

Reprinted 3/79

MAR 16 1979
Place On Calendar

HOUSE FILE 687

By COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

(Formerly Study Bill 165)

Passed House, Date 3-26-79 (p. 1137) Passed Senate, Date _____

Vote: Ayes 94 Nays 0 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act correcting erroneous, inconsistent or obsolete
2 provisions of the 1979 Code.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

687

1 Section 1. Section eighteen point ninety-seven (18.97),
2 unnumbered paragraph one (1), Code 1979, is amended to read
3 as follows:

4 The superintendent of printing shall make free distribu-
5 tion of the Code, supplements to the Code, rules of civil
6 procedure, rules of appellate procedure, rules of criminal
7 procedure, supreme court rules, the Acts of each general
8 assembly, and, upon request, the Iowa administrative code,
9 its supplements, and the Iowa administrative bulletin as
10 follows:

17,3410

11 Sec. 2. Section twenty-four point twenty-four (24.24),
12 Code 1979, is amended to read as follows:

13 24.24 VIOLATIONS. Failure on the part of ~~any a~~ public
14 official to perform any of the duties prescribed in ~~chapters~~
15 ~~22, chapter~~ 23, and this chapter, and sections 8.39 and 11.1
16 to 11.5, ~~shall-constitute~~ constitutes a simple misdemeanor,
17 and ~~shall-be~~ is sufficient ground for removal from office.

18 Sec. 3. Section forty-three point five (43.5), Code 1979,
19 is amended to read as follows:

20 43.5 APPLICABLE STATUTES. The provisions of chapters
21 39, 47, 48, 49, 50, 51, 52, 53, 56, 57, 58, 59, 61, 62 and
22 ~~738~~ seven hundred twenty-two (722) of the Code shall apply,
23 so far as applicable, to all primary elections, except as
24 hereinafter provided.

25 Sec. 4. Section forty-six point sixteen (46.16), un-
26 numbered paragraph two (2), Code 1979, is amended to read
27 as follows:

28 For the purpose of initial appointments to the court of
29 appeals, two of the judges appointed shall serve an irregular
30 term ending December ~~30~~ thirty-first of the fourth year after
31 expiration of the initial term prescribed in subsection 1
32 and two of the judges appointed shall serve an irregular term
33 ending December ~~30~~ thirty-first of the fifth year after
34 expiration of the initial term prescribed in subsection 1.
35 Expiration of irregular terms shall be deemed expiration of

1 regular terms for all purposes.

2 Sec. 5. Section fifty-six point six (56.6), subsection
3 three (3), paragraph b, unnumbered paragraph one (1), Code
4 1979, is amended to read as follows:

5 The name and mailing address of each person who has made
6 one or more contributions of money to the committee including
7 the proceeds from any fund-raising events except those
8 reportable under paragraph "g" "f" of this subsection, when
9 the aggregate amount in a calendar year exceeds the amount
10 specified in the following schedule:

11 Sec. 6. Section sixty-nine point eight (69.8), subsec-
12 tion three (3), Code 1979, is amended to read as follows:

13 3. SUPREME COURT APPOINTEES APPOINTEE. In the ~~offices~~
14 office of clerk ~~and Code editor~~, by the supreme court.

15 Sec. 7. Section seventy-eight point one (78.1), subsection
16 five (5), Code 1979, is amended by striking the subsection.

17 Sec. 8. Section seventy-nine point nine (79.9), Code 1979,
18 is amended to read as follows:

19 79.9 CHARGE FOR USE OF AUTOMOBILE. When a public officer
20 or employee, other than a state officer or employee, is
21 entitled to be paid for expenses in performing a public duty,
22 a charge shall be made, allowed and paid for the use of an
23 automobile of fifteen cents per mile for actual and necessary
24 travel. A statutory provision stipulating necessary, mileage,
25 travel, or actual reimbursement to a public officer or employee
26 ~~shall-be-constructed-to-fall~~ falls within this fifteen cents
27 limitation unless specifically provided otherwise. Any A
28 peace officer as defined in section 748-3 eight hundred one
29 point four (801.4), subsection seven (7) of the Code who is
30 required to use his or her private vehicle in the performance
31 of his official duties shall receive reimbursement for mileage
32 expense at the rate of fifteen cents per mile.

33 Sec. 9. Section eighty-one point twelve (81.12), Code
34 1979, is amended to read as follows:

35 81.12 EXEMPTION FROM PEDDLER'S LICENSE. ~~Nothing-in-this~~

1 ~~This~~ chapter ~~shall-be-construed-to~~ does not repeal or amend
2 any statute delegating authority to any county or municipal
3 corporation to license, tax, or regulate peddlers or itinerant
4 merchants, ~~provided-that-any-person-licensed-under-the~~
5 ~~provisions-of-this-chapter-shall-not-be-required-to-obtain~~
6 ~~the-license-required-by-section-332-45.~~

7 Sec. 10. Section ninety-seven B point forty-nine (97B.49),
8 subsection six (6), unnumbered paragraph one (1), Code 1979,
9 is amended to read as follows:

10 On January 1, 1976, for each member who retired before
11 January 1, 1976, the amount of regular monthly retirement
12 allowance attributable to membership service and prior service
13 that was payable to the member for December, 1975 is increased
14 by ten percent for the first calendar year or portion of a
15 calendar year the member was retired, and by an additional
16 five percent for each calendar year after the first calendar
17 year the member was retired through the calendar year beginning
18 January 1, 1975. The total increase shall not exceed one
19 hundred percent. There is appropriated from the general fund
20 of the state to the ~~employment-security-commission~~ Iowa
21 department of job service from funds not otherwise appropriated
22 an amount sufficient to fund the provisions of this subsection.

23 Sec. 11. Section one hundred six point thirty (106.30),
24 Code 1979, is amended to read as follows:

25 106.30 AIRCRAFT RESTRICTION. It ~~shall-be~~ is unlawful
26 for any aircraft to make use of the inland lakes of the state,
27 except in the transportation of persons or property between
28 points separated by a distance of thirty miles or more.
29 ~~Nothing-herein-shall~~ However, this section does not prohibit
30 the use of such waters by any aircraft in danger or distress
31 or the use of such waters by the operators of private aircraft,
32 not operated for hire. ~~The-foregoing-provisions~~
33 ~~notwithstanding~~ In addition, the commission may, on the
34 recommendation of the ~~Iowa-aeronautics-commission~~ state
35 department of transportation, designate certain areas on

1 inland lakes of the state where seaplane flight instruction
 2 may be conducted under such conditions as may be adopted by
 3 the commission and the ~~Iowa-aeronautics-commission~~ state
 4 department of transportation.

5 Sec. 12. Section one hundred ten point twenty-one (110.21),
 6 unnumbered paragraph one (1), Code 1979, is amended to read
 7 as follows:

8 Upon the conviction of a licensee of any violation of
 9 chapter 109 of the Code, or of this ~~Act~~ chapter, or of any
 10 administrative order adopted and published by the state
 11 conservation commission, the magistrate may, as a part of
 12 the judgment, revoke the license of said the licensee, or
 13 suspend ~~the-same~~ it for any definite period.

14 Sec. 13. Section one hundred ten point twenty-five
 15 (110.25), unnumbered paragraph two (2), Code 1979, is amended
 16 by striking the paragraph.

17 Sec. 14. Section one hundred twenty-three point twenty
 18 (123.20), subsection eight (8), Code 1979, is amended to read
 19 as follows:

20 8. To accept intoxicating liquors ordered delivered to
 21 the Iowa beer and liquor control department pursuant to section
 22 ~~751-317-subsections-1-and-2~~ one hundred twenty-seven point
 23 eight (127.8), subsection one (1) of the Code, and offer such
 24 intoxicating liquors for sale through the state liquor stores,
 25 unless the director determines that such intoxicating liquors
 26 may be adulterated or contaminated. If the director determines
 27 that such intoxicating liquors may be adulterated or
 28 contaminated ~~he~~ the director shall order their destruction.

3488
 29 Sec. 15. Section one hundred twenty-three point thirty-
 30 nine (123.39), unnumbered paragraph three (3), Code 1979,
 31 is amended to read as follows:

32 When a liquor license or beer permit is suspended after
 33 a hearing as a result of violations of the provisions of this
 34 chapter by the licensee, permittee or his or her agents or
 35 employees, the premises which were licensed by such license

1 or permit shall not be relicensed for a new applicant until
2 the suspension has terminated or time of suspension has
3 elapsed, or ninety days have elapsed since the commencement
4 of the suspension, whichever occurs first. However, ~~nothing~~
5 ~~in this section shall~~ does not prohibit the premises from
6 being relicensed to a new applicant before the suspension
7 has terminated or before the time of suspension has elapsed
8 or before ninety days have elapsed from the commencement of
9 the suspension, if the premises prior to the time of the
10 suspension had been purchased under contract, and the vendor
11 under that contract exercised the person's rights under chapter
12 656 and sold the property to a different person who is not
13 related to the previous licensee or permittee ~~by-marriage~~
14 ~~or~~ within the third degree of consanguinity or affinity and
15 if the previous licensee or permittee does not have a financial
16 interest in the business of the new applicant.

348

17 Sec. 16. Section one hundred twenty-three point one hundred
18 fifty (123.150), unnumbered paragraph one (1), Code 1979,
19 is amended to read as follows:

20 Notwithstanding ~~sections 123.27~~, section 123.36, subsection
21 6, section 123.49, subsection 2, paragraph "b", and section
22 123.134, subsection 5, a holder of any class of liquor control
23 license or the holder of a class "B" beer permit may sell
24 or dispense such liquor or beer to patrons for consumption
25 on the premises between the hours of noon on Sunday and two
26 a.m. on Monday when that Monday is New Years Day and beer
27 for consumption off the premises between the hours of noon
28 Sunday and ten p.m. Sunday when that Sunday is the day before
29 New Years Day. The liquor control license fee or beer permit
30 fee of licensees and permittees permitted to sell or dispense
31 such liquor or beer on a Sunday when that Sunday is the day
32 before New Years Day shall not be increased because of this
33 privilege.

34 Sec. 17. Section one hundred forty-two A point seven
35 (142A.7), subsection two (2), Code 1979, is amended to read

1 as follows:

2 2. The time of death shall be determined by a physician
3 who attends the donor at ~~his~~ the donor's death, or, if none,
4 the physician who certifies the death. This physician shall
5 not participate in the procedures for removing or transplanting
6 a part, the enucleation of eyes being the exception. A
7 licensed funeral director ~~or-embalmer~~, as defined in chapter
8 156, upon successfully completing a course in eye enucleation
9 and receiving a certificate of competence from the department
10 of ophthalmology, college of medicine, of the University of
11 Iowa, may enucleate the eyes of a donor.

12 Sec. 18. Section one hundred fifty-six point thirteen
13 (156.13), Code 1979, is amended to read as follows:

14 156.13 CERTIFICATE OF NATIONAL BOARD IN LIEU OF
15 EXAMINATION. The state department of health may, with the
16 approval of the board, accept in lieu of the examination
17 prescribed in section 156.4 ~~and-section-156-5~~, a certificate
18 of examination issued by the National Conference of Funeral
19 Service Examining Boards, and every applicant for a license
20 upon the basis of such certificate shall be required to pay
21 the fee.

22 Sec. 19. Section one hundred eighty-eight point twenty-
23 five (188.25), Code 1979, is amended to read as follows:

24 188.25 UNLAWFUL RELEASE. Any A person who releases any
25 an animal, distrained as provided in this chapter, without
26 the consent of the person distraining the ~~same, shall be~~
27 animal, is guilty of a simple misdemeanor.

28 Sec. 20. Section one hundred ninety-three point six
29 (193.6), Code 1979, is amended to read as follows:

30 193.6 PENALTY. Any A person violating any a provision
31 of this chapter ~~shall be deemed~~ is guilty of a simple mis-
32 ~~demeanor and shall be punished by fine of not less than twenty-~~
33 ~~five-dollars nor more than one-hundred-dollars or imprisonment~~
34 ~~in the county jail not to exceed thirty days,~~ and on upon
35 a third violation ~~of the same~~ may be restrained by injunction

1 from operating such a business.

3503 >
2 Sec. 21. Section two hundred twenty-nine point eight
3 (229.8), subsection one (1), Code 1979, is amended to read
4 as follows:

5 1. Determine whether the respondent has an attorney who
6 is able and willing to represent him or her in the
7 hospitalization proceeding, and if not, whether the respondent
8 is financially able to employ an attorney and capable of
9 meaningfully assisting in selecting one. In accordance with
10 those determinations, the court shall if necessary allow the
11 respondent to select, or shall assign to him or her, an
12 attorney. If the respondent is financially unable to pay
13 an attorney, the attorney shall be compensated in substantially
14 the manner provided by ~~sections-775-5-and-775-6~~ section eight
15 hundred fifteen point seven (815.7) of the Code, except that
16 if the county has a public defender the court may designate
17 the public defender or an attorney on his or her staff to
18 act as the respondent's attorney.

19 Sec. 22. Section two hundred twenty-nine point twenty
20 (229.20), subsection two (2), Code 1979, is amended to read
21 as follows:

22 2. When a proceeding under section 229.6 and succeeding
23 sections of this chapter arises under ~~sections-783-5-or-789-8-~~
24 rule of criminal procedure twenty-two (22), subsection three
25 (3), paragraph c and the respondent through his or her attorney
26 waives the hearing otherwise required by section 229.12, the
27 court may immediately order the respondent placed in a hospital
28 for a complete psychiatric evaluation and appropriate treatment
29 pursuant to section 229.13. In such cases, the court may
30 in its discretion order or waive the physician's examination
31 otherwise required under section 229.10.

32 Sec. 23. Section two hundred twenty-nine point twenty-
33 one (229.21), subsection one (1), Code 1979, is amended to
34 read as follows:

35 1. ~~As-seen-as-practicable-after-the-adoption-of-this-Act~~

1 ~~the~~ The judges in each judicial district shall meet and shall
2 determine, individually for each county in the district,
3 whether it appears that one or more district judges will be
4 sufficiently accessible in that county to make it feasible
5 for them to perform at all times the duties prescribed by
6 sections 229.7 to 229.20 and by ~~section-125-197--subsections~~
7 ~~17-27-5-and-9-(1977)~~ sections two hundred twenty-nine point
8 fifty-one (229.51) to two hundred twenty-nine point fifty-
9 three (229.53) of the Code. If the judges find that
10 accessibility of district court judges in any county is not
11 sufficient for this purpose, the chief judge of the district
12 shall appoint in that county a judicial hospitalization
13 referee. The judges in any district may at any time review
14 their determination, previously made under this subsection
15 with respect to any county in the district, and pursuant to
16 that review may authorize appointment of a judicial
17 hospitalization referee, or abolish the office, in that county.

18 Sec. 24. Section two hundred thirty point twenty (230.20),
19 subsection five (5), Code 1979, is amended to read as follows:

20 5. An individual statement shall be prepared for any a
21 patient on or before the fifteenth day of the month next
22 succeeding the month in which that patient leaves the hospital,
23 and a general statement shall be prepared at least quarterly
24 for each county to which charges are made under this section.
25 Except as otherwise required by ~~sections-224A-2-and-224A-3~~
26 section one hundred twenty-five point thirty-three (125.33)
27 of the Code, the general statement shall list the name of
28 each patient chargeable to that county who was served by the
29 hospital during the preceding month or calendar quarter and
30 the amount due on account of each patient, and the county
31 shall be billed for one hundred percent of the stated charge
32 for each patient, unless otherwise specified in the current
33 appropriation for support of the state hospitals. The
34 statement prepared for each county shall be certified by the
35 superintendent of the hospital to the state comptroller and

1 a duplicate statement shall be mailed to the auditor of that
2 county.

3 Sec. 25. Section two hundred thirty-four point twenty-
4 eight (234.28), Code 1979, is amended to read as follows:

5 234.28 OBSCENITY LAWS NOT APPLICABLE. The provisions
6 of chapter ~~725-shall~~ seven hundred twenty-eight (728) of the
7 Code do not apply to services provided under the terms of
8 this division.

9 Sec. 26. Section two hundred fifty-two B point seven
10 (252B.7), paragraphs a, b, c and d, Code 1979, are amended
11 to read as follows:

12 a 1. Contempt of court proceedings to enforce any order
13 of court pertaining to child support.

14 b 2. Cases under chapter 252A, the Uniform Support of
15 Dependents Law.

16 e 3. An information charging ~~desertion-under-the-provisions~~
17 ~~of-chapter-731~~ a violation of section seven hundred twenty-
18 six point three (726.3), seven hundred twenty-six point five
19 (726.5), or seven hundred twenty-six point six (726.6) of
20 the Code.

21 d 4. Any other lawful action which will secure collection
22 of support for minor children.

23 Sec. 27. Section two hundred sixty-one point twelve
24 (261.12), subsection one (1), paragraph a, is amended to read
25 as follows:

26 a. The total tuition and mandatory fees for that student
27 for two semesters or the trimester or quarter equivalent,
28 less the base amount determined annually by the ~~higher~~
29 ~~education-facilities~~ college aid commission, which base amount
30 shall be within ten dollars of the average tuition for two
31 semesters or the trimester equivalent of undergraduate study
32 at the state universities under the board of regents, but
33 in any event the base amount shall not be less than four
34 hundred dollars; or

3503 >

35 Sec. 28. Section three hundred seven A point five (307A.5),

1 unnumbered paragraphs one (1) and two (2), Code 1979, are
2 amended to read as follows:

3 ~~Municipalities~~ Cities and counties may assess the cost
4 of a public improvement when such improvement benefits property
5 owned by the state and under the jurisdiction and control
6 of the highway division of the department. The commission
7 shall pay from the primary road fund such portion of the cost
8 of the improvement as would be legally assessable against
9 the land if privately owned.

10 Assessments against property under the jurisdiction of
11 the highway division of the department shall be made in the
12 same manner as those made against private property, except
13 that the ~~municipality~~ city or county making the assessment
14 shall cause a copy of the public notice of hearing to be
15 mailed to the ~~commission~~ director of transportation by
16 ~~restricted~~ certified mail.

17 Sec. 29. Section three hundred ten point thirty-six
18 (310.36), Code 1979, is amended to read as follows:

19 310.36 REPORT TO GOVERNOR. The research projects and
20 engineering studies authorized herein shall be conducted in
21 ~~co-operation~~ cooperation with the county engineers. ~~Once~~
22 On or before January thirty-first each year the department
23 shall file a report with the governor, and county engineers,
24 chief clerk of the house of representatives and secretary
25 of the senate showing the work accomplished and projects
26 undertaken under section 310.35, ~~and copies of a biennial~~
27 ~~report of the same for the use and benefit of the general~~
28 ~~assembly shall be filed with the chief clerk of the house~~
29 ~~of representatives and the secretary of the senate on or~~
30 ~~before January 31 of each odd-numbered year.~~

31 Sec. 30. Section three hundred sixteen point one (316.1),
32 subsection nine (9), Code 1979, is amended to read as follows:

33 9. "~~Departmental~~ Administrative rules" means all rules
34 subject to the provisions of chapter 17A.

35 Sec. 31. Section three hundred sixteen point five (316.5),

1 subsection one (1), paragraph a, Code 1979, is amended to
2 read as follows:

3 a. The amount, if any, which when added to the acquisition
4 cost of the dwelling acquired by the department, equals the
5 reasonable cost of a comparable replacement dwelling which
6 is a decent, safe, and sanitary dwelling adequate to
7 accommodate such displaced person, reasonably accessible to
8 public services and places of employment and available on
9 the private market. All determinations required to carry
10 out this paragraph shall be made in accordance with
11 ~~departmental~~ administrative rules established by the department
12 in making these additional payments.

13 Sec. 32. Section three hundred sixteen point nine (316.9),
14 unnumbered paragraph one (1), Code 1979, is amended to read
15 as follows:

16 The department shall make ~~departmental~~ administrative rules
17 ~~and-regulations~~ necessary to effect the provisions of this
18 chapter and to assure:

19 Sec. 33. Section three hundred sixteen point ten (316.10),
20 Code 1979, is amended to read as follows:

21 316.10 APPLICABLE TO OTHER THAN FEDERAL-AID HIGHWAYS.

22 The department or any political subdivision may provide all
23 or a part of the programs and payments authorized under this
24 chapter to persons displaced by any street or highway project
25 which is financed in whole or in part by the state or a
26 political subdivision, which is not a federal-aid project,
27 and which requires the purchase or condemnation of private
28 property for public use. To the extent that a program or
29 payment is provided under this section, it shall be provided
30 on a uniform basis to all persons so displaced. The department
31 shall make ~~departmental~~ administrative rules ~~and-regulations~~
32 to assure reasonable standards, which need not conform to
33 federal rules and guidelines, for programs and payments
34 provided under this section.

35 Sec. 34. Section three hundred twenty-one point one

1 (321.1), subsection fifty-three (53), Code 1979, is amended
2 to read as follows:

3 53. "Through (or thru) highway" means every highway or
4 portion thereof at the entrances to which vehicular traffic
5 from intersecting highways is required by law to stop before
6 entering or crossing the same and when stop signs are erected
7 as provided in this chapter or such entrances are controlled
8 by a ~~police~~ peace officer or traffic-control signal. The
9 term "arterial" ~~shall-be~~ is synonymous with "through" or
10 "thru" when applied to highways of this state.

11 Sec. 35. Section three hundred twenty-one point one hundred
12 forty-eight (321.148), Code 1979, is amended to read as
13 follows:

14 321.148 MONTHLY ESTIMATE. The ~~auditor-of-the~~ department
15 shall, on the first day of each month, furnish an estimate
16 in writing to the treasurer of state of the amount of
17 expenditures to be made by the department during that month.

18 Sec. 36. Section three hundred twenty-one point one hundred
19 eighty-nine (321.189), subsection two (2), paragraph d, Code
20 1979, is amended to read as follows:

21 d. A motorized bicycle license is not required to operate
22 a motorized bicycle if ~~possessed-of-an~~ the operator possesses
23 a valid operator's or chauffeur's license.

24 Sec. 37. Section three hundred twenty-one point two hundred
25 eighty-five (321.285), subsection eight (8), unnumbered
26 paragraph one (1), Code 1979, is amended to read as follows:

27 Notwithstanding any other speed restrictions, the speed
28 limits for all vehicular traffic, except vehicles subject
29 to the provisions of section 321.286 on fully controlled-
30 access, divided, multilaned highways including the national
31 system of interstate highways designated by the federal highway
32 administration and this state (23 U.S.C. 103 ~~(d)~~ (e) (1977))
33 shall be fifty-five miles per hour. However, the department
34 or the cities, with the approval of the department, may
35 establish a lower speed limit upon such highways located

1 within the corporate limits of any city used as city alternate
2 routes, commonly referred to as "freeways." For the purposes
3 of this subsection a fully controlled-access highway is a
4 highway that gives preference to through traffic by providing
5 access connections with selected public roads only and by
6 prohibiting crossings at grade or direct private driveway
7 connections. It is further provided that a minimum speed
8 of forty miles per hour, road conditions permitting, shall
9 be established on the highways referred to in this subsection.

32, 34, 31

10 Sec. 38. Section three hundred twenty-one point five
11 hundred sixty-one (321.561), Code 1979, is amended to read
12 as follows:

13 321.561 PUNISHMENT FOR VIOLATION. It ~~shall-be~~ is unlawful
14 for any a person convicted as an habitual offender to operate
15 any motor vehicle in this state during the period of time
16 specified in section 321.560. Any A person guilty of violating
17 the provisions of this section is guilty of an aggravated
18 misdemeanor and shall upon conviction be punished by
19 imprisonment in the penitentiary for not more than two years,
20 ~~and notwithstanding the provisions of section 687-27-such~~
21 ~~conviction-shall-constitute-a-misdemeanor-and-not-a-felony~~
22 nine hundred three point one (903.1), subsection one (1) of
23 the Code.

24 Sec. 39. Section three hundred twenty-five point eleven
25 (325.11), Code 1979, is amended to read as follows:

26 325.11 RULES OF PROCEDURE. The ~~commission~~ board shall
27 adopt rules governing the procedure to be followed in the
28 filing of applications and in the conduct of hearings.

3504

29 Sec. 40. Section three hundred twenty-six point two
30 (326.2), subsection ten (10), Code 1979, is amended to read
31 as follows:

32 10. "Preceding year" means a period of twelve consecutive
33 months fixed by the ~~board~~ department, which period shall be
34 within the sixteen months immediately preceding the
35 commencement of the registration year for which proportional

1 registration is sought.

2 Sec. 41. Section three hundred twenty-six point eleven
3 (326.11), unnumbered paragraph two (2), Code 1979, is amended
4 to read as follows:

5 The ~~executive-secretary~~ director may issue temporary written
6 authorization to carriers for vehicles acquired by a fleet
7 owner and added to ~~his~~ the fleet owner's prorated fleet after
8 the beginning of the registration year. The temporary
9 authority shall permit the operation of a commercial vehicle
10 until permanent identification is issued, except that the
11 temporary authority shall expire after thirty days.

12 Sec. 42. Section three hundred twenty-six point eighteen
13 (326.18), Code 1979, is amended to read as follows:

14 326.18 FULLY REGISTERED FOR INTERSTATE MOVEMENT. When
15 a nonresident fleet owner has registered vehicles on a prorated
16 basis, the vehicles ~~shall-be-considered~~ are fully registered
17 insofar as interstate commerce is concerned. The privileges
18 granted to a nonresident pursuant to this chapter ~~shall~~ permit
19 the operation of a vehicle which is simultaneously engaged
20 in interstate movements and intrastate commerce, provided
21 that the owner has intrastate authority or rights granted
22 by the transportation regulation board. The board may also
23 enter into reciprocity agreements pursuant to section 326.5
24 to permit interstate and intrastate movement of vehicles
25 registered on a prorated basis by a nonresident fleet owner,
26 provided the owner has intrastate authority granted by the
27 ~~Iowa-state-commerce-commission~~ transportation regulation board
28 and the jurisdiction in which the nonresident is base plated
29 grants the same privilege to an Iowa base plated vehicle.
30 Each vehicle upon which an Iowa base plate is required to
31 be displayed under this chapter ~~shall-be-considered~~ is fully
32 registered for both interstate commerce and intrastate
33 commerce.

34 Sec. 43. Section three hundred seventy-two point thirteen
35 (372.13), subsection six (6), Code 1979, is amended to read

1 as follows:

2 6. Within fifteen days following a regular or special
3 meeting of the council, the clerk shall cause the minutes
4 of the proceedings of the council, including the total
5 expenditure from each city fund, to be published in a newspaper
6 of general circulation in the city. The publication shall
7 include a list of all claims allowed and a summary of all
8 receipts and shall show the gross amount of the claim. Matters
9 discussed in closed session pursuant to section 28A.3 shall
10 not be published until entered on the public minutes. However,
11 in cities having more than one hundred fifty thousand
12 population the council shall each month print in pamphlet
13 form a detailed itemized statement of all receipts and
14 disbursements of the city, and a summary of its proceedings
15 during the preceding month, and furnish copies to the city
16 library, the daily newspapers of the city, and to persons
17 who apply at the office of the city clerk, and the pamphlet
18 shall constitute publication as required. Failure by the
19 clerk to make publication is a simple misdemeanor. The
20 provisions of this subsection are applicable in cities in
21 which a newspaper is published, or in cities of two hundred
22 population or over, but in all other cities, posting the
23 statement in three public places in the city which have been
24 permanently designated by ordinance is sufficient compliance
25 with this subsection.

26 Sec. 44. Section three hundred eighty-eight point four
27 (388.4), subsection four (4), Code 1979, is amended to read
28 as follows:

29 4. Immediately following a regular or special meeting
30 of a utility board, the secretary shall prepare a condensed
31 statement of the proceedings of the board and cause the
32 statement to be published in a newspaper of general circulation
33 in the city. The statement must include a list of all claims
34 allowed, showing the name of the person or firm making the
35 claim, the reason for the claim, and the amount of the claim.

1 Salary claims must show the gross amount of the claim except
2 that salaries paid to persons regularly employed by the
3 utility, for services regularly performed by them, must be
4 published once annually showing the gross amount of the salary.
5 In cities having more than one hundred fifty thousand
6 population the utility board shall each month prepare in
7 pamphlet form the statement herein required for the preceding
8 month, and furnish copies to the city library, the daily
9 newspapers of the city, the city clerk, and to persons who
10 apply at the office of the secretary, and the pamphlet shall
11 constitute publication as required. Failure by the secretary
12 to make publication is a simple misdemeanor.

13 Sec. 45. Section four hundred twenty-seven point one
14 (427.1), subsection twenty-two (22), Code 1979, is amended
15 to read as follows:

16 22. PENSION AND WELFARE PLANS. All intangible property
17 held pursuant to any pension, profit sharing, unemployment
18 compensation, stock bonus or other retirement, deferred benefit
19 or employee welfare plan the income from which is exempt from
20 taxation under divisions II and III of chapter 422~~7~~-~~or-as~~
21 ~~the-same-may-hereafter-be-amended~~~~7~~-~~provided-that-until-the~~
22 ~~Korean-War-veterans-bonus-bonds-are-retired-and-paid-the-tax~~
23 ~~of-twenty-seven-cents-per-thousand-dollars-of-assessed~~
24 ~~valuation-imposed-by-section-35B-11-shall-be-levied-and~~
25 ~~collected-thereon.~~

26 Sec. 46. Section four hundred forty-two point two (442.2),
27 subsection four (4), Code 1979, is amended by striking the
28 subsection.

29 Sec. 47. Section four hundred forty-two point twenty-
30 seven (442.27), Code 1979, is amended by adding the following
31 new subsection:

32 NEW SUBSECTION. For the school year beginning July 1,
33 1978, and for each subsequent school year, if an area education
34 agency does not serve nonpublic school pupils in a manner
35 comparable to services provided public school pupils for media

1 and educational services, as determined by the state board
2 of public instruction, the state board shall instruct the
3 state comptroller to reduce the funds for media services and
4 educational services one time by an amount to compensate for
5 such reduced services. The media services budget shall be
6 reduced by an amount equal to the product of the cost per
7 pupil in basic enrollment for media services in the budget
8 year times the difference between the enrollment served and
9 the basic enrollment recorded for the area for the budget
10 year beginning July 1, 1975. The educational services budget
11 shall be reduced by an amount equal to the product of the
12 cost per pupil in basic enrollment for educational services
13 in the budget year times the difference between the enrollment
14 served and the basic enrollment recorded for the budget year
15 beginning July 1, 1975.

16 The provisions of this subsection shall apply only to media
17 and educational services which cannot be diverted for religious
18 purposes.

19 Notwithstanding the provisions of this subsection, an area
20 education agency shall distribute to nonpublic schools media
21 materials purchased wholly or partially with federal funds
22 in a manner comparable to the distribution of such media
23 materials to public schools as determined by the state board
24 of public instruction.

25 Sec. 48. Section four hundred ninety-one point forty-six
26 (491.46), Code 1979, is amended to read as follows:

27 491.46 BOOKS TO SHOW NAMES OF STOCKHOLDERS. The books
28 of the corporation shall be kept to show the amount of capital
29 stock actually paid in, the number of shares of stock issued,
30 the original stockholders, and all transfers of shares of
31 stock, and there shall be entered upon the books of the
32 corporation the name of the person by and to whom stock is
33 transferred, the numbers or other designations of the shares
34 of stock and the date of transfer. ~~Nothing herein contained~~
35 ~~shall~~ This section does not create any rights or impose any

1 duties inconsistent with the provisions of chapter 493A five
 2 hundred fifty-four (554) of the Code.

3 Sec. 49. Section six hundred A point nine (600A.9), sub-
 4 section one (1), paragraph a, Code 1979, is amended to read
 5 as follows:

6 a. Order the petition dismissed; or, ~~find that the peti-~~
 7 ~~tion should not be granted but that the child is a child in~~
 8 ~~need of assistance as defined in section 232.27, subsection~~
 9 ~~13, and shall issue an order pursuant to section 232.33, or~~

10 Sec. 50. Section eight hundred five point eight (805.8),
 11 subsection five (5), paragraph b, Code 1979, is amended to
 12 read as follows:

13 b. For violations of sections 109.54, 109.80, first para-
 14 graph, 109.82, 109.91, 109.122, 109.123 and ~~110.12~~ one hundred
 15 ten point nineteen (110.19) of the Code, the scheduled fine
 16 is twenty dollars.

17 Sec. 51. Section thirteen (13) of this Act is effective
 18 January 1, 1980.

19 EXPLANATION

20 This bill corrects erroneous, inconsistent or obsolete
 21 provisions of the 1979 Code. Sections 1, 2, 3, 5, 7, 8, 9,
 22 10, 11, 14, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27, 28, 38,
 23 39, 40, 41, 42, 45, 48 and 49 of the bill correct cross-
 24 references to other sections of the Code which were repealed,
 25 amended or added, which references were not corrected when
 26 earlier bills were enacted. Sections 2, 19, 20, 43, and 44
 27 are included to make the designation of criminal offenses
 28 more consistent. They add the word "simple" before the word
 29 misdemeanor to make it clear the offense is a simple
 30 misdemeanor without having to refer to the criminal code,
 31 which provides that all offenses designated as only
 32 misdemeanors are simple misdemeanors. Section 20 also deletes
 33 penalty language which is unnecessary because the criminal
 34 code sets forth penalties for each offense.

35 Section 4 corrects the obvious error of designating December

1 30 rather than December 31 as the last day of the year.
2 Section 6 deletes the reference to the Code editor, who is
3 no longer under the supreme court. Section 12 changes the
4 reference to this "Act" to this "chapter", which is normally
5 done automatically when an act is codified. Section 13 strikes
6 a provision which by its own terms was to be effective only
7 for the year 1979. Section 51 thus makes section 13 effective
8 January 1, 1980.

9 Section 15 strikes a reference to a relationship "by
10 marriage" because the term affinity includes a relationship
11 by marriage. Section 29 reflects the fact tht the general
12 assembly now meets annually. Sections 30, 31, 32 and 33
13 replace the incorrect term "departmental" rules with the
14 proper term "administrative" rules, pursuant to the
15 administrative procedures chapter.

16 Section 34 replaces the term "police" officer with "peace"
17 officer, the term which is included in the definitions section
18 of the chapter. Section 35 requires the department rather
19 than the auditor of a department to furnish a report to the
20 state treasurer, as some departments may not have someone
21 specifically designated as an auditor. Section 36 corrects
22 an obvious grammatical error. Section 37 corrects a reference
23 to a federal statute.

24 A new subsection was incorrectly placed in section 442.2
25 of the Code. Section 46 strikes that subsection and section
26 47 adds the same subsection to section 442.27 of the Code,
27 where it properly belongs. Section 49 corrects a problem
28 which arose because two separate bills were passed amending
29 this provision in the Sixty-seventh General Assembly, one
30 of which deleted the language which is deleted by section
31 49, but which remained when the Code was printed.

32 In making the above corrections, some changes were also
33 made to simplify the language style.

34
35

LSB 1676H 68
ms/jw/5.1

HOUSE FILE 687

H-3490

1 Amend House File 687 as follows:

2 1. Page 2, by inserting after line 10 the following
3 new section:

4 "Sec. ____ . Section sixty-eight A point seven
5 (68A.7), Code 1979, is amended by adding the following
6 new subsection:

7 NEW SUBSECTION. Reports, informations, citations
8 or warnings issued for traffic violations for exceeding
9 the legal speed limit by ten miles per hour or less
10 and court reports of convictions of a traffic violation
11 for exceeding the legal speed limit by ten miles per
12 hour or less."

13 2. Page 12, by inserting after line 23 the
14 following new sections:

15 "Sec. ____ . Section three hundred twenty-one point
16 two hundred seven (321.207), Code 1979, is amended
17 to read as follows:

18 321.207 RECORD FORWARDED. Every court having
19 jurisdiction over offenses committed under this
20 chapter, or any other law of this state or any city
21 traffic ordinances, other than parking regulations,
22 regulating the operation of motor vehicles on highways,
23 shall forward to the department a record of the
24 conviction of any person in said court for a violation
25 of any said laws except violations of the legal speed
26 limit by ten miles per hour or less, and may recommend
27 the suspension of the operator's or chauffeur's license
28 of the person so convicted, and the department shall
29 thereupon consider and act upon such recommendation
30 in such manner as may seem to it best.

31 Sec. ____ . Section three hundred twenty-one point
32 two hundred ten (321.210), Code 1979, is amended by
33 adding the following new unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. In determining the
35 suspension or the length of suspension of an operator's
36 or chauffeur's license, the department may not assess
37 points nor take into consideration a speeding violation
38 of ten miles per hour or less over the legal speed
39 limit.

40 Sec. ____ . Section three hundred twenty-one point
41 five hundred fifty-five (321.555), subsection three
42 (3), Code 1979, is amended to read as follows:

43 3. The offenses included in subsections 1 and
44 2 shall be deemed to include offenses under any valid
45 town, city or county ordinance paralleling and
46 substantially conforming to the provisions of the
47 Code concerning such offenses. However, a conviction
48 of a speeding violation of ten miles per hour or less
49 over the legal speed limit shall not be included as
50 an offense under subsection one (1) or two (2) of

Page Two
H-3490

- 1 this section.
- 2 3. By renumbering sections as made necessary by
- 3 this amendment.

H-3490 FILED *M/S 3/26 (p. 1132)* BY HORN of Linn
MARCH 20, 1979

HOUSE FILE 687

H-3491

- 1 Amend House File 687 as follows:
- 2 1. Page 12, line 33, by striking the word "fifty-
- 3 five" and inserting in lieu thereof the words "~~fifty-~~
- 4 five sixty-five".
- 5 2. Page 13, by inserting after line 9 the following
- 6 new section:
- 7 "Sec. ____ . Section three hundred twenty-one point
- 8 two hundred eighty-six (321.286), subsection one (1),
- 9 Code 1979, is amended to read as follows:
- 10 1. Fifty-five Sixty-five miles per hour on all
- 11 fully controlled-access, divided, multilaned highways
- 12 including interstate highways."
- 13 3. By renumbering sections as made necessary by
- 14 this amendment.

H-3491 FILED *Ruled not germane* BY HORN of Linn
MARCH 20, 1979 *3/26 (p. 1135)*

HOUSE FILE 687

H-3488

- 1 Amend House File 687 as follows:
- 2 1. Page 4, by striking lines 29 through page 5
- 3 line 16.

H-3488 FILED *Adopted 3/26* BY SCHROEDER of Pottawattamie
MARCH 20, 1979 *(p. 1134)*

HOUSE FILE 687

H-3503

1 Amend House File 687 as follows:

2 1. Page 7, by inserting after line 1 the following
3 new section:

4 "Sec. ____ . Section two hundred eighteen point
5 sixty (218.60), Code 1979, is amended to read as
6 follows:

7 218.60 LETTING OF CONTRACTS--REPAIRS OR
8 ALTERATIONS. The commissioner shall, in writing,
9 let all contracts for authorized improvements costing
10 in excess of five thousand dollars to the lowest
11 responsible bidder, after such advertisement for bids
12 as the commissioner may deem proper in order to secure
13 full competition. The commissioner may reject all
14 bids and readvertise. Provided, however, if the
15 improvement be the repair or alteration of any building
16 or grounds and is not new construction and the
17 estimated cost thereof does not exceed twenty-five
18 thousand dollars, the commissioner with the approval
19 of the ~~budget-and-financial-control-committee~~ executive
20 council may proceed with such repairs or alterations
21 under a negotiated contract on such terms as the
22 commissioner and the ~~budget-and-financial-control~~
23 committee executive council may determine to be for
24 the best interests of the state."

25 2. Page 9, by inserting after line 34 the following
26 new section:

27 "Sec. ____ . Section two hundred seventy-five point
28 forty-one (275.41), subsections two (2) and five (5),
29 Code 1979, are amended to read as follows:

30 2. The ~~boards~~ board of the ~~old~~ former school
31 district with the largest population involved in the
32 merger shall designate four directors to be retained
33 as members of the board of the newly formed district.
34 Other school districts involved in the merger shall
35 each be allowed to retain directors in proportion
36 to the ratio that the population of the former school
37 district bears to the most populous district involved
38 in the merger, except that no district involved in
39 the merger shall retain less than one director.

40 5. The boards of directors of ~~ether~~ school
41 districts which are involved in the merger which have
42 three or more directors who are retained, shall each
43 designate two of the directors who are retained to
44 serve terms that expire at the organizational meeting
45 following the second regular school election held
46 thereafter. All other directors who are retained
47 shall serve terms that expire at the organizational
48 meeting following the third regular school election
49 held thereafter."
50

HOUSE FILE 687

H-3504

1 Amend House File 687 as follows:

2 1. Page 13, by inserting after line 28 the
3 following new section:

4 "Sec. _____. Section three hundred twenty-five
5 point thirty-four (325.34), Code 1979, is amended
6 to read as follows:

7 325.34 SIMPLE MISDEMEANOR--PENALTY. Every owner,
8 officer, agent, or employee of any motor carrier,
9 and every other person who violates or fails to comply
10 with, or who procures, aids, or abets in the violation
11 of any provision of this chapter, or who fails to
12 obey, observe, or comply with any order, decision,
13 rule, or regulation, direction, demand, or requirement
14 or any part or provision thereof, of the ~~emmission~~
15 department, or who procures, aids, or abets any
16 corporation or person in his or her failure to obey,
17 observe, or comply with any such order, decision,
18 rule, direction, demand, or regulation or any part
19 or provision thereof, shall be guilty of a simple
20 misdemeanor."

21 2. By changing section numbers as made necessary
22 by this amendment.

H-3504 FILED
MARCH 21, 1979

Adopted 3/26 (p. 1137)

BY SHIMANEK of Jones
JOHNSON of Howard

HOUSE FILE 687

H-3502

1 Amend House File 687 as follows:

2 1. Page 13, by inserting after line 9 the following
3 new section:

4 "Sec. _____. Section three hundred twenty-one point
5 two hundred eighty-six (321.286), unnumbered paragraph
6 two (2), Code 1979, is amended to read as follows:

7 For the purposes of this section, interstate
8 highways are those designated by the federal bureau
9 ~~of public roads~~ highway administration and this state,
10 and primary and secondary roads ~~shall be~~ are those
11 designated by the federal bureau ~~of public roads~~
12 highway administration and this state."

13 2. By renumbering sections as necessary to conform
14 with this amendment.

H-3502 FILED
MARCH 21, 1979

Adopted 3/26 (p. 1136)

BY SHIMANEK of Jones
JOHNSON of Howard

HOUSE CLIP SHEET

THURSDAY, MARCH 22, 1979

HOUSE FILE 687

H-3497

1 Amend House File 687 as follows:

2 1. Page 2, by inserting after line 10 the following
3 new section:

4 "Sec. _____. Section sixty-eight A point seven
5 (68A.7), Code 1979, is amended by adding the following
6 new subsection:

7 NEW SUBSECTION. Reports, informations, citations
8 or warnings issued for traffic violations for exceeding
9 the legal speed limit by ten miles per hour or less
10 and court reports of convictions of a traffic violation
11 for exceeding the legal speed limit by ten miles per
12 hour or less."

13 2. Page 12, by inserting after line 23 the
14 following new sections:

15 "Sec. _____. Section three hundred twenty-one point
16 two hundred seven (321.207), Code 1979, is amended
17 to read as follows:

18 321.207 RECORD FORWARDED. Every court having
19 jurisdiction over offenses committed under this
20 chapter, or any other law of this state or any city
21 traffic ordinances, other than parking regulations,
22 regulating the operation of motor vehicles on highways,
23 shall forward to the department a record of the
24 conviction of any person in said court for a violation
25 of any said laws except violations of the legal speed
26 limit by ten miles per hour or less, and may recommend
27 the suspension of the operator's or chauffeur's license
28 of the person so convicted, and the department shall
29 thereupon consider and act upon such recommendation
30 in such manner as may seem to it best.

31 Sec. _____. Section three hundred twenty-one point
32 two hundred ten (321.210), Code 1979, is amended by
33 adding the following new unnumbered paragraph:

34 NEW UNNUMBERED PARAGRAPH. In determining the
35 suspension or the length of suspension of an operator's
36 or chauffeur's license, the department may not assess
37 points nor take into consideration a speeding violation
38 of ten miles per hour or less over the legal speed
39 limit."

40 3. Page 13, by inserting after line 9 the following
41 new section:

42 "Sec. _____. Section three hundred twenty-one point
43 five hundred fifty-five (321.555), subsection three
44 (3), Code 1979, is amended to read as follows:

45 3. The offenses included in subsections 1 and
46 2 shall be deemed to include offenses under any valid
47 town, city or county ordinance paralleling and
48 substantially conforming to the provisions of the
49 Code concerning such offenses. However, a conviction
50 of a speeding violation of ten miles per hour or less.

Page Two
H-3497

- 1 over the legal speed limit shall not be included as
2 an offense under subsection one (1) or two (2) of
3 this section."
4 4. By renumbering sections as made necessary by
5 this amendment.

H-3497 FILED *Revised not germane 3/26* BY HORN of Linn
MARCH 21, 1979 *(p. 1134)*

HOUSE FILE 687

H-3510

- 1 Amend House File 687 as follows:
2 1. Page 18, by inserting after line 9 the
3 following section:
4 "Sec. ____ . Section seven hundred twenty-four
5 point twenty-three (724.23), Code 1979, is amended
6 to read as follows:
7 724.23 RECORDS KEPT BY COMMISSIONER. The
8 commissioner of public safety shall maintain a
9 permanent record of all permits authorized by this
10 chapter and of permit revocations and reports of
11 ~~sales of weapons required by this chapter.~~"

H-3510 FILED *Adopted 3/26 (p. 1137)* BY EVANS of Grundy
MARCH 22, 1979

Sen. Judiciary 5/29
Do Pass per 3368 4/3
(p.1067)

HOUSE FILE 687

By COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

(As Amended and Passed by the House)

Passed House, Date 4-30-79 (p.1935) Passed Senate, Date 4-25-79 (p.1411)

Vote: Ayes 52 Nays 4 Vote: Ayes 31 Nays 19

Approved March 6, 1980

See Below

A BILL FOR

1 An Act correcting erroneous, inconsistent or obsolete
2 provisions of the 1979 Code.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Conference Committee Appointed 5/9

Senators Ramsey, chair; Drake; Priebe; Ruel; Halstein 5/9 (p.1605)
Repr. Harbo, chair; Beyerly; Jesse; Luro; Schroeder 5/8 (p.2149)

_____ House Amendments

✱ Stricken Language

Passed at a Conference Committee Report of 2-14-80

*House 2-19-80 (p.576)
54-44*

*Senate 2-21-80 (p.536)
35-14*

1 Section 1. Section eighteen point ninety-seven (18.97),
2 unnumbered paragraph one (1), Code 1979, is amended to read
3 as follows:

4 The superintendent of printing shall make free distribu-
5 tion of the Code, supplements to the Code, rules of civil
6 procedure, rules of appellate procedure, rules of criminal
7 procedure, supreme court rules, the Acts of each general
8 assembly, and, upon request, the Iowa administrative code,
9 its supplements, and the Iowa administrative bulletin as
10 follows:

11 Sec. 2. Section twenty-four point twenty-four (24.24),
12 Code 1979, is amended to read as follows:

13 24.24 VIOLATIONS. Failure on the part of any a public
14 official to perform any of the duties prescribed in ~~chapters~~
15 ~~22~~, chapter 23, and this chapter, and sections 8.39 and 11.1
16 to 11.5, ~~shall-constitute~~ constitutes a simple misdemeanor,
17 and ~~shall-be~~ is sufficient ground for removal from office.

18 Sec. 3. Section forty-three point five (43.5), Code 1979,
19 is amended to read as follows:

20 43.5 APPLICABLE STATUTES. The provisions of chapters
21 39, 47, 48, 49, 50, 51, 52, 53, 56, 57, 58, 59, 61, 62 and
22 ~~738~~ seven hundred twenty-two (722) of the Code shall apply,
23 so far as applicable, to all primary elections, except as
24 hereinafter provided.

25 Sec. 4. Section forty-six point sixteen (46.16), un-
26 numbered paragraph two (2), Code 1979, is amended to read
27 as follows:

28 For the purpose of initial appointments to the court of
29 appeals, two of the judges appointed shall serve an irregular
30 term ending December ~~30~~ thirty-first of the fourth year after
31 expiration of the initial term prescribed in subsection 1
32 and two of the judges appointed shall serve an irregular term
33 ending December ~~30~~ thirty-first of the fifth year after
34 expiration of the initial term prescribed in subsection 1.
35 Expiration of irregular terms shall be deemed expiration of

1 regular terms for all purposes.

2 Sec. 5. Section fifty-six point six (56.6), subsection
3 three (3), paragraph b, unnumbered paragraph one (1), Code
4 1979, is amended to read as follows:

5 The name and mailing address of each person who has made
6 one or more contributions of money to the committee including
7 the proceeds from any fund-raising events except those
8 reportable under paragraph "g" "f" of this subsection, when
9 the aggregate amount in a calendar year exceeds the amount
10 specified in the following schedule:

11 Sec. 6. Section sixty-nine point eight (69.8), subsec-
12 tion three (3), Code 1979, is amended to read as follows:

13 3. SUPREME COURT APPOINTEES APPOINTEE. In the ~~offices~~
14 office of clerk and ~~code editor~~, by the supreme court.

15 Sec. 7. Section seventy-eight point one (78.1), subsection
16 five (5), Code 1979, is amended by striking the subsection.

17 Sec. 8. Section seventy-nine point nine (79.9), Code 1979,
18 is amended to read as follows:

19 79.9 CHARGE FOR USE OF AUTOMOBILE. When a public officer
20 or employee, other than a state officer or employee, is
21 entitled to be paid for expenses in performing a public duty,
22 a charge shall be made, allowed and paid for the use of an
23 automobile of fifteen cents per mile for actual and necessary
24 travel. A statutory provision stipulating necessary, mileage,
25 travel, or actual reimbursement to a public officer or employee
26 ~~shall be construed to fall~~ falls within this fifteen cents
27 limitation unless specifically provided otherwise. Any A
28 peace officer as defined in section 740-3 eight hundred one
29 point four (801.4), subsection seven (7) of the Code who is
30 required to use his or her private vehicle in the performance
31 of his official duties shall receive reimbursement for mileage
32 expense at the rate of fifteen cents per mile.

33 Sec. 9. Section eighty-one point twelve (81.12), Code
34 1979, is amended to read as follows:

35 81.12 EXEMPTION FROM PEDDLER'S LICENSE. ~~Nothing in this~~

1 ~~This chapter shall be construed to~~ does not repeal or amend
2 any statute delegating authority to any county or municipal
3 corporation to license, tax, or regulate peddlers or itinerant
4 merchants; ~~provided that any person licensed under the~~
5 ~~provisions of this chapter shall not be required to obtain~~
6 ~~the license required by section 332.45.~~

7 Sec. 10. Section ninety-seven B point forty-nine (97B.49),
8 subsection six (6), unnumbered paragraph one (1), Code 1979,
9 is amended to read as follows:

10 On January 1, 1976, for each member who retired before
11 January 1, 1976, the amount of regular monthly retirement
12 allowance attributable to membership service and prior service
13 that was payable to the member for December, 1975 is increased
14 by ten percent for the first calendar year or portion of a
15 calendar year the member was retired, and by an additional
16 five percent for each calendar year after the first calendar
17 year the member was retired through the calendar year beginning
18 January 1, 1975. The total increase shall not exceed one
19 hundred percent. There is appropriated from the general fund
20 of the state to the ~~employment-security-commission~~ Iowa
21 department of job service from funds not otherwise appropriated
22 an amount sufficient to fund the provisions of this subsection.

23 Sec. 11. Section one hundred six point thirty (106.30),
24 Code 1979, is amended to read as follows:

25 106.30 AIRCRAFT RESTRICTION. It ~~shall be~~ is unlawful
26 for any aircraft to make use of the inland lakes of the state,
27 except in the transportation of persons or property between
28 points separated by a distance of thirty miles or more.
29 ~~Nothing herein shall~~ However, this section does not prohibit
30 the use of such waters by any aircraft in danger or distress
31 or the use of such waters by the operators of private aircraft,
32 not operated for hire. ~~The foregoing provisions~~
33 ~~notwithstanding~~ In addition, the commission may, on the
34 recommendation of the ~~Iowa aeronautics commission~~ state
35 department of transportation, designate certain areas on

1 inland lakes of the state where seaplane flight instruction
 2 may be conducted under such conditions as may be adopted by
 3 the commission and the ~~Iowa-aeronautics-commission~~ state
 4 department of transportation.

5 Sec. 12. Section one hundred ten point twenty-one (110.21),
 6 unnumbered paragraph one (1), Code 1979, is amended to read
 7 as follows:

8 Upon the conviction of a licensee of any violation of
 9 chapter 109 of the Code, or of this ~~Act~~ chapter, or of any
 10 administrative order adopted and published by the state
 11 conservation commission, the magistrate may, as a part of
 12 the judgment, revoke the license of ~~said~~ the licensee, or
 13 suspend ~~the-same~~ it for any definite period.

14 Sec. 13. Section one hundred ten point twenty-five
 15 (110.25), unnumbered paragraph two (2), Code 1979, is amended
 16 by striking the paragraph.

17 Sec. 14. Section one hundred twenty-three point twenty
 18 (123.20), subsection eight (8), Code 1979, is amended to read
 19 as follows:

20 8. To accept intoxicating liquors ordered delivered to
 21 the Iowa beer and liquor control department pursuant to section
 22 ~~751-317-subsections-1-and-2~~ one hundred twenty-seven point
 23 eight (127.8), subsection one (1) of the Code, and offer such
 24 intoxicating liquors for sale through the state liquor stores,
 25 unless the director determines that such intoxicating liquors
 26 may be adulterated or contaminated. If the director determines
 27 that such intoxicating liquors may be adulterated or
 28 contaminated ~~he~~ the director shall order their destruction.

29 Sec. 15. Section one hundred twenty-three point one hundred
 30 fifty (123.150), unnumbered paragraph one (1), Code 1979,
 31 is amended to read as follows:

32 Notwithstanding ~~sections-123-2,~~ section 123.36, subsection
 33 6, section 123.49, subsection 2, paragraph "b", and section
 34 123.134, subsection 5, a holder of any class of liquor control
 35 license or the holder of a class "B" beer permit may sell

1 or dispense such liquor or beer to patrons for consumption
2 on the premises between the hours of noon on Sunday and two
3 a.m. on Monday when that Monday is New Years Day and beer
4 for consumption off the premises between the hours of noon
5 Sunday and ten p.m. Sunday when that Sunday is the day before
6 New Years Day. The liquor control license fee or beer permit
7 fee of licensees and permittees permitted to sell or dispense
8 such liquor or beer on a Sunday when that Sunday is the day
9 before New Years Day shall not be increased because of this
10 privilege.

11 Sec. 16. Section one hundred forty-two A point seven
12 (142A.7), subsection two (2), Code 1979, is amended to read
13 as follows:

14 2. The time of death shall be determined by a physician
15 who attends the donor at ~~his~~ the donor's death, or, if none,
16 the physician who certifies the death. This physician shall
17 not participate in the procedures for removing or transplanting
18 a part, the enucleation of eyes being the exception. A
19 licensed funeral director ~~or-embalmer~~, as defined in chapter
20 156, upon successfully completing a course in eye enucleation
21 and receiving a certificate of competence from the department
22 of ophthalmology, college of medicine, of the University of
23 Iowa, may enucleate the eyes of a donor.

24 Sec. 17. Section one hundred fifty-six point thirteen
25 (156.13), Code 1979, is amended to read as follows:

26 156.13 CERTIFICATE OF NATIONAL BOARD IN LIEU OF
27 EXAMINATION. The state department of health may, with the
28 approval of the board, accept in lieu of the examination
29 prescribed in section 156.4 ~~and-section-156-5~~, a certificate
30 of examination issued by the National Conference of Funeral
31 Service Examining Boards, and every applicant for a license
32 upon the basis of such certificate shall be required to pay
33 the fee.

34 Sec. 18. Section one hundred eighty-eight point twenty-
35 five (188.25), Code 1979, is amended to read as follows:

1 188.25 UNLAWFUL RELEASE. Any A person who releases any
2 an animal, distrained as provided in this chapter, without
3 the consent of the person distraining the ~~same, shall be~~
4 animal, is guilty of a simple misdemeanor.

5 Sec. 19. Section one hundred ninety-three point six
6 (193.6), Code 1979, is amended to read as follows:

7 193.6 PENALTY. Any A person violating any a provision
8 of this chapter ~~shall be deemed~~ is guilty of a simple mis-
9 demeanor and ~~shall be punished by fine of not less than twenty-~~
10 ~~five dollars nor more than one hundred dollars or imprisonment~~
11 ~~in the county jail not to exceed thirty days,~~ and on upon
12 a third violation ~~of the same~~ may be restrained by injunction
13 from operating such a business.

3477

14 Sec. 20. Section two hundred eighteen point sixty (218.60),
15 Code 1979, is amended to read as follows:

16 218.60 LETTING OF CONTRACTS--REPAIRS OR ALTERATIONS.
17 The commissioner shall, in writing, let all contracts for
18 authorized improvements costing in excess of five thousand
19 dollars to the lowest responsible bidder, after such
20 advertisement for bids as the commissioner may deem proper
21 in order to secure full competition. The commissioner may
22 reject all bids and readvertise. . Provided, however, if the
23 improvement be the repair or alteration of any building or
24 grounds and is not new construction and the estimated cost
25 thereof does not exceed twenty-five thousand dollars, the
26 commissioner with the approval of the ~~budget and financial~~
27 ~~control committee~~ executive council may proceed with such
28 repairs or alterations under a negotiated contract on such
29 terms as the commissioner and the ~~budget and financial control~~
30 ~~committee~~ executive council may determine to be for the best
31 interests of the state.

32 Sec. 21. Section two hundred twenty-nine point eight
33 (229.8), subsection one (1), Code 1979, is amended to read
34 as follows:

35 1. Determine whether the respondent has an attorney who

1 is able and willing to represent him or her in the
2 hospitalization proceeding, and if not, whether the respondent
3 is financially able to employ an attorney and capable of
4 meaningfully assisting in selecting one. In accordance with
5 those determinations, the court shall if necessary allow the
6 respondent to select, or shall assign to him or her, an
7 attorney. If the respondent is financially unable to pay
8 an attorney, the attorney shall be compensated in substantially
9 the manner provided by ~~sections-775-5-and-775-6~~ section eight
10 hundred fifteen point seven (815.7) of the Code, except that
11 if the county has a public defender the court may designate
12 the public defender or an attorney on his or her staff to
13 act as the respondent's attorney.

14 Sec. 22. Section two hundred twenty-nine point twenty
15 (229.20), subsection two (2), Code 1979, is amended to read
16 as follows:

17 2. When a proceeding under section 229.6 and succeeding
18 sections of this chapter arises under ~~sections-783-5-or-789-8,~~
19 rule of criminal procedure twenty-two (22), subsection three
20 (3), paragraph c and the respondent through his or her attorney
21 waives the hearing otherwise required by section 229.12, the
22 court may immediately order the respondent placed in a hospital
23 for a complete psychiatric evaluation and appropriate treatment
24 pursuant to section 229.13. In such cases, the court may
25 in its discretion order or waive the physician's examination
26 otherwise required under section 229.10.

27 Sec. 23. Section two hundred twenty-nine point twenty-
28 one (229.21), subsection one (1), Code 1979, is amended to
29 read as follows:

30 1. ~~As-seen-as-practicable-after-the-adoption-of-this-Act~~
31 ~~the~~ The judges in each judicial district shall meet and shall
32 determine, individually for each county in the district,
33 whether it appears that one or more district judges will be
34 sufficiently accessible in that county to make it feasible
35 for them to perform at all times the duties prescribed by

1 sections 229.7 to 229.20 and by ~~section-125-19-subsections~~
2 ~~17-27-5-and-9-(1977)~~ sections two hundred twenty-nine point
3 fifty-one (229.51) to two hundred twenty-nine point fifty-
4 three (229.53) of the Code. If the judges find that
5 accessibility of district court judges in any county is not
6 sufficient for this purpose, the chief judge of the district
7 shall appoint in that county a judicial hospitalization
8 referee. The judges in any district may at any time review
9 their determination, previously made under this subsection
10 with respect to any county in the district, and pursuant to
11 that review may authorize appointment of a judicial
12 hospitalization referee, or abolish the office, in that county.

13 Sec. 24. Section two hundred thirty point twenty (230.20),
14 subsection five (5), Code 1979, is amended to read as follows:

15 5. An individual statement shall be prepared for any a
16 patient on or before the fifteenth day of the month next
17 succeeding the month in which that patient leaves the hospital,
18 and a general statement shall be prepared at least quarterly
19 for each county to which charges are made under this section.
20 Except as otherwise required by ~~sections-224A-2-and-224A-3~~
21 section one hundred twenty-five point thirty-three (125.33)
22 of the Code, the general statement shall list the name of
23 each patient chargeable to that county who was served by the
24 hospital during the preceding month or calendar quarter and
25 the amount due on account of each patient, and the county
26 shall be billed for one hundred percent of the stated charge
27 for each patient, unless otherwise specified in the current
28 appropriation for support of the state hospitals. The
29 statement prepared for each county shall be certified by the
30 superintendent of the hospital to the state comptroller and
31 a duplicate statement shall be mailed to the auditor of that
32 county.

33 Sec. 25. Section two hundred thirty-four point twenty-
34 eight (234.28), Code 1979, is amended to read as follows:

35 234.28 OBSCENITY LAWS NOT APPLICABLE. The provisions

1 of chapter 725-~~shall~~ seven hundred twenty-eight (728) of the
2 Code do not apply to services provided under the terms of
3 this division.

4 Sec. 26. Section two hundred fifty-two B point seven
5 (252B.7), paragraphs a, b, c and d, Code 1979, are amended
6 to read as follows:

7 a 1. Contempt of court proceedings to enforce any order
8 of court pertaining to child support.

9 b 2. Cases under chapter 252A, the Uniform Support of
10 Dependents Law.

11 e 3. An information charging ~~desertion under the provisions~~
12 ~~of chapter 731~~ a violation of section seven hundred twenty-
13 six point three (726.3), seven hundred twenty-six point five
14 (726.5), or seven hundred twenty-six point six (726.6) of
15 the Code.

16 d 4. Any other lawful action which will secure collection
17 of support for minor children.

18 Sec. 27. Section two hundred sixty-one point twelve
19 (261.12), subsection one (1), paragraph a, is amended to read
20 as follows:

21 a. The total tuition and mandatory fees for that student
22 for two semesters or the trimester or quarter equivalent,
23 less the base amount determined annually by the ~~higher~~
24 ~~education-facilities~~ college aid commission, which base amount
25 shall be within ten dollars of the average tuition for two
26 semesters or the trimester equivalent of undergraduate study
27 at the state universities under the board of regents, but
28 in any event the base amount shall not be less than four
29 hundred dollars; or

30 Sec. 28. Section two hundred seventy-five point forty-
31 one (275.41), subsections two (2) and five (5), Code 1979,
32 are amended to read as follows:

33 2. The ~~boards~~ board of the ~~old~~ former school district
34 with the largest population involved in the merger shall
35 designate four directors to be retained as members of the

1 board of the newly formed district. Other school districts
2 involved in the merger shall each be allowed to retain
3 directors in proportion to the ratio that the population of
4 the former school district bears to the most populous district
5 involved in the merger, except that no district involved in
6 the merger shall retain less than one director.

7 5. The boards of directors of ~~other~~ school districts which
8 are involved in the merger which have three or more directors
9 who are retained, shall each designate two of the directors
10 who are retained to serve terms that expire at the
11 organizational meeting following the second regular school
12 election held thereafter. All other directors who are retained
13 shall serve terms that expire at the organizational meeting
14 following the third regular school election held thereafter.

15 Sec. 29. Section three hundred seven A point five (307A.5),
16 unnumbered paragraphs one (1) and two (2), Code 1979, are
17 amended to read as follows:

18 ~~Municipalities~~ Cities and counties may assess the cost
19 of a public improvement when such improvement benefits property
20 owned by the state and under the jurisdiction and control
21 of the highway division of the department. The commission
22 shall pay from the primary road fund such portion of the cost
23 of the improvement as would be legally assessable against
24 the land if privately owned.

25 Assessments against property under the jurisdiction of
26 the highway division of the department shall be made in the
27 same manner as those made against private property, except
28 that the ~~municipality~~ city or county making the assessment
29 shall cause a copy of the public notice of hearing to be
30 mailed to the ~~commission~~ director of transportation by
31 ~~restricted~~ certified mail.

32 Sec. 30. Section three hundred ten point thirty-six
33 (310.36), Code 1979, is amended to read as follows:

34 310.36 REPORT TO GOVERNOR. The research projects and
35 engineering studies authorized herein shall be conducted in

1 ~~co-operation~~ cooperation with the county engineers. ~~Once~~
2 On or before January thirty-first each year the department
3 shall file a report with the governor, and county engineers,
4 chief clerk of the house of representatives and secretary
5 of the senate showing the work accomplished and projects
6 undertaken under section 310.35, ~~and copies of a biennial~~
7 ~~report of the same for the use and benefit of the general~~
8 ~~assembly shall be filed with the chief clerk of the house~~
9 ~~of representatives and the secretary of the senate on or~~
10 ~~before January 31 of each odd-numbered year.~~

11 Sec. 31. Section three hundred sixteen point one (316.1),
12 subsection nine (9), Code 1979, is amended to read as follows:

13 9. "~~Departmental~~ Administrative rules" means all rules
14 subject to the provisions of chapter 17A.

15 Sec. 32. Section three hundred sixteen point five (316.5),
16 subsection one (1), paragraph a, Code 1979, is amended to
17 read as follows:

18 a. The amount, if any, which when added to the acquisition
19 cost of the dwelling acquired by the department, equals the
20 reasonable cost of a comparable replacement dwelling which
21 is a decent, safe, and sanitary dwelling adequate to
22 accommodate such displaced person, reasonably accessible to
23 public services and places of employment and available on
24 the private market. All determinations required to carry
25 out this paragraph shall be made in accordance with
26 ~~departmental~~ administrative rules established by the department
27 in making these additional payments.

28 Sec. 33. Section three hundred sixteen point nine (316.9),
29 unnumbered paragraph one (1), Code 1979, is amended to read
30 as follows:

31 The department shall make ~~departmental~~ administrative rules
32 ~~and regulations~~ necessary to effect the provisions of this
33 chapter and to assure:

34 Sec. 34. Section three hundred sixteen point ten (316.10),
35 Code 1979, is amended to read as follows:

1 316.10 APPLICABLE TO OTHER THAN FEDERAL-AID HIGHWAYS.
2 The department or any political subdivision may provide all
3 or a part of the programs and payments authorized under this
4 chapter to persons displaced by any street or highway project
5 which is financed in whole or in part by the state or a
6 political subdivision, which is not a federal-aid project,
7 and which requires the purchase or condemnation of private
8 property for public use. To the extent that a program or
9 payment is provided under this section, it shall be provided
10 on a uniform basis to all persons so displaced. The department
11 shall make ~~departmental~~ administrative rules and ~~regulations~~
12 to assure reasonable standards, which need not conform to
13 federal rules and guidelines, for programs and payments
14 provided under this section.

15 Sec. 35. Section three hundred twenty-one point one
16 (321.1), subsection fifty-three (53), Code 1979, is amended
17 to read as follows:

18 53. "Through (or thru) highway" means every highway or
19 portion thereof at the entrances to which vehicular traffic
20 from intersecting highways is required by law to stop before
21 entering or crossing the same and when stop signs are erected
22 as provided in this chapter or such entrances are controlled
23 by a ~~police~~ peace officer or traffic-control signal. The
24 term "arterial" ~~shall be~~ is synonymous with "through" or
25 "thru" when applied to highways of this state.

26 3626 Sec. 36. Section three hundred twenty-one point one hundred
27 forty-eight (321.148), Code 1979, is amended to read as
28 follows:

29 321.148 MONTHLY ESTIMATE. The ~~auditor-of-the~~ department
30 shall, on the first day of each month, furnish an estimate
31 in writing to the treasurer of state of the amount of
32 expenditures to be made by the department during that month.

33 Sec. 37. Section three hundred twenty-one point one hundred
34 eighty-nine (321.189), subsection two (2), paragraph d, Code
35 1979, is amended to read as follows:

1 d. A motorized bicycle license is not required to operate
2 a motorized bicycle if ~~possessed-of-an~~ the operator possesses
3 a valid operator's or chauffeur's license.

4 Sec. 38. Section three hundred twenty-one point two hundred
5 eighty-five (321.285), subsection eight (8), unnumbered
6 paragraph one (1), Code 1979, is amended to read as follows:

7 Notwithstanding any other speed restrictions, the speed
8 limits for all vehicular traffic, except vehicles subject
9 to the provisions of section 321.286 on fully controlled-
10 access, divided, multilaned highways including the national
11 system of interstate highways designated by the federal highway
12 administration and this state (23 U.S.C. 103 ~~(d)~~ (e) (1977))
13 shall be fifty-five miles per hour. However, the department
14 or the cities, with the approval of the department, may
15 establish a lower speed limit upon such highways located
16 within the corporate limits of any city used as city alternate
17 routes, commonly referred to as "freeways." For the purposes
18 of this subsection a fully controlled-access highway is a
19 highway that gives preference to through traffic by providing
20 access connections with selected public roads only and by
21 prohibiting crossings at grade or direct private driveway
22 connections. It is further provided that a minimum speed
23 of forty miles per hour, road conditions permitting, shall
24 be established on the highways referred to in this subsection.

25 Sec. 39. Section three hundred twenty-one point two hundred
26 eighty-six (321.286), unnumbered paragraph two (2), Code 1979,
27 is amended to read as follows:

28 For the purposes of this section, interstate highways are
29 those designated by the federal ~~bureau-of-public-roads~~ highway
30 administration and this state, and primary and secondary roads
31 ~~shall-be~~ are those designated by the federal ~~bureau-of-public~~
32 ~~roads~~ highway administration and this state.

33 Sec. 40. Section three hundred twenty-one point five
34 hundred sixty-one (321.561), Code 1979, is amended to read
35 as follows:

1 321.561 PUNISHMENT FOR VIOLATION. It ~~shall-be~~ is unlawful
 2 for ~~any~~ a person convicted as an habitual offender to operate
 3 any motor vehicle in this state during the period of time
 4 specified in section 321.560. ~~Any~~ A person guilty of violating
 5 the provisions of this section is guilty of an aggravated
 6 misdemeanor and shall upon conviction be punished by
 7 imprisonment in the penitentiary for not more than two years,
 8 ~~and notwithstanding the provisions of section 687-27-such~~
 9 ~~conviction-shall-constitute-a-misdemeanor-and-not-a-felony~~
 10 nine hundred three point one (903.1), subsection one (1) of
 11 the Code.

12 Sec. 41. Section three hundred twenty-five point eleven
 13 (325.11), Code 1979, is amended to read as follows:

14 325.11 RULES OF PROCEDURE. The ~~commission~~ board shall
 15 adopt rules governing the procedure to be followed in the
 16 filing of applications and in the conduct of hearings.

17 Sec. 42. Section three hundred twenty-five point thirty-
 18 four (325.34), Code 1979, is amended to read as follows:

19 325.34 SIMPLE MISDEMEANOR--PENALTY. Every owner, officer,
 20 agent, or employee of any motor carrier, and every other
 21 person who violates or fails to comply with, or who procures,
 22 aids, or abets in the violation of any provision of this
 23 chapter, or who fails to obey, observe, or comply with any
 24 order, decision, rule, or regulation, direction, demand, or
 25 requirement or any part or provision thereof, of the ~~commission~~
 26 department, or who procures, aids, or abets any corporation
 27 or person in his or her failure to obey, observe, or comply
 28 with any such order, decision, rule, direction, demand, or
 29 regulation or any part or provision thereof, shall be guilty
 30 of a simple misdemeanor.

31 Sec. 43. Section three hundred twenty-six point two
 32 (326.2), subsection ten (10), Code 1979, is amended to read
 33 as follows:

34 10. "Preceding year" means a period of twelve consecutive
 35 months fixed by the ~~board~~ department, which period shall be

1 within the sixteen months immediately preceding the
2 commencement of the registration year for which proportional
3 registration is sought.

4 Sec. 44. Section three hundred twenty-six point eleven
5 (326.11), unnumbered paragraph two (2), Code 1979, is amended
6 to read as follows:

7 The ~~executive-secretary~~ director may issue temporary written
8 authorization to carriers for vehicles acquired by a fleet
9 owner and added to ~~his~~ the fleet owner's prorate fleet after
10 the beginning of the registration year. The temporary
11 authority shall permit the operation of a commercial vehicle
12 until permanent identification is issued, except that the
13 temporary authority shall expire after thirty days.

14 Sec. 45. Section three hundred twenty-six point eighteen
15 (326.18), Code 1979, is amended to read as follows:

16 326.18 FULLY REGISTERED FOR INTERSTATE MOVEMENT. When
17 a nonresident fleet owner has registered vehicles on a prorated
18 basis, the vehicles ~~shall-be-considered~~ are fully registered
19 insofar as interstate commerce is concerned. The privileges
20 granted to a nonresident pursuant to this chapter ~~shall~~ permit
21 the operation of a vehicle which is simultaneously engaged
22 in interstate movements and intrastate commerce, provided
23 that the owner has intrastate authority or rights granted
24 by the transportation regulation board. The board may also
25 enter into reciprocity agreements pursuant to section 326.5
26 to permit interstate and intrastate movement of vehicles
27 registered on a prorate basis by a nonresident fleet owner,
28 provided the owner has intrastate authority granted by the
29 ~~Iowa-state-commerce-commission~~ transportation regulation board
30 and the jurisdiction in which the nonresident is base plated
31 grants the same privilege to an Iowa base plated vehicle.
32 Each vehicle upon which an Iowa base plate is required to
33 be displayed under this chapter ~~shall-be-considered~~ is fully
34 registered for both interstate commerce and intrastate
35 commerce.

1 Sec. 46. Section three hundred seventy-two point thirteen
2 (372.13), subsection six (6), Code 1979, is amended to read
3 as follows:

4 6. Within fifteen days following a regular or special
5 meeting of the council, the clerk shall cause the minutes
6 of the proceedings of the council, including the total
7 expenditure from each city fund, to be published in a newspaper
8 of general circulation in the city. The publication shall
9 include a list of all claims allowed and a summary of all
10 receipts and shall show the gross amount of the claim. Matters
11 discussed in closed session pursuant to section 28A.3 shall
12 not be published until entered on the public minutes. However,
13 in cities having more than one hundred fifty thousand
14 population the council shall each month print in pamphlet
15 form a detailed itemized statement of all receipts and
16 disbursements of the city, and a summary of its proceedings
17 during the preceding month, and furnish copies to the city
18 library, the daily newspapers of the city, and to persons
19 who apply at the office of the city clerk, and the pamphlet
20 shall constitute publication as required. Failure by the
21 clerk to make publication is a simple misdemeanor. The
22 provisions of this subsection are applicable in cities in
23 which a newspaper is published, or in cities of two hundred
24 population or over, but in all other cities, posting the
25 statement in three public places in the city which have been
26 permanently designated by ordinance is sufficient compliance
27 with this subsection.

28 Sec. 47. Section three hundred eighty-eight point four
29 (388.4), subsection four (4), Code 1979, is amended to read
30 as follows:

31 4. Immediately following a regular or special meeting
32 of a utility board, the secretary shall prepare a condensed
33 statement of the proceedings of the board and cause the
34 statement to be published in a newspaper of general circulation
35 in the city. The statement must include a list of all claims

1 allowed, showing the name of the person or firm making the
2 claim, the reason for the claim, and the amount of the claim.
3 Salary claims must show the gross amount of the claim except
4 that salaries paid to persons regularly employed by the
5 utility, for services regularly performed by them, must be
6 published once annually showing the gross amount of the salary.
7 In cities having more than one hundred fifty thousand
8 population the utility board shall each month prepare in
9 pamphlet form the statement herein required for the preceding
10 month, and furnish copies to the city library, the daily
11 newspapers of the city, the city clerk, and to persons who
12 apply at the office of the secretary, and the pamphlet shall
13 constitute publication as required. Failure by the secretary
14 to make publication is a simple misdemeanor.

15 Sec. 48. Section four hundred twenty-seven point one
16 (427.1), subsection twenty-two (22), Code 1979, is amended
17 to read as follows:

18 22. PENSION AND WELFARE PLANS. All intangible property
19 held pursuant to any pension, profit sharing, unemployment
20 compensation, stock bonus or other retirement, deferred benefit
21 or employee welfare plan the income from which is exempt from
22 taxation under divisions II and III of chapter 422, ~~or as~~
23 ~~the same may hereafter be amended, provided that until the~~
24 ~~Korean War veterans bonus bonds are retired and paid the tax~~
25 ~~of twenty-seven cents per thousand dollars of assessed~~
26 ~~valuation imposed by section 35B-11 shall be levied and~~
27 ~~collected thereon.~~

28 Sec. 49. Section four hundred forty-two point two (442.2),
29 subsection four (4), Code 1979, is amended by striking the
30 subsection.

31 Sec. 50. Section four hundred forty-two point twenty-
32 seven (442.27), Code 1979, is amended by adding the following
33 new subsection:

34 NEW SUBSECTION. For the school year beginning July 1,
35 1978, and for each subsequent school year, if an area education

1 agency does not serve nonpublic school pupils in a manner
 2 comparable to services provided public school pupils for media
 3 and educational services, as determined by the state board
 4 of public instruction, the state board shall instruct the
 5 state comptroller to reduce the funds for media services and
 6 educational services one time by an amount to compensate for
 7 such reduced services. The media services budget shall be
 8 reduced by an amount equal to the product of the cost per
 9 pupil in basic enrollment for media services in the budget
 10 year times the difference between the enrollment served and
 11 the basic enrollment recorded for the area for the budget
 12 year beginning July 1, 1975. The educational services budget
 13 shall be reduced by an amount equal to the product of the
 14 cost per pupil in basic enrollment for educational services
 15 in the budget year times the difference between the enrollment
 16 served and the basic enrollment recorded for the budget year
 17 beginning July 1, 1975.

18 The provisions of this subsection shall apply only to media
 19 and educational services which cannot be diverted for religious
 20 purposes.

21 Notwithstanding the provisions of this subsection, an area
 22 education agency shall distribute to nonpublic schools media
 23 materials purchased wholly or partially with federal funds
 24 in a manner comparable to the distribution of such media
 25 materials to public schools as determined by the state board
 26 of public instruction.

332 27 Sec. 51. Section four hundred ninety-one point forty-six
 28 (491.46), Code 1979, is amended to read as follows:

29 491.46 BOOKS TO SHOW NAMES OF STOCKHOLDERS. The books
 30 of the corporation shall be kept to show the amount of capital
 31 stock actually paid in, the number of shares of stock issued,
 32 the original stockholders, and all transfers of shares of
 33 stock, and there shall be entered upon the books of the
 34 corporation the name of the person by and to whom stock is
 35 transferred, the numbers or other designations of the shares

1 of stock and the date of transfer. ~~Nothing herein contained~~
2 ~~shall~~ This section does not create any rights or impose any
3 duties inconsistent with the provisions of chapter ~~493A~~ five
4 hundred fifty-four (554) of the Code.

5 Sec. 52. Section six hundred A point nine (600A.9), sub-
6 section one (1), paragraph a, Code 1979, is amended to read
7 as follows:

8 a. Order the petition dismissed; or, ~~find that the peti-~~
9 ~~tion should not be granted but that the child is a child in~~
10 ~~need of assistance as defined in section 232.27, subsection~~
11 ~~137, and shall issue an order pursuant to section 232.33, or,~~

3368 >

12 Sec. 53. Section seven hundred twenty-four point twenty-
13 three (724.23), Code 1979, is amended to read as follows:

14 724.23 RECORDS KEPT BY COMMISSIONER. The commissioner
15 of public safety shall maintain a permanent record of all
16 permits authorized by this chapter and of permit revocations
17 and reports of sales of weapons required by this chapter.

3496-

3504 >

18 Sec. 54. Section eight hundred five point eight (805.8),
19 subsection five (5), paragraph b, Code 1979, is amended to
20 read as follows:

21 b. For violations of sections 109.54, 109.80, first para-
22 graph, 109.82, 109.91, 109.122, 109.123 and ~~110.12~~ one hundred
23 ten point nineteen (110.19) of the Code, the scheduled fine
24 is twenty dollars.

25 Sec. 55. Section thirteen (13) of this Act is effective
26 January 1, 1980.

27
28
29
30
31
32
33
34
35

HOUSE FILE 687

S-3629

1 Amend House File 687 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 2, by inserting after line 10 the
4 following:

5 "Sec. 6. Section sixty-eight B point two (68B.2),
6 Code 1979, is amended by adding the following new
7 subsections:

8 NEW SUBSECTION. "Gift" means a rendering of money,
9 property, services, discount, loan forgiveness, payment
10 of indebtedness, or anything else of value in return
11 for which legal consideration of equal or greater
12 value is not given and received. However, "gift"
13 does not mean any of the following:

14 a. Anything received by a donee whose official
15 action or lack of official action will potentially
16 have no material effect, distinguishable from material
17 effects on the public generally, on the interests
18 of the donor.

19 b. Campaign contributions.

20 c. Informational material relevant to a public
21 servant's official functions, such as books, pamphlets,
22 reports, documents, or periodicals.

23 d. Anything received from a person related within
24 the fourth degree by kinship or marriage, unless the
25 donor is acting as an agent or intermediary for another
26 person not so related.

27 e. Anything which is donated within thirty days
28 after its receipt to a public body or to a bona fide
29 educational or charitable organization, without the
30 donation being claimed at any time as a charitable
31 contribution for tax purposes.

32 f. An inheritance.

33 g. Anything available to or distributed to the
34 public generally without regard to official status
35 of the recipient.

36 h. Reimbursement for or payment of actual expenses
37 incurred for public speaking engagements or other
38 formal public appearances.

39 NEW SUBSECTION. "Local official" and "local
40 employee" mean an official or employee of the political
41 subdivisions of this state.

42 Sec. 7. Chapter sixty-eight B (68B), Code 1979,
43 is amended by adding the following new section:

44 NEW SECTION. REPORTING OF GIFTS.

45 1. An official, employee, member of the general
46 assembly, or legislative employee shall file a report
47 with the secretary of state describing the nature,
48 amount, date and donor of any gift received by that
49 person which exceeds ten dollars in value. The report
50 shall be filed by the fifteenth of the month following

S-3629
PAGE 2

1 a month in which such a gift was received. A person
2 subject to this subsection shall also file an annual
3 report listing all such gifts received during the
4 year by the following January fifteenth if any such
5 gifts were received during that year.

6 2. A local official or local employee shall file
7 a report with the county auditor of the county of
8 that person's residence describing the nature, amount,
9 date and donor of any gift received by that person
10 which exceeds ten dollars in value. The report shall
11 be filed by the fifteenth of the month following a
12 month in which such a gift was received. A local
13 official or local employee shall also file an annual
14 report listing all such gifts received during the
15 year by the following January fifteenth if any such
16 gifts were received during that year.

17 3. The secretary of state shall develop a standard
18 form for the filing of reports under this section
19 which shall be available without cost to those persons
20 filing.

21 Sec. 8. Section sixty-eight B point five (68B.5),
22 Code 1979, is amended to read as follows:

23 68B.5 GIFTS SOLICITED OR ACCEPTED. No official,
24 employee, member of the general assembly, or
25 legislative employee shall, directly or indirectly,
26 solicit, accept, or receive any gift having a value
27 of twenty-five dollars or more whether in the form
28 of money, service, loan, travel, entertainment,
29 hospitality, thing, or promise, or in any other form.
30 No person shall, directly or indirectly, offer or
31 make any such gift to any official, employee, member
32 of the general assembly, or legislative employee which
33 has a value in excess of twenty-five dollars. ~~Nothing~~
34 ~~herein shall preclude campaign contributions or gifts~~
35 ~~which are unrelated to legislative activities or to~~
36 ~~state employment."~~

37 2. Page 19, by inserting after line 11 the
38 following:

39 "Sec. 56. Section seven hundred twenty-two point
40 one (722.1), Code 1979, is amended to read as follows:

41 722.1 BRIBERY. A person who offers, promises
42 or gives anything of value or any benefit to any
43 person who is serving or has been elected, selected,
44 appointed, employed or otherwise engaged to serve
45 in a public capacity, including any public officer
46 or employee, any referee, juror or venireman, or any
47 witness in any judicial or arbitration hearing or
48 any official inquiry, or any member of a board of
49 arbitration, ~~with intent to~~ pursuant to an agreement
50 or arrangement or with the understanding that the

S-3629
PAGE 3

1 promise or thing of value or benefit will influence
2 the act, vote, opinion, judgment, decision or exercise
3 of discretion of such person with respect to his or
4 her services in such capacity commits a class "D"
5 felony. In addition, any person convicted under this
6 section shall be disqualified from holding public
7 office under the laws of this state.

8 Sec. 57. Section seven hundred twenty-two point
9 two (722.2), Code 1979, is amended to read as follows:

10 722.2 ACCEPTING BRIBE. Any person who is serving
11 or has been elected, selected, appointed, employed
12 or otherwise engaged to serve in a public capacity,
13 including any public officer or employee, any referee,
14 juror or venireman, or any witness in any judicial
15 or arbitration hearing or any official inquiry, or
16 any member of a board of arbitration who shall solicit
17 or knowingly accept or receive any promise or anything
18 of value or any benefit given with-the-intent-to
19 pursuant to an understanding or arrangement that the
20 promise or thing of value or benefit will influence
21 the act, vote, opinion, judgment, decision or exercise
22 of discretion of such person with respect to his or
23 her services in that capacity commits a class "C"
24 felony. In addition, any person convicted under this
25 section shall be disqualified from holding public
26 office under the laws of this state."

27 3. By renumbering the sections to conform with
28 this amendment.

S-3629 FILED & ADOPTED (p. 14/10)
APRIL 25, 1979

BY RICHARD F. DRAKE
BERL E. PRIEBE

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 687

S-3678

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 1, by inserting after line 7 the following:

5 "NEW SUBSECTION. "Candidate" means a candidate
6 as defined in section fifty-six point two (56.2) of
7 the Code for a statewide office or the general
8 assembly."

9 2. Page 1, by striking line 42 through page 2,
10 line 20.

11 3. Page 2, line 24, by inserting after the word
12 "assembly," the word "candidate".

13 4. Page 5, by inserting after line 6 the following:

14 " . Page 19, by inserting after line 4 the
15 following:

16 "Sec. . Section five hundred seven B point
17 four (507B.4), subsections twelve (12) and thirteen
18 (13), Code 1979, are amended by striking the
19 subsection."

20 5. By renumbering as required by this amendment

HOUSE FILE 687

S-3626

1 Amend House File 687, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 2, by inserting after line 16 the following
4 new section:

5 "Sec. ____ . Section seventy-nine point three (79.3),
6 Code 1979, is amended to read as follows:

7 79.3 APPRAISERS OF PROPERTY. The ~~compensation~~
8 ~~of~~ appraisers appointed by authority of law to appraise
9 property for any purpose shall be ~~fifty-cents-per~~
10 ~~hour-for-each-appraiser-for-the-time-necessarily-spent~~
11 ~~in-effecting-the-appraisement-and-the-mileage-expense~~
12 ~~for-the-distance-traveled-in-going-to-and-returning~~
13 ~~from-the-place-of-appraisement,-which-shall,-unless~~
14 paid a reasonable amount determined by the sheriff
15 of the county in which the property appraised is
16 located. Unless otherwise provided, the amount paid
17 shall be paid out of the property appraised or by
18 the owner thereof."

19 2. Page 12, by inserting after line 25 the
20 following new section:

21 "Sec. ____ . Section three hundred twenty-one point
22 eighty-nine (321.89), subsection three (3), paragraph
23 a, Code 1979, is amended to read as follows:

24 a. A police authority which takes into custody
25 an abandoned vehicle shall notify, within ~~ten~~ twenty
26 days, by certified mail, the last known registered
27 owner of the vehicle and all lienholders of record,
28 addressed to their last known address of record, that
29 the abandoned vehicle has been taken into custody.
30 Notice shall be deemed given when mailed. The notice
31 shall describe the year, make, model, and serial
32 number of the vehicle, set forth the location of the
33 facility where it is being held, inform the owner
34 and any lienholders of their right to reclaim the
35 vehicle within twenty-one days after the effective
36 date of the notice upon payment of all towing,
37 preservation, and storage charges resulting from
38 placing the vehicle in custody and upon payment of
39 the costs of notice required pursuant to this
40 subsection. The notice shall also state that the
41 failure of the owner or lienholders to exercise their
42 right to reclaim the vehicle within the time provided
43 shall be deemed a waiver by the owner and all
44 lienholders of all right, title, claim and interest
45 in the vehicle and that such failure to reclaim the
46 vehicle is deemed consent to the sale of the vehicle
47 at a public auction or disposal of the vehicle to
48 a demolisher. If the owner and lienholders do not
49 exercise their right to reclaim such vehicle within
50 the twenty-one-day reclaiming period, such owner and

S-3626
PAGE 2

1 lienholders shall no longer have any right, title,
2 claim, or interest in or to such vehicle. No court
3 in any case in law or equity shall recognize any
4 right, title, claim, or interest of any such owner
5 and lienholders after the expiration of the twenty-
6 one-day reclaiming period."

7 3. By renumbering sections as necessary pursuant
8 to this amendment.

S-3626 FILED & ADOPTED (p. 1409) BY BOB RUSH
APRIL 25, 1979

HOUSE FILE 687

S-3496

1 Amend House File 687 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 19 by striking line 16 and inserting
4 in lieu thereof the following: "permits to carry
5 weapons authorized-by-this-chapter and of permit
6 revocations."

S-3496 FILED *Adopted 4/25 (1409)* BY STEPHEN W. BISENIUS
APRIL 17, 1979

HOUSE FILE 687

S-3504

1 Amend House File 687 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 19, by inserting after line 17 the
4 following:
5 "Sec. ____ . Section seven hundred twenty-four
6 point four (724.4), subsection six (6), is amended
7 to read as follows:
8 6. Any person who for any lawful purpose carries
9 or transports an unloaded pistol or revolver in any
10 vehicle inside a closed and fastened container
11 or securely wrapped package which is too large to be
12 concealed on the person or inside a cargo or
13 luggage compartment where the pistol or revolver
14 will not be readily accessible to any person riding
15 in a vehicle or common carrier."

S-3504 FILED *Adopted 4/25* BY STEPHEN W. BISENIUS
APRIL 17, 1979 (p. 1407)

1 Amend House File 687, as amended, passed and
2 reprinted by the House as follows:

3 1. Page 6, by inserting after line 13 the following
4 new sections:

5 "Sec. _____. Section two hundred four point one
6 hundred one (204.101), subsection seventeen (17),
7 paragraph d, Code 1979, is amended to read as follows:

8 d. Coca leaves and any salt, compound, derivative,
9 or preparation of coca leaves, and any salt, compound,
10 isomer, stereoisomer, derivative, or preparation
11 thereof which is chemically equivalent or identical
12 with any of these substances, but not including
13 decocainized coca leaves or extractions of coca leaves
14 which do not contain cocaine or ecgonine.

15 Sec. _____. Section two hundred four point two
16 hundred six (204.206), subsection five (5), paragraph
17 d, Code 1979, is amended to read as follows:

18 d. Methylphenidate and its salts.

19 Sec. _____. Section two hundred four point two
20 hundred ~~six~~ (204.206), subsection six (6), is amended
21 to read as follows:

22 6. Cocaine and its salts."

S-3479 FILED *Adopted 4/17 (p. 12)* BY DICK RAMSEY
APRIL 11, 1979

HOUSE FILE 687

S-3337

1 Amend House File 687 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 18, by inserting after line 26 the
4 following new section:

5 "Sec. _____. Section four hundred fifty-five
6 point one hundred nine (455.109), Code 1979, is
7 amended to read as follows:

8 455.109 REASSESSMENT TO CURE ILLEGALITY

9 Whenever any special assessment upon any lands within
10 any drainage district shall have been heretofore
11 adjudged to be void for any jurisdictional defect or
12 for any illegality or uncertainty as to the terms of
13 any contract and the improvement shall have been wholly
14 completed, the board or boards of supervisors shall have
15 power to remedy such illegality or
16 uncertainty as to the terms of any such contract with
17 the consent of the person with whom such contract
18 shall have been entered into and make certain the terms
19 of such contract and shall then cause a reassessment of
20 such land to be made on an equitable basis with the
21 other land in the district by taking the steps req-
22 uired by law in the making of an original assessment
23 and relevyng the tax in accordance with such
24 assessment, and such tax shall have the same force
25 and effect as though the board or boards of supervisors
26 had jurisdiction in the first instance and no ille-
27 gality or uncertainty existed in the contract."

S-3337 FILED *Adopted 4/17 (p. 1229)* BY FORREST V. SCHWENGELS
MARCH 30, 1979

HOUSE FILE 687

S-3368

1 Amend House File 687 as amended and passed and
2 reprinted by the House as follows:

3 1. Page 4, by inserting after line 28 the following
4 new section:

5 "Sec. _____. Section one hundred twenty-three point
6 ninety-one (123.91), subsection three (3), Code 1979,
7 is amended to read as follows:

8 3. Any provision of the laws of the United States
9 or of any other state relating to intoxicating liquors
10 or beer, and who is thereafter convicted of a sub-
11 sequent criminal offense against any provision of this
12 chapter ~~shall be punished as follows~~ is guilty of the
13 following offenses:

14 a. For his the second conviction, ~~by a fine of not~~
15 ~~less than five hundred dollars nor more than one~~
16 ~~thousand dollars, and by imprisonment in the county~~
17 ~~jail or the state penitentiary for not less than six~~
18 ~~months nor more than one year~~ a serious misdemeanor.

19 b. For his the third and each subsequent conviction,
20 ~~by a fine of not less than one thousand dollars nor more~~
21 ~~than three thousand dollars and imprisonment in the~~
22 ~~state penitentiary for not more than three years~~ an
23 aggravated misdemeanor."

24 2. Page 19, by inserting after line 11 the
25 following new sections:

26 "Sec. _____. Chapter six hundred seventy-five (675),
27 Code 1979, is amended by adding the following new
28 section:

29 NEW SECTION. For the purposes of this chapter,
30 "child" means a person less than eighteen years of
31 age.

32 Sec. _____. Section six hundred seventy-five point
33 twenty-five (675.25), Code 1979, is amended to read
34 as follows:

35 675.25 FORM OF JUDGMENT. The judgment shall be
36 for annual amounts, equal or varying, having regard
37 to the obligation of the father under section 675.1;
38 as the court directs, until the child reaches the
39 age of ~~sixteen~~ eighteen years. The payments may be
40 required to be made at such periods or intervals as
41 the court directs."

S-3368 FILED *Adopted 4/17*
APRIL 3, 1979 (*7.1229*)

BY COMMITTEE ON JUDICIARY
LUCAS J. DeKOSTER, CHAIRPERSON

SENATE AMENDMENT TO
HOUSE FILE 687

H-4141

1 Amend House File 687 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 2, by inserting after line 10 the
4 following:

5 "Sec. 6. Section sixty-eight B point two (68B.2),
6 Code 1979, is amended by adding the following new
7 subsections:

8 NEW SUBSECTION. "Gift" means a rendering of money,
9 property, services, discount, loan forgiveness, payment
10 of indebtedness, or anything else of value in return
11 for which legal consideration of equal or greater
12 value is not given and received. However, "gift"
13 does not mean any of the following:

14 a. Anything received by a donee whose official
15 action or lack of official action will potentially
16 have no material effect, distinguishable from material
17 effects on the public generally, on the interests
18 of the donor.

19 b. Campaign contributions.

20 c. Informational material relevant to a public
21 servant's official functions, such as books, pamphlets,
22 reports, documents, or periodicals.

23 d. Anything received from a person related within
24 the fourth degree by kinship or marriage, unless the
25 donor is acting as an agent or intermediary for another
26 person not so related.

27 e. Anything which is donated within thirty days
28 after its receipt to a public body or to a bona fide
29 educational or charitable organization, without the
30 donation being claimed at any time as a charitable
31 contribution for tax purposes.

32 f. An inheritance.

33 g. Anything available to or distributed to the
34 public generally without regard to official status
35 of the recipient.

36 h. Reimbursement for or payment of actual expenses
37 incurred for public speaking engagements or other
38 formal public appearances.

39 NEW SUBSECTION. "Local official" and "local
40 employee" mean an official or employee of the political
41 subdivisions of this state.

42 Sec. 7. Chapter sixty-eight B (68B), Code 1979,
43 is amended by adding the following new section:

44 NEW SECTION. REPORTING OF GIFTS.

45 1. An official, employee, member of the general
46 assembly, or legislative employee shall file a report
47 with the secretary of state describing the nature,
48 amount, date and donor of any gift received by that
49 person which exceeds ten dollars in value. The report
50 shall be filed by the fifteenth of the month following

1 a month in which such a gift was received. A person
2 subject to this subsection shall also file an annual
3 report listing all such gifts received during the
4 year by the following January fifteenth if any such
5 gifts were received during that year.

6 2. A local official or local employee shall file
7 a report with the county auditor of the county of
8 that person's residence describing the nature, amount,
9 date and donor of any gift received by that person
10 which exceeds ten dollars in value. The report shall
11 be filed by the fifteenth of the month following a
12 month in which such a gift was received. A local
13 official or local employee shall also file an annual
14 report listing all such gifts received during the
15 year by the following January fifteenth if any such
16 gifts were received during that year.

17 3. The secretary of state shall develop a standard
18 form for the filing of reports under this section
19 which shall be available without cost to those persons
20 filing.

21 Sec. 8. Section sixty-eight B point five (68B.5),
22 Code 1979, is amended to read as follows:

23 68B.5 GIFTS SOLICITED OR ACCEPTED. No official,
24 employee, member of the general assembly, or
25 legislative employee shall, directly or indirectly,
26 solicit, accept, or receive any gift having a value
27 of twenty-five dollars or more whether in the form
28 of money, service, loan, travel, entertainment,
29 hospitality, thing, or promise, or in any other form.
30 No person shall, directly or indirectly, offer or
31 make any such gift to any official, employee, member
32 of the general assembly, or legislative employee which
33 has a value in excess of twenty-five dollars. ~~Nothing~~
34 ~~herein shall preclude campaign contributions or gifts~~
35 ~~which are unrelated to legislative activities or to~~
36 ~~state employment."~~

37 2. Page 2, by inserting after line 16 the following
38 new section:

39 "Sec. ____ . Section seventy-nine point three (79.3),
40 Code 1979, is amended to read as follows:

41 79.3 APPRAISERS OF PROPERTY. The compensation
42 of appraisers appointed by authority of law to appraise
43 property for any purpose shall be ~~fifty-cents-per~~
44 ~~hour-for-each-appraiser-for-the-time-necessarily-spent~~
45 ~~in-effecting-the-appraisement-and-the-mileage-expense~~
46 ~~for-the-distance-traveled-in-going-to-and-returning~~
47 ~~from-the-place-of-appraisement, which shall, unless~~
48 paid a reasonable amount determined by the sheriff
49 of the county in which the property appraised is
50 located. Unless otherwise provided, the amount paid

1 shall be paid out of the property appraised or by
2 the owner thereof."

3 3. Page 4, by inserting after line 28 the following
4 new section:

5 "Sec. _____. Section one hundred twenty-three point
6 ninety-one (123.91), subsection three (3), Code 1979,
7 is amended to read as follows:

8 3. Any provision of the laws of the United States
9 or of any other state relating to intoxicating liquors
10 or beer, and who is thereafter convicted of a sub-
11 sequent criminal offense against any provision of
12 this chapter ~~shall be punished as follows~~ is guilty
13 of the following offenses:

14 a. For ~~his~~ the second conviction, ~~by a fine of~~
15 ~~not less than five hundred dollars nor more than one~~
16 ~~thousand dollars, and by imprisonment in the county~~
17 ~~jail or the state penitentiary for not less than six~~
18 ~~months nor more than one year~~ a serious misdemeanor.

19 b. For ~~his~~ the third and each subsequent
20 conviction, ~~by a fine of not less than one thousand~~
21 ~~dollars nor more than three thousand dollars and~~
22 ~~imprisonment in the state penitentiary for not more~~
23 ~~than three years~~ an aggravated misdemeanor."

24 4. Page 6, by inserting after line 13 the following
25 new sections:

26 "Sec. _____. Section two hundred four point one
27 hundred one (204.101), subsection seventeen (17),
28 paragraph d, Code 1979, is amended to read as follows:

29 d. Coca leaves and any salt, compound, derivative,
30 or preparation of coca leaves, and any salt, compound,
31 isomer, stereoisomer, derivative, or preparation
32 thereof which is chemically equivalent or identical
33 with any of these substances, but not including
34 decocainized coca leaves or extractions of coca leaves
35 which do not contain cocaine or ecgonine.

36 Sec. _____. Section two hundred four point two
37 hundred six (204.206), subsection five (5), paragraph
38 d, Code 1979, is amended to read as follows:

39 d. Methylphenidate and its salts.

40 Sec. _____. Section two hundred four point two
41 hundred six (204.206), subsection six (6), is amended
42 to read as follows:

43 6. Cocaine and its salts."

44 5. Page 12, by inserting after line 25 the
45 following new section:

46 "Sec. _____. Section three hundred twenty-one point
47 eighty-nine (321.89), subsection three (3), paragraph
48 a, Code 1979, is amended to read as follows:

49 a. A police authority which takes into custody
50 an abandoned vehicle shall notify, within ten twenty

Page Four
H-4141

1 days, by certified mail, the last known registered
2 owner of the vehicle and all lienholders of record,
3 addressed to their last known address of record, that
4 the abandoned vehicle has been taken into custody.
5 Notice shall be deemed given when mailed. The notice
6 shall describe the year, make, model, and serial
7 number of the vehicle, set forth the location of the
8 facility where it is being held, inform the owner
9 and any lienholders of their right to reclaim the
10 vehicle within twenty-one days after the effective
11 date of the notice upon payment of all towing,
12 preservation, and storage charges resulting from
13 placing the vehicle in custody and upon payment of
14 the costs of notice required pursuant to this
15 subsection. The notice shall also state that the
16 failure of the owner or lienholders to exercise their
17 right to reclaim the vehicle within the time provided
18 shall be deemed a waiver by the owner and all
19 lienholders of all right, title, claim and interest
20 in the vehicle and that such failure to reclaim the
21 vehicle is deemed consent to the sale of the vehicle
22 at a public auction or disposal of the vehicle to
23 a demolisher. If the owner and lienholders do not
24 exercise their right to reclaim such vehicle within
25 the twenty-one-day reclaiming period, such owner and
26 lienholders shall no longer have any right, title,
27 claim, or interest in or to such vehicle. No court
28 in any case in law or equity shall recognize any
29 right, title, claim, or interest of any such owner
30 and lienholders after the expiration of the twenty-
31 one-day reclaiming period."

415
418

32 6. Page 18, by inserting after line 26 the
33 following new section:

34 "Sec. _____. Section four hundred fifty-five point
35 one hundred nine (455.109), Code 1979, is amended
36 to read as follows:

37 455.109 REASSESSMENT TO CURE ILLEGALITY. Whenever
38 any special assessment upon any lands within any
39 drainage district shall have been heretofore adjudged
40 to be void for any jurisdictional defect or for any
41 illegality or uncertainty as to the terms of any
42 contract and the improvement shall have been wholly
43 completed, the board or boards of supervisors shall
44 have power to remedy such illegality or uncertainty
45 as to the terms of any such contract with the consent
46 of the person with whom such contract shall have been
47 entered into and make certain the terms of such
48 contract and shall then cause a reassessment of such
49 land to be made on an equitable basis with the other
50 land in the district by taking the steps required

Page Five
H-4141

1 by law in the making of an original assessment and
2 relieving the tax in accordance with such assessment,
3 and such tax shall have the same force and effect
4 as though the board or boards of supervisors had
5 jurisdiction in the first instance and no illegality
6 or uncertainty existed in the contract."

417.2 7 7. Page 19, by inserting after line 11 the
8 following:

9 "Sec. 56. Section seven hundred twenty-two point
10 one (722.1), Code 1979, is amended to read as follows:

11 722.1 BRIBERY. A person who offers, promises
12 or gives anything of value or any benefit to any
13 person who is serving or has been elected, selected,
14 appointed, employed or otherwise engaged to serve
15 in a public capacity, including any public officer
16 or employee, any referee, juror or venireman, or any
17 witness in any judicial or arbitration hearing or
18 any official inquiry, or any member of a board of
19 arbitration, ~~with-intent-to~~ pursuant to an agreement
20 or arrangement or with the understanding that the
21 promise or thing of value or benefit will influence
22 the act, vote, opinion, judgment, decision or exercise
23 of discretion of such person with respect to his or
24 her services in such capacity commits a class "D"
25 felony. In addition, any person convicted under this
26 section shall be disqualified from holding public
27 office under the laws of this state.

28 Sec. 57. Section seven hundred twenty-two point
29 two (722.2), Code 1979, is amended to read as follows:

30 722.2 ACCEPTING BRIBE. Any person who is serving
31 or has been elected, selected, appointed, employed
32 or otherwise engaged to serve in a public capacity,
33 including any public officer or employee, any referee,
34 juror or venireman, or any witness in any judicial
35 or arbitration hearing or any official inquiry, or
36 any member of a board of arbitration who shall solicit
37 or knowingly accept or receive any promise or anything
38 of value or any benefit given with-the-intent-to
39 pursuant to an understanding or arrangement that the
40 promise or thing of value or benefit will influence
41 the act, vote, opinion, judgment, decision or exercise
42 of discretion of such person with respect to his or
43 her services in that capacity commits a class "C"
44 felony. In addition, any person convicted under this
45 section shall be disqualified from holding public
46 office under the laws of this state."

47 8. Page 19, by inserting after line 11 the
48 following new sections:

49 "Sec. _____. Chapter six hundred seventy-five (675),
50 Code 1979, is amended by adding the following new

Page Six
H-4141

1 section:

2 NEW SECTION. For the purposes of this chapter,
3 "child" means a person less than eighteen years of
4 age.

5 Sec. _____. Section six hundred seventy-five point
6 twenty-five (675.25), Code 1979, is amended to read
7 as follows:

8 675.25 FORM OF JUDGMENT. The judgment shall be
9 for annual amounts, equal or varying, having regard
10 to the obligation of the father under section 675.1,
11 as the court directs, until the child reaches the
12 age of ~~sixteen~~ eighteen years. The payments may be
13 required to be made at such periods or intervals as
14 the court directs."

15 9. Page 19, by striking line 16 and inserting
16 in lieu thereof the following: "permits to carry
17 weapons authorized by this chapter and of permit
18 revocations".

19 10. Page 19, by inserting after line 17 the
20 following:

21 "Sec. _____. Section seven hundred twenty-four point
22 four (724.4), subsection six (6), is amended to read
23 as follows:

24 6. Any person who for any lawful purpose carries
25 or transports an unloaded pistol or revolver in any
26 vehicle inside a closed and fastened container or
27 securely wrapped package which is too large to be
28 concealed on the person or inside a cargo or luggage
29 compartment where the pistol or revolver will not
30 be readily accessible to any person riding in a vehicle
31 or common carrier."

32 11. Renumbering the sections to conform with this
33 amendment.

H-4141 FILED APRIL 26, 1979

RECEIVED FROM THE SENATE

House amended & concurred 4/30 (J. 1934)

HOUSE FILE 687

H-4143

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House as
3 follows:

4 1. Page 2, line 36, by inserting after the word
5 "employment-" the words "An official, employee, member
6 of the general assembly or legislative employee shall
7 not accept a gift in excess of two dollars in value
8 while receiving actual and necessary expenses from the
9 state government."

H-4143 FILED *Lost 4/27 (J. 1890)*
APRIL 26, 1979

BY LURA of Marshall

HOUSE FILE 687

H-4157

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 1, by striking line 42 through page 2,
5 line 36 and inserting in lieu thereof the following:

6 "Sec. 7. Section sixty-eight B point five (68B.5),
7 Code 1979, is amended by striking the section and
8 inserting in lieu thereof the following:

9 68B.5 GIFTS PROHIBITED AND REPORTED.

10 1. An official, employee, local official, local
11 employee, member of the general assembly or legislative
12 employee shall not accept a gift exceeding twenty-
13 five dollars in value in any one instance or one
14 hundred dollars in value from any one source during
15 a calendar year.

16 2. A person who gives an official, employee, local
17 official, local employee, member of the general
18 assembly or legislative employee a gift exceeding
19 fifteen dollars in value shall file a statement
20 containing the nature, value and date of the gift
21 and the name of the recipient within thirty days with
22 the following officers:

23 a. For a gift to a local official or employee,
24 with the county auditor of the county containing the
25 business office of the political subdivision served
26 by the local official or employee.

27 b. For a gift to a member of the general assembly
28 or legislative employee, the chief administrative
29 officer of the house of the member or legislative
30 employee. For a gift to a legislative employee of
31 both houses, the secretary of the senate.

32 c. For a gift to an official or employee, the
33 secretary of state for members of the executive
34 department and the supreme court administrator for
35 members of the judicial department."

36 2. By renumbering the sections and cross references
37 to conform with this amendment.

H-4157 FILED *Adopted as* BY HALVORSON of Clayton
APRIL 27, 1979 *amended by* AVENSON of Fayette

4176 4/27 (p. 1886)

Motion to reconsider p. 1895 4/28 4/30 (p. 1933)

- 1 Amend the Senate amendment, H-4141, to House File
 2 687 as amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 5, by inserting after line 6 the follow-
 5 ing:
 6 "____. Page 19, by inserting after line 4 the
 7 following:
 8 "Sec. _____. Section five hundred seven B point four
 9 (507B.4), subsectionstwelve (12) and thirteen (13),
 10 Code 1979, are amended by striking the subsections."
 11 2. By renumbering as required by this amendment.

H-4152 FILED *Adopted 4/30 (p. 1930)*
 APRIL 27, 1979

BY BRANDT of Black Hawk
 CLARK of Cerro Gordo

HOUSE FILE 687

H-4155

- 1 Amend the Senate amendment H-4141, as amended,
 2 passed and reprinted by the House as follows:
 3 1. Page 1, by striking lines 14 through 18.
 4 2. Page 1, by striking line 45 through page 2
 5 line 20, and inserting in lieu thereof the following:
 6 "1. Any person who renders a benefit which has
 7 a fair market value in excess of ten dollars to a
 8 state or local official or employee shall file a
 9 report monthly with the secretary of state describ-
 10 ing the nature, value, date, and donee of any such
 11 benefit.
 12 2. The secretary of state shall develop and
 13 make available a standard form for the filing of
 14 reports under this section. A fee of twenty-five
 15 cents shall accompany each report filed."
 16 3. Page 2, line 26, by striking the word "gift"
 17 and inserting in lieu thereof the words "gift benefit".

H-4155 FILED *A. List 4/8 (p. 1885)* BY PELTON of Clinton
 APRIL 27, 1979 *B. Out of order (1887)*
C. W. D. Brown (1887)

HOUSE FILE 687

H-4156

- 1 Amend the Senate amendment, H-4141, to House
 2 File 687 as amended, passed and reprinted by the
 3 House as follows:
 4 1. Page 2, by striking line 27, and inserting
 5 in lieu thereof the following: "of-twenty-five
 6 dollars-or-more-whether-in-the-form of ten dollars
 7 per occurrence and twenty-five dollars per year
 8 from any one source whether in the form".
 9 2. Page 2, by striking line 33 and inserting
 10 in lieu thereof the following: "has-a-value-in
 11 excess-of-twenty-five-dollars has a value in excess
 12 of ten dollars per occurrence and twenty-five dollars
 13 per year from any one source. Nothing".

BY POFFENBERGER of Dallas
 LAGESCHULTE of Bremer
 KREWSON of Polk
 ANDERSON of Audubon
 ARNOULD of Scott
 PELTON of Clinton

H-4156 FILED *List 4/27 (p. 1888)*
 APRIL 27, 1979

HOUSE FILE 687

H-4164

- 1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, by inserting after line 7 the following:
5 "NEW SUBSECTION. "Constituent" means a person
6 represented and served by the elected official or
7 local official."
8 2. Page 1, by inserting after line 38 the
9 following:
10 "i. A cup of coffee.
11 j. Food or beverage provided to an elected official
12 or local official by a constituent at a political
13 function and consumed on the premises if the official
14 or local official is not receiving actual and necessary
15 expenses from the employing government."
16 3. Page 1, by striking line 42 through page 2,
17 line 36, and inserting in lieu thereof the following:
18 "Sec. 7. Section sixty-eight B point five (68B.5),
19 Code 1979, is amended by striking the section and
20 inserting in lieu thereof the following:
21 68B.5 GIFTS PROHIBITED. An official, employee,
22 local official, local employee, member of the general
23 assembly or legislative employee shall not solicit
24 or accept a gift. A person shall not offer or give
25 a gift to an official, employee, local official, local
26 employee, member of the general assembly or legislative
27 employee."
28 4. By renumbering the sections and cross references
29 to conform with this amendment.

H-4164 FILED, LOST (p. 1884) BY LLOYD-JONES of Johnson
APRIL 27, 1979

HOUSE FILE 687

H-4161

- 1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House as
3 follows:
4 1. Page 2, by inserting after line 36, the words
5 "d. An official, employee, member of the general
6 assembly or legislative employee shall not accept a
7 gift in excess of two dollars in value while
8 receiving actual and necessary expenses from the
9 state government."

H-4161 FILED APRIL 27, 1979

BY LURA of Marshall

H/Drawn 4/27 (p. 1889)

H-4159

1 Amend the Senate amendment, H- 4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 3 , by inserting after line 23 the
5 following:

6 "_____. Page 6, by inserting after line 13 the
7 following:

8 "Sec. _____. Section two hundred three A point
9 eleven (203A.11), subsection three (3), Code 1979,
10 is amended by adding the following new lettered
11 paragraph:

12 NEW LETTERED PARAGRAPH. To amygdalin, a cyano-
13 genetic glycoside, also known as laetrile, which is
14 processed from the seeds of certain fruits including
15 apricots, peaches, and plums.

16 Sec. _____. Chapter two hundred three A (203A),
17 Code 1979, is amended by adding the following new
18 sections as a new division:

19 NEW SECTION. For the purposes of this division:

20 1. "Licensed physician" means an individual
21 licensed by the board of medical examiners to practice
22 medicine and surgery, osteopathy or osteopathic
23 medicine and surgery.

24 NEW SECTION.

25 1. It is lawful to manufacture amygdalin in this
26 state in accordance with the provisions of this chap-
27 ter and to sell the substance in the state for
28 distribution by licensed physicians.

29 2. A licensed physician may prescribe or adminis-
30 ter amygdalin, but only as an adjunct to recognized,
31 customary, or accepted modes of therapy in the
32 treatment of a malignancy, disease, illness or physical
33 condition or as a dietary supplement.

34 NEW SECTION.

35 1. A hospital or health care facility shall not
36 interfere with the physician-patient relationship
37 by restricting or forbidding the use of amygdalin
38 as an adjunct to recognized, customary, or accepted
39 modes of therapy in the treatment of a malignancy,
40 disease, illness, or physical condition or as a dietary
41 supplement when it is prescribed or administered by
42 a licensed physician and the patient has signed a
43 written informed request form provided in this
44 division.

45 2. A hospital or health care facility shall not
46 remove or deny the staff privileges of a licensed
47 physician solely because the physician prescribed
48 or administered amygdalin to a patient under the
49 conditions set forth by this division.

50 3. The state board of medical examiners shall

1 not subject a licensed physician to disciplinary
2 action for prescribing or administering amygdalin
3 to a patient under the physician's care as an adjunct
4 to recognized, customary, or accepted modes of therapy
5 in the treatment of a malignancy, disease, illness,
6 or physical condition or as a dietary supplement if
7 the patient has knowingly and voluntarily signed the
8 written informed request form provided in this
9 division.

10 NEW SECTION. The written informed request shall
11 be on a form prepared by, and obtained from, the
12 department of health and shall be subject to the
13 department's continuing jurisdiction. The written
14 informed request form shall be in a format
15 substantially as follows:

16 WRITTEN INFORMED REQUEST FOR PRESCRIPTION OF AMYGDALIN
17 FOR MEDICAL TREATMENT OR AS A DIETARY SUPPLEMENT

18 Patient's name _____

19 Address _____

20 Age _____ Sex _____

21 Name and address of prescribing physician _____

22 _____
23 Malignancy, disease, illness, or physical condition diagnosed
24 for medical treatment by amygdalin:
25 _____
26 _____

27 My physician has explained to me:

28 (1). That the Federal Food and Drug Administration has
29 determined amygdalin to be an "unapproved new drug".

30 (2). That neither the American Cancer Society nor the
31 Iowa Medical Society recommends the use of amygdalin in
32 the treatment of a malignancy, disease, illness or physi-
33 cal condition or as a dietary supplement.

34 (3). That there are alternative recognized treatments
35 for the malignancy, disease, illness, or physical con-
36 dition from which I suffer which the physician has of-
37 fered to provide for me including:
38 _____
39 _____

40 That notwithstanding the foregoing, I hereby request pre-
41 scription and use of amygdalin in the medical treatment
42 of the malignancy, disease, illness, or physical condi-
43 tion from which I suffer or as a dietary supplement.

44 _____
45 Signature of Patient

46 ATTEST:

47 _____
48 Prescribing physician

49 A copy of the written informed request shall be
50 forwarded immediately after execution to the

Page Three
H-4159

1 appropriate hospital or health care facility and the
2 department of health.

3 NEW SECTION. This division does not constitute
4 an endorsement of amygdalin for the treatment of a
5 malignancy, disease, illness, or physical condition
6 and does not prevent a licensed physician from
7 prescribing amygdalin as a dietary supplement to a
8 patient not suffering from a known malignancy, disease,
9 illness, or physical condition.

10 NEW SECTION. This division does not require a
11 physician, pharmacist, pharmacy, manufacturer or
12 distributor to manufacture, sell or distribute
13 amygdalin, and does not require a physician to
14 prescribe amygdalin for any patient.

15 NEW SECTION. The department of health shall adopt
16 rules pursuant to chapter seventeen A (17A) of the
17 Code which establish standards governing the
18 production, processing, labeling, storing, handling,
19 selling, and administering of amygdalin.

20 NEW SECTION. The department of health may set
21 reasonable fees to be collected from the manufacturer
22 for establishing and administering the standards
23 required by this division.

24 NEW SECTION. A person who manufactures, prepares
25 or sells amygdalin which fails to comply with the
26 standards adopted by the department of health as
27 required by this division is guilty of a serious
28 misdemeanor. Each day of violation constitutes a
29 separate offense.

30 NEW SECTION. Three years after the effective date
31 of this Act, the commissioner of the department of
32 health shall make a report to the governor and the
33 general assembly concerning the effectiveness of
34 amygdalin in the treatment of cancer."

35 2. By numbering and renumbering as required by
36 this amendment.

BY WALTER of Pottawattamie
KIRKENSLAGER of Des Moines
BINA of Scott
BINNEBOESE of Plymouth

H-4159 FILED *Filed not germane*
APRIL 27, 1979 *4/30 (p. 1927)*

HOUSE FILE 687

H-4177

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, by inserting after line 7 the following:
5 "NEW SUBSECTION. "Lobbying" means the practice
6 of promoting or opposing the introduction or enactment
7 of legislative bills or resolutions.
8 NEW SUBSECTION. "Lobbyist" means a person who
9 engages in the practice of lobbying for compensation,
10 including, but not limited to, a person who is paid
11 a regular salary or retainer and whose duties include
12 lobbying. "Lobbyist" does not include:
13 a. A member of the general assembly.
14 b. A person who limits his or her lobbying to
15 writing letters, furnishing written material or
16 appearing before committees of the general assembly."
17 2. Page 1, by inserting after line 41 the
18 following:
19 "Sec. 7. NEW SECTION. REGISTRATION OF LOBBYISTS.
20 1. Every lobbyist, before commencing any lobbying
21 activity, shall register with the chief clerk of the
22 house and the secretary of the senate. The chief
23 clerk of the house and the secretary of the senate
24 shall each prescribe forms for the registration of
25 lobbyists which shall be approved by the ethics
26 committee of their particular house. The registration
27 form shall be signed by the lobbyist and shall include,
28 but not be limited to, the following:
29 a. The name, address and telephone number of the
30 individual, company, firm, corporation, union,
31 association or cause for whom the lobbyist intends
32 to act.
33 b. The name, permanent business and residential
34 addresses, temporary business and residential addresses
35 during the legislative session, and telephone number
36 of the lobbyist.
37 c. The general subjects of legislation in which
38 the lobbyist is or may be interested.
39 d. The file numbers of bills and resolutions in
40 reference to which the lobbyist intends to act, if
41 known. If known, the lobbyist shall state whether
42 he or she will lobby for or against the bill or
43 resolution.
44 e. A statement that no compensation will be paid
45 to or received by the lobbyist contingent upon passage
46 or defeat of a bill or resolution.
47 2. All information filed under this section and
48 section eight (8) of this Act shall be a public record
49 and open to public inspection at any reasonable time.
50 Sec. 8. NEW SECTION. LOBBYIST REPORT. Every

Page two
H-4177

1 registered lobbyist shall file a report with the chief
2 clerk of the house and the secretary of the senate
3 within fifteen days after the end of each calendar
4 year. The report shall include, but not be limited
5 to, the following:

6 1. A statement of all money expended on each
7 member of the general assembly in connection with
8 carrying out lobbying activities, including subtotals
9 for the payment of any bills for food and refreshments,
10 entertainment, transportation, and other services
11 where members of the general assembly were included
12 in the group for which or by which such bills were
13 incurred.

14 2. All amounts received directly or indirectly
15 for the purpose of carrying on lobbying activities,
16 including amounts which are reportable as income for
17 state income tax purposes if the lobbyist's contract
18 for employment provides that amounts received for
19 such expenses or as such income may or shall be used
20 for carrying on lobbying activities.

21 The chief clerk of the house and the secretary
22 of the senate shall refer all such reports to the
23 ethics committee of their respective house. The
24 ethics committees may require the lobbyist to furnish
25 additional details with respect to the matters which
26 are or should be included in the reports.

27 Sec. 9. NEW SECTION. CANCELLATION OF REGISTRATION.
28 The ethics committee of either house may issue an
29 order to a lobbyist to show cause why his or her
30 registration should not be canceled because of a
31 violation of section seven (7), eight (8) or nine
32 (9) of this Act. If an order is issued, the committee
33 shall hold a hearing in compliance with the rules
34 of that house. After the hearing, the committee may
35 cancel the registration of the lobbyist and may request
36 prosecution by the attorney general. Each ethics
37 committee shall act only upon violations which relate
38 to its respective house and members.

39 Sec. 10. NEW SECTION. CONTINGENT COMPENSATION.
40 A person shall not retain or employ another person
41 to promote or oppose legislation for compensation
42 contingent in whole or in part upon the passage or
43 defeat of a legislative bill or resolution. A person
44 shall not accept employment or render any services
45 for compensation contingent upon the passage or defeat
46 of a legislative bill or resolution.

47 Sec. 11. NEW SECTION. PROFESSIONAL SERVICES--
48 NOT LOBBYING. The provisions of sections seven (7)
49 through ten (10) of this Act shall not be construed
50 to affect professional services in drafting bills

H-4177

1 or in advising clients and in rendering opinions as
2 to the construction and effect of proposed or pending
3 legislation where such professional service is not
4 otherwise connected with legislative action.

5 Sec. 12. NEW SECTION. PENALTY. A person who
6 violates the provisions of section seven (7), eight
7 (8) or ten (10) of this Act shall be guilty of a
8 simple misdemeanor. All prosecutions for violations
9 under this Act shall be maintained by the attorney
10 general.

11 Sec. 13. Section sixty-eight B point ten (68B.10),
12 subsection two (2), Code 1979, is amended to read
13 as follows:

14 2. Prepare rules implementing sections seven (7)
15 through twelve (12) of this Act relating to lobbyists
16 and lobbying activities in the general assembly.

17 Sec. 14. Section sixty-eight B point ten (68B.10),
18 unnumbered paragraph five (5), Code 1979, is amended
19 to read as follows:

20 Violation of the code of ethics may result in the
21 suspension of a member from the general assembly and
22 the forfeiture of his or her salary if directed by
23 a two-thirds vote of the house to which the member
24 belongs. Such suspension or forfeiture of salary
25 shall be for such duration as specified in the directing
26 resolution provided however, that it cannot extend
27 beyond the date of adjournment of the session.

28 ~~Violation of the rules relating to lobbyists and~~
29 ~~lobbying activities may result in the suspension of~~
30 ~~any lobbyist if directed by a two-thirds vote of the~~
31 ~~house wherein the violation occurred."~~

32 3. By renumbering the sections and cross references
33 to conform with this amendment.

H-4177 FILED *Revised no german* BY HOWELL of Floyd
APRIL 27, 1979 *4/27 (p. 1891)*

HOUSE FILE 687

H-4176

1 Amend House amendment H-4157 to Senate amendment
2 H-4141, to House File 687 as amended and reprinted by
3 the House as follows:

4 1. Page 1, by striking line 5 through 35 and
5 inserting in lieu thereof the words "line 20."

BY JESSE of Polk
LIND of Black Hawk
BYERLY of Polk
CRABB of Crawford
HARBOR of Mills
CONNORS of Polk
WEST of Marshall
CHIODO of Polk
HANSEN of O'Brien
HUSAK of Tama
STROMER of Hancock
WOODS of Polk

H-4176 FILED *Adopted 4/27 (p. 1886)*
APRIL 27, 1979
refer to resolution 1895 4/30 (p. 1133)

HOUSE FILE 687

H-4171

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 6, by inserting after line 31 the
5 following:
6 "11. Page 19, by inserting after line 26 the
7 following:
8 "Sec. 56. This Act, being deemed of immediate
9 importance, shall take effect from and after its
10 publication in the Monona Billboard, a newspaper
11 published in Monona, Iowa, and in The Council Bluffs
12 Nonpareil, a newspaper published in Council Bluffs,
13 Iowa.""

H-4171 FILED *Last 4/30 (p. 1921)* BY PERKINS of Greene
APRIL 27, 1979

HOUSE FILE 687

H-4172

1 Amend the Senate amendment H-4141 to House File
2 687 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 5, by inserting after line 6 the follow-
5 ing:
6 "____. Page 19, by inserting after line 11 the
7 following:
8 "Sec. _____. Section six hundred seven point two
9 (607.2), Code 1979, is amended by adding the follow-
10 ing new subsection:
11 NEW SUBSECTION. Upon request, active members
12 of a fire company.""
13 2. By renumbering as required.

H-4172 FILED *Ruled not germane* BY WELSH of Dubuque
APRIL 27, 1979 *4/30 (p. 1930)*

HOUSE FILE 687

H-4178

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 1, by inserting after line 2 the following:

5 "1. Page 1, by inserting after line 10 the
6 following:

7 "Sec. _____. Section nineteen A point nine (19A.9),
8 subsection twenty-one (21), Code 1979, is amended
9 to read as follows:

10 21. For veterans preference through a provision
11 that honorably separated veterans who served on active
12 duty in the armed forces of the United States in any
13 war, campaign or expedition, for which a campaign
14 badge or service medal has been authorized by the
15 government of the United States, shall have five
16 points added to the grade or score attained in
17 qualifying examinations for appointment entrance
18 appointments to jobs.

19 Veterans who have a service-connected disability
20 or who are receiving compensation, disability benefits
21 or pension under laws administered by the veterans
22 administration, shall have ten points added to the
23 grades attained in qualifying entrance examinations.
24 A veteran who has been awarded the Purple Heart for
25 disabilities incurred in action shall be considered
26 to have a service-connected disability."

27 2. Page 2, line 38, by striking the word "section"
28 and inserting in lieu thereof the word "sections".

29 3. Page 2, by inserting after line 38 the
30 following:

31 "Sec. _____. Section seventy point one (70.1), Code
32 1979, is amended to read as follows:

33 70.1 APPOINTMENTS AND-PROMOTIONS. In every public
34 department and upon all public works in the state,
35 and of the counties, cities, and school corporations
36 thereof, honorably discharged men and women from the
37 military or naval forces of the United States who
38 served in any war in which the United States was or
39 is now engaged, including the Philippine Insurrection,
40 China Relief Expedition, and the Korean Conflict at
41 any time between June 25, 1950 and January 31, 1955,
42 both dates inclusive, and the Vietnam Conflict
43 beginning August 5, 1964, and ending on ~~the-date-the~~
44 ~~armed-forces-of-the-United-States-are-directed-by~~
45 ~~formal-order-of-the-government-of-the-United-States~~
46 ~~to-cess-hostilities~~ May 7, 1975, both dates inclusive,
47 who are citizens and residents of this state shall
48 be entitled to preference in appointment, for
49 employment, ~~and-promotion~~ over other applicants of
50 no greater qualifications. The preference in

PAGE Two
H-4178

1 appointment of employees of cities under a municipal
2 civil service system shall be as provided in section
3 four hundred point ten (400.10) of the Code. For
4 the purposes of this section World War II shall mean
5 service in the armed forces of the United States
6 between December 7, 1941, and December 31, 1946, both
7 dates inclusive."

8 4. Page 2, line 39, by striking the word "Sec.
9 ____." and inserting in lieu thereof the word "Sec.

10 ____."

11 5. Page 4, by inserting after line 31 the
12 following:

13 "____. Page 17, by inserting after line 14 the
14 following:

15 "Sec. _____. Section four hundred point ten (400.10),
16 Code 1979, is amended to read as follows:

17 400.10 PREFERENCES. In all examinations and for
18 appointments under the provisions of this chapter,
19 other than promotions and appointments of chief of
20 the police department and chief of the fire department,
21 honorably discharged men and women from the military
22 or naval forces of the United States in any war in
23 which the United States was-er-is-now has been engaged,
24 including the Philippine Insurrection, China Relief
25 Expedition and the Korean Conflict at any time between
26 June 25, 1950 and January 31, 1955, both dates
27 inclusive, and the Vietnam Conflict beginning August
28 5, 1964, and ending ~~on-the-date-the-armed-forces-of~~
29 ~~the-United-States-are-directed-by-formal-order-of~~
30 ~~the-government-of-the-United-States-to-cess~~
31 hostilities May 7, 1975, both dates inclusive and
32 who are citizens and residents of this state, shall
33 be-given-the-preference,-if-otherwise-qualified have
34 five points added to the grade or score attained in
35 qualifying examinations for appointment to positions
36 and ten points shall be added to such grade or score
37 if the veteran has a service-connected disability
38 or is receiving compensation, disability benefits
39 or pension under laws administered by the veterans
40 administration. A veteran who has been awarded the
41 Purple Heart for disabilities incurred in action shall
42 be considered to have a service-connected disability.
43 However, such points are given only upon passing the
44 exam and shall not be the determining factor in passing
45 or failing.

46 For the purposes of this section World War II shall
47 be from December 7, 1941, to December 31, 1946, both
48 dates inclusive.""

49 6. By renumbering sections and correcting internal
50 references in accordance with this amendment.

HOUSE FILE 687

H-4187

1 Amend the Senate amendment H-4141, to House File
2 687 as amended, passed and reprinted by the House,
3 as follows:

4 1. Page 1, by inserting after line 7 the follow-
A 5 ing:

6 "NEW SUBSECTION. "Candidate" means a candidate
7 as defined in section fifty-six point two (56.2) of
8 the Code for a statewide office or the general
9 assembly."

10 2. Page 1, line 19, by inserting after the word

B 11 "contributions" the words "unless a contribution
12 exceeds one thousand dollars for a candidate for a
13 statewide office or three hundred dollars for a
4/9: 14 candidate for the general assembly".

A 15 3. Page 2, line 24, by inserting after the word
16 "assembly," the word "candidate".

H-4187 FILED
APRIL 30, 1979

A - Adopted (p. 1933)
B - Lost (p. 1933)

BY HALVORSON of Webster
ANDERSON of Jasper

HOUSE FILE 687

H-4175

1 Amend the Senate amendment, H-4141, to House File
2 687 as amended, passed and reprinted by the House as
3 follows:

4 1. Page 2, by inserting after line 36, the words
5 "d. An official, employee, member of the general
6 assembly or legislative employee shall not accept a
7 gift while receiving actual and necessary expenses
8 from the state government."

H-4175 FILED *Booked and in order 4/27 (1891)*
APRIL 27, 1979

BY HANSON of Delaware
CONLON of Muscatine

HOUSE FILE 687

H-4186

1 Amend the Senate amendment H-4141, to House File
2 687, as amended, passed and reprinted by the House,
3 as follows:
4 1. Page 4, by inserting after line 31 the
5 following:
6 "_____. Page 17, by inserting after line 14 the
7 following:
8 Sec._____. Section four hundred twenty-two point
9 sixty-one (422.61), subsection four (4), Code 1979,
10 as amended by House File one hundred thirty-nine (139),
11 section three (3), enacted by the Sixty-eighth Gen-
12 eral Assembly, 1979 Session, is amended to read as
13 follows:
14 4. "Net income" means the net income of the
15 financial institution computed in accordance with
16 section 422.35, with the exception that interest and
17 dividends from federal securities and any amount of
18 franchise taxes paid or accrued under this division
19 during the taxable year shall not be subtracted and
20 interest and dividends from evidences of indebtedness
21 and securities of this state and its political sub-
22 divisions, exempt from federal income tax under the
23 Internal Revenue Code of 1954 as amended to and
24 including January 1, 1979, shall not be added."

H-4186 FILED, RULED NOT BY JOCHUM of Dubuque
GERMANE, MOTION TO SUSPEND
RULES, LOST APRIL 30, 1979 (p. 1929)

HOUSE FILE 687

H-4192

1 Amend amendment H-4187, to Senate amendment
2 H-4141, to House File 687 as amended, passed and
3 reprinted by the House, as follows:
4 1. Page 1, line 14, by inserting after the
5 word "assembly" the following: ". The limitations
6 of this section do not apply to contributions made
7 by a candidate to his or her own candidate's
8 committee".

H-4192 FILED *Lost 4/30 (p. 1932)* BY SPEAR of Lee
APRIL 30, 1979

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 687

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 687, a bill for an Act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code, respectfully make the following report:

1. That the House recede from its amendment S-3678 to the Senate amendment H-4141 to House File 687 as amended, passed and reprinted by the House.

2. That the Senate amendment H-4141 to House File 687 as amended, passed and reprinted by the House be amended as follows:

1. Page 1, by inserting after line 7 the following:

NEW SUBSECTION. "Candidate" means a candidate as defined in section fifty-six point two (56.2) of the Code for a state-wide office or the general assembly."

2. Page 1, by inserting after line 41 the following:

NEW SUBSECTION. "Public disclosure" means a written report filed by the fifteenth day of the month following the month in which a gift is received as required by this chapter or required by rules adopted pursuant to this chapter.

NEW SUBSECTION. "Immediate family members" means the spouse or minor children of a person required to file reports pursuant to this chapter or required by the rules adopted or executive order issued pursuant to this chapter."

3. Page 1, by striking lines 45 through page 2, line 20

Conf. Report H.F. 687
Page Two

and inserting in lieu thereof the following:

"1. The house of representatives and the senate shall adopt rules relating to the reporting of gifts made to members of the general assembly, legislative employees and their immediate family members. The rules shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

2. The governor shall issue an executive order relating to the reporting of gifts made to officials and employees of the executive department of the state and their immediate family members. The executive order shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

3. The supreme court of this state shall adopt rules relating to the reporting of gifts made to officials and employees of the judicial department of this state and their immediate family members. The rules shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

4. The governing body of a political subdivision of this state may adopt rules relating to the reporting of gifts made to its respective members or their immediate family members and employees of the political subdivision of this state or their immediate family members. Such rules as adopted shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals having a value which exceeds fifteen dollars in any one occurrence.

Where such rules are not adopted a local official or local employee shall make public disclosure by filing a report with the county auditor of the county of that person's residence setting out the nature, amount, date and donor of any gift made to the person or to the person's immediate family members

Conf. Report H.F. 687

Page Three

which exceeds fifteen dollars in value in any one occurrence. The secretary of state shall develop a standard form for public disclosure of gifts in compliance with this subsection which shall be available at every county auditor's office without cost.

5. A person who does not make public disclosure of gifts as required by the rules adopted or executive order issued pursuant to this chapter or who does not make public disclosure as required by this chapter shall be guilty of a serious misdemeanor."

4. Page 2, by striking lines 21 through 36 and inserting in lieu thereof the following:

"Sec. 8. Section sixty-eight B point five (68B:5), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

68B.5 GIFTS SOLICITED OR ACCEPTED. An official, employee, member of the general assembly, candidate, or legislative employee shall not, directly or indirectly, solicit, accept, or receive any gift having a value of fifty dollars or more in any one occurrence. A person shall not, directly or indirectly, offer or make any such gift to an official, employee, member of the general assembly, candidate or legislative employee which has a value in excess of fifty dollars in any one occurrence."

5. Page 3, by inserting after line 2 the following:

"___. Page 2, by striking lines 17 through 32."

6. Page 5, by inserting after line 6 the following:

"___. Page 19, by inserting after line 4 the following:

"Sec. ___. Section five hundred seven B point four (507B.4), subsections twelve (12) and thirteen (13), Code 1979, are amended by striking the subsections.""

7. Page 6, by inserting after line 31 the following:

"11. Page 19, by inserting after line 24 the following:

"Sec. ___. Senate File three hundred sixty-two (362), section four (4), subsection three (3), as enacted by the

FEBRUARY 11, 1980
PAGE ELEVEN

Conf. Report H.F. 687
Page Four

Sixty-eighth General Assembly, 1979 Session, is amended to read as follows:

3. To be eligible for the loans, the local development corporation must secure the agreement of the commission to make the loan for the ~~second~~ first year after completion before commencing construction of the building."

12. Page 19, by striking lines 25 and 26."

8. By renumbering the amendment to conform with this amendment.

ON THE PART OF THE HOUSE:

WILLIAM H. HARBOR, Chair
RICHARD L. BYERLY
NORMAN G. JESSE
LAVERNE W. SCHROEDER

FILED FEBRUARY 6, 1980

ON THE PART OF THE SENATE:

RICHARD R. RAMSEY, Chair
RICHARD F. DRAKE
BERL E. PRIEBE
BOB RUSH
ARNE WALDSTEIN

Referred to Conference Committee 2/14 (p 509)

0001 21 11/19/87

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 687

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 687, a bill for an Act correcting erroneous, inconsistent or obsolete provisions of the 1979 Code, respectfully make the following report:

1. That the House recede from its amendment S-3678 to the Senate amendment H-4141 to House File 687 as amended, passed and reprinted by the House.

2. That the Senate amendment H-4141 to House File 687 as amended, passed and reprinted by the House be amended as follows:

1. Page 1, by inserting after line 7 the following:

"NEW SUBSECTION. "Candidate" means a candidate as defined in section fifty-six point two (56.2) of the Code for a state-wide office or the general assembly."

2. Page 1, by inserting after line 41 the following:

"NEW SUBSECTION. "Public disclosure" means a written report filed by the fifteenth day of the month following the month in which a gift is received as required by this chapter or required by rules adopted pursuant to this chapter.

NEW SUBSECTION. "Immediate family members" means the spouse or minor children of a person required to file reports pursuant to this chapter or required by the rules adopted or executive order issued pursuant to this chapter."

3. Page 1, by striking lines 45 through page 2, line 20

Conf. Report H.F. 687
Page two

and inserting in lieu thereof the following:

"1. The house of representatives and the senate shall adopt rules relating to the reporting of gifts made to members of the general assembly, legislative employees and their immediate family members. The rules shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

2. The governor shall issue an executive order relating to the reporting of gifts made to officials and employees of the executive department of the state and their immediate family members. The executive order shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

3. The supreme court of this state shall adopt rules relating to the reporting of gifts made to officials and employees of the judicial department of this state and their immediate family members. The rules shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

4. The governing body of a political subdivision of this state may adopt rules relating to the reporting of gifts made to its respective members or their immediate family members and employees of the political subdivision of this state or their immediate family members. Such rules as adopted shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals having a value which exceeds fifteen dollars in any one occurrence.

Where such rules are not adopted a local official or local employee shall make public disclosure by filing a report with the county auditor of the county of that person's residence setting out the nature, amount, date and donor of any gift made to the person or to the person's immediate family members

Conf. Report H.F. 687
Page three

which exceeds fifteen dollars in value in any one occurrence. The secretary of state shall develop a standard form for public disclosure of gifts in compliance with this subsection which shall be available at every county auditor's office without cost.

5. A person who does not make public disclosure of gifts as required by the rules adopted or executive order issued pursuant to this chapter or who does not make public disclosure as required by this chapter shall be guilty of a serious misdemeanor."

4. Page 2, by striking lines 21 through 36 and inserting in lieu thereof the following:

"Sec. 8. Section sixty-eight B point five (68B.5), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

68B.5 GIFTS SOLICITED OR ACCEPTED. An official, employee, local official, local employee, member of the general assembly, candidate, or legislative employee shall not, directly or indirectly, solicit, accept, or receive any gift having a value of fifty dollars or more in any one occurrence. A person shall not, directly or indirectly, offer or make any such gift to an official, employee, local official, local employee, member of the general assembly, candidate or legislative employee which has a value in excess of fifty dollars in any one occurrence."

5. Page 3, by inserting after line 2 the following:

"___. Page 2, by striking lines 17 through 32."

6. Page 5, by inserting after line 6 the following:

"___. Page 19, by inserting after line 4 the following:

"Sec. ___. Section five hundred seven B point four (507B.4), subsections twelve (12) and thirteen (13), Code 1979, are amended by striking the subsections.""

7. Page 6, by inserting after line 31 the following:

"11. Page 19, by inserting after line 24 the following:

"Sec. ___. Senate File three hundred sixty-two (362),

FEBRUARY 15, 1980

PAGE TEN

Conf. Report H.F. 687

Page four

section four (4), subsection three (3), as enacted by the Sixty-eighth General Assembly, 1979 Session, is amended to read as follows:

3. To be eligible for the loans, the local development corporation must secure the agreement of the commission to make the loan for the ~~second~~ first year after completion before commencing construction of the building."

12. Page 19, by striking lines 25 and 26."

.8. By renumbering the amendment to conform with this amendment.

ON THE PART OF THE HOUSE: ON THE PART OF THE SENATE:

WILLIAM H. HARBOR, Chair
RICHARD L. BYERLY
NORMAN G. JESSE
LAVERNE W. SCHROEDER

RICHARD R. RAMSEY, Chair
RICHARD F. DRAKE
BERL E. PRIEBE
BOB RUSH
ARNE WALDSTEIN

FILED FEBRUARY 14, 1980

House adopted 2/19 (p. 576)

Senate adopted 2/21 (p. 535)

HOUSE FILE 687

AN ACT

CORRECTING ERRONEOUS, INCONSISTENT OR OBSOLETE PROVISIONS
OF THE 1979 CODE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section eighteen point ninety-seven (18.97), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The superintendent of printing shall make free distribution of the Code, supplements to the Code, rules of civil procedure, rules of appellate procedure, rules of criminal procedure, supreme court rules, the Acts of each general assembly, and, upon request, the Iowa administrative code, its supplements, and the Iowa administrative bulletin as follows:

Sec. 2. Section twenty-four point twenty-four (24.24), Code 1979, is amended to read as follows:

24.24 VIOLATIONS. Failure on the part of ~~any a~~ public official to perform any of the duties prescribed in ~~chapters 22, chapter 23,~~ and this chapter, and sections 8.39 and 11.1 to 11.5, ~~shall-constitute~~ constitutes a simple misdemeanor, and ~~shall-be is~~ sufficient ground for removal from office.

Sec. 3. Section forty-three point five (43.5), Code 1979, is amended to read as follows:

43.5 APPLICABLE STATUTES. The provisions of chapters 39, 47, 48, 49, 50, 51, 52, 53, 56, 57, 58, 59, 61, 62 and ~~738~~ seven hundred twenty-two (722) of the Code shall apply, so far as applicable, to all primary elections, except as hereinafter provided.

Sec. 4. Section forty-six point sixteen (46.16), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

For the purpose of initial appointments to the court of appeals, two of the judges appointed shall serve an irregular term ending December ~~30~~ thirty-first of the fourth year after expiration of the initial term prescribed in subsection 1 and two of the judges appointed shall serve an irregular term ending December ~~30~~ thirty-first of the fifth year after expiration of the initial term prescribed in subsection 1. Expiration of irregular terms shall be deemed expiration of regular terms for all purposes.

Sec. 5. Section fifty-six point six (56.6), subsection three (3), paragraph b, unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The name and mailing address of each person who has made one or more contributions of money to the committee including the proceeds from any fund-raising events except those reportable under paragraph "~~g~~" "f" of this subsection, when the aggregate amount in a calendar year exceeds the amount specified in the following schedule:

Sec. 6. Section sixty-eight B point two (68B.2), Code 1979, is amended by adding the following new subsections:

NEW SUBSECTION. "Candidate" means a candidate as defined in section fifty-six point two (56.2) of the Code for a state-wide office or the general assembly.

NEW SUBSECTION. "Gift" means a rendering of money, property, services, discount, loan forgiveness, payment of indebtedness, or anything else of value in return for which legal consideration of equal or greater value is not given and received. However, "gift" does not mean any of the following:

a. Anything received by a donee whose official action or lack of official action will potentially have no material effect, distinguishable from material effects on the public generally, on the interests of the donor.

b. Campaign contributions.

c. Informational material relevant to a public servant's official functions, such as books, pamphlets, reports, documents, or periodicals.

d. Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related.

e. Anything which is donated within thirty days after its receipt to a public body or to a bona fide educational or charitable organization, without the donation being claimed at any time as a charitable contribution for tax purposes.

f. An inheritance.

g. Anything available to or distributed to the public generally without regard to official status of the recipient.

h. Reimbursement for or payment of actual expenses incurred for public speaking engagements or other formal public appearances.

NEW SUBSECTION. "Local official" and "local employee" mean an official or employee of the political subdivisions of this state.

NEW SUBSECTION. "Public disclosure" means a written report filed by the fifteenth day of the month following the month in which a gift is received as required by this chapter or required by rules adopted pursuant to this chapter.

NEW SUBSECTION. "Immediate family members" means the spouse or minor children of a person required to file reports pursuant to this chapter or required by the rules adopted or executive order issued pursuant to this chapter.

Sec. 7. Chapter sixty-eight B (68B), Code 1979, is amended by adding the following new section:

NEW SECTION. REPORTING OF GIFTS.

1. The house of representatives and the senate shall adopt rules relating to the reporting of gifts made to members of the general assembly, legislative employees and their immediate family members. The rules shall require public disclosure

of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

2. The governor shall issue an executive order relating to the reporting of gifts made to officials and employees of the executive department of the state and their immediate family members. The executive order shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

3. The supreme court of this state shall adopt rules relating to the reporting of gifts made to officials and employees of the judicial department of this state and their immediate family members. The rules shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals which exceeds fifteen dollars in value in any one occurrence.

4. The governing body of a political subdivision of this state may adopt rules relating to the reporting of gifts made to its respective members or their immediate family members and employees of the political subdivision of this state or their immediate family members. Such rules as adopted shall require public disclosure of the nature, amount, date and donor of any gift made to one of those individuals having a value which exceeds fifteen dollars in any one occurrence.

Where such rules are not adopted a local official or local employee shall make public disclosure by filing a report with the county auditor of the county of that person's residence setting out the nature, amount, date and donor of any gift made to the person or to the person's immediate family members which exceeds fifteen dollars in value in any one occurrence. The secretary of state shall develop a standard form for public disclosure of gifts in compliance with this subsection which shall be available at every county auditor's office without cost.

5. A person who does not make public disclosure of gifts as required by the rules adopted or executive order issued pursuant to this chapter or who does not make public disclosure as required by this chapter shall be guilty of a serious misdemeanor.

Sec. 8. Section sixty-eight B point five (68B.5), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

68B.5 GIFTS SOLICITED OR ACCEPTED. An official, employee, local official, local employee, member of the general assembly, candidate, or legislative employee shall not, directly or indirectly, solicit, accept, or receive any gift having a value of fifty dollars or more in any one occurrence. A person shall not, directly or indirectly, offer or make any such gift to an official, employee, local official, local employee, member of the general assembly, candidate or legislative employee which has a value in excess of fifty dollars in any one occurrence.

Sec. 9. Section sixty-nine point eight (69.8), subsection three (3), Code 1979, is amended to read as follows:

3. SUPREME COURT APPOINTEEES APPOINTEE. In the ~~offices~~ office of clerk and ~~code editor~~, by the supreme court.

Sec. 10. Section seventy-eight point one (78.1), subsection five (5), Code 1979, is amended by striking the subsection.

Sec. 11. Section seventy-nine point three (79.3), Code 1979, is amended to read as follows:

79.3 APPRAISERS OF PROPERTY. The ~~compensation of~~ appraisers appointed by authority of law to appraise property for any purpose shall be ~~fifty cents per hour for each appraiser for the time necessarily spent in effecting the appraisal and the mileage expense for the distance traveled in going to and returning from the place of appraisal, which shall, unless paid a reasonable amount determined by the sheriff of the county in which the property appraised is located. Unless otherwise provided, the amount paid shall be paid out of the property appraised or by the owner thereof.~~

Sec. 12. Section eighty-one point twelve (81.12), Code 1979, is amended to read as follows:

81.12 EXEMPTION FROM PEDDLER'S LICENSE. ~~Nothing in this~~ This chapter shall be construed to does not repeal or amend any statute delegating authority to any county or municipal corporation to license, tax, or regulate peddlers or itinerant merchants, ~~provided that any person licensed under the provisions of this chapter shall not be required to obtain the license required by section 332.45.~~

Sec. 13. Section ninety-seven B point forty-nine (97B.49), subsection six (6), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

On January 1, 1976, for each member who retired before January 1, 1976, the amount of regular monthly retirement allowance attributable to membership service and prior service that was payable to the member for December, 1975 is increased by ten percent for the first calendar year or portion of a calendar year the member was retired, and by an additional five percent for each calendar year after the first calendar year the member was retired through the calendar year beginning January 1, 1975. The total increase shall not exceed one hundred percent. There is appropriated from the general fund of the state to the ~~employment security commission~~ Iowa department of job service from funds not otherwise appropriated an amount sufficient to fund the provisions of this subsection.

Sec. 14. Section one hundred six point thirty (106.30), Code 1979, is amended to read as follows:

106.30 AIRCRAFT RESTRICTION. It ~~shall be~~ is unlawful for any aircraft to make use of the inland lakes of the state, except in the transportation of persons or property between points separated by a distance of thirty miles or more. ~~Nothing herein shall~~ However, this section does not prohibit the use of such waters by any aircraft in danger or distress or the use of such waters by the operators of private aircraft, not operated for hire. ~~The foregoing provisions~~

notwithstanding In addition, the commission may, on the recommendation of the ~~Iowa-aeronautics-commission~~ state department of transportation, designate certain areas on inland lakes of the state where seaplane flight instruction may be conducted under such conditions as may be adopted by the commission and the ~~Iowa-aeronautics-commission~~ state department of transportation.

Sec. 15. Section one hundred ten point twenty-one (110.21), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Upon the conviction of a licensee of any violation of chapter 109 of the Code, or of this Act chapter, or of any administrative order adopted and published by the state conservation commission, the magistrate may, as a part of the judgment, revoke the license of ~~said~~ the licensee, or suspend ~~the-same~~ it for any definite period.

Sec. 16. Section one hundred ten point twenty-five (110.25), unnumbered paragraph two (2), Code 1979, is amended by striking the paragraph.

Sec. 17. Section one hundred twenty-three point twenty (123.20), subsection eight (8), Code 1979, is amended to read as follows:

8. To accept intoxicating liquors ordered delivered to the Iowa beer and liquor control department pursuant to section ~~751-31-subsections-1-and-2~~ one hundred twenty-seven point eight (127.8), subsection one (1) of the Code, and offer such intoxicating liquors for sale through the state liquor stores, unless the director determines that such intoxicating liquors may be adulterated or contaminated. If the director determines that such intoxicating liquors may be adulterated or contaminated ~~he~~ the director shall order their destruction.

Sec. 18. Section one hundred twenty-three point ninety-one (123.91), subsection three (3), Code 1979, is amended to read as follows:

3. Any provision of the laws of the United States or of any other state relating to intoxicating liquors or beer, and who is thereafter convicted of a subsequent criminal offense against any provision of this chapter ~~shall-be-punished as-fellows~~ is guilty of the following offenses:

a. For ~~his~~ the second conviction, ~~by-a-fine-of-not-less-than-five-hundred-dollars-ner-more-than-one-thousand-dollars, and-by-imprisonment-in-the-county-jail-or-the-state penitentiary-for-not-less-than-six-months-ner-more-than-one year~~ a serious misdemeanor.

b. For ~~his~~ the third and each subsequent conviction, ~~by a-fine-of-not-less-than-one-thousand-dollars-ner-more-than three-thousand-dollars-and-imprisonment-in-the-state penitentiary-for-not-more-than-three-years~~ an aggravated misdemeanor.

Sec. 19. Section one hundred twenty-three point one hundred fifty (123.150), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Notwithstanding ~~sections-123-2,~~ section 123.36, subsection 6, section 123.49, subsection 2, paragraph "b", and section 123.134, subsection 5, a holder of any class of liquor control license or the holder of a class "B" beer permit may sell or dispense such liquor or beer to patrons for consumption on the premises between the hours of noon on Sunday and two a.m. on Monday when that Monday is New Years Day and beer for consumption off the premises between the hours of noon Sunday and ten p.m. Sunday when that Sunday is the day before New Years Day. The liquor control license fee or beer permit fee of licensees and permittees permitted to sell or dispense such liquor or beer on a Sunday when that Sunday is the day before New Years Day shall not be increased because of this privilege.

Sec. 20. Section one hundred forty-two A point seven (142A.7), subsection two (2), Code 1979, is amended to read as follows:

2. The time of death shall be determined by a physician who attends the donor at ~~his~~ the donor's death, or, if none, the physician who certifies the death. This physician shall not participate in the procedures for removing or transplanting a part, the enucleation of eyes being the exception. A licensed funeral director ~~or-embalmer~~, as defined in chapter 156, upon successfully completing a course in eye enucleation and receiving a certificate of competence from the department of ophthalmology, college of medicine, of the University of Iowa, may enucleate the eyes of a donor.

Sec. 21. Section one hundred fifty-six point thirteen (156.13), Code 1979, is amended to read as follows:

156.13 CERTIFICATE OF NATIONAL BOARD IN LIEU OF EXAMINATION. The state department of health may, with the approval of the board, accept in lieu of the examination prescribed in section 156.4 ~~and-section-156-5~~, a certificate of examination issued by the National Conference of Funeral Service Examining Boards, and every applicant for a license upon the basis of such certificate shall be required to pay the fee.

Sec. 22. Section one hundred eighty-eight point twenty-five (188.25), Code 1979, is amended to read as follows:

188.25 UNLAWFUL RELEASE. Any A person who releases any an animal, distrained as provided in this chapter, without the consent of the person distraining the ~~same-shall-be~~ animal, is guilty of a simple misdemeanor.

Sec. 23. Section one hundred ninety-three point six (193.6), Code 1979, is amended to read as follows:

193.6 PENALTY. Any A person violating any a provision of this chapter ~~shall-be-deemed is~~ guilty of a simple misdemeanor ~~and-shall-be-punished-by-fine-of-not-less-than-twenty-five-dollars-not-more-than-one-hundred-dollars-or-imprisonment-in-the-county-jail-not-to-exceed-thirty-days, and on upon~~ a third violation ~~of-the-same~~ may be restrained by injunction from operating such a business.

Sec. 24. Section two hundred four point one hundred one (204.101), subsection seventeen (17), paragraph d, Code 1979, is amended to read as follows:

d. Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, stereoisomer, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

Sec. 25. Section two hundred four point two hundred six (204.206), subsection five (5), paragraph d, Code 1979, is amended to read as follows:

d. Methylphenidate and its salts.

Sec. 26. Section two hundred four point two hundred six (204.206), subsection six (6), is amended to read as follows:

6. Cocaine and its salts.

Sec. 27. Section two hundred eighteen point sixty (218.60), Code 1979, is amended to read as follows:

218.60 LETTING OF CONTRACTS--REPAIRS OR ALTERATIONS.

The commissioner shall, in writing, let all contracts for authorized improvements costing in excess of five thousand dollars to the lowest responsible bidder, after such advertisement for bids as the commissioner may deem proper in order to secure full competition. The commissioner may reject all bids and readvertise. Provided, however, if the improvement be the repair or alteration of any building or grounds and is not new construction and the estimated cost thereof does not exceed twenty-five thousand dollars, the commissioner with the approval of the ~~budget-and-financial control-committee~~ executive council may proceed with such repairs or alterations under a negotiated contract on such terms as the commissioner and the ~~budget-and-financial-control committee~~ executive council may determine to be for the best interests of the state.

Sec. 28. Section two hundred twenty-nine point eight (229.8), subsection one (1), Code 1979, is amended to read as follows:

1. Determine whether the respondent has an attorney who is able and willing to represent him or her in the hospitalization proceeding, and if not, whether the respondent is financially able to employ an attorney and capable of meaningfully assisting in selecting one. In accordance with those determinations, the court shall if necessary allow the respondent to select, or shall assign to him or her, an attorney. If the respondent is financially unable to pay an attorney, the attorney shall be compensated in substantially the manner provided by ~~sections 775-5 and 775-6~~ section eight hundred fifteen point seven (815.7) of the Code, except that if the county has a public defender the court may designate the public defender or an attorney on his or her staff to act as the respondent's attorney.

Sec. 29. Section two hundred twenty-nine point twenty (229.20), subsection two (2), Code 1979, is amended to read as follows:

2. When a proceeding under section 229.6 and succeeding sections of this chapter arises under ~~sections 783-5 or 789-8~~, rule of criminal procedure twenty-two (22), subsection three (3), paragraph c and the respondent through his or her attorney waives the hearing otherwise required by section 229.12, the court may immediately order the respondent placed in a hospital for a complete psychiatric evaluation and appropriate treatment pursuant to section 229.13. In such cases, the court may in its discretion order or waive the physician's examination otherwise required under section 229.10.

Sec. 30. Section two hundred twenty-nine point twenty-one (229.21), subsection one (1), Code 1979, is amended to read as follows:

1. ~~As soon as practicable after the adoption of this Act~~ the judges in each judicial district shall meet and shall

determine, individually for each county in the district, whether it appears that one or more district judges will be sufficiently accessible in that county to make it feasible for them to perform at all times the duties prescribed by sections 229.7 to 229.20 and by ~~section 125-197-subsections 17-27-5 and 9-(1977)~~ sections two hundred twenty-nine point fifty-one (229.51) to two hundred twenty-nine point fifty-three (229.53) of the Code. If the judges find that accessibility of district court judges in any county is not sufficient for this purpose, the chief judge of the district shall appoint in that county a judicial hospitalization referee. The judges in any district may at any time review their determination, previously made under this subsection with respect to any county in the district, and pursuant to that review may authorize appointment of a judicial hospitalization referee, or abolish the office, in that county.

Sec. 31. Section two hundred thirty point twenty (230.20), subsection five (5), Code 1979, is amended to read as follows:

5. An individual statement shall be prepared for any a patient on or before the fifteenth day of the month next succeeding the month in which that patient leaves the hospital, and a general statement shall be prepared at least quarterly for each county to which charges are made under this section. Except as otherwise required by ~~sections 224A-2 and 224A-3~~ section one hundred twenty-five point thirty-three (125.33) of the Code, the general statement shall list the name of each patient chargeable to that county who was served by the hospital during the preceding month or calendar quarter and the amount due on account of each patient, and the county shall be billed for one hundred percent of the stated charge for each patient, unless otherwise specified in the current appropriation for support of the state hospitals. The statement prepared for each county shall be certified by the superintendent of the hospital to the state comptroller and a duplicate statement shall be mailed to the auditor of that county.

Sec. 32. Section two hundred thirty-four point twenty-eight (234.28), Code 1979, is amended to read as follows:

234.28 OBSCENITY LAWS NOT APPLICABLE. The provisions of chapter ~~725~~ shall seven hundred twenty-eight (728) of the Code do not apply to services provided under the terms of this division.

Sec. 33. Section two hundred fifty-two B point seven (252B.7), paragraphs a, b, c and d, Code 1979, are amended to read as follows:

a 1. Contempt of court proceedings to enforce any order of court pertaining to child support.

b 2. Cases under chapter 252A, the Uniform Support of Dependents Law.

c 3. An information charging ~~desertion under the provisions of chapter 731~~ a violation of section seven hundred twenty-six point three (726.3), seven hundred twenty-six point five (726.5), or seven hundred twenty-six point six (726.6) of the Code.

d 4. Any other lawful action which will secure collection of support for minor children.

Sec. 34. Section two hundred sixty-one point twelve (261.12), subsection one (1), paragraph a, is amended to read as follows:

a. The total tuition and mandatory fees for that student for two semesters or the trimester or quarter equivalent, less the base amount determined annually by the ~~higher education facilities~~ college aid commission, which base amount shall be within ten dollars of the average tuition for two semesters or the trimester equivalent of undergraduate study at the state universities under the board of regents, but in any event the base amount shall not be less than four hundred dollars; or

Sec. 35. Section two hundred seventy-five point forty-one (275.41), subsections two (2) and five (5), Code 1979, are amended to read as follows:

2. The ~~boards~~ board of the ~~old~~ former school district with the largest population involved in the merger shall designate four directors to be retained as members of the board of the newly formed district. Other school districts involved in the merger shall each be allowed to retain directors in proportion to the ratio that the population of the former school district bears to the most populous district involved in the merger, except that no district involved in the merger shall retain less than one director.

5. The boards of directors of ~~ether~~ school districts which are involved in the merger which have three or more directors who are retained, shall each designate two of the directors who are retained to serve terms that expire at the organizational meeting following the second regular school election held thereafter. All other directors who are retained shall serve terms that expire at the organizational meeting following the third regular school election held thereafter.

Sec. 36. Section three hundred seven A point five (307A.5), unnumbered paragraphs one (1) and two (2), Code 1979, are amended to read as follows:

~~Municipalities~~ Cities and counties may assess the cost of a public improvement when such improvement benefits property owned by the state and under the jurisdiction and control of the highway division of the department. The commission shall pay from the primary road fund such portion of the cost of the improvement as would be legally assessable against the land if privately owned.

Assessments against property under the jurisdiction of the highway division of the department shall be made in the same manner as those made against private property, except that the ~~municipality~~ city or county making the assessment shall cause a copy of the public notice of hearing to be mailed to the ~~commission~~ director of transportation by ~~restricted~~ certified mail.

Sec. 37. Section three hundred ten point thirty-six (310.36), Code 1979, is amended to read as follows:

310.36 REPORT TO GOVERNOR. The research projects and engineering studies authorized herein shall be conducted in ~~co-operation~~ cooperation with the county engineers. ~~On or before January thirty-first~~ On or before January thirty-first each year the department shall file a report with the governor, and county engineers, chief clerk of the house of representatives and secretary of the senate showing the work accomplished and projects undertaken under section 310.35, ~~and copies of a biennial report of the same for the use and benefit of the general assembly shall be filed with the chief clerk of the house of representatives and the secretary of the senate on or before January 31 of each odd-numbered year.~~

Sec. 38. Section three hundred sixteen point one (316.1), subsection nine (9), Code 1979, is amended to read as follows:

9. "~~Departmental~~ Administrative rules" means all rules subject to the provisions of chapter 17A.

Sec. 39. Section three hundred sixteen point five (316.5), subsection one (1), paragraph a, Code 1979, is amended to read as follows:

a. The amount, if any, which when added to the acquisition cost of the dwelling acquired by the department, equals the reasonable cost of a comparable replacement dwelling which is a decent, safe, and sanitary dwelling adequate to accommodate such displaced person, reasonably accessible to public services and places of employment and available on the private market. All determinations required to carry out this paragraph shall be made in accordance with ~~departmental~~ administrative rules established by the department in making these additional payments.

Sec. 40. Section three hundred sixteen point nine (316.9), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The department shall make ~~departmental~~ administrative rules ~~and regulations~~ necessary to effect the provisions of this chapter and to assure:

Sec. 41. Section three hundred sixteen point ten (316.10), Code 1979, is amended to read as follows:

316.10 APPLICABLE TO OTHER THAN FEDERAL-AID HIGHWAYS. The department or any political subdivision may provide all or a part of the programs and payments authorized under this chapter to persons displaced by any street or highway project which is financed in whole or in part by the state or a political subdivision, which is not a federal-aid project, and which requires the purchase or condemnation of private property for public use. To the extent that a program or payment is provided under this section, it shall be provided on a uniform basis to all persons so displaced. The department shall make ~~departmental~~ administrative rules ~~and regulations~~ to assure reasonable standards, which need not conform to federal rules and guidelines, for programs and payments provided under this section.

Sec. 42. Section three hundred twenty-one point one (321.1), subsection fifty-three (53), Code 1979, is amended to read as follows:

53. "Through (or thru) highway" means every highway or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this chapter or such entrances are controlled by a ~~police~~ peace officer or traffic-control signal. The term "arterial" ~~shall be~~ is synonymous with "through" or "thru" when applied to highways of this state.

Sec. 43. Section three hundred twenty-one point eighty-nine (321.89), subsection three (3), paragraph a, Code 1979, is amended to read as follows:

a. A police authority which takes into custody an abandoned vehicle shall notify, within ~~ten~~ twenty days, by certified

mail, the last known registered owner of the vehicle and all lienholders of record, addressed to their last known address of record, that the abandoned vehicle has been taken into custody. Notice shall be deemed given when mailed. The notice shall describe the year, make, model, and serial number of the vehicle, set forth the location of the facility where it is being held, inform the owner and any lienholders of their right to reclaim the vehicle within twenty-one days after the effective date of the notice upon payment of all towing, preservation, and storage charges resulting from placing the vehicle in custody and upon payment of the costs of notice required pursuant to this subsection. The notice shall also state that the failure of the owner or lienholders to exercise their right to reclaim the vehicle within the time provided shall be deemed a waiver by the owner and all lienholders of all right, title, claim and interest in the vehicle and that such failure to reclaim the vehicle is deemed consent to the sale of the vehicle at a public auction or disposal of the vehicle to a demolisher. If the owner and lienholders do not exercise their right to reclaim such vehicle within the twenty-one-day reclaiming period, such owner and lienholders shall no longer have any right, title, claim, or interest in or to such vehicle. No court in any case in law or equity shall recognize any right, title, claim, or interest of any such owner and lienholders after the expiration of the twenty-one-day reclaiming period.

Sec. 44. Section three hundred twenty-one point one hundred forty-eight (321.148), Code 1979, is amended to read as follows:

321.148 MONTHLY ESTIMATE. The ~~auditor-of-the~~ department shall, on the first day of each month, furnish an estimate in writing to the treasurer of state of the amount of expenditures to be made by the department during that month.

Sec. 45. Section three hundred twenty-one point one hundred eighty-nine (321.189), subsection two (2), paragraph d, Code 1979, is amended to read as follows:

d. A motorized bicycle license is not required to operate a motorized bicycle if ~~possessed-of-an~~ the operator possesses a valid operator's or chauffeur's license.

Sec. 46. Section three hundred twenty-one point two hundred eighty-five (321.285), subsection eight (8), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Notwithstanding any other speed restrictions, the speed limits for all vehicular traffic, except vehicles subject to the provisions of section 321.286 on fully controlled-access, divided, multilaned highways including the national system of interstate highways designated by the federal highway administration and this state (23 U.S.C. 103 ~~(d)~~ (e) (1977)) shall be fifty-five miles per hour. However, the department or the cities, with the approval of the department, may establish a lower speed limit upon such highways located within the corporate limits of any city used as city alternate routes, commonly referred to as "freeways." For the purposes of this subsection a fully controlled-access highway is a highway that gives preference to through traffic by providing access connections with selected public roads only and by prohibiting crossings at grade or direct private driveway connections. It is further provided that a minimum speed of forty miles per hour, road conditions permitting, shall be established on the highways referred to in this subsection.

Sec. 47. Section three hundred twenty-one point two hundred eighty-six (321.286), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

For the purposes of this section, interstate highways are those designated by the federal ~~bureau-of-public-roads~~ highway administration and this state, and primary and secondary roads ~~shall-be~~ are those designated by the federal ~~bureau-of-public-roads~~ highway administration and this state.

Sec. 48. Section three hundred twenty-one point five hundred sixty-one (321.561), Code 1979, is amended to read as follows:

321.561 PUNISHMENT FOR VIOLATION. It shall be ~~is~~ unlawful for ~~any a~~ person convicted as an habitual offender to operate any motor vehicle in this state during the period of time specified in section 321.560. ~~Any A~~ person guilty of violating the provisions of this section ~~is guilty of an aggravated misdemeanor and~~ shall ~~upon conviction~~ be punished by imprisonment in the penitentiary for not more than two years, ~~and notwithstanding the provisions of section 687-27--such conviction shall constitute a misdemeanor and not a felony~~ nine hundred three point one (903.1), subsection one (1) of the Code.

Sec. 49. Section three hundred twenty-five point eleven (325.11), Code 1979, is amended to read as follows:

325.11 RULES OF PROCEDURE. The ~~commission~~ board shall adopt rules governing the procedure to be followed in the filing of applications and in the conduct of hearings.

Sec. 50. Section three hundred twenty-five point thirty-four (325.34), Code 1979, is amended to read as follows:

325.34 SIMPLE MISDEMEANOR--PENALTY. Every owner, officer, agent, or employee of any motor carrier, and every other person who violates or fails to comply with, or who procures, aids, or abets in the violation of any provision of this chapter, or who fails to obey, observe, or comply with any order, decision, rule, or regulation, direction, demand, or requirement or any part or provision thereof, of the ~~commission~~ department, or who procures, aids, or abets any corporation or person in his ~~or her~~ failure to obey, observe, or comply with any such order, decision, rule, direction, demand, or regulation or any part or provision thereof, shall be guilty of a simple misdemeanor.

Sec. 51. Section three hundred twenty-six point two (326.2), subsection ten (10), Code 1979, is amended to read as follows:

10. "Preceding year" means a period of twelve consecutive months fixed by the ~~board~~ department, which period shall be

within the sixteen months immediately preceding the commencement of the registration year for which proportional registration is sought.

Sec. 52. Section three hundred twenty-six point eleven (326.11), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

The ~~executive-secretary~~ director may issue temporary written authorization to carriers for vehicles acquired by a fleet owner and added to ~~his~~ the fleet owner's prorated fleet after the beginning of the registration year. The temporary authority shall permit the operation of a commercial vehicle until permanent identification is issued, except that the temporary authority shall expire after thirty days.

Sec. 53. Section three hundred twenty-six point eighteen (326.18), Code 1979, is amended to read as follows:

326.18 FULLY REGISTERED FOR INTERSTATE MOVEMENT. When a nonresident fleet owner has registered vehicles on a prorated basis, the vehicles ~~shall be considered~~ are fully registered insofar as interstate commerce is concerned. The privileges granted to a nonresident pursuant to this chapter shall permit the operation of a vehicle which is simultaneously engaged in interstate movements and intrastate commerce, provided that the owner has intrastate authority or rights granted by the transportation regulation board. The board may also enter into reciprocity agreements pursuant to section 326.5 to permit interstate and intrastate movement of vehicles registered on a prorated basis by a nonresident fleet owner, provided the owner has intrastate authority granted by the ~~Iowa-state-commerce-commission~~ transportation regulation board and the jurisdiction in which the nonresident is base plated grants the same privilege to an Iowa base plated vehicle. Each vehicle upon which an Iowa base plate is required to be displayed under this chapter ~~shall be considered~~ is fully registered for both interstate commerce and intrastate commerce.

Sec. 54. Section three hundred seventy-two point thirteen (372.13), subsection six (6), Code 1979, is amended to read as follows:

6. Within fifteen days following a regular or special meeting of the council, the clerk shall cause the minutes of the proceedings of the council, including the total expenditure from each city fund, to be published in a newspaper of general circulation in the city. The publication shall include a list of all claims allowed and a summary of all receipts and shall show the gross amount of the claim. Matters discussed in closed session pursuant to section 28A.3 shall not be published until entered on the public minutes. However, in cities having more than one hundred fifty thousand population the council shall each month print in pamphlet form a detailed itemized statement of all receipts and disbursements of the city, and a summary of its proceedings during the preceding month, and furnish copies to the city library, the daily newspapers of the city, and to persons who apply at the office of the city clerk, and the pamphlet shall constitute publication as required. Failure by the clerk to make publication is a simple misdemeanor. The provisions of this subsection are applicable in cities in which a newspaper is published, or in cities of two hundred population or over, but in all other cities, posting the statement in three public places in the city which have been permanently designated by ordinance is sufficient compliance with this subsection.

Sec. 55. Section three hundred eighty-eight point four (388.4), subsection four (4), Code 1979, is amended to read as follows:

4. Immediately following a regular or special meeting of a utility board, the secretary shall prepare a condensed statement of the proceedings of the board and cause the statement to be published in a newspaper of general circulation in the city. The statement must include a list of all claims

allowed, showing the name of the person or firm making the claim, the reason for the claim, and the amount of the claim. Salary claims must show the gross amount of the claim except that salaries paid to persons regularly employed by the utility, for services regularly performed by them, must be published once annually showing the gross amount of the salary. In cities having more than one hundred fifty thousand population the utility board shall each month prepare in pamphlet form the statement herein required for the preceding month, and furnish copies to the city library, the daily newspapers of the city, the city clerk, and to persons who apply at the office of the secretary, and the pamphlet shall constitute publication as required. Failure by the secretary to make publication is a simple misdemeanor.

Sec. 56. Section four hundred twenty-seven point one (427.1), subsection twenty-two (22), Code 1979, is amended to read as follows:

22. PENSION AND WELFARE PLANS. All intangible property held pursuant to any pension, profit sharing, unemployment compensation, stock bonus or other retirement, deferred benefit or employee welfare plan the income from which is exempt from taxation under divisions II and III of chapter 422, ~~or as the same may hereafter be amended, provided that until the Korean War veterans bonus bonds are retired and paid the tax of twenty-seven cents per thousand dollars of assessed valuation imposed by section 35B-11 shall be levied and collected thereon.~~

Sec. 57. Section four hundred forty-two point two (442.2), subsection four (4), Code 1979, is amended by striking the subsection.

Sec. 58. Section four hundred forty-two point twenty-seven (442.27), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. For the school year beginning July 1, 1978, and for each subsequent school year, if an area education

agency does not serve nonpublic school pupils in a manner comparable to services provided public school pupils for media and educational services, as determined by the state board of public instruction, the state board shall instruct the state comptroller to reduce the funds for media services and educational services one time by an amount to compensate for such reduced services. The media services budget shall be reduced by an amount equal to the product of the cost per pupil in basic enrollment for media services in the budget year times the difference between the enrollment served and the basic enrollment recorded for the area for the budget year beginning July 1, 1975. The educational services budget shall be reduced by an amount equal to the product of the cost per pupil in basic enrollment for educational services in the budget year times the difference between the enrollment served and the basic enrollment recorded for the budget year beginning July 1, 1975.

The provisions of this subsection shall apply only to media and educational services which cannot be diverted for religious purposes.

Notwithstanding the provisions of this subsection, an area education agency shall distribute to nonpublic schools media materials purchased wholly or partially with federal funds in a manner comparable to the distribution of such media materials to public schools as determined by the state board of public instruction.

Sec. 59. Section four hundred fifty-five point one hundred nine (455.109), Code 1979, is amended to read as follows:

455.109 REASSESSMENT TO CURE ILLEGALITY. Whenever any special assessment upon any lands within any drainage district shall have been heretofore adjudged to be void for any jurisdictional defect or for any illegality or uncertainty as to the terms of any contract and the improvement shall have been wholly completed, the board or boards of supervisors shall have power to remedy such illegality or uncertainty

as to the terms of any such contract with the consent of the person with whom such contract shall have been entered into and make certain the terms of such contract and shall then cause a reassessment of such land to be made on an equitable basis with the other land in the district by taking the steps required by law in the making of an original assessment and relieving the tax in accordance with such assessment, and such tax shall have the same force and effect as though the board or boards of supervisors had jurisdiction in the first instance and no illegality or uncertainty existed in the contract.

Sec. 60. Section four hundred ninety-one point forty-six (491.46), Code 1979, is amended to read as follows:

491.46 BOOKS TO SHOW NAMES OF STOCKHOLDERS. The books of the corporation shall be kept to show the amount of capital stock actually paid in, the number of shares of stock issued, the original stockholders, and all transfers of shares of stock, and there shall be entered upon the books of the corporation the name of the person by and to whom stock is transferred, the numbers or other designations of the shares of stock and the date of transfer. ~~Nothing herein contained shall~~ This section does not create any rights or impose any duties inconsistent with the provisions of chapter 493A five hundred fifty-four (554) of the Code.

Sec. 61. Section five hundred seven B point four (507B.4), subsections twelve (12) and thirteen (13), Code 1979, are amended by striking the subsections.

Sec. 62. Section six hundred A point nine (600A.9), subsection one (1), paragraph a, Code 1979, is amended to read as follows:

a. Order the petition dismissed; or, ~~find that the petition should not be granted but that the child is a child in need of assistance as defined in section 232.2, subsection 13, and shall issue an order pursuant to section 232.33, or,~~

Sec. 63. Section seven hundred twenty-two point one (722.1), Code 1979, is amended to read as follows:

722.1 BRIBERY. A person who offers, promises or gives anything of value or any benefit to any person who is serving or has been elected, selected, appointed, employed or otherwise engaged to serve in a public capacity, including any public officer or employee, any referee, juror or venireman, or any witness in any judicial or arbitration hearing or any official inquiry, or any member of a board of arbitration, ~~with intent~~ te pursuant to an agreement or arrangement or with the understanding that the promise or thing of value or benefit will influence the act, vote, opinion, judgment, decision or exercise of discretion of such person with respect to his or her services in such capacity commits a class "D" felony. In addition, any person convicted under this section shall be disqualified from holding public office under the laws of this state.

Sec. 64. Section seven hundred twenty-two point two (722.2), Code 1979, is amended to read as follows:

722.2 ACCEPTING BRIBE. Any person who is serving or has been elected, selected, appointed, employed or otherwise engaged to serve in a public capacity, including any public officer or employee, any referee, juror or venireman, or any witness in any judicial or arbitration hearing or any official inquiry, or any member of a board of arbitration who shall solicit or knowingly accept or receive any promise or anything of value or any benefit given with-the-intent-te pursuant to an understanding or arrangement that the promise or thing of value or benefit will influence the act, vote, opinion, judgment, decision or exercise of discretion of such person with respect to his or her services in that capacity commits a class "C" felony. In addition, any person convicted under this section shall be disqualified from holding public office under the laws of this state.

Sec. 65. Chapter six hundred seventy-five (675), Code 1979, is amended by adding the following new section:

NEW SECTION. For the purposes of this chapter, "child" means a person less than eighteen years of age.

Sec. 66. Section six hundred seventy-five point twenty-five (675.25), Code 1979, is amended to read as follows:

675.25 FORM OF JUDGMENT. The judgment shall be for annual amounts, equal or varying, having regard to the obligation of the father under section 675.1, as the court directs, until the child reaches the age of ~~sixteen~~ eighteen years. The payments may be required to be made at such periods or intervals as the court directs.

Sec. 67. Section seven hundred twenty-four point twenty-three (724.23), Code 1979, is amended to read as follows:

724.23 RECORDS KEPT BY COMMISSIONER. The commissioner of public safety shall maintain a permanent record of all permits to carry weapons authorized by this chapter and of permit revocations ~~and reports of sales of weapons required by this chapter.~~

Sec. 68. Section seven hundred twenty-four point four (724.4), subsection six (6), is amended to read as follows:

6. Any person who for any lawful purpose carries or transports an unloaded pistol or revolver in any vehicle inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person or inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in a vehicle or common carrier.

Sec. 69. Section eight hundred five point eight (805.8), subsection five (5), paragraph b, Code 1979, is amended to read as follows:

b. For violations of sections 109.54, 109.80, first paragraph, 109.82, 109.91, 109.122, 109.123 and ~~110.12~~ one hundred ten point nineteen (110.19) of the Code, the scheduled fine is twenty dollars.

Sec. 70. Senate File three hundred sixty-two (362), section four (4), subsection three (3), as enacted by the Sixty-

eighth General Assembly, 1979 Session, is amended to read as follows:

3. To be eligible for the loans, the local development corporation must secure the agreement of the commission to make the loan for the ~~second~~ first year after completion before commencing construction of the building.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 687, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved March, 1980

ROBERT D. RAY
Governor