsection 16, paragraphs "a" and "d".

c. Any other membership service, as defined in section 97B.41.

Sec. 52. 1994 Iowa Acts, chapter 1201, section 2, is amended to read as follows:

SEC. 2. Notwithstanding section 15E.120, subsections 5, 6, and 7, and section 15.287, there is appropriated from the Iowa community development loan fund ~~from~~ all the monies available during the fiscal year beginning July 1, 1994, and ending June 30, 1995, to the department of economic development for the rural development program to be used by the department for the purposes of the program.

Sec. 53. AMENDMENTS CHANGING TERMINOLOGY REGARDING REGISTERED VOTERS - DIRECTIVE TO CODE EDITOR.

1. Sections 28E.17, 28E.22, 28E.25, 28E.28A, 28E.39, 37.2, 39.22, 47.6, 49.3, 49.12, 49.13, 49.51, 49.72, 56.19, 174.10, 176A.6, 257.18, 257.29, 275.22, 279.39, 279.53, 300.2, 303.20, 303.33, 331.203, 331.204, 331.205, 331.208, 331.237, 331.301, 331.306, 331.402, 331.441, 331.442, 331.447, 336.2, 357G.8, 358.2, 358.5, 360.3, 364.4, 368.19, 373.6, 384.24A, 384.26, 384.84A, 422A.2, and 422B.1, Code 1995, are amended by striking from the sections the words "qualified electors" and inserting in lieu thereof the words "registered voters".

2. Section 53.30, Code 1995, is amended by striking from the section the words "qualified elector's" and inserting in lieu thereof the words "registered voter's".

3. Section 346.27, Code 1995, is amended by striking from the section the words "qualified voters" and inserting in lieu thereof the words "registered voters".

4. The Code editor is directed to substitute the words "registered voter" or "registered voters" for the words "qualified elector" or "qualified electors", as appropriate, when there appears to be no doubt as to the intent to refer to persons who are registered to vote.

Sec. 54. EFFECTIVE AND RETROACTIVE APPLICABILITY DATE PROVISIONS.

1. The section of this Act which amends 1994 Iowa Acts, chapter 1171, section 52, subsections 5 and 6, being deemed of immediate importance, takes effect upon enactment and applies retroactively to May 11, 1994.

2. The section of this Act which amends 1994 Iowa Acts, chapter 1201, section 2, being deemed of immediate importance, takes effect upon enactment.

Approved April 25, 1995

CHAPTER 68

MEDICAL ASSISTANCE

S.F. 82

AN ACT relating to medical assistance provisions including those relating to presumptive eligibility for pregnant women and the estates and trusts of recipients of medical assistance and providing an effective date.

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

Section 1. Section 249A.3, subsection 1, paragraph i, Code 1995, is amended to read as follows:

i. Is a pregnant woman who is determined to be presumptively eligible by a health care provider qualified under the federal Omnibus Budget Reconciliation Act of 1986, Pub. L. No. 99-509, § 9407. The woman is eligible for ambulatory prenatal care assistance ~~for a period of fourteen days~~ until the last day of the month following the month of the presumptive eligibility determination. If the department receives the woman's medical assistance application ~~within the fourteen-day period~~ by the last day of the month following the month