

**CHAPTER 22**

## IOWA COMMUNICATIONS NETWORK — PROPRIETARY INTERESTS

H.F. 470

**AN ACT** providing for the protection of proprietary rights and collection of fees for software, network designs, and technology applications of the Iowa communications network.

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

Section 1. NEW SECTION. 8D.11A PROPRIETARY INTERESTS.

The commission may charge a negotiated fee, to recover a share of the costs related to the research and development, initial production, and derivative products of its proprietary software and hardware, telecommunications architecture design, and proprietary technology applications developed to support authorized users, to private vendors and to other political entities and subdivisions, including but not limited to states, territories, protectorates, and foreign countries. The commission may enter into nondisclosure agreements to protect the state of Iowa's proprietary interests. The provisions of chapter 23A relating to noncompetition by state agencies and political subdivisions with private enterprise shall not apply to commission activities authorized under this section.

Sec. 2. Section 23A.2, subsection 10, Code 2001, is amended by adding the following new paragraph:

NEW PARAGRAPH. n. The performance of an activity authorized pursuant to section 8D.11A.

Approved March 30, 2001

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**CHAPTER 23**

## MEAT AND POULTRY PROCESSORS — UNCLAIMED DEER VENISON

H.F. 597

**AN ACT** relating to the disposition of unclaimed deer venison processed by a meat and poultry processing establishment.

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

Section 1. NEW SECTION. 556H.1 UNCLAIMED DEER VENISON HELD BY A MEAT AND POULTRY PROCESSING ESTABLISHMENT.

All deer venison deposited with an establishment licensed pursuant to chapter 189A, which remains unclaimed for a period of two months after the establishment has attempted to contact the deer venison owner at least once by ordinary mail at the owner's last known mailing address, shall be presumed to be abandoned. The establishment may dispose of the abandoned deer venison by donating the deer venison to a local nonprofit, charitable organization. For purposes of this section, the term "deer" means the Cervidae or game deer excluding any farm deer as defined in section 481A.1, subsection 20, paragraph "h", and all donated deer venison shall include game deer venison only and shall not be processed as a multispecies meat food product pursuant to chapter 189A.

Sec. 2. Section 672.1, subsection 2, Code 2001, is amended to read as follows:

2. A gleaner, or a restaurant, food establishment, food service establishment, school, manufacturer of foodstuffs, meat and poultry establishment licensed pursuant to chapter 189A, or other person who, in good faith, donates food to a charitable or nonprofit organization for ultimate free distribution to needy individuals is not subject to criminal or civil liability arising from the condition of the food if the donor reasonably inspects the food at the time of the donation and finds the food fit for human consumption. The immunity provided by this subsection does not extend to a donor or gleaner if damages result from the negligence, recklessness, or intentional misconduct of the donor, or if the donor or gleaner has, or should have had, actual or constructive knowledge that the food is tainted, contaminated, or harmful to the health or well-being of the ultimate recipient.

Approved March 30, 2001

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## CHAPTER 24

### NONSUBSTANTIVE CODE CORRECTIONS

*H.F. 194*

**AN ACT** relating to nonsubstantive Code corrections and including effective and retroactive applicability provisions.

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

Section 1. Section 12.32, subsections 1 and 3, Code 2001, are amended to read as follows:

1. "Eligible borrower" means any person who is in the business or is entering the business of producing, processing, or marketing horticultural crops or nontraditional crops in this state or any person in this state who is qualified to participate in one of the programs in this ~~division~~ section and sections 12.33 through 12.43B. "Eligible borrower" does not include a person who has been determined to be delinquent in making child support payments or any other payments due the state.

3. "Linked investment" means a certificate of deposit placed pursuant to this ~~division~~ section and sections 12.33 through 12.43B by the treasurer of state with an eligible lending institution, at an interest rate not more than three percent below current market rate on the condition that the institution agrees to lend the value of the deposit, according to the investment agreement provided in section 12.35, to an eligible borrower at a rate not to exceed four percent above the rate paid on the certificate of deposit. The treasurer of state shall determine and make available the current market rate which shall be used each month.

Sec. 2. Section 12.34, subsections 1 and 2, Code 2001, are amended to read as follows:

1. The treasurer of state may invest up to the lesser of one hundred eight million dollars or ten percent of the balance of the state pooled money fund in certificates of deposit in eligible lending institutions as provided in sections 12.32 and 12.33, this ~~division~~ section, and sections 12.35 through 12.43B. The moneys invested pursuant to this section shall be used as follows:

a. The treasurer of state may invest up to sixty-eight million dollars to support programs provided in sections 12.32 and 12.33, this ~~division~~ section, and sections 12.35 through 12.43B other than the traditional livestock producers linked investment loan program as