

**CHAPTER 1103**

## HIGHWAY CONSTRUCTION AND REPAIR — TOPSOIL PRESERVATION

S.F. 144

**AN ACT** requiring contracts for the construction or maintenance of highways to include certain provisions for the restoration of areas in which fill dirt or other materials are to be removed.

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

Section 1. NEW SECTION. 314.12A PRESERVATION OF TOPSOIL IN HIGHWAY CONSTRUCTION.

In the award of contracts for the construction, reconstruction, improvement and repair, except for minor maintenance, of a highway, the state department of transportation shall require that when fill dirt, soil, or other materials are to be removed from an area acquired by title or easement, whether by agreement or condemnation, for use in the project, adequate provision shall be made for the salvage of topsoil from the area for use in the restoration of the specified critical areas of the project by replacement of salvaged topsoil, by fertilizing and mulching if necessary, or by other appropriate measures to provide vegetative cover to prevent erosion, including filling or covering the area with compost, except where a lake or subwater table conditions exist, where deep loess is present, or where outside ditch bottoms and backslopes are present in rock cut areas. This section shall not apply to borrow pits covered by section 314.12.

Approved April 11, 2002

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**CHAPTER 1104**

## CHILD CARE AND CHILD CARE PROVIDERS — OBTAINING PUBLIC FUNDING BY FRAUDULENT MEANS

S.F. 466

**AN ACT** relating to child care and protection public policy provisions involving children by authorizing sanctions for a child care provider who obtains public funding by fraudulent means.

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

Section 1. Section 237A.29, Code 2001, is amended to read as follows:  
237A.29 ~~STATE AND FEDERAL PUBLIC FUNDING OF CHILD CARE.~~

1. State funds and federal funds provided to the state in accordance with federal requirements shall not be used to pay for the care, supervision, and guidance of a child for periods of less than twenty-four hours per day on a regular basis unless the care, supervision, and guidance is defined as child care as used in this chapter.

2. a. For the purposes of this subsection, "fraudulent means" means knowingly making or causing to be made a false statement or a misrepresentation of a material fact, knowingly failing to disclose a material fact, or committing a fraudulent practice.

b. A child care provider that has been found in an administrative or judicial proceeding to