Myers, Chair
Fagen
Kettering

HSB 555

JUDICIARY

SF/HF

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON JUDICIARY BILL BY CHAIRPERSON LARSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

An Act relating to nonsubstantive Code corrections.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5512HC 78
lh/cf/24

S.F. _____ H.F. _____

DIVISION I

MISCELLANEOUS PROVISIONS

Section 1. Section 6B.59, Code Supplement 1999, is amended to read as follows:

6B.59 SALE OF ACQUIRED PROPERTY -- REIMBURSEMENT TO LANDOWNER.

If an acquiring agency acquires property by condemnation, or by otherwise exercising the power of eminent domain, and that property is later sold by the acquiring agency for more than the acquisition price paid to the landowner, the acquiring agency shall pay to the landowner from whom the property was acquired the difference between the price at which it was acquired and the price at which it was sold by the acquiring agency less the cost of any improvements made to or benefiting the land by the acquiring agency. This section does not apply to property acquired by the ~~Iowa~~ state department of transportation.

Sec. 2. Section 7E.5, subsection 1, paragraph v, Code 1999, is amended to read as follows:

v. The department for the blind, created in ~~section 216B.2~~ chapter 216B, which has primary responsibility for services relating to blind persons.

Sec. 3. Section 12.31, Code 1999, is amended to read as follows:

12.31 SHORT TITLE.

This ~~division~~ section and sections 12.32 through 12.43 shall be known as the "Linked Investments for Tomorrow Act".

Sec. 4. Section 12.32, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

As used in ~~this division~~ section 12.31, this section, and sections 12.33 through 12.43, unless the context otherwise requires:

Sec. 5. Section 12.32, subsection 4, Code Supplement 1999, is amended to read as follows:

4. "Qualified linked investment" means a linked investment

in which a certificate of deposit is placed by the treasurer of state with an eligible lending institution under the traditional livestock producers linked investment loan program established under section 12.43A.

Sec. 6. Section 15E.208, subsection 4, paragraph b, Code Supplement 1999, is amended to read as follows:

b. An agricultural products processor, if the processor or a person owning a controlling interest in the processor has demonstrated, within the most recent consecutive three-year period prior to the application for financing, a continuous and flagrant disregard for the health and safety of its employees or the quality of the environment. Violations of environmental protection statutes, rules, or regulations shall be reported for the most recent five-year period prior to application. Evidence of such disregard shall include a history of serious or uncorrected violations of state or federal law protecting occupational health and safety or the environment, including but not limited to serious or uncorrected violations of occupational safety and health standards enforced by the division of labor services of the department of ~~employment services~~ workforce development pursuant to chapter 84A, or rules enforced by the environmental protection division of the department of natural resources pursuant to chapter 455B.

Sec. 7. Section 19A.8, unnumbered paragraph 5, Code Supplement 1999, is amended to read as follows:

The director shall render monthly a statement to each state department or agency for a pro rata share of the cost of administration of the state employee health flexible spending accounts. The expense shall be paid by the state department or agency in the same manner as other expenses of that state department or agency are paid and all moneys received for administration costs shall be deposited in the appropriate fund.

Sec. 8. Section 35A.1, subsection 4, Code 1999, is amended

to read as follows:

4. "Director" means the executive director appointed pursuant to section ~~35A.3, subsection 3~~ 35A.8.

Sec. 9. Section 50.16, Code 1999, is amended to read as follows:

50.16 TALLY LIST OF BOARD.

The tally list shall be prepared in writing by the election board, giving, in legibly printed numerals, the total number of people who cast ballots in the precinct, the total number of ballots cast for each officer, except those rejected, the name of each person voted for, and the number of votes given to each person for each different office. The tally list shall be signed by the precinct election officials, and be substantially as follows:

At an election at ..... in ..... township, or in ..... precinct of ..... city or township, in ..... county, state of Iowa, on the ... day of ..... A.D. .., there were .. ballots cast for the office of ..... of which

~~A~~ (Candidate's name) ..... ~~B~~ ..... had .. votes.

~~C~~ (Candidate's name) ..... ~~D~~ ..... had .. votes.

(and in the same manner for any other officer).

A true tally list:

~~L~~ (Election board member's name) .... ~~M~~ ..... Election Board

~~N~~ (Election board member's name) .... ~~O~~ ..... Members.

~~P~~ (Election board member's name) .... ~~Q~~ .....

Attest:

~~R~~ (Tally Keeper's Name) ..... ~~S~~ ..... Designated

~~T~~ (Tally Keeper's Name) ..... ~~U~~ ..... Tally Keepers.

Sec. 10. Section 50.29, Code 1999, is amended to read as follows:

50.29 CERTIFICATE OF ELECTION.

When any person is thus declared elected, there shall be delivered to that person a certificate of election, under the official seal of the county, in substance as follows:

STATE OF IOWA)

S.F. _____ H.F. _____

..... County.)

At an election held in said county on the .. day of ...., A.D. .. ~~A-.....-B~~ .... (candidate's name) was elected to the office of .... for the term of .. years from the .. day of ...., A.D. .. (or if elected to fill a vacancy, for the residue of the term ending on the .. day of ...., A.D. ..), and until a successor is elected and qualified.

~~C.....D.....~~,
President of Board of Canvassers.

Witness, ~~E.....F.....~~,
County Commissioner of Elections
(clerk).

Such certificate is presumptive evidence of the person's election and qualification.

Sec. 11. Section 50.41, Code 1999, is amended to read as follows:

50.41 CERTIFICATE OF ELECTION.

Each person declared elected by the state board of canvassers shall receive a certificate, signed by the governor, or, in the governor's absence, by the secretary of state, with the seal of state affixed, attested by the other canvassers, to be in substance as follows:

STATE OF IOWA:

To ~~A-.....-B~~ ..... (candidate's name): It is hereby certified that, at an election held on the .. day of .... you were elected to the office of .... of Iowa, for the term of .. years, from the ... day of ..... (or if to fill a vacancy, for the residue of the term, ending on the .. day of ....).

Given at the seat of government this ... day of .....

If the governor is absent, the certificate of the election of the secretary of state shall be signed by the auditor. The certificate to members of the legislature shall describe, by the number, the district from which the member is elected.

Sec. 12. Section 62.11, Code 1999, is amended to read as follows:

62.11 SUBPOENAS.

Subpoenas for witnesses may be issued at any time after the notice of trial is served, either by the county treasurer or by the county auditor, and shall command the witnesses to appear at ....., on ....., to testify in relation to a contested election, wherein ~~A----------B~~ ..... (Insert contestant's name) is contestant and ~~C----------D~~ ..... (Insert incumbent's name) is incumbent.

Sec. 13. Section 80.17, subsection 7, Code 1999, is amended to read as follows:

7. Division of capitol ~~security~~ police.

Sec. 14. Section 80.35, Code 1999, is amended to read as follows:

80.35 TRANSITION.

Persons employed by the department of general services as capitol security force officers shall be transferred to the division of capitol security of the department of public safety on July 1, 1976. Persons transferred pursuant to this section shall retain their positions as capitol ~~security~~ police officers, shall not be subject to the requirements and conditions of section 80.15, and shall remain under the Iowa public employees' retirement system. Persons employed after July 1, 1976 by the department of public safety as capitol ~~security~~ police officers within the division of capitol ~~security~~ police shall be subject to the requirements and conditions of section 80.15, except those requirements relating to age, and shall be subject to the Iowa public employees' retirement system. The minimum age for persons employed by the division of capitol ~~security~~ police shall be eighteen.

Sec. 15. Section 86.17, subsection 1, Code 1999, is amended to read as follows:

1. Notwithstanding the provisions of section 17A.11, the ~~industrial~~ workers' compensation commissioner or a deputy ~~industrial~~ workers' compensation commissioner shall preside

over any contested case proceeding brought under this chapter, chapter 85, 85A, or 85B in the manner provided by chapter 17A. The deputy commissioner or the commissioner may make such inquiries in contested case proceedings as shall be deemed necessary, so long as such inquiries do not violate any of the provisions of section 17A.17.

Sec. 16. Section 124.401F, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. Possesses or transports anhydrous ammonia in a container or receptacle which is not authorized to hold anhydrous ammonia according to rules adopted by the secretary of agriculture.

Sec. 17. Section 135.11, subsection 18, Code Supplement 1999, is amended to read as follows:

18. Consult with the office of statewide clinical education programs at the university of Iowa college of medicine and annually submit a report to the general assembly by January 15 verifying the number of physicians in active practice in Iowa by county who are engaged in providing obstetrical care. To the extent data are readily available, the report shall include information concerning the number of deliveries per year by specialty and county, the age of physicians performing deliveries, and the number of current year graduates of the university of Iowa college of medicine and ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center entering into residency programs in obstetrics, gynecology, and family practice. The report may include additional data relating to access to obstetrical services that may be available.

Sec. 18. Section 135.22A, subsection 1, paragraph a, Code Supplement 1999, is amended to read as follows:

a. "Brain injury" means ~~an~~ a brain injury ~~to the brain~~ as defined in section 135.22.

Sec. 19. Section 135.107, subsection 3, paragraph d, subparagraph (1), Code 1999, is amended to read as follows:

(1) The Iowa department of public health, in cooperation with a primary care collaborative effort including the university of Iowa college of medicine, ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, and other primary care professional educational institutions in Iowa, shall develop and establish area health education centers. The effort shall involve making application for a federal grant under 42 U.S.C. § 293j, as prescribed by that section.

Sec. 20. Section 135.107, subsection 4, Code 1999, is amended to read as follows:

4. The director of public health shall establish a primary care collaborative work group to coordinate all statewide recruitment and retention activities established pursuant to this section and to make recommendations to the department and the center for rural health and primary care relating to the implementation of subsection 3. Membership of the work group shall consist, at a minimum, of representatives from the university of Iowa college of medicine, ~~university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, university of Iowa physician assistant school, university of Iowa nurse practitioner school, ~~university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center physician assistant program, Iowa-Nebraska primary care association, Iowa medical society, Iowa osteopathic medical association, Iowa chapter of American college of osteopathic family physicians, Iowa academy of family physicians, nurse practitioner association, Iowa nurses association, association of Iowa hospitals and health systems, and Iowa physicians assistants association.

Sec. 21. Section 139B.1, subsection 1, paragraph a, Code Supplement 1999, is amended to read as follows:

a. "Contagious or infectious disease" means hepatitis in any form, meningococcal disease, tuberculosis, and any other

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disease with the exception of AIDS or HIV infection as defined in section 141A.1, determined to be life-threatening to a person exposed to the disease as established by rules adopted by the department based upon a determination by the state epidemiologist and in accordance with guidelines of the centers for disease control and prevention ~~and control~~ of the United States department of health and human services.

Sec. 22. Section 161B.1, subsection 2, paragraph f, Code 1999, is amended to read as follows:

f. State university of Iowa department of ~~preventative~~ preventive medicine and environmental health.

Sec. 23. Section 163A.1, subsection 9, paragraph b, unnumbered paragraphs 1 and 3, Code 1999, are amended to read as follows:

A herd which has been tested pursuant to a test approved by rule of the Iowa department of agriculture and land stewardship pursuant to chapter 17A, which test is in compliance with the recommended uniform methods and rules of the animal and plant health inspection service of the United States department of agriculture.

If the Iowa department of agriculture and land stewardship adopts a rule under paragraph "b" of this subsection and the recommended uniform methods and rules of the animal and plant health inspection service of the United States department of agriculture are subsequently changed, the Iowa department of agriculture and land stewardship shall not change its rule if the effect would be to make less restrictive the standards or procedures for validating a brucellosis-free herd.

Sec. 24. Section 166.42, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

The secretary may establish a reserve supply of biological products of approved modified live virus hog-cholera vaccine and of anti-hog-cholera serum or its equivalent in antibody concentrate to be used as directed by the secretary in the event of an emergency resulting from a hog-cholera outbreak.

Vaccine and serum or antibody concentrate from the reserve supply, if used for such an emergency, shall be made available to swine producers at a price which will not result in a profit. Payment shall be made by the producer to the department and such vaccine shall be administered by a licensed practicing veterinarian. The secretary may cooperate with other states in the accumulation, maintenance and disbursement of such reserve supply of biological products. The secretary, with the advice and written consent of the state veterinarian, and the advice and written consent of the veterinarian-in-charge for Iowa of the animal, and plant, ~~and~~ health inspection service--veterinary services, United States department of agriculture, shall determine when an emergency resulting from a hog-cholera outbreak exists.

Sec. 25. Section 184A.1A, subsection 4, Code Supplement 1999, is amended to read as follows:

4. Within thirty days after approval at the referendum to establish a council and to impose an assessment, the department shall organize the council as provided in section 184A.1B.

Sec. 26. Section 229A.5A, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The prosecuting attorney or attorney general is authorized upon the occurrence of a recent overt act, or upon receiving written notice pursuant to section 229A.3, or before the filing of a petition under this chapter, to subpoena and compel the attendance of witnesses, examine the witnesses under oath, and require the production of documentary evidence for inspection, reproduction, or copying. Except as otherwise provided by this section, the prosecuting attorney or attorney general shall have the same powers and limitations, subject to judicial oversight and enforcement, as provided by this chapter and by the Iowa rules of civil procedure. Any person compelled to appear under a demand for oral testimony under this section may be accompanied, represented, and advised by

counsel at ~~their~~ the person's own expense.

Sec. 27. Section 229A.7, subsection 5, Code Supplement 1999, is amended to read as follows:

5. If the court or jury is not satisfied beyond a reasonable doubt that the respondent is a sexually violent predator, the court shall direct the respondent's release. Upon a mistrial, the court shall direct that the respondent be held at an appropriate secure facility until another trial is conducted. Any subsequent trial following a mistrial shall be held within ninety days of the previous trial, unless such subsequent trial is continued as provided in subsection ~~1~~ 2.

Sec. 28. Section 235C.3, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. A health professional training campaign, including recommendations concerning the curriculum offered at the college of medicine at the state ~~university of Iowa and the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, providing assistance in the identification of women at risk of substance abuse during pregnancy and strategies to be employed in assisting those women to maintain healthy lifestyles during pregnancy. This education campaign shall offer information to health professionals on assessment, laboratory testing, and referrals.

Sec. 29. Section 237A.23, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The departments of education, public health, and human services shall jointly establish a leadership council for child care training and development in this state. In addition to representatives of the three departments, the leadership council shall include but is not limited to representatives of community colleges, institutions of higher learning under the state board of regents and private institutions of higher education, the Iowa cooperative extension service in agriculture and home economics, and child

care resource and referral service agencies.

Sec. 30. Section 255.26, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Warrants issued under section 255.25 shall be promptly drawn on the treasurer of state and forwarded by the director of revenue and finance to the treasurer of the state university, and the same shall be by the treasurer of the state university placed to the credit of the funds which are set aside for the support of the university hospital. ~~However, warrants shall not be paid unless the UB-82 claim required pursuant to section 255A.13 has been filed with the community health management information system.~~ The superintendent of the university hospital shall certify to the auditor of state on the first day of January, April, July, and October of each year, the amount as herein provided not previously certified by the superintendent due the state from the several counties having patients chargeable thereto, and the auditor of state shall thereupon charge the same to the county so owing. A duplicate certificate shall also be mailed to the auditor of each county having patients chargeable thereto. Expenses for obstetrical patients served under section 255A.9 shall be reimbursed as specified in section 255A.9.

Sec. 31. Section 255A.13, Code 1999, is amended to read as follows:

255A.13 DATA COLLECTION.

~~Beginning July 1, 1987, the~~ The university of Iowa hospitals and clinics shall submit, on a quarterly basis, ~~UB-82~~ UB-92 claims for all patients discharged after being served under the indigent patient program under chapter 255. ~~The UB-82 claim shall include all data elements which are required by the community health management information system.~~

Sec. 32. Section 257.46, subsection 2, Code Supplement 1999, is amended to read as follows:

2. The remaining portion of the budget shall be funded by

the thirty-eight dollar increase in allowable growth for the school budget year beginning July 1, 1999, increased by the growth of the regular program district cost each year. School districts shall annually report the amount expended for a gifted and talented program to the department of education. The proportion of a school district's budget which corresponds to the thirty-eight dollar increase in allowable growth for the school budget year beginning July 1, 1999, added to the amount in subsection 1, shall be utilized exclusively for a school district's gifted and talented ~~and gifted~~ program.

Sec. 33. Section 261.19, Code 1999, is amended to read as follows:

261.19 OSTEOPATHIC PHYSICIAN RECRUITMENT PROGRAM.

1. A physician recruitment program is established, to be administered by the college student aid commission, for ~~the university of osteopathic medicine and health sciences of Des Moines, Iowa~~ Des Moines university -- osteopathic medical center. The program shall consist of a forgivable loan program and a tuition scholarship program for students and a loan repayment program for physicians. The commission shall regularly adjust the physician service requirement under each aspect of the program to provide, to the extent possible, an equal financial benefit for each period of service required. From funds appropriated for purposes of the program by the general assembly, the commission shall pay a fee to ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center for the administration of the program. A portion of the fee shall be paid by the commission to the university based upon the number of physicians recruited under subsection 4.

2. A forgivable loan may be awarded to a resident of Iowa who is enrolled at ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center if the student agrees to practice in this state for a period of time to be determined by the commission at the time

the loan is awarded. Forgivable loans to eligible students shall not become due and interest on the loan shall not accrue until after the student completes a residency program. If the student completes the period of practice established by the commission and agreed to by the student, the loan amount shall be forgiven. The loan amount shall not be forgiven if the osteopathic physician fails to complete the required time period of practice in this state or fails to satisfactorily continue in the university's program of medical education.

3. A student enrolled at ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center shall be eligible for a tuition scholarship for the student's study at the university. The scholarship shall be for an amount not to exceed the annual tuition at the university. A student who receives a tuition scholarship shall not be eligible for the loan repayment program provided for by this section. A student who receives a tuition scholarship shall agree to practice in an eligible rural community in this state for a period of time to be determined by the commission at the time the scholarship is awarded. The student shall repay the scholarship to the commission if the student fails to practice in a medically underserved rural community in this state for the required period of time.

4. A physician shall be eligible for the physician loan repayment program if the physician agrees to practice in an eligible rural community in this state. ~~The university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center shall recruit and place physicians in rural communities which have agreed to provide additional funds for the physician's loan repayment. The contract for the loan repayment shall stipulate the time period the physician shall practice in an eligible rural community in this state. In addition, the contract shall stipulate that the physician repay any funds paid on the

physician's loan by the commission if the physician fails to practice in an eligible rural community in this state for the required period of time. For purposes of this subsection, "eligible rural community" means a medically underserved rural community which agrees to match state funds provided on at least a dollar-for-dollar basis for the loan repayment of a physician who practices in the community.

5. The commission shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 34. Section 263.17, subsection 2, paragraph a, subparagraph (1), Code 1999, is amended to read as follows:

(1) The state university of Iowa department of ~~preventative~~ preventive medicine and environmental health.

Sec. 35. Section 279.51, subsection 2, paragraph b, subparagraph (1), Code Supplement 1999, is amended to read as follows:

(1) To school districts to establish programs for ~~three-year-~~ three-year-old, ~~four-year-~~ four-year-old, and five-year-old at-risk children which are a combination of preschool and full-day kindergarten.

Sec. 36. Section 359A.18, subsection 5, Code 1999, is amended to read as follows:

5. A fence consisting of four parallel, coated steel, smooth high-tensile wire which meets requirements adopted by the American society ~~of~~ for testing and materials, including but not limited to requirements relating to the grade, tensile strength, elongation, dimensions, and tolerances of the wire. The wire must be firmly fastened to plastic, metal, or wooden posts securely planted in the earth. The posts shall not be more than two rods apart. The top wire shall be at least forty inches in height.

Sec. 37. Section 422.45, subsections 38A and 38B, Code Supplement 1999, are amended to read as follows:

38A. The gross receipts from the sale or rental of aircraft; the sale or rental of tangible personal property

permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and the gross receipts of all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a scheduled interstate federal aviation ~~administration-certified~~ administration certificated air carrier operation.

38B. The gross receipts from the sale or rental of tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and the gross receipts of all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a nonscheduled interstate federal aviation ~~administration-certified~~ administration certificated air carrier operation operating under 14 C.F.R. ch. 1, pt. 135.

Sec. 38. Section 422.121, Code Supplement 1999, is amended to read as follows:

422.121 APPROPRIATION -- LIMITATION.

Beginning with the fiscal year beginning July 1, 1997, there is appropriated annually from the general fund of the state two million dollars to refund the credits allowed under this division. Notwithstanding section 422.120, for tax years beginning on or after January 1, 1997, the livestock production tax credit shall only be allowed for cow-calf operations. In calculating the tax credit for cow-calf operations for tax years beginning in the 1997 calendar year, mature beef cows bred or for breeding, bred yearling heifers, and breeding bulls in the operations' inventory on December 31 of the tax year which were also in the ~~operations~~ operations' inventory on July 1 of the tax year and stockers and feeders

sold during the tax year may be counted. In calculating the tax credit for cow-calf operations for tax years beginning on or after January 1, 1998, only those bred cows, bred heifers, and breeding bulls in the operations' inventory on December 31 of the tax year which were also in the ~~operations~~ operations' inventory on July 1 of the tax year may be counted.

Sec. 39. Section 422B.1, subsection 6, paragraph b, Code Supplement 1999, is amended to read as follows:

b. Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of a local option tax, the county auditor shall give written notice by sending a copy of the abstract of the ~~ballot~~ votes from the favorable election to the director of revenue and finance or, in the case of a local vehicle tax, to the director of the department of transportation, of the result of the election.

Sec. 40. Section 422E.2, subsection 4, paragraph b, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of the tax, the county auditor shall give written notice by sending a copy of the abstract of ~~ballot~~ the votes from the favorable election to the director of revenue and finance of the result of the election. Election costs shall be apportioned among school districts within the county on a pro rata basis in proportion to the number of registered voters in each school district and the total number of registered voters in all of the school districts within the county.

Sec. 41. Section 423.4, subsections 18 and 19, Code Supplement 1999, are amended to read as follows:

18. Aircraft; tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials

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or parts; and all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a scheduled interstate federal aviation administration ~~certified~~ certificated air carrier operation.

19. Tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a nonscheduled interstate federal aviation administration ~~certified~~ certificated air carrier operation operating under 14 C.F.R. ch. 1, pt. 135.

Sec. 42. Section 427.1, subsection 14, unnumbered paragraph 2, Code Supplement 1999, is amended to read as follows:

The assessor, in arriving at the valuation of any property of the society or organization, shall take into consideration any uses of the property not for the appropriate objects of the organization and shall assess in the same manner as other property, all or any portion of the property involved which is leased or rented and is used regularly for commercial purposes for a profit to a party or individual. If a portion of the property is used regularly for commercial purposes an exemption shall not be allowed upon property so used and the exemption granted shall be in the proportion of the value of the property used solely for the appropriate objects of the organization, to the entire value of the property. However, the board of trustees or the board of directors of a hospital, as defined in section 135B.1, ~~subsection 1,~~ may permit use of a portion of the hospital for commercial purposes, and the

hospital is entitled to full exemption for that portion used for nonprofit health-related purposes, upon compliance with the filing requirements of this subsection.

Sec. 43. Section 427B.4, unnumbered paragraph 1, Code 1999, is amended to read as follows:

An application shall be filed for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filed by the owner of the property with the local assessor by February 1 of the assessment year in which the value added is first assessed for taxation. Applications for exemption shall be made on forms prescribed by the director of revenue and finance and shall contain information pertaining to the nature of the improvement, its cost, and other information deemed necessary by the director of revenue and finance.

Sec. 44. Section 448.2, Code 1999, is amended to read ass follows:

448.2 FORM.

Deeds executed by the county treasurer shall be substantially in the following form:

KNOW ALL PERSONS BY THESE PRESENTS, that the following described parcel: (Here follows the description), situated in the county of ..... and state of Iowa, was subject to taxes for the year (or years) A.D. ...., and the taxes on the parcel for the year (or years) stated remained due and unpaid at the date of the sale; and the treasurer of the county, on the .... day of ....., A.D. ...., by virtue of the authority vested by law in the treasurer, at (an adjournment of) the sale begun and publicly held on the third Monday of June, A.D. ...., exposed to public sale at the office of the county treasurer in the county named, in substantial conformity with all the requirements of the statute, the parcel described, for the payment of the total amount then due and remaining unpaid on the parcel, and at that time and place ~~A-.....-B~~ ....., of the county of ..... and state of ....., offered to pay the

sum of .. dollars and .. cents, being the total amount then due and remaining unpaid on the parcel, for (here follows the description of the parcel sold) which was the least quantity bid for, and payment of that sum was made by that person to the treasurer, the parcel was stricken off to that person at that price; and A-~~.....~~-B ..... did, on the ... day of ....., A.D. ...., assign the certificate of the sale of the parcel and all right, title, and interest to the parcel to E ~~.....~~-F-..... of the county of ..... and state of .....; and by the affidavit of ....., filed in the treasurer's office on the ... day of ....., A.D. ...., it appears that notice has been given more than ninety days before the execution of this deed to ..... and ..... of the expiration of the time of redemption allowed by law; and two years have elapsed since the date of the sale, and the parcel has not been redeemed:

Now, I, C-~~.....~~-D ....., treasurer of the county, for the consideration of the stated sum paid to the treasurer and by virtue of law, have granted, bargained, and sold, and by these presents do grant, bargain, and sell to A-~~.....~~-B ..... (or E ~~.....~~-F .....), and that person's heirs and assigns, the parcel described, to have and to hold unto that person (or E ~~.....~~-F .....), and that person's heirs and assigns, forever; subject, however, to all the rights of redemption provided by law. In witness whereof, I, C-~~.....~~-D ....., treasurer of ..... county, by virtue of the authority vested in me, have subscribed my name on this .... day of ....., A.D. ....

.....

Treasurer

State of Iowa,)
.....County.) ss.

I certify that before me, ..., in and for said county, personally appeared the above named C-~~.....~~-D ....., treasurer of the county, personally known to me to be the treasurer of the county at the date of the execution of the above

conveyance, and to be the identical person whose name is affixed to and who executed the above conveyance as treasurer of the county, and acknowledged the execution of the conveyance to be the treasurer's voluntary act and deed as treasurer of the county, for the purposes expressed in the conveyance.

Given under my hand (and seal) this .... day of ....., A.D. ....

Sec. 45. Section 453C.1, subsection 9, paragraph a, Code Supplement 1999, is amended to read as follows:

a. Manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer, except where such importer is an original participating manufacturer, as that term is defined in the master settlement agreement, that will be responsible for the payments under the master settlement agreement with respect to such cigarettes as a result of the provisions of ~~the~~ subsection II(mm) of the master settlement agreement and that pays the taxes specified in subsection II(z) of the master settlement agreement and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States.

Sec. 46. Section 455B.173, subsection 8, Code Supplement 1999, is amended to read as follows:

8. Formulate and adopt specific and detailed statewide standards pursuant to chapter 17A for review of plans and specifications and the construction of sewer systems and water supply distribution systems and extensions to such systems not later than October 1, 1977. The standards shall be based on criteria contained in the "Recommended Standards for Sewage Works" and "Recommended Standards for Water Works" (Ten States Standards) as adopted by the Great Lakes-Upper Mississippi River board of state sanitary engineers, design manuals published by the department, applicable federal guidelines and standards, standard textbooks, current technical literature

and applicable safety standards. The material standards for polyvinyl chloride pipe shall not exceed the specifications for polyvinyl chloride pipe in designations D-1784-69, D-2241-73, D-2564-76, D-2672-76, D-3036-73 and D-3139-73 of the American society ~~of~~ for testing and ~~material~~ materials. The rules adopted which directly pertain to the construction of sewer systems and water supply distribution systems and the review of plans and specifications for such construction shall be known respectively as the Iowa Standards for Sewer Systems and the Iowa Standards for Water Supply Distribution Systems and shall be applicable in each governmental subdivision of the state. Exceptions shall be made to the standards so formulated only upon special request to and receipt of permission from the department. The department shall publish the standards and make copies of such standards available to governmental subdivisions and to the public.

Sec. 47. Section 455B.474, subsection 1, paragraph d, subparagraph (2), subparagraph subdivision (d), Code Supplement 1999, is amended to read as follows:

(d) For purposes of classifying a site as either low risk or no action required, the department shall rely upon the example tier one risk-based screening level look-up table of the American society for testing ~~of~~ and materials' emergency standard, ES38-94, or other look-up table as determined by the department by rule.

Sec. 48. Section 455B.474, subsection 1, paragraph f, subparagraph (4), subparagraph subdivision (e), Code Supplement 1999, is amended to read as follows:

(e) Risk-based corrective action assessment principles which identify the risks presented to the public health and safety or the environment by each release in a manner that will protect the public health and safety or the environment using a tiered procedure consistent with the American society for testing ~~of~~ and materials' emergency standard, ES38-94.

Sec. 49. Section 514.7, unnumbered paragraph 1, Code

Supplement 1999, is amended to read as follows:

The contracts by any such corporation with the subscribers for health care service shall at all times be subject to the approval of the commissioner of insurance. The ~~commission~~ commissioner shall require that participating pharmacies be reimbursed by the pharmaceutical service corporation at rates or prices equal to rates or prices charged nonsubscribers, unless the commissioner determines otherwise to prevent loss to subscribers.

Sec. 50. Section 514E.1, subsection 12, Code 1999, is amended to read as follows:

12. "Health care facility" means a health care facility as defined in section 135C.1, ~~subsection 6,~~ a hospital as defined in section 135B.1, ~~subsection 1,~~ or a community mental health center established under chapter 230A.

Sec. 51. Section 522A.3, subsection 5, paragraph d, Code Supplement 1999, is amended to read as follows:

d. A fee, compensation, or commission is not paid to an employee by a rental company dependent ~~based~~ solely on the sale of insurance under any limited license issued pursuant to this section.

Sec. 52. Section 554.12105, subsections 2 and 3, Code 1999, are amended to read as follows:

2. Other definitions applying to this article and the sections in which they appear are:

"Acceptance"	Section 554.12209
"Beneficiary"	Section 554.12103
"Beneficiary's bank"	Section 554.12103
"Executed"	Section 554.12301
"Execution date"	Section 554.12301
"Funds transfer"	Section 554.12104
"Funds-transfer system rule"	Section 554.12501
"Governing law"	Section 554.12507
"Intermediary bank"	Section 554.12104
"Originator"	Section 554.12104

"Originator's bank" Section 554.12104
"Payment by beneficiary's bank to beneficiary" Section 554.12405
"Payment by originator to beneficiary" Section 554.12406
"Payment by sender to receiving bank" Section 554.12403
"Payment date" Section 554.12401
"Payment order" Section 554.12103
"Receiving bank" Section 554.12103
"Security procedure" Section 554.12201
"Sender" Section 554.12103

3. The following definitions in article 4 apply to this article:

"Clearing house" Section 554.4104
"Item" Section 554.4104
"Suspends payments" Section 554.4104

Sec. 53. Section 598B.208, subsection 3, Code Supplement 1999, is amended to read as follows:

3. If a court dismisses a petition or stays a proceeding because it declines to exercise its jurisdiction pursuant to subsection 1, it shall assess against the party seeking to invoke its jurisdiction necessary and reasonable expenses including costs, communication expenses, attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care expenses during the course of the proceedings, unless the party from whom fees are sought establishes that the assessment would be clearly inappropriate. The court shall not assess fees, costs, or expenses against this state unless authorized by law other than this chapter.

Sec. 54. Section 598B.312, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The court shall award the prevailing party, including a state, necessary and reasonable expenses incurred by or on behalf of the party, including costs, communication expenses,

attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care expenses during the course of the proceedings, unless the party from whom fees or expenses are sought establishes that the award would be clearly inappropriate.

Sec. 55. Section 637.202, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. The beneficiary's fractional interest in the undistributed principal assets must be calculated without regard to property specifically given to a beneficiary and property required to be pay pecuniary amounts not in trust.

Sec. 56. Section 663.8, Code 1999, is amended to read as follows:

663.8 FORM OF WRIT.

If the petition is in accordance with the foregoing requirements, and states sufficient grounds for the allowance of the writ, it shall issue, and may be substantially as follows:

The State of Iowa,

To ~~A.....~~B.....:

You are hereby commanded to have the body of ~~C.....~~D...., by you unlawfully detained, as is alleged, before the court (or before me, or before ~~E.....~~F...., judge, etc., as the case may be), at ...., on .... (or immediately after being served with this writ), to be dealt with according to law, and have you then and there this writ, with a return thereon of your doings in the premises.

Sec. 57. Section 692A.13, subsection 3, paragraph c, subparagraphs (1) and (2), Code Supplement 1999, are amended to read as follows:

(1) Persons who commit a criminal offense against a minor, an aggravated offense, sexual exploitation, a sexually violent offense, or an other relevant offense on or after the effective date of this Act and who have been assessed to be a "moderate-risk" or "high-risk".

(2) Persons who committed an offense prior to July 1, 1999, and who have been assessed to be a "moderate-risk" or "high-risk" and whose opportunity to request a hearing regarding the assessment of risk has lapsed.

Sec. 58. 1999 Iowa Acts, chapter 112, section 9, is amended by striking the amending phrase to the section and inserting in lieu thereof the following: "Section 692A.5, subsection 1, Code 1999, is amended by adding the following new paragraph:"

DIVISION II

CENTURY DATE CHANGE

Sec. 59. Sections 6B.9, 28A.6, 52.21, 85.24, 96.14, 441.26, 448.15, 458.22, 461B.5, 468.371, 468.553, 515.138, 558.26, 558.39, 558.57, 558.58, 558.66, 617.3, 633.279, 633.295, and 656.2, Code 1999, are amended by striking "day of ___, 19__," and inserting in lieu thereof "day of ___ (month), ____ (year),".

Sec. 60. Section 43.26, Code 1999, is amended by striking "June, 19___" and inserting in lieu thereof "June, ____ (year)".

Sec. 61. Section 46.9, Code 1999, is amended by striking "January 31, 19___" and inserting in lieu thereof "January 31, ____ (year)".

Sec. 62. Sections 52.9 and 52.38, Code 1999, are amended by striking "election of ___, 19___" and inserting in lieu thereof "election of _____ (date)".

Sec. 63. Sections 52.9 and 52.38, Code 1999, are amended by striking "Dated ___ 19___" and inserting in lieu thereof "Dated ____".

Sec. 64. Section 52.21, Code 1999, is amended by striking "VOTING MACHINE RETURN AND TALLY SHEET ____ ELECTION ___ 19___, COUNTY OF ____" and inserting in lieu thereof "VOTING MACHINE RETURN AND TALLY SHEET _____ ELECTION ____ (DATE), COUNTY OF _____".

Sec. 65. Section 384.50, Code 1999, is amended to read as

S.F. _____ H.F. _____

follows:

384.50 NOTICE OF HEARING.

The clerk shall publish notice of the date, time, and place of the hearing once each week for two consecutive weeks in the manner provided by section 362.3, the first publication of which shall be not less than ten days before the date of the hearing. The notice must be in substantially the following form:

NOTICE TO PROPERTY OWNERS

Notice is given that there is now on file for public inspection in the office of the clerk of ....., Iowa, a proposed resolution of necessity, an estimate of cost, and a plat and schedule showing the amounts proposed to be assessed against each lot and the valuation of each lot within a district approved by the council of ....., Iowa, for a ..... improvement of the type(s) and in the location(s) as follows:

The council will meet at .. o'clock ...m., on ....~~,~~ ~~19..~~ (date), at the ....., at which time the owners of property subject to assessment for the proposed improvement or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the district, the cost, the assessment against any lot, or the final adoption of a resolution of necessity. A property owner will be deemed to have waived all objections unless at the time of hearing the property owner has filed objections with the clerk.

.....

Clerk.

Not less than fifteen days before the hearing, the clerk shall send a copy of the notice by mail to each property owner whose property is subject to assessment for the improvement at the address as shown by the records of the county auditor. If a property is shown to be in the name of more than one owner at the same mailing address, a single notice may be mailed

addressed to all owners at that address. Failure to receive a mailed notice is not a defense to the special assessment.

Sec. 66. Sections 468.511, 558.25, and 558.39, Code 1999, are amended by striking "day of ____, A.D. 19___" and inserting in lieu thereof "day of ____ (month), ____ (year)".

Sec. 67. Section 602.6504, Code 1999, is amended by striking "December 31, 19___" and inserting in lieu thereof "December 31, ____ (year)".

Sec. 68. Section 614.14, subsection 2, Code Supplement 1999, is amended to read as follows:

2. A bona fide purchaser is a purchaser for value in good faith and without notice of any adverse claim, who has relied on a current, recorded affidavit in substantially the following form delivered to the purchaser:

[Individual trustee] Affidavit in re [insert legal description]

I, ..., being first duly sworn and under oath state of my personal knowledge that:

1. I am the trustee under the trust dated ..., ~~19...~~ to which the above-described real estate was conveyed to the trustee by ....., pursuant to an instrument recorded the .. day of .... (month), 19..(year), recorded in the office of the ... County Recorder in ..... [insert recording data].

2. I am the presently existing trustee under the trust and am authorized to ... [describe the transfer to be made by the trustee to the bona fide purchaser], without any limitation or qualification whatsoever.

3. The trust is in existence and I as trustee am authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

.....

[signature of affiant]

Sworn to and subscribed before me by ..... on this .. day of ... (month), 19..(year)

S.F. _____ H.F. _____

.....

[Notary Public in and for the State of ...]

[Corporate trustee] Affidavit in re [insert legal description]

I, ..., being first duly sworn and under oath state of my personal knowledge that:

1. ..... is the trustee under the trust dated ..., ~~19...~~ to which the above-described real estate was conveyed to the trustee by ....., pursuant to an instrument recorded the ... day of ... (month), ~~19..~~(year), recorded in the office of the ... County Recorder in ..... [insert recording data].

2. ..... is the presently existing trustee under the trust and is authorized to ... [describe the transfer to be made by the trustee to the bona fide purchaser], without any limitation or qualification whatsoever, and I am ..... [officer] of the corporate trustee.

3. The trust is in existence and ..... as trustee is authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

.....

[signature of affiant]

Sworn to and subscribed before me by ....., on this ... day of ... (month), ~~19..~~(year)

.....

[Notary Public in and for the State of ...]

Sec. 69. Section 633.230, subsection 1, Code 1999, is amended to read as follows:

1. In intestate matters, the administrator, as soon as letters are issued, shall cause to be published once each week for two consecutive weeks in a daily or weekly newspaper of general circulation published in the county in which the estate is pending, and at any time during the pendency of administration that the administrator has knowledge of the

name and address of a person believed to own or possess a claim which will not or may not be paid or otherwise satisfied during administration, provide by ordinary mail to each such claimant at the claimant's last known address, a notice of appointment which shall be in substantially the following form:

NOTICE OF APPOINTMENT OF
ADMINISTRATOR AND
NOTICE TO CREDITORS

In the District Court of Iowa
in and for ..... County.
In the Estate of ....., Deceased
Probate No. .....

To All Persons Interested in the Estate of ....., Deceased, who died on or about .....~~,~~ ~~19~~ (date):

You are hereby notified that on the ... day of .....(month), ~~19~~..(year), the undersigned was appointed administrator of the estate.

Notice is hereby given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of the mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this ... day of .....(month), ~~19~~..(year)

.....
Administrator of the estate

.....
Address

.....
Attorney for the administrator

.....

Address

Date of second publication ... day of .....(month), ~~19~~..(year) (Date to be inserted by publisher)

Sec. 70. Section 633.304, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The notice shall be substantially in the following form:

Notice of Probate of Will,
of Appointment of Executor,
and Notice to Creditors

In the District Court of Iowa
in and for .... County. Probate No.
....

In the Estate of ....., Deceased

To All Persons Interested in the Estate of ....., Deceased, who died on or about .....~~,~~ ~~19~~.. (date):

You are hereby notified that on the ... day of .....(month), ~~19~~..(year), the last will and testament of ....., deceased, bearing date of the ... day of .....(month, ~~19~~..(year), was admitted to probate in the above named court and that ..... was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this ... day of .....(month), 19..(year)

.....
Executor of estate

.....
Address

.....
Attorney for executor

.....
Address

Date of second publication
... day of .....(month), 19..(year)
(Date to be inserted by publisher)

Sec. 71. Section 633.305, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The notice shall be substantially in the following form:

Notice of Proof of Will Without Administration

In the District Court of Iowa
in and for .... County. Probate No.
....

In the Estate of ....., Deceased

To All Persons Interested in the Estate of ....., Deceased, who died on or about .....(month), 19..(year):

You are hereby notified that on the ... day of .....(month), 19..(year), the last will and testament of ....., deceased, bearing date of the ... day of .....(month), 19..(year), was admitted to probate in the above named court and there will be no present administration of the estate. Any action to set aside the will must be brought in the district court of the county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Dated this ... day of .....(month), 19..(year)

.....

Clerk of the district court

.....

Attorney for estate

.....

Address

Date of second publication

... day of .....(month), ~~19~~..(year)

(Date to be inserted by publisher)

EXPLANATION

This bill makes nonsubstantive corrections to the Code of Iowa.

Code section 6B.59. Replaces the word "Iowa" with the word "state" so that the section reflects the official name of the state department of transportation.

Code section 7E.5(1)(v). Corrects a reference to the Code in which the department for the blind is established. The commission for the blind is established in Code section 216B.2. The department is established in Code chapter 216B.

Code section 12.31. Strikes the words "This division" and substitutes the sections in Code chapter 12 which corresponds with the linked investment program. There are no divisions in Code chapter 12.

Code section 12.32, unnumbered paragraph 1 and subsection 4. Strike the word "division" and substitute the sections contained in Code chapter 12, which corresponds with the linked investment program. There are no divisions in Code chapter 12. Correct a reference to the traditional livestock producer's linked investment "loan" program established under Code section 12.43A.

Code section 15E.208(4)(b). Corrects a reference to the department of workforce development. The name of that department was changed in 1996 Iowa Acts, ch. 1186.

Code section 19A.8. Corrects a reference to the state employee "health" flexible spending accounts to conform to the

terminology created in Code section 19A.35.

Code section 35A.1(4). Corrects reference to Code section 35A.8, which provides for the appointment of the executive director of the commission of veterans affairs.

Code section 50.16. Strikes letter references which precede blank lines in the form for the tally list of the election board and adds directions as to what information is to be placed in the blanks.

Code section 50.29. Amends the county certificate of election form by striking letter references which precede blank lines with directions to insert the candidate's name and by striking letter references which precede blanks which already have directions as to what information is to be entered on the blank lines.

Code section 50.41. Amends the certificate of election for persons declared to have been elected by the state board of canvassers by striking letter references which precede blank lines with directions to insert the candidate's name.

Code section 60.11. Amends the subpoena language for witnesses in trials contesting the results of an election by striking letter references which precede blank lines with directions to insert the candidates' names.

Code sections 80.17(7) and 80.35. Correct references to the division of capitol police of the department of public safety, the designation currently used by the department of public safety.

Code section 86.17(1). Corrects references to the industrial commissioner and the deputy industrial commissioner to the workers' compensation commissioner and the deputy workers' compensation commissioner. The names of the industrial commissioner and deputy industrial commissioner were changed by 1998 Iowa Acts, ch. 1061.

Code section 124.401F(2)(b). Adds the words "of agriculture" after the word "secretary". The requirements and prohibitions pertaining to anhydrous ammonia contained in Code

section 124.401F were moved from their 1999 Code placement in sections 200.14 and 200.18, by 1999 Iowa Acts, ch. 12. The term "secretary" is defined in Code section 189.1 and previously applied to the language which was formerly in Code sections 200.14 and 200.18. Another reference to "secretary" in Code section 124.401F was corrected in 1999 Iowa Acts, ch. 208, section 48, in the same manner as this reference.

Code sections 135.11(18) and 135.107(3)(d). Change the name of the former university of osteopathic medicine and health sciences to its new name, Des Moines university--osteopathic medical center.

Code section 135.22A(1)(a). Conforms the phrase "an injury to the brain" to the definition "brain injury" contained in Code section 135.22, which is cited in this paragraph.

Code section 139B.1(1)(a). Corrects the reference to the United States department of health and human services centers for disease control and prevention.

Code section 161B.1(2)(f). Changes the name of the Iowa department of preventative medicine and environmental health of the state university of Iowa to the correct name of department of preventive medicine and environmental health.

Code Section 163A.1(9)(b). Corrects references to the animal and plant inspection service of the United States department of agriculture to refer to the official name of the animal and plant health inspection service of that federal department.

Code section 166.42 (unnumbered paragraph 1). Corrects the name of the animal and plant health inspection service--veterinary service, United States department of agriculture.

Code section 184A.1A(4). Inserts the word "and" between the words "council" and the phrase "to impose an assessment". Subsection 1 of this section, which describes the referendum for the Iowa turkey marketing council and the assessment, provides that both the council establishment and the

assessment imposition are part of the referendum.

Code section 229A.5A(1). Strikes the word "their" and substitutes the words "the person's" to refer to who is responsible for payment of attorney fees for any person compelled to appear under this section.

Code section 229A.7(5). Changes a reference to subsection 1 of that section to a reference to subsection 2. The language pertaining to continuation of sexually violent predator trials is found in subsection 2, not subsection 1.

Code Section 235C.3(2)(b). Corrects a reference to the university of osteopathic medicine and health sciences to reflect the official name of the Des Moines university--osteopathic medical center.

Code section 237A.23(1). Adds the word "public" before the word "health", so that the list of departments reflects the proper designation of the department of public health.

Code section 255.26. Strikes language prohibiting payment of warrants from the state university of Iowa for medical assistance provided to certain patients unless the uniform billing form 82 (UB-82) has been filed with the community health management information system. The community health management information system, formerly contained in Code chapter 144C, was eliminated effective February 28, 1999, by 1998 Iowa Acts, ch. 1119, section 5.

Code section 255A.13. Updates uniform billing form number references currently in use for submission of claims to the UB-92. Strikes references to the community health management information system, formerly contained in Code chapter 144C, which was eliminated, effective February 28, 1999, by 1998 Iowa Acts, ch. 1119, section 5.

Code section 257.46(2). Strikes the term "talented and gifted program" and substitutes the term "gifted and talented program". Code section 257.42 provides that "gifted and talented program" is the proper designation.

Code section 261.19. Strikes references to the former

university of osteopathic medicine and health sciences and inserts the university's new name, Des Moines university--osteopathic medical center.

Code Section 263.17(2)(a)(1). Corrects a reference to reflect the official name of the department of preventive medicine and environmental health of the state university of Iowa.

Code section 279.51(2)(b)(1). Amends language which relates to at-risk programming for certain young children, by adding the word "old" to each of two phrases ending with hyphens, so that the phrase reads "three-year-old, four-year-old, and five-year-old".

Code Section 359A.18(5). Corrects a reference to reflect the official name of the American society for testing and materials.

Code section 422.45(38A) and (38B). Strike the word "administration-certified" and insert the words "administration certificated" in provisions relating to sales tax exemptions for gross receipts for the sale or rental of aircraft used in scheduled and nonscheduled interstate federal aviation administration certificated air carrier operations. The federal regulations use the latter terminology which is also found in subsection 38 of this Code section.

Code section 422.121. Strikes the word "operations" and replaces it with the words "operations' inventory" in language relating to the calculation of tax credits for cow-calf operations to clarify that inventory numbers are to be used in calculating the credit.

Code sections 422B.1(6)(b) and 422E.2(4)(b) (unnumbered paragraph 1). Change the term "abstract of the ballot" to the term "abstract of the votes". The name of the document prepared by the county auditor to reflect the results of votes cast at various elections and on ballot issues is "abstract of the votes".

Code section 423.4(18) and (19). Strike the word

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S.F. _____ H.F. _____

"certified" and insert the word "certificated" in provisions relating to sales tax exemptions for gross receipts for the sale or rental of aircraft used in scheduled and nonscheduled interstate federal aviation administration certificated air carrier operations. The federal regulations use the latter terminology which is also found in subsection 17 of this Code section.

Code section 427.1(14) (unnumbered paragraph 2). Deletes an incorrect reference to subsection 1 of Code section 135B.1. The definition of "hospital" is not in subsection 1 of Code section 135B.1, rather it is now located in subsection 3 of that section.

Code section 427B.4 (unnumbered paragraph 1). Adds the words "and finance" after the words "director of revenue" to reflect the current official title of the head of the department of revenue and finance.

Code section 448.2. Changes the tax deed form used by the county treasurer by striking letter references which precede blank lines and by deleting extra blank lines so that a single blank line will remain in each location where the changes are made.

Code section 453C.1(9)(a). Deletes the word "the" from language referring to provisions of subsection II(mm) of the master tobacco settlement agreement. The word is not needed within that phrase.

Code section 455B.173(8). Changes the name of the American society of testing and material to the correct name of American society for testing and materials.

Code section 455B.474(1). Changes a reference to the American society for testing of materials to the correct name of American society for testing and materials.

Code section 514.7. Corrects a reference to the commissioner of insurance in language relating to approval of contracts by nonprofit health care service corporations. An insurance commission does not exist.

Code section 514E.1(12). Deletes an incorrect reference to subsection 1 of Code section 135B.1. The definition of "hospital" is not in subsection 1 of Code section 135B.1, rather it is now located in subsection 3 of that section. A reference to subsection 6 of Code section 135C.1 is deleted to conform the citation form to the citation form created by the strike of the subsection 1 reference.

Code section 522A.3(5)(d). Deletes the word "based" from language relating to the terms under which a fee, compensation, or commission may be paid to an employee of a rental company which sells insurance under a limited license agreement under Code chapter 522A. The word was inadvertently added during the drafting process and is obviated by the use of the word "dependent" in that same paragraph.

Code section 554.12105(2). Adds the word "Section" before each reference to a Code section in the definitions provision of this article of the uniform commercial code. This conforms the form of this definitions section to other definitions sections which may be found in articles 2, 3, and 5 of the uniform commercial code.

Code sections 598B.208(3) and 598B.312(1). Adds the word "expenses" after the words "child care" to conform the phrase to the rest of the items listed as items which may be assessed against a party seeking to invoke the child-custody jurisdiction of the court when the court dismisses a petition or stays the proceeding because it declines to exercise jurisdiction.

Code section 637.202(2)(b). Strikes the word "be" from the phrase "required to be pay pecuniary amounts" so that the phrase reads "required to pay pecuniary amounts" in language relating to determination of a beneficiary's share of net income from a decedent's estate or a terminating income trust.

Code section 663.8. Changes the petition for writ of habeas corpus form by striking letter references which precede blank lines and by deleting extra blank lines so that a single

blank line will remain in each location where the changes are made.

Code section 692A.13(c)(1) and (2). Deletes the word "a" from language relating to the assessment of risk of persons who are required to register as sex offenders, so that the phrase in each paragraph reads "Persons who... and who have been assessed to be "moderate-risk" or "high-risk"".

1999 Iowa Acts, ch. 112. Corrects the amending phrase in section 9 of this Act to reflect the addition of a new paragraph to subsection 1, instead of a new subsection. As drafted, the new language was given a letter designation which is consistent with placement in subsection 1 after paragraph "e", and the content of the new language is in keeping with the type of content in the language of the other lettered paragraphs in subsection 1.

CENTURY DATE CHANGE

Code sections 6B.9, 28A.6, 43.26, 46.9, 52.9, 52.21, 52.38, 85.24, 96.14, 384.50, 441.26, 448.15, 458A.22, 461B.5, 468.371, 468.511, 468.553, 515.138, 558.25, 558.26, 558.39, 558.57, 558.58, 558.66, 602.6504, 614.14, 617.3, 633.230, 633.279, 633.295, 633.304, 633.305, and 656.2. Amends these Code sections by eliminating century specific date references and updating those references to provide for the insertion of date information without that century limitation.

S. 3/7/00 fm

REPRINTED

FEB 3 2000
Place On Calendar

HOUSE FILE 2136
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 555)

Passed House, Date 2/10/00 (p. 269) Passed Senate, Date 3-20-00 (p. 735)
Vote: Ayes 96 Nays 0 Vote: Ayes 43 Nays 0
Approved April 6, 2000

A BILL FOR

An Act relating to nonsubstantive Code corrections.
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 2136

TLSB 5512HV 78
lh/cf/24

S.F. _____ H.F. 2136

DIVISION I

MISCELLANEOUS PROVISIONS

Section 1. Section 6B.59, Code Supplement 1999, is amended to read as follows:

6B.59 SALE OF ACQUIRED PROPERTY -- REIMBURSEMENT TO LANDOWNER.

If an acquiring agency acquires property by condemnation, or by otherwise exercising the power of eminent domain, and that property is later sold by the acquiring agency for more than the acquisition price paid to the landowner, the acquiring agency shall pay to the landowner from whom the property was acquired the difference between the price at which it was acquired and the price at which it was sold by the acquiring agency less the cost of any improvements made to or benefiting the land by the acquiring agency. This section does not apply to property acquired by the ~~Iowa~~ state department of transportation.

Sec. 2. Section 7E.5, subsection 1, paragraph v, Code 1999, is amended to read as follows:

v. The department for the blind, created in ~~section 216B.2~~ chapter 216B, which has primary responsibility for services relating to blind persons.

Sec. 3. Section 12.31, Code 1999, is amended to read as follows:

12.31 SHORT TITLE.

This ~~division~~ section and sections 12.32 through 12.43 shall be known as the "Linked Investments for Tomorrow Act".

Sec. 4. Section 12.32, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

As used in ~~this division~~ section 12.31, this section, and sections 12.33 through 12.43, unless the context otherwise requires:

Sec. 5. Section 12.32, subsection 4, Code Supplement 1999, is amended to read as follows:

4. "Qualified linked investment" means a linked investment

in which a certificate of deposit is placed by the treasurer of state with an eligible lending institution under the traditional livestock producers linked investment loan program established under section 12.43A.

Sec. 6. Section 15E.208, subsection 4, paragraph b, Code Supplement 1999, is amended to read as follows:

b. An agricultural products processor, if the processor or a person owning a controlling interest in the processor has demonstrated, within the most recent consecutive three-year period prior to the application for financing, a continuous and flagrant disregard for the health and safety of its employees or the quality of the environment. Violations of environmental protection statutes, rules, or regulations shall be reported for the most recent five-year period prior to application. Evidence of such disregard shall include a history of serious or uncorrected violations of state or federal law protecting occupational health and safety or the environment, including but not limited to serious or uncorrected violations of occupational safety and health standards enforced by the division of labor services of the department of ~~employment services~~ workforce development pursuant to chapter 84A, or rules enforced by the environmental protection division of the department of natural resources pursuant to chapter 455B.

Sec. 7. Section 19A.8, unnumbered paragraph 5, Code Supplement 1999, is amended to read as follows:

The director shall render monthly a statement to each state department or agency for a pro rata share of the cost of administration of the state employee health flexible spending accounts. The expense shall be paid by the state department or agency in the same manner as other expenses of that state department or agency are paid and all moneys received for administration costs shall be deposited in the appropriate fund.

Sec. 8. Section 35A.1, subsection 4, Code 1999, is amended

to read as follows:

4. "Director" means the executive director appointed pursuant to section ~~35A.3, subsection 3~~ 35A.8.

Sec. 9. Section 50.16, Code 1999, is amended to read as follows:

50.16 TALLY LIST OF BOARD.

The tally list shall be prepared in writing by the election board, giving, in legibly printed numerals, the total number of people who cast ballots in the precinct, the total number of ballots cast for each officer, except those rejected, the name of each person voted for, and the number of votes given to each person for each different office. The tally list shall be signed by the precinct election officials, and be substantially as follows:

At an election at ..... in ..... township, or in ..... precinct of ..... city or township, in ..... county, state of Iowa, on the ... day of ..... A.D. .., there were .. ballots cast for the office of ..... of which

~~A~~ (Candidate's name) ..... ~~B~~ ..... had .. votes.

~~C~~ (Candidate's name) ..... ~~D~~ ..... had .. votes.

(and in the same manner for any other officer).

A true tally list:

~~L~~ (Election board member's name) .... ~~M~~ ..... Election Board

~~N~~ (Election board member's name) .... ~~O~~ ..... Members.

~~P~~ (Election board member's name) .... ~~Q~~ .....

Attest:

~~R~~ (Tally Keeper's Name) ..... ~~S~~ ..... Designated

~~T~~ (Tally Keeper's Name) ..... ~~U~~ ..... Tally Keepers.

Sec. 10. Section 50.29, Code 1999, is amended to read as follows:

50.29 CERTIFICATE OF ELECTION.

When any person is thus declared elected, there shall be delivered to that person a certificate of election, under the official seal of the county, in substance as follows:

STATE OF IOWA)

..... County.)

At an election held in said county on the .. day of ...., A.D. .. A-~~.....~~-B .... (candidate's name) was elected to the office of .... for the term of .. years from the .. day of ...., A.D. .. (or if elected to fill a vacancy, for the residue of the term ending on the .. day of ...., A.D. ..), and until a successor is elected and qualified.

C~~.....~~-D.....,
President of Board of Canvassers.

Witness, E~~.....~~-F.....,
County Commissioner of Elections
(clerk).

Such certificate is presumptive evidence of the person's election and qualification.

Sec. 11. Section 50.41, Code 1999, is amended to read as follows:

50.41 CERTIFICATE OF ELECTION.

Each person declared elected by the state board of canvassers shall receive a certificate, signed by the governor, or, in the governor's absence, by the secretary of state, with the seal of state affixed, attested by the other canvassers, to be in substance as follows:

STATE OF IOWA:

To A-~~.....~~-B ..... (candidate's name): It is hereby certified that, at an election held on the .. day of .... you were elected to the office of .... of Iowa, for the term of .. years, from the ... day of ..... (or if to fill a vacancy, for the residue of the term, ending on the .. day of ....).

Given at the seat of government this ... day of .....

If the governor is absent, the certificate of the election of the secretary of state shall be signed by the auditor. The certificate to members of the legislature shall describe, by the number, the district from which the member is elected.

Sec. 12. Section 62.11, Code 1999, is amended to read as follows:

62.11 SUBPOENAS.

Subpoenas for witnesses may be issued at any time after the notice of trial is served, either by the county treasurer or by the county auditor, and shall command the witnesses to appear at ....., on ....., to testify in relation to a contested election, wherein ~~A----------B~~ ..... (Insert contestant's name) is contestant and ~~C----------D~~ ..... (Insert incumbent's name) is incumbent.

Sec. 13. Section 80.17, subsection 7, Code 1999, is amended to read as follows:

7. Division of capitol ~~security~~ police.

Sec. 14. Section 80.35, Code 1999, is amended to read as follows:

80.35 TRANSITION.

Persons employed by the department of general services as capitol security force officers shall be transferred to the division of capitol security of the department of public safety on July 1, 1976. Persons transferred pursuant to this section shall retain their positions as capitol ~~security~~ police officers, shall not be subject to the requirements and conditions of section 80.15, and shall remain under the Iowa public employees' retirement system. Persons employed after July 1, 1976 by the department of public safety as capitol ~~security~~ police officers within the division of capitol ~~security~~ police shall be subject to the requirements and conditions of section 80.15, except those requirements relating to age, and shall be subject to the Iowa public employees' retirement system. The minimum age for persons employed by the division of capitol ~~security~~ police shall be eighteen.

Sec. 15. Section 86.17, subsection 1, Code Supplement 1999, is amended to read as follows:

1. Notwithstanding the provisions of section 17A.11, the ~~industrial~~ workers' compensation commissioner or a deputy ~~industrial~~ workers' compensation commissioner shall preside

over any contested case proceeding brought under this chapter, chapter 85, 85A, or 85B in the manner provided by chapter 17A. The deputy commissioner or the commissioner may make such inquiries in contested case proceedings as shall be deemed necessary, so long as such inquiries do not violate any of the provisions of section 17A.17.

Sec. 16. Section 124.401F, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. Possesses or transports anhydrous ammonia in a container or receptacle which is not authorized to hold anhydrous ammonia according to rules adopted by the secretary of agriculture.

Sec. 17. Section 135.11, subsection 18, Code Supplement 1999, is amended to read as follows:

18. Consult with the office of statewide clinical education programs at the university of Iowa college of medicine and annually submit a report to the general assembly by January 15 verifying the number of physicians in active practice in Iowa by county who are engaged in providing obstetrical care. To the extent data are readily available, the report shall include information concerning the number of deliveries per year by specialty and county, the age of physicians performing deliveries, and the number of current year graduates of the university of Iowa college of medicine and ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center entering into residency programs in obstetrics, gynecology, and family practice. The report may include additional data relating to access to obstetrical services that may be available.

Sec. 18. Section 135.22A, subsection 1, paragraph a, Code Supplement 1999, is amended to read as follows:

a. "Brain injury" means ~~an~~ a brain injury ~~to the brain~~ as defined in section 135.22.

Sec. 19. Section 135.107, subsection 3, paragraph d, subparagraph (1), Code 1999, is amended to read as follows:

(1) The Iowa department of public health, in cooperation with a primary care collaborative effort including the university of Iowa college of medicine, ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, and other primary care professional educational institutions in Iowa, shall develop and establish area health education centers. The effort shall involve making application for a federal grant under 42 U.S.C. § 293j, as prescribed by that section.

Sec. 20. Section 135.107, subsection 4, Code 1999, is amended to read as follows:

4. The director of public health shall establish a primary care collaborative work group to coordinate all statewide recruitment and retention activities established pursuant to this section and to make recommendations to the department and the center for rural health and primary care relating to the implementation of subsection 3. Membership of the work group shall consist, at a minimum, of representatives from the university of Iowa college of medicine, ~~university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, university of Iowa physician assistant school, university of Iowa nurse practitioner school, ~~university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center physician assistant program, Iowa-Nebraska primary care association, Iowa medical society, Iowa osteopathic medical association, Iowa chapter of American college of osteopathic family physicians, Iowa academy of family physicians, nurse practitioner association, Iowa nurses association, association of Iowa hospitals and health systems, and Iowa physicians assistants association.

Sec. 21. Section 139B.1, subsection 1, paragraph a, Code Supplement 1999, is amended to read as follows:

a. "Contagious or infectious disease" means hepatitis in any form, meningococcal disease, tuberculosis, and any other

disease with the exception of AIDS or HIV infection as defined in section 141A.1, determined to be life-threatening to a person exposed to the disease as established by rules adopted by the department based upon a determination by the state epidemiologist and in accordance with guidelines of the centers for disease control and prevention ~~and control~~ of the United States department of health and human services.

Sec. 22. Section 161B.1, subsection 2, paragraph f, Code 1999, is amended to read as follows:

f. State university of Iowa department of ~~preventative~~ preventive medicine and environmental health.

Sec. 23. Section 163A.1, subsection 9, paragraph b, unnumbered paragraphs 1 and 3, Code 1999, are amended to read as follows:

A herd which has been tested pursuant to a test approved by rule of the Iowa department of agriculture and land stewardship pursuant to chapter 17A, which test is in compliance with the recommended uniform methods and rules of the animal and plant health inspection service of the United States department of agriculture.

If the Iowa department of agriculture and land stewardship adopts a rule under paragraph "b" of this subsection and the recommended uniform methods and rules of the animal and plant health inspection service of the United States department of agriculture are subsequently changed, the Iowa department of agriculture and land stewardship shall not change its rule if the effect would be to make less restrictive the standards or procedures for validating a brucellosis-free herd.

Sec. 24. Section 166.42, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

The secretary may establish a reserve supply of biological products of approved modified live virus hog-cholera vaccine and of anti-hog-cholera serum or its equivalent in antibody concentrate to be used as directed by the secretary in the event of an emergency resulting from a hog-cholera outbreak.

Vaccine and serum or antibody concentrate from the reserve supply, if used for such an emergency, shall be made available to swine producers at a price which will not result in a profit. Payment shall be made by the producer to the department and such vaccine shall be administered by a licensed practicing veterinarian. The secretary may cooperate with other states in the accumulation, maintenance and disbursement of such reserve supply of biological products. The secretary, with the advice and written consent of the state veterinarian, and the advice and written consent of the veterinarian-in-charge for Iowa of the animal, and plant, ~~and~~ health inspection service--veterinary services, United States department of agriculture, shall determine when an emergency resulting from a hog-cholera outbreak exists.

Sec. 25. Section 184A.1A, subsection 4, Code Supplement 1999, is amended to read as follows:

4. Within thirty days after approval at the referendum to establish a council and to impose an assessment, the department shall organize the council as provided in section 184A.1B.

Sec. 26. Section 229A.5A, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The prosecuting attorney or attorney general is authorized upon the occurrence of a recent overt act, or upon receiving written notice pursuant to section 229A.3, or before the filing of a petition under this chapter, to subpoena and compel the attendance of witnesses, examine the witnesses under oath, and require the production of documentary evidence for inspection, reproduction, or copying. Except as otherwise provided by this section, the prosecuting attorney or attorney general shall have the same powers and limitations, subject to judicial oversight and enforcement, as provided by this chapter and by the Iowa rules of civil procedure. Any person compelled to appear under a demand for oral testimony under this section may be accompanied, represented, and advised by

counsel at ~~their~~ the person's own expense.

Sec. 27. Section 229A.7, subsection 5, Code Supplement 1999, is amended to read as follows:

5. If the court or jury is not satisfied beyond a reasonable doubt that the respondent is a sexually violent predator, the court shall direct the respondent's release. Upon a mistrial, the court shall direct that the respondent be held at an appropriate secure facility until another trial is conducted. Any subsequent trial following a mistrial shall be held within ninety days of the previous trial, unless such subsequent trial is continued as provided in subsection ~~1~~ 2.

Sec. 28. Section 235C.3, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. A health professional training campaign, including recommendations concerning the curriculum offered at the college of medicine at the state ~~university of Iowa and the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, providing assistance in the identification of women at risk of substance abuse during pregnancy and strategies to be employed in assisting those women to maintain healthy lifestyles during pregnancy. This education campaign shall offer information to health professionals on assessment, laboratory testing, and referrals.

Sec. 29. Section 237A.23, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The departments of education, public health, and human services shall jointly establish a leadership council for child care training and development in this state. In addition to representatives of the three departments, the leadership council shall include but is not limited to representatives of community colleges, institutions of higher learning under the state board of regents and private institutions of higher education, the Iowa cooperative extension service in agriculture and home economics, and child

care resource and referral service agencies.

Sec. 30. Section 255.26, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Warrants issued under section 255.25 shall be promptly drawn on the treasurer of state and forwarded by the director of revenue and finance to the treasurer of the state university, and the same shall be by the treasurer of the state university placed to the credit of the funds which are set aside for the support of the university hospital. ~~However, warrants shall not be paid unless the UB-82 claim required pursuant to section 255A.13 has been filed with the community health management information system.~~ The superintendent of the university hospital shall certify to the auditor of state on the first day of January, April, July, and October of each year, the amount as herein provided not previously certified by the superintendent due the state from the several counties having patients chargeable thereto, and the auditor of state shall thereupon charge the same to the county so owing. A duplicate certificate shall also be mailed to the auditor of each county having patients chargeable thereto. Expenses for obstetrical patients served under section 255A.9 shall be reimbursed as specified in section 255A.9.

Sec. 31. Section 255A.13, Code 1999, is amended to read as follows:

255A.13 DATA COLLECTION.

~~Beginning July 1, 1987, the~~ The university of Iowa hospitals and clinics shall submit, on a quarterly basis, ~~UB-82~~ UB-92 claims for all patients discharged after being served under the indigent patient program under chapter 255. ~~The UB-82 claim shall include all data elements which are required by the community health management information system.~~

Sec. 32. Section 257.46, subsection 2, Code Supplement 1999, is amended to read as follows:

2. The remaining portion of the budget shall be funded by

the thirty-eight dollar increase in allowable growth for the school budget year beginning July 1, 1999, increased by the growth of the regular program district cost each year. School districts shall annually report the amount expended for a gifted and talented program to the department of education. The proportion of a school district's budget which corresponds to the thirty-eight dollar increase in allowable growth for the school budget year beginning July 1, 1999, added to the amount in subsection 1, shall be utilized exclusively for a school district's gifted and talented ~~and gifted~~ program.

Sec. 33. Section 261.19, Code 1999, is amended to read as follows:

261.19 OSTEOPATHIC PHYSICIAN RECRUITMENT PROGRAM.

1. A physician recruitment program is established, to be administered by the college student aid commission, for ~~the university of osteopathic medicine and health sciences of Des Moines, Iowa~~ Des Moines university -- osteopathic medical center. The program shall consist of a forgivable loan program and a tuition scholarship program for students and a loan repayment program for physicians. The commission shall regularly adjust the physician service requirement under each aspect of the program to provide, to the extent possible, an equal financial benefit for each period of service required. From funds appropriated for purposes of the program by the general assembly, the commission shall pay a fee to ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center for the administration of the program. A portion of the fee shall be paid by the commission to the university based upon the number of physicians recruited under subsection 4.

2. A forgivable loan may be awarded to a resident of Iowa who is enrolled at ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center if the student agrees to practice in this state for a period of time to be determined by the commission at the time

the loan is awarded. Forgivable loans to eligible students shall not become due and interest on the loan shall not accrue until after the student completes a residency program. If the student completes the period of practice established by the commission and agreed to by the student, the loan amount shall be forgiven. The loan amount shall not be forgiven if the osteopathic physician fails to complete the required time period of practice in this state or fails to satisfactorily continue in the university's program of medical education.

3. A student enrolled at ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center shall be eligible for a tuition scholarship for the student's study at the university. The scholarship shall be for an amount not to exceed the annual tuition at the university. A student who receives a tuition scholarship shall not be eligible for the loan repayment program provided for by this section. A student who receives a tuition scholarship shall agree to practice in an eligible rural community in this state for a period of time to be determined by the commission at the time the scholarship is awarded. The student shall repay the scholarship to the commission if the student fails to practice in a medically underserved rural community in this state for the required period of time.

4. A physician shall be eligible for the physician loan repayment program if the physician agrees to practice in an eligible rural community in this state. ~~The university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center shall recruit and place physicians in rural communities which have agreed to provide additional funds for the physician's loan repayment. The contract for the loan repayment shall stipulate the time period the physician shall practice in an eligible rural community in this state. In addition, the contract shall stipulate that the physician repay any funds paid on the

physician's loan by the commission if the physician fails to practice in an eligible rural community in this state for the required period of time. For purposes of this subsection, "eligible rural community" means a medically underserved rural community which agrees to match state funds provided on at least a dollar-for-dollar basis for the loan repayment of a physician who practices in the community.

5. The commission shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 34. Section 263.17, subsection 2, paragraph a, subparagraph (1), Code 1999, is amended to read as follows:

(1) The state university of Iowa department of ~~preventative~~ preventive medicine and environmental health.

Sec. 35. Section 279.51, subsection 2, paragraph b, subparagraph (1), Code Supplement 1999, is amended to read as follows:

(1) To school districts to establish programs for ~~three-year-~~ three-year-old, ~~four-year-~~ four-year-old, and five-year-old at-risk children which are a combination of preschool and full-day kindergarten.

Sec. 36. Section 359A.18, subsection 5, Code 1999, is amended to read as follows:

5. A fence consisting of four parallel, coated steel, smooth high-tensile wire which meets requirements adopted by the American society ~~of~~ for testing and materials, including but not limited to requirements relating to the grade, tensile strength, elongation, dimensions, and tolerances of the wire. The wire must be firmly fastened to plastic, metal, or wooden posts securely planted in the earth. The posts shall not be more than two rods apart. The top wire shall be at least forty inches in height.

Sec. 37. Section 422.45, subsections 38A and 38B, Code Supplement 1999, are amended to read as follows:

38A. The gross receipts from the sale or rental of aircraft; the sale or rental of tangible personal property

permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and the gross receipts of all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a scheduled interstate federal aviation ~~administration-certified~~ administration certificated air carrier operation.

38B. The gross receipts from the sale or rental of tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and the gross receipts of all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a nonscheduled interstate federal aviation ~~administration-certified~~ administration certificated air carrier operation operating under 14 C.F.R. ch. 1, pt. 135.

Sec. 38. Section 422.121, Code Supplement 1999, is amended to read as follows:

422.121 APPROPRIATION -- LIMITATION.

Beginning with the fiscal year beginning July 1, 1997, there is appropriated annually from the general fund of the state two million dollars to refund the credits allowed under this division. Notwithstanding section 422.120, for tax years beginning on or after January 1, 1997, the livestock production tax credit shall only be allowed for cow-calf operations. In calculating the tax credit for cow-calf operations for tax years beginning in the 1997 calendar year, mature beef cows bred or for breeding, bred yearling heifers, and breeding bulls in the operations' inventory on December 31 of the tax year which were also in the ~~operations~~ operations' inventory on July 1 of the tax year and stockers and feeders

sold during the tax year may be counted. In calculating the tax credit for cow-calf operations for tax years beginning on or after January 1, 1998, only those bred cows, bred heifers, and breeding bulls in the operations' inventory on December 31 of the tax year which were also in the ~~operations~~ operations' inventory on July 1 of the tax year may be counted.

Sec. 39. Section 422B.1, subsection 6, paragraph b, Code Supplement 1999, is amended to read as follows:

b. Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of a local option tax, the county auditor shall give written notice by sending a copy of the abstract of the ~~ballot~~ votes from the favorable election to the director of revenue and finance or, in the case of a local vehicle tax, to the director of the department of transportation, of the result of the election.

Sec. 40. Section 422E.2, subsection 4, paragraph b, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of the tax, the county auditor shall give written notice by sending a copy of the abstract of ~~ballot~~ the votes from the favorable election to the director of revenue and finance of the result of the election. Election costs shall be apportioned among school districts within the county on a pro rata basis in proportion to the number of registered voters in each school district and the total number of registered voters in all of the school districts within the county.

Sec. 41. Section 423.4, subsections 18 and 19, Code Supplement 1999, are amended to read as follows:

18. Aircraft; tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials

or parts; and all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a scheduled interstate federal aviation administration ~~certified~~ certificated air carrier operation.

19. Tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a nonscheduled interstate federal aviation administration ~~certified~~ certificated air carrier operation operating under 14 C.F.R. ch. 1, pt. 135.

Sec. 42. Section 427.1, subsection 14, unnumbered paragraph 2, Code Supplement 1999, is amended to read as follows:

The assessor, in arriving at the valuation of any property of the society or organization, shall take into consideration any uses of the property not for the appropriate objects of the organization and shall assess in the same manner as other property, all or any portion of the property involved which is leased or rented and is used regularly for commercial purposes for a profit to a party or individual. If a portion of the property is used regularly for commercial purposes an exemption shall not be allowed upon property so used and the exemption granted shall be in the proportion of the value of the property used solely for the appropriate objects of the organization, to the entire value of the property. However, the board of trustees or the board of directors of a hospital, as defined in section 135B.1, ~~subsection 1,~~ may permit use of a portion of the hospital for commercial purposes, and the

hospital is entitled to full exemption for that portion used for nonprofit health-related purposes, upon compliance with the filing requirements of this subsection.

Sec. 43. Section 427B.4, unnumbered paragraph 1, Code 1999, is amended to read as follows:

An application shall be filed for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filed by the owner of the property with the local assessor by February 1 of the assessment year in which the value added is first assessed for taxation. Applications for exemption shall be made on forms prescribed by the director of revenue and finance and shall contain information pertaining to the nature of the improvement, its cost, and other information deemed necessary by the director of revenue and finance.

Sec. 44. Section 448.2, Code 1999, is amended to read ass follows:

448.2 FORM.

Deeds executed by the county treasurer shall be substantially in the following form:

KNOW ALL PERSONS BY THESE PRESENTS, that the following described parcel: (Here follows the description), situated in the county of ..... and state of Iowa, was subject to taxes for the year (or years) A.D. ...., and the taxes on the parcel for the year (or years) stated remained due and unpaid at the date of the sale; and the treasurer of the county, on the .... day of ....., A.D. ...., by virtue of the authority vested by law in the treasurer, at (an adjournment of) the sale begun and publicly held on the third Monday of June, A.D. ...., exposed to public sale at the office of the county treasurer in the county named, in substantial conformity with all the requirements of the statute, the parcel described, for the payment of the total amount then due and remaining unpaid on the parcel, and at that time and place ~~A-.....-~~B ....., of the county of ..... and state of ....., offered to pay the

sum of .. dollars and .. cents, being the total amount then due and remaining unpaid on the parcel, for (here follows the description of the parcel sold) which was the least quantity bid for, and payment of that sum was made by that person to the treasurer, the parcel was stricken off to that person at that price; and A-~~.....~~-B ..... did, on the ... day of ....., A.D. ...., assign the certificate of the sale of the parcel and all right, title, and interest to the parcel to E ~~.....~~-F-..... of the county of ..... and state of .....; and by the affidavit of ....., filed in the treasurer's office on the ... day of ....., A.D. ...., it appears that notice has been given more than ninety days before the execution of this deed to ..... and ..... of the expiration of the time of redemption allowed by law; and two years have elapsed since the date of the sale, and the parcel has not been redeemed:

Now, I, C-~~.....~~-D ....., treasurer of the county, for the consideration of the stated sum paid to the treasurer and by virtue of law, have granted, bargained, and sold, and by these presents do grant, bargain, and sell to A-~~.....~~-B ..... (or E ~~.....~~-F .....), and that person's heirs and assigns, the parcel described, to have and to hold unto that person (or E ~~.....~~-F .....), and that person's heirs and assigns, forever; subject, however, to all the rights of redemption provided by law. In witness whereof, I, C-~~.....~~-D ....., treasurer of ..... county, by virtue of the authority vested in me, have subscribed my name on this .... day of ....., A.D. ....

.....

Treasurer

State of Iowa,)

.....County.) ss.

I certify that before me, ..., in and for said county, personally appeared the above named C-~~.....~~-D ....., treasurer of the county, personally known to me to be the treasurer of the county at the date of the execution of the above

conveyance, and to be the identical person whose name is affixed to and who executed the above conveyance as treasurer of the county, and acknowledged the execution of the conveyance to be the treasurer's voluntary act and deed as treasurer of the county, for the purposes expressed in the conveyance.

Given under my hand (and seal) this .... day of ....., A.D. ....

Sec. 45. Section 453C.1, subsection 9, paragraph a, Code Supplement 1999, is amended to read as follows:

a. Manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer, except where such importer is an original participating manufacturer, as that term is defined in the master settlement agreement, that will be responsible for the payments under the master settlement agreement with respect to such cigarettes as a result of the provisions of ~~the~~ subsection II(mm) of the master settlement agreement and that pays the taxes specified in subsection II(z) of the master settlement agreement and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States.

Sec. 46. Section 455B.173, subsection 8, Code Supplement 1999, is amended to read as follows:

8. Formulate and adopt specific and detailed statewide standards pursuant to chapter 17A for review of plans and specifications and the construction of sewer systems and water supply distribution systems and extensions to such systems not later than October 1, 1977. The standards shall be based on criteria contained in the "Recommended Standards for Sewage Works" and "Recommended Standards for Water Works" (Ten States Standards) as adopted by the Great Lakes-Upper Mississippi River board of state sanitary engineers, design manuals published by the department, applicable federal guidelines and standards, standard textbooks, current technical literature

and applicable safety standards. The material standards for polyvinyl chloride pipe shall not exceed the specifications for polyvinyl chloride pipe in designations D-1784-69, D-2241-73, D-2564-76, D-2672-76, D-3036-73 and D-3139-73 of the American society ~~of~~ for testing and ~~material~~ materials. The rules adopted which directly pertain to the construction of sewer systems and water supply distribution systems and the review of plans and specifications for such construction shall be known respectively as the Iowa Standards for Sewer Systems and the Iowa Standards for Water Supply Distribution Systems and shall be applicable in each governmental subdivision of the state. Exceptions shall be made to the standards so formulated only upon special request to and receipt of permission from the department. The department shall publish the standards and make copies of such standards available to governmental subdivisions and to the public.

Sec. 47. Section 455B.474, subsection 1, paragraph d, subparagraph (2), subparagraph subdivision (d), Code Supplement 1999, is amended to read as follows:

(d) For purposes of classifying a site as either low risk or no action required, the department shall rely upon the example tier one risk-based screening level look-up table of the American society for testing ~~of~~ and materials' emergency standard, ES38-94, or other look-up table as determined by the department by rule.

Sec. 48. Section 455B.474, subsection 1, paragraph f, subparagraph (4), subparagraph subdivision (e), Code Supplement 1999, is amended to read as follows:

(e) Risk-based corrective action assessment principles which identify the risks presented to the public health and safety or the environment by each release in a manner that will protect the public health and safety or the environment using a tiered procedure consistent with the American society for testing ~~of~~ and materials' emergency standard, ES38-94.

Sec. 49. Section 514.7, unnumbered paragraph 1, Code

Supplement 1999, is amended to read as follows:

The contracts by any such corporation with the subscribers for health care service shall at all times be subject to the approval of the commissioner of insurance. The ~~commission~~ commissioner shall require that participating pharmacies be reimbursed by the pharmaceutical service corporation at rates or prices equal to rates or prices charged nonsubscribers, unless the commissioner determines otherwise to prevent loss to subscribers.

Sec. 50. Section 514E.1, subsection 12, Code 1999, is amended to read as follows:

12. "Health care facility" means a health care facility as defined in section 135C.1, ~~subsection 6,~~ a hospital as defined in section 135B.1, ~~subsection 1,~~ or a community mental health center established under chapter 230A.

Sec. 51. Section 522A.3, subsection 5, paragraph d, Code Supplement 1999, is amended to read as follows:

d. A fee, compensation, or commission is not paid to an employee by a rental company dependent ~~based~~ solely on the sale of insurance under any limited license issued pursuant to this section.

Sec. 52. Section 554.12105, subsections 2 and 3, Code 1999, are amended to read as follows:

2. Other definitions applying to this article and the sections in which they appear are:

"Acceptance"	Section 554.12209
"Beneficiary"	Section 554.12103
"Beneficiary's bank"	Section 554.12103
"Executed"	Section 554.12301
"Execution date"	Section 554.12301
"Funds transfer"	Section 554.12104
"Funds-transfer system rule"	Section 554.12501
"Governing law"	Section 554.12507
"Intermediary bank"	Section 554.12104
"Originator"	Section 554.12104

"Originator's bank" Section 554.12104
"Payment by beneficiary's bank to beneficiary" Section 554.12405
"Payment by originator to beneficiary" Section 554.12406
"Payment by sender to receiving bank" Section 554.12403
"Payment date" Section 554.12401
"Payment order" Section 554.12103
"Receiving bank" Section 554.12103
"Security procedure" Section 554.12201
"Sender" Section 554.12103

3. The following definitions in article 4 apply to this article:

"Clearing house" Section 554.4104
"Item" Section 554.4104
"Suspends payments" Section 554.4104

Sec. 53. Section 598B.208, subsection 3, Code Supplement 1999, is amended to read as follows:

3. If a court dismisses a petition or stays a proceeding because it declines to exercise its jurisdiction pursuant to subsection 1, it shall assess against the party seeking to invoke its jurisdiction necessary and reasonable expenses including costs, communication expenses, attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care expenses during the course of the proceedings, unless the party from whom fees are sought establishes that the assessment would be clearly inappropriate. The court shall not assess fees, costs, or expenses against this state unless authorized by law other than this chapter.

Sec. 54. Section 598B.312, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The court shall award the prevailing party, including a state, necessary and reasonable expenses incurred by or on behalf of the party, including costs, communication expenses,

attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care expenses during the course of the proceedings, unless the party from whom fees or expenses are sought establishes that the award would be clearly inappropriate.

Sec. 55. Section 637.202, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. The beneficiary's fractional interest in the undistributed principal assets must be calculated without regard to property specifically given to a beneficiary and property required to be pay pecuniary amounts not in trust.

Sec. 56. Section 663.8, Code 1999, is amended to read as follows:

663.8 FORM OF WRIT.

If the petition is in accordance with the foregoing requirements, and states sufficient grounds for the allowance of the writ, it shall issue, and may be substantially as follows:

The State of Iowa,

To ~~A.....B.....~~:

You are hereby commanded to have the body of ~~C.....D....~~, by you unlawfully detained, as is alleged, before the court (or before me, or before ~~E.....F....~~, judge, etc., as the case may be), at ...., on .... (or immediately after being served with this writ), to be dealt with according to law, and have you then and there this writ, with a return thereon of your doings in the premises.

Sec. 57. Section 692A.13, subsection 3, paragraph c, subparagraphs (1) and (2), Code Supplement 1999, are amended to read as follows:

(1) Persons who commit a criminal offense against a minor, an aggravated offense, sexual exploitation, a sexually violent offense, or an other relevant offense on or after the effective date of this Act and who have been assessed to be a "moderate-risk" or "high-risk".

(2) Persons who committed an offense prior to July 1, 1999, and who have been assessed to be a "moderate-risk" or "high-risk" and whose opportunity to request a hearing regarding the assessment of risk has lapsed.

Sec. 58. 1999 Iowa Acts, chapter 112, section 9, is amended by striking the amending phrase to the section and inserting in lieu thereof the following: "Section 692A.5, subsection 1, Code 1999, is amended by adding the following new paragraph:"

DIVISION II

CENTURY DATE CHANGE

Sec. 59. Sections 6B.9, 28A.6, 52.21, 85.24, 96.14, 441.26, 448.15, 458.22, 461B.5, 468.371, 468.553, 515.138, 558.26, 558.39, 558.57, 558.58, 558.66, 617.3, 633.279, 633.295, and 656.2, Code 1999, are amended by striking "day of ___, 19__," and inserting in lieu thereof "day of ___ (month), ____ (year),".

Sec. 60. Section 43.26, Code 1999, is amended by striking "June, 19___" and inserting in lieu thereof "June, ____ (year)".

Sec. 61. Section 46.9, Code 1999, is amended by striking "January 31, 19___" and inserting in lieu thereof "January 31, ____ (year)".

Sec. 62. Sections 52.9 and 52.38, Code 1999, are amended by striking "election of ___, 19___" and inserting in lieu thereof "election of _____ (date)".

Sec. 63. Sections 52.9 and 52.38, Code 1999, are amended by striking "Dated ___ 19___" and inserting in lieu thereof "Dated ____".

Sec. 64. Section 52.21, Code 1999, is amended by striking "VOTING MACHINE RETURN AND TALLY SHEET ____ ELECTION ___ 19___, COUNTY OF ____" and inserting in lieu thereof "VOTING MACHINE RETURN AND TALLY SHEET _____ ELECTION ____ (DATE), COUNTY OF _____".

Sec. 65. Section 384.50, Code 1999, is amended to read as

follows:

384.50 NOTICE OF HEARING.

The clerk shall publish notice of the date, time, and place of the hearing once each week for two consecutive weeks in the manner provided by section 362.3, the first publication of which shall be not less than ten days before the date of the hearing. The notice must be in substantially the following form:

NOTICE TO PROPERTY OWNERS

Notice is given that there is now on file for public inspection in the office of the clerk of ....., Iowa, a proposed resolution of necessity, an estimate of cost, and a plat and schedule showing the amounts proposed to be assessed against each lot and the valuation of each lot within a district approved by the council of ....., Iowa, for a ..... improvement of the type(s) and in the location(s) as follows:

The council will meet at .. o'clock ...m., on ....~~,-19..~~ (date), at the ....., at which time the owners of property subject to assessment for the proposed improvement or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the district, the cost, the assessment against any lot, or the final adoption of a resolution of necessity. A property owner will be deemed to have waived all objections unless at the time of hearing the property owner has filed objections with the clerk.

.....

Clerk.

Not less than fifteen days before the hearing, the clerk shall send a copy of the notice by mail to each property owner whose property is subject to assessment for the improvement at the address as shown by the records of the county auditor. If a property is shown to be in the name of more than one owner at the same mailing address, a single notice may be mailed

addressed to all owners at that address. Failure to receive a mailed notice is not a defense to the special assessment.

Sec. 66. Sections 468.511, 558.25, and 558.39, Code 1999, are amended by striking "day of ____, A.D. 19___" and inserting in lieu thereof "day of ____ (month), ____ (year)".

Sec. 67. Section 602.6504, Code 1999, is amended by striking "December 31, 19___" and inserting in lieu thereof "December 31, ____ (year)".

Sec. 68. Section 614.14, subsection 2, Code Supplement 1999, is amended to read as follows:

2. A bona fide purchaser is a purchaser for value in good faith and without notice of any adverse claim, who has relied on a current, recorded affidavit in substantially the following form delivered to the purchaser:

[Individual trustee] Affidavit in re [insert legal description]

I, ..., being first duly sworn and under oath state of my personal knowledge that:

1. I am the trustee under the trust dated ..., ~~19..~~ to which the above-described real estate was conveyed to the trustee by ....., pursuant to an instrument recorded the .. day of .... (month), ~~19..~~(year), recorded in the office of the ... County Recorder in ..... [insert recording data].

2. I am the presently existing trustee under the trust and am authorized to ... [describe the transfer to be made by the trustee to the bona fide purchaser], without any limitation or qualification whatsoever.

3. The trust is in existence and I as trustee am authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

.....

[signature of affiant]

Sworn to and subscribed before me by ..... on this .. day of ... (month), ~~19..~~(year)

.....

[Notary Public in and for the State of ...]

[Corporate trustee] Affidavit in re [insert legal description]

I, ..., being first duly sworn and under oath state of my personal knowledge that:

1. ..... is the trustee under the trust dated ..., ~~19...~~ to which the above-described real estate was conveyed to the trustee by ....., pursuant to an instrument recorded the ... day of ... (month), ~~19..~~(year), recorded in the office of the ... County Recorder in ..... [insert recording data].

2. ..... is the presently existing trustee under the trust and is authorized to ... [describe the transfer to be made by the trustee to the bona fide purchaser], without any limitation or qualification whatsoever, and I am ..... [officer] of the corporate trustee.

3. The trust is in existence and ..... as trustee is authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

.....

[signature of affiant]

Sworn to and subscribed before me by ....., on this ... day of ... (month), ~~19..~~(year)

.....

[Notary Public in and for the State of ...]

Sec. 69. Section 633.230, subsection 1, Code 1999, is amended to read as follows:

1. In intestate matters, the administrator, as soon as letters are issued, shall cause to be published once each week for two consecutive weeks in a daily or weekly newspaper of general circulation published in the county in which the estate is pending, and at any time during the pendency of administration that the administrator has knowledge of the

name and address of a person believed to own or possess a claim which will not or may not be paid or otherwise satisfied during administration, provide by ordinary mail to each such claimant at the claimant's last known address, a notice of appointment which shall be in substantially the following form:

NOTICE OF APPOINTMENT OF
ADMINISTRATOR AND
NOTICE TO CREDITORS

In the District Court of Iowa
in and for ..... County.
In the Estate of ....., Deceased
Probate No. .....

To All Persons Interested in the Estate of .....,
Deceased, who died on or about .....,-19--(date):

You are hereby notified that on the ... day of .....(month), 19..(year), the undersigned was appointed administrator of the estate.

Notice is hereby given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of the mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this ... day of .....(month), 19..(year)

.....
Administrator of the estate

.....
Address

.....
Attorney for the administrator

.....

Address

Date of second publication ... day of .....(month), ~~19~~..(year) (Date to be inserted by publisher)

Sec. 70. Section 633.304, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The notice shall be substantially in the following form:

Notice of Probate of Will,
of Appointment of Executor,
and Notice to Creditors

In the District Court of Iowa
in and for .... County. Probate No.
....

In the Estate of ....., Deceased

To All Persons Interested in the Estate of ....., Deceased, who died on or about .....~~,~~ ~~19~~ (date):

You are hereby notified that on the ... day of .....(month), ~~19~~..(year), the last will and testament of ....., deceased, bearing date of the ... day of .....(month, ~~19~~..(year), was admitted to probate in the above named court and that ..... was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this ... day of .....(month), 19..(year)

.....
Executor of estate

.....
Address

.....
Attorney for executor

.....
Address

Date of second publication
... day of .....(month), 19..(year)
(Date to be inserted by publisher)

Sec. 71. Section 633.305, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The notice shall be substantially in the following form:

Notice of Proof of Will Without Administration

In the District Court of Iowa
in and for .... County. Probate No.
....

In the Estate of ....., Deceased

To All Persons Interested in the Estate of ....., Deceased, who died on or about .....(month), 19..(year):

You are hereby notified that on the ... day of .....(month), 19..(year), the last will and testament of ....., deceased, bearing date of the ... day of .....(month), 19..(year), was admitted to probate in the above named court and there will be no present administration of the estate. Any action to set aside the will must be brought in the district court of the county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Dated this ... day of .....(month), 19..(year)

.....
Clerk of the district court

.....
Attorney for estate
.....
Address
Date of second publication
... day of .....(month), ~~19~~..(year)
(Date to be inserted by publisher)

EXPLANATION

This bill makes nonsubstantive corrections to the Code of Iowa.

Code section 6B.59. Replaces the word "Iowa" with the word "state" so that the section reflects the official name of the state department of transportation.

Code section 7E.5(1)(v). Corrects a reference to the Code in which the department for the blind is established. The commission for the blind is established in Code section 216B.2. The department is established in Code chapter 216B.

Code section 12.31. Strikes the words "This division" and substitutes the sections in Code chapter 12 which corresponds with the linked investment program. There are no divisions in Code chapter 12.

Code section 12.32, unnumbered paragraph 1 and subsection 4. Strike the word "division" and substitute the sections contained in Code chapter 12, which corresponds with the linked investment program. There are no divisions in Code chapter 12. Correct a reference to the traditional livestock producer's linked investment "loan" program established under Code section 12.43A.

Code section 15E.208(4)(b). Corrects a reference to the department of workforce development. The name of that department was changed in 1996 Iowa Acts, ch. 1186.

Code section 19A.8. Corrects a reference to the state employee "health" flexible spending accounts to conform to the

terminology created in Code section 19A.35.

Code section 35A.1(4). Corrects reference to Code section 35A.8, which provides for the appointment of the executive director of the commission of veterans affairs.

Code section 50.16. Strikes letter references which precede blank lines in the form for the tally list of the election board and adds directions as to what information is to be placed in the blanks.

Code section 50.29. Amends the county certificate of election form by striking letter references which precede blank lines with directions to insert the candidate's name and by striking letter references which precede blanks which already have directions as to what information is to be entered on the blank lines.

Code section 50.41. Amends the certificate of election for persons declared to have been elected by the state board of canvassers by striking letter references which precede blank lines with directions to insert the candidate's name.

Code section 60.11. Amends the subpoena language for witnesses in trials contesting the results of an election by striking letter references which precede blank lines with directions to insert the candidates' names.

Code sections 80.17(7) and 80.35. Correct references to the division of capitol police of the department of public safety, the designation currently used by the department of public safety.

Code section 86.17(1). Corrects references to the industrial commissioner and the deputy industrial commissioner to the workers' compensation commissioner and the deputy workers' compensation commissioner. The names of the industrial commissioner and deputy industrial commissioner were changed by 1998 Iowa Acts, ch. 1061.

Code section 124.401F(2)(b). Adds the words "of agriculture" after the word "secretary". The requirements and prohibitions pertaining to anhydrous ammonia contained in Code

section 124.401F were moved from their 1999 Code placement in sections 200.14 and 200.18, by 1999 Iowa Acts, ch. 12. The term "secretary" is defined in Code section 189.1 and previously applied to the language which was formerly in Code sections 200.14 and 200.18. Another reference to "secretary" in Code section 124.401F was corrected in 1999 Iowa Acts, ch. 208, section 48, in the same manner as this reference.

Code sections 135.11(18) and 135.107(3)(d). Change the name of the former university of osteopathic medicine and health sciences to its new name, Des Moines university--osteopathic medical center.

Code section 135.22A(1)(a). Conforms the phrase "an injury to the brain" to the definition "brain injury" contained in Code section 135.22, which is cited in this paragraph.

Code section 139B.1(1)(a). Corrects the reference to the United States department of health and human services centers for disease control and prevention.

Code section 161B.1(2)(f). Changes the name of the Iowa department of preventative medicine and environmental health of the state university of Iowa to the correct name of department of preventive medicine and environmental health.

Code Section 163A.1(9)(b). Corrects references to the animal and plant inspection service of the United States department of agriculture to refer to the official name of the animal and plant health inspection service of that federal department.

Code section 166.42 (unnumbered paragraph 1). Corrects the name of the animal and plant health inspection service--veterinary service, United States department of agriculture.

Code section 184A.1A(4). Inserts the word "and" between the words "council" and the phrase "to impose an assessment". Subsection 1 of this section, which describes the referendum for the Iowa turkey marketing council and the assessment, provides that both the council establishment and the

assessment imposition are part of the referendum.

Code section 229A.5A(1). Strikes the word "their" and substitutes the words "the person's" to refer to who is responsible for payment of attorney fees for any person compelled to appear under this section.

Code section 229A.7(5). Changes a reference to subsection 1 of that section to a reference to subsection 2. The language pertaining to continuation of sexually violent predator trials is found in subsection 2, not subsection 1.

Code Section 235C.3(2)(b). Corrects a reference to the university of osteopathic medicine and health sciences to reflect the official name of the Des Moines university--osteopathic medical center.

Code section 237A.23(1). Adds the word "public" before the word "health", so that the list of departments reflects the proper designation of the department of public health.

Code section 255.26. Strikes language prohibiting payment of warrants from the state university of Iowa for medical assistance provided to certain patients unless the uniform billing form 82 (UB-82) has been filed with the community health management information system. The community health management information system, formerly contained in Code chapter 144C, was eliminated effective February 28, 1999, by 1998 Iowa Acts, ch. 1119, section 5.

Code section 255A.13. Updates uniform billing form number references currently in use for submission of claims to the UB-92. Strikes references to the community health management information system, formerly contained in Code chapter 144C, which was eliminated, effective February 28, 1999, by 1998 Iowa Acts, ch. 1119, section 5.

Code section 257.46(2). Strikes the term "talented and gifted program" and substitutes the term "gifted and talented program". Code section 257.42 provides that "gifted and talented program" is the proper designation.

Code section 261.19. Strikes references to the former

university of osteopathic medicine and health sciences and inserts the university's new name, Des Moines university--osteopathic medical center.

Code Section 263.17(2)(a)(1). Corrects a reference to reflect the official name of the department of preventive medicine and environmental health of the state university of Iowa.

Code section 279.51(2)(b)(1). Amends language which relates to at-risk programming for certain young children, by adding the word "old" to each of two phrases ending with hyphens, so that the phrase reads "three-year-old, four-year-old, and five-year-old".

Code Section 359A.18(5). Corrects a reference to reflect the official name of the American society for testing and materials.

Code section 422.45(38A) and (38B). Strike the word "administration-certified" and insert the words "administration certificated" in provisions relating to sales tax exemptions for gross receipts for the sale or rental of aircraft used in scheduled and nonscheduled interstate federal aviation administration certificated air carrier operations. The federal regulations use the latter terminology which is also found in subsection 38 of this Code section.

Code section 422.121. Strikes the word "operations" and replaces it with the words "operations' inventory" in language relating to the calculation of tax credits for cow-calf operations to clarify that inventory numbers are to be used in calculating the credit.

Code sections 422B.1(6)(b) and 422E.2(4)(b) (unnumbered paragraph 1). Change the term "abstract of the ballot" to the term "abstract of the votes". The name of the document prepared by the county auditor to reflect the results of votes cast at various elections and on ballot issues is "abstract of the votes".

Code section 423.4(18) and (19). Strike the word

"certified" and insert the word "certificated" in provisions relating to sales tax exemptions for gross receipts for the sale or rental of aircraft used in scheduled and nonscheduled interstate federal aviation administration certificated air carrier operations. The federal regulations use the latter terminology which is also found in subsection 17 of this Code section.

Code section 427.1(14) (unnumbered paragraph 2). Deletes an incorrect reference to subsection 1 of Code section 135B.1. The definition of "hospital" is not in subsection 1 of Code section 135B.1, rather it is now located in subsection 3 of that section.

Code section 427B.4 (unnumbered paragraph 1). Adds the words "and finance" after the words "director of revenue" to reflect the current official title of the head of the department of revenue and finance.

Code section 448.2. Changes the tax deed form used by the county treasurer by striking letter references which precede blank lines and by deleting extra blank lines so that a single blank line will remain in each location where the changes are made.

Code section 453C.1(9)(a). Deletes the word "the" from language referring to provisions of subsection II(mm) of the master tobacco settlement agreement. The word is not needed within that phrase.

Code section 455B.173(8). Changes the name of the American society of testing and material to the correct name of American society for testing and materials.

Code section 455B.474(1). Changes a reference to the American society for testing of materials to the correct name of American society for testing and materials.

Code section 514.7. Corrects a reference to the commissioner of insurance in language relating to approval of contracts by nonprofit health care service corporations. An insurance commission does not exist.

Code section 514E.1(12). Deletes an incorrect reference to subsection 1 of Code section 135B.1. The definition of "hospital" is not in subsection 1 of Code section 135B.1, rather it is now located in subsection 3 of that section. A reference to subsection 6 of Code section 135C.1 is deleted to conform the citation form to the citation form created by the strike of the subsection 1 reference.

Code section 522A.3(5)(d). Deletes the word "based" from language relating to the terms under which a fee, compensation, or commission may be paid to an employee of a rental company which sells insurance under a limited license agreement under Code chapter 522A. The word was inadvertently added during the drafting process and is obviated by the use of the word "dependent" in that same paragraph.

Code section 554.12105(2). Adds the word "Section" before each reference to a Code section in the definitions provision of this article of the uniform commercial code. This conforms the form of this definitions section to other definitions sections which may be found in articles 2, 3, and 5 of the uniform commercial code.

Code sections 598B.208(3) and 598B.312(1). Adds the word "expenses" after the words "child care" to conform the phrase to the rest of the items listed as items which may be assessed against a party seeking to invoke the child-custody jurisdiction of the court when the court dismisses a petition or stays the proceeding because it declines to exercise jurisdiction.

Code section 637.202(2)(b). Strikes the word "be" from the phrase "required to be pay pecuniary amounts" so that the phrase reads "required to pay pecuniary amounts" in language relating to determination of a beneficiary's share of net income from a decedent's estate or a terminating income trust.

Code section 663.8. Changes the petition for writ of habeas corpus form by striking letter references which precede blank lines and by deleting extra blank lines so that a single

blank line will remain in each location where the changes are made.

Code section 692A.13(c)(1) and (2). Deletes the word "a" from language relating to the assessment of risk of persons who are required to register as sex offenders, so that the phrase in each paragraph reads "Persons who... and who have been assessed to be "moderate-risk" or "high-risk"".

1999 Iowa Acts, ch. 112. Corrects the amending phrase in section 9 of this Act to reflect the addition of a new paragraph to subsection 1, instead of a new subsection. As drafted, the new language was given a letter designation which is consistent with placement in subsection 1 after paragraph "e", and the content of the new language is in keeping with the type of content in the language of the other lettered paragraphs in subsection 1.

CENTURY DATE CHANGE

Code sections 6B.9, 28A.6, 43.26, 46.9, 52.9, 52.21, 52.38, 85.24, 96.14, 384.50, 441.26, 448.15, 458A.22, 461B.5, 468.371, 468.511, 468.553, 515.138, 558.25, 558.26, 558.39, 558.57, 558.58, 558.66, 602.6504, 614.14, 617.3, 633.230, 633.279, 633.295, 633.304, 633.305, and 656.2. Amends these Code sections by eliminating century specific date references and updating those references to provide for the insertion of date information without that century limitation.

HOUSE FILE 2136

H-8018

Amend House File 2136 as follows:

1. Page 5, by striking lines 9 through 30.
2. Page 10, line 16, by striking the words "~~university-of-Iowa-and~~" and inserting the following: "university of Iowa and".
3. By renumbering as necessary.

By COMMITTEE ON JUDICIARY
LARSON of Linn, Chairperson

H-8018 FILED FEBRUARY 9, 2000

adopted 2/10/00 p. 269

— CORRECTED COPY —

S. 2/14/00 Judiciary

HOUSE FILE 2136

BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 555)

(As Amended and Passed February 10, 2000)

Re Passed House, (p. 907) Date 3/22/00 Passed Senate, (p. 628) Date 3-20-00

Vote: Ayes 95 Nays 0 Vote: Ayes 43 Nays 0

Approved 4-6-00

A BILL FOR

An Act relating to nonsubstantive Code corrections.

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

House Amendments

Deleted Language *

HOUSE FILE 2136

S-5072

Amend House File 2136, as amended, passed, and reprinted by the House, as follows:

1. Page 2, by striking lines 25 through 34.
2. Page 6, line 3, by striking the words "and ~~the~~" and inserting the following: "and the".
3. Page 6, line 16, by striking the words "medicine, ~~the~~" and inserting the following: "medicine, the".
4. Page 24, line 26, by striking the figure "458.22" and inserting the following: "458A.22".
5. By renumbering as necessary.

By COMMITTEE ON JUDICIARY
ANDY McKEAN, Chairperson

Adopted 3/20/00 (p. 628)

S-5072 FILED MARCH 7, 2000

TLSB 5512HV 78
lh/cf/24

S.F. _____ H.F. 2136

DIVISION I

MISCELLANEOUS PROVISIONS

Section 1. Section 6B.59, Code Supplement 1999, is amended to read as follows:

6B.59 SALE OF ACQUIRED PROPERTY -- REIMBURSEMENT TO LANDOWNER.

If an acquiring agency acquires property by condemnation, or by otherwise exercising the power of eminent domain, and that property is later sold by the acquiring agency for more than the acquisition price paid to the landowner, the acquiring agency shall pay to the landowner from whom the property was acquired the difference between the price at which it was acquired and the price at which it was sold by the acquiring agency less the cost of any improvements made to or benefiting the land by the acquiring agency. This section does not apply to property acquired by the ~~Iowa~~ state department of transportation.

Sec. 2. Section 7E.5, subsection 1, paragraph v, Code 1999, is amended to read as follows:

v. The department for the blind, created in ~~section 216B.2~~ chapter 216B, which has primary responsibility for services relating to blind persons.

Sec. 3. Section 12.31, Code 1999, is amended to read as follows:

12.31 SHORT TITLE.

This ~~division~~ section and sections 12.32 through 12.43 shall be known as the "Linked Investments for Tomorrow Act".

Sec. 4. Section 12.32, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

As used in ~~this division~~ section 12.31, this section, and sections 12.33 through 12.43, unless the context otherwise requires:

Sec. 5. Section 12.32, subsection 4, Code Supplement 1999, is amended to read as follows:

4. "Qualified linked investment" means a linked investment

in which a certificate of deposit is placed by the treasurer of state with an eligible lending institution under the traditional livestock producers linked investment loan program established under section 12.43A.

Sec. 6. Section 15E.208, subsection 4, paragraph b, Code Supplement 1999, is amended to read as follows:

b. An agricultural products processor, if the processor or a person owning a controlling interest in the processor has demonstrated, within the most recent consecutive three-year period prior to the application for financing, a continuous and flagrant disregard for the health and safety of its employees or the quality of the environment. Violations of environmental protection statutes, rules, or regulations shall be reported for the most recent five-year period prior to application. Evidence of such disregard shall include a history of serious or uncorrected violations of state or federal law protecting occupational health and safety or the environment, including but not limited to serious or uncorrected violations of occupational safety and health standards enforced by the division of labor services of the department of ~~employment services~~ workforce development pursuant to chapter 84A, or rules enforced by the environmental protection division of the department of natural resources pursuant to chapter 455B.

Sec. 7. Section 19A.8, unnumbered paragraph 5, Code Supplement 1999, is amended to read as follows:

The director shall render monthly a statement to each state department or agency for a pro rata share of the cost of administration of the state employee health flexible spending accounts. The expense shall be paid by the state department or agency in the same manner as other expenses of that state department or agency are paid and all moneys received for administration costs shall be deposited in the appropriate fund.

Sec. 8. Section 35A.1, subsection 4, Code 1999, is amended

to read as follows:

4. "Director" means the executive director appointed pursuant to section ~~35A.3, subsection 3~~ 35A.8.

Sec. 9. Section 50.16, Code 1999, is amended to read as follows:

50.16 TALLY LIST OF BOARD.

The tally list shall be prepared in writing by the election board, giving, in legibly printed numerals, the total number of people who cast ballots in the precinct, the total number of ballots cast for each officer, except those rejected, the name of each person voted for, and the number of votes given to each person for each different office. The tally list shall be signed by the precinct election officials, and be substantially as follows:

At an election at ..... in ..... township, or in ..... precinct of ..... city or township, in ..... county, state of Iowa, on the ... day of ..... A.D. .., there were .. ballots cast for the office of ..... of which

~~A~~ (Candidate's name) ..... ~~B~~ ..... had .. votes.

~~C~~ (Candidate's name) ..... ~~D~~ ..... had .. votes.

(and in the same manner for any other officer).

A true tally list:

~~L~~ (Election board member's name) .... ~~M~~ ..... Election Board

~~N~~ (Election board member's name) .... ~~O~~ ..... Members.

~~P~~ (Election board member's name) .... ~~Q~~ .....

Attest:

~~R~~ (Tally Keeper's Name) ..... ~~S~~ ..... Designated

~~T~~ (Tally Keeper's Name) ..... ~~U~~ ..... Tally Keepers.

Sec. 10. Section 50.29, Code 1999, is amended to read as follows:

50.29 CERTIFICATE OF ELECTION.

When any person is thus declared elected, there shall be delivered to that person a certificate of election, under the official seal of the county, in substance as follows:

STATE OF IOWA)

..... County.)

At an election held in said county on the .. day of ...., A.D. .. A-~~.....~~-B .... (candidate's name) was elected to the office of .... for the term of .. years from the .. day of ...., A.D. .. (or if elected to fill a vacancy, for the residue of the term ending on the .. day of ...., A.D. ..), and until a successor is elected and qualified.

C~~.....~~-B....,
President of Board of Canvassers.

Witness, E~~.....~~-F....,
County Commissioner of Elections
(clerk).

Such certificate is presumptive evidence of the person's election and qualification.

Sec. 11. Section 50.41, Code 1999, is amended to read as follows:

50.41 CERTIFICATE OF ELECTION.

Each person declared elected by the state board of canvassers shall receive a certificate, signed by the governor, or, in the governor's absence, by the secretary of state, with the seal of state affixed, attested by the other canvassers, to be in substance as follows:

STATE OF IOWA:

To A-~~.....~~-B ..... (candidate's name): It is hereby certified that, at an election held on the .. day of .... you were elected to the office of .... of Iowa, for the term of .. years, from the ... day of ..... (or if to fill a vacancy, for the residue of the term, ending on the .. day of ....).

Given at the seat of government this ... day of .....

If the governor is absent, the certificate of the election of the secretary of state shall be signed by the auditor. The certificate to members of the legislature shall describe, by the number, the district from which the member is elected.

Sec. 12. Section 62.11, Code 1999, is amended to read as follows:

62.11 SUBPOENAS.

Subpoenas for witnesses may be issued at any time after the notice of trial is served, either by the county treasurer or by the county auditor, and shall command the witnesses to appear at ....., on ....., to testify in relation to a contested election, wherein ~~A-.....B~~ ..... (Insert contestant's name) is contestant and ~~C-.....D~~ ..... (Insert incumbent's name) is incumbent.

* Sec. 13. Section 86.17, subsection 1, Code Supplement 1999, is amended to read as follows:

1. Notwithstanding the provisions of section 17A.11, the ~~industrial~~ workers' compensation commissioner or a deputy ~~industrial~~ workers' compensation commissioner shall preside over any contested case proceeding brought under this chapter, chapter 85, 85A, or 85B in the manner provided by chapter 17A. The deputy commissioner or the commissioner may make such inquiries in contested case proceedings as shall be deemed necessary, so long as such inquiries do not violate any of the provisions of section 17A.17.

Sec. 14. Section 124.401F, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. Possesses or transports anhydrous ammonia in a container or receptacle which is not authorized to hold anhydrous ammonia according to rules adopted by the secretary of agriculture.

Sec. 15. Section 135.11, subsection 18, Code Supplement 1999, is amended to read as follows:

18. Consult with the office of statewide clinical education programs at the university of Iowa college of medicine and annually submit a report to the general assembly by January 15 verifying the number of physicians in active practice in Iowa by county who are engaged in providing obstetrical care. To the extent data are readily available, the report shall include information concerning the number of deliveries per year by specialty and county, the age of

physicians performing deliveries, and the number of current year graduates of the university of Iowa college of medicine and ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center entering into residency programs in obstetrics, gynecology, and family practice. The report may include additional data relating to access to obstetrical services that may be available.

Sec. 16. Section 135.22A, subsection 1, paragraph a, Code Supplement 1999, is amended to read as follows:

a. "Brain injury" means ~~an~~ a brain injury ~~to the brain~~ as defined in section 135.22.

Sec. 17. Section 135.107, subsection 3, paragraph d, subparagraph (1), Code 1999, is amended to read as follows:

(1) The Iowa department of public health, in cooperation with a primary care collaborative effort including the university of Iowa college of medicine, ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, and other primary care professional educational institutions in Iowa, shall develop and establish area health education centers. The effort shall involve making application for a federal grant under 42 U.S.C. § 293j, as prescribed by that section.

Sec. 18. Section 135.107, subsection 4, Code 1999, is amended to read as follows:

4. The director of public health shall establish a primary care collaborative work group to coordinate all statewide recruitment and retention activities established pursuant to this section and to make recommendations to the department and the center for rural health and primary care relating to the implementation of subsection 3. Membership of the work group shall consist, at a minimum, of representatives from the university of Iowa college of medicine, ~~university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, university of Iowa physician assistant school, university of Iowa nurse practitioner

school, ~~university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center physician assistant program, Iowa-Nebraska primary care association, Iowa medical society, Iowa osteopathic medical association, Iowa chapter of American college of osteopathic family physicians, Iowa academy of family physicians, nurse practitioner association, Iowa nurses association, association of Iowa hospitals and health systems, and Iowa physicians assistants association.

Sec. 19. Section 139B.1, subsection 1, paragraph a, Code Supplement 1999, is amended to read as follows:

a. "Contagious or infectious disease" means hepatitis in any form, meningococcal disease, tuberculosis, and any other disease with the exception of AIDS or HIV infection as defined in section 141A.1, determined to be life-threatening to a person exposed to the disease as established by rules adopted by the department based upon a determination by the state epidemiologist and in accordance with guidelines of the centers for disease control and prevention ~~and control~~ of the United States department of health and human services.

Sec. 20. Section 161B.1, subsection 2, paragraph f, Code 1999, is amended to read as follows:

f. State university of Iowa department of ~~preventative~~ preventive medicine and environmental health.

Sec. 21. Section 163A.1, subsection 9, paragraph b, unnumbered paragraphs 1 and 3, Code 1999, are amended to read as follows:

A herd which has been tested pursuant to a test approved by rule of the Iowa department of agriculture and land stewardship pursuant to chapter 17A, which test is in compliance with the recommended uniform methods and rules of the animal and plant health inspection service of the United States department of agriculture.

If the Iowa department of agriculture and land stewardship adopts a rule under paragraph "b" of this subsection and the

recommended uniform methods and rules of the animal and plant health inspection service of the United States department of agriculture are subsequently changed, the Iowa department of agriculture and land stewardship shall not change its rule if the effect would be to make less restrictive the standards or procedures for validating a brucellosis-free herd.

Sec. 22. Section 166.42, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

The secretary may establish a reserve supply of biological products of approved modified live virus hog-cholera vaccine and of anti-hog-cholera serum or its equivalent in antibody concentrate to be used as directed by the secretary in the event of an emergency resulting from a hog-cholera outbreak. Vaccine and serum or antibody concentrate from the reserve supply, if used for such an emergency, shall be made available to swine producers at a price which will not result in a profit. Payment shall be made by the producer to the department and such vaccine shall be administered by a licensed practicing veterinarian. The secretary may cooperate with other states in the accumulation, maintenance and disbursement of such reserve supply of biological products. The secretary, with the advice and written consent of the state veterinarian, and the advice and written consent of the veterinarian-in-charge for Iowa of the animal, and plant, ~~and~~ health inspection service--veterinary services, United States department of agriculture, shall determine when an emergency resulting from a hog-cholera outbreak exists.

Sec. 23. Section 184A.1A, subsection 4, Code Supplement 1999, is amended to read as follows:

4. Within thirty days after approval at the referendum to establish a council and to impose an assessment, the department shall organize the council as provided in section 184A.1B.

Sec. 24. Section 229A.5A, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The prosecuting attorney or attorney general is authorized upon the occurrence of a recent overt act, or upon receiving written notice pursuant to section 229A.3, or before the filing of a petition under this chapter, to subpoena and compel the attendance of witnesses, examine the witnesses under oath, and require the production of documentary evidence for inspection, reproduction, or copying. Except as otherwise provided by this section, the prosecuting attorney or attorney general shall have the same powers and limitations, subject to judicial oversight and enforcement, as provided by this chapter and by the Iowa rules of civil procedure. Any person compelled to appear under a demand for oral testimony under this section may be accompanied, represented, and advised by counsel at ~~their~~ the person's own expense.

Sec. 25. Section 229A.7, subsection 5, Code Supplement 1999, is amended to read as follows:

5. If the court or jury is not satisfied beyond a reasonable doubt that the respondent is a sexually violent predator, the court shall direct the respondent's release. Upon a mistrial, the court shall direct that the respondent be held at an appropriate secure facility until another trial is conducted. Any subsequent trial following a mistrial shall be held within ninety days of the previous trial, unless such subsequent trial is continued as provided in subsection ~~1~~ 2.

Sec. 26. Section 235C.3, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. A health professional training campaign, including recommendations concerning the curriculum offered at the college of medicine at the state university of Iowa and ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, providing assistance in the identification of women at risk of substance abuse during pregnancy and strategies to be employed in assisting those women to maintain healthy lifestyles during pregnancy. This education campaign shall offer information to

health professionals on assessment, laboratory testing, and referrals.

Sec. 27. Section 237A.23, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The departments of education, public health, and human services shall jointly establish a leadership council for child care training and development in this state. In addition to representatives of the three departments, the leadership council shall include but is not limited to representatives of community colleges, institutions of higher learning under the state board of regents and private institutions of higher education, the Iowa cooperative extension service in agriculture and home economics, and child care resource and referral service agencies.

Sec. 28. Section 255.26, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Warrants issued under section 255.25 shall be promptly drawn on the treasurer of state and forwarded by the director of revenue and finance to the treasurer of the state university, and the same shall be by the treasurer of the state university placed to the credit of the funds which are set aside for the support of the university hospital. ~~However, warrants shall not be paid unless the UB-82 claim required pursuant to section 255A.13 has been filed with the community health management information system.~~ The superintendent of the university hospital shall certify to the auditor of state on the first day of January, April, July, and October of each year, the amount as herein provided not previously certified by the superintendent due the state from the several counties having patients chargeable thereto, and the auditor of state shall thereupon charge the same to the county so owing. A duplicate certificate shall also be mailed to the auditor of each county having patients chargeable thereto. Expenses for obstetrical patients served under section 255A.9 shall be reimbursed as specified in section

255A.9.

Sec. 29. Section 255A.13, Code 1999, is amended to read as follows:

255A.13 DATA COLLECTION.

~~Beginning July 1, 1987, the~~ The university of Iowa hospitals and clinics shall submit, on a quarterly basis, ~~UB-82~~ UB-92 claims for all patients discharged after being served under the indigent patient program under chapter 255. ~~The UB-82 claim shall include all data elements which are required by the community health management information system.~~

Sec. 30. Section 257.46, subsection 2, Code Supplement 1999, is amended to read as follows:

2. The remaining portion of the budget shall be funded by the thirty-eight dollar increase in allowable growth for the school budget year beginning July 1, 1999, increased by the growth of the regular program district cost each year. School districts shall annually report the amount expended for a gifted and talented program to the department of education. The proportion of a school district's budget which corresponds to the thirty-eight dollar increase in allowable growth for the school budget year beginning July 1, 1999, added to the amount in subsection 1, shall be utilized exclusively for a school district's gifted and talented ~~and gifted~~ program.

Sec. 31. Section 261.19, Code 1999, is amended to read as follows:

261.19 OSTEOPATHIC PHYSICIAN RECRUITMENT PROGRAM.

1. A physician recruitment program is established, to be administered by the college student aid commission, for ~~the university of osteopathic medicine and health sciences of Des Moines, Iowa~~ Des Moines university -- osteopathic medical center. The program shall consist of a forgivable loan program and a tuition scholarship program for students and a loan repayment program for physicians. The commission shall regularly adjust the physician service requirement under each aspect of the program to provide, to the extent possible, an

equal financial benefit for each period of service required. From funds appropriated for purposes of the program by the general assembly, the commission shall pay a fee to ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center for the administration of the program. A portion of the fee shall be paid by the commission to the university based upon the number of physicians recruited under subsection 4.

2. A forgivable loan may be awarded to a resident of Iowa who is enrolled at ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center if the student agrees to practice in this state for a period of time to be determined by the commission at the time the loan is awarded. Forgivable loans to eligible students shall not become due and interest on the loan shall not accrue until after the student completes a residency program. If the student completes the period of practice established by the commission and agreed to by the student, the loan amount shall be forgiven. The loan amount shall not be forgiven if the osteopathic physician fails to complete the required time period of practice in this state or fails to satisfactorily continue in the university's program of medical education.

3. A student enrolled at ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center shall be eligible for a tuition scholarship for the student's study at the university. The scholarship shall be for an amount not to exceed the annual tuition at the university. A student who receives a tuition scholarship shall not be eligible for the loan repayment program provided for by this section. A student who receives a tuition scholarship shall agree to practice in an eligible rural community in this state for a period of time to be determined by the commission at the time the scholarship is awarded. The student shall repay the scholarship to the commission if the student fails to practice in a medically

underserved rural community in this state for the required period of time.

4. A physician shall be eligible for the physician loan repayment program if the physician agrees to practice in an eligible rural community in this state. ~~The university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center shall recruit and place physicians in rural communities which have agreed to provide additional funds for the physician's loan repayment. The contract for the loan repayment shall stipulate the time period the physician shall practice in an eligible rural community in this state. In addition, the contract shall stipulate that the physician repay any funds paid on the physician's loan by the commission if the physician fails to practice in an eligible rural community in this state for the required period of time. For purposes of this subsection, "eligible rural community" means a medically underserved rural community which agrees to match state funds provided on at least a dollar-for-dollar basis for the loan repayment of a physician who practices in the community.

5. The commission shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 32. Section 263.17, subsection 2, paragraph a, subparagraph (1), Code 1999, is amended to read as follows:

(1) The state university of Iowa department of ~~preventative~~ preventive medicine and environmental health.

Sec. 33. Section 279.51, subsection 2, paragraph b, subparagraph (1), Code Supplement 1999, is amended to read as follows:

(1) To school districts to establish programs for ~~three-year-~~ three-year-old, ~~four-year-~~ four-year-old, and five-year-old at-risk children which are a combination of preschool and full-day kindergarten.

Sec. 34. Section 359A.18, subsection 5, Code 1999, is amended to read as follows:

5. A fence consisting of four parallel, coated steel, smooth high-tensile wire which meets requirements adopted by the American society ~~of~~ for testing and materials, including but not limited to requirements relating to the grade, tensile strength, elongation, dimensions, and tolerances of the wire. The wire must be firmly fastened to plastic, metal, or wooden posts securely planted in the earth. The posts shall not be more than two rods apart. The top wire shall be at least forty inches in height.

Sec. 35. Section 422.45, subsections 38A and 38B, Code Supplement 1999, are amended to read as follows:

38A. The gross receipts from the sale or rental of aircraft; the sale or rental of tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and the gross receipts of all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a scheduled interstate federal aviation ~~administration-certified~~ administration certificated air carrier operation.

38B. The gross receipts from the sale or rental of tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and the gross receipts of all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a nonscheduled interstate federal aviation ~~administration-certified~~ administration certificated air carrier operation operating under 14 C.F.R. ch. 1, pt. 135.

Sec. 36. Section 422.121, Code Supplement 1999, is amended to read as follows:

422.121 APPROPRIATION -- LIMITATION.

Beginning with the fiscal year beginning July 1, 1997, there is appropriated annually from the general fund of the state two million dollars to refund the credits allowed under this division. Notwithstanding section 422.120, for tax years beginning on or after January 1, 1997, the livestock production tax credit shall only be allowed for cow-calf operations. In calculating the tax credit for cow-calf operations for tax years beginning in the 1997 calendar year, mature beef cows bred or for breeding, bred yearling heifers, and breeding bulls in the operations' inventory on December 31 of the tax year which were also in the ~~operations~~ operations' inventory on July 1 of the tax year and stockers and feeders sold during the tax year may be counted. In calculating the tax credit for cow-calf operations for tax years beginning on or after January 1, 1998, only those bred cows, bred heifers, and breeding bulls in the operations' inventory on December 31 of the tax year which were also in the ~~operations~~ operations' inventory on July 1 of the tax year may be counted.

Sec. 37. Section 422B.1, subsection 6, paragraph b, Code Supplement 1999, is amended to read as follows:

b. Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of a local option tax, the county auditor shall give written notice by sending a copy of the abstract of the ~~ballot~~ votes from the favorable election to the director of revenue and finance or, in the case of a local vehicle tax, to the director of the department of transportation, of the result of the election.

Sec. 38. Section 422E.2, subsection 4, paragraph b, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of the tax, the county auditor shall give

written notice by sending a copy of the abstract of ~~ballot~~ the votes from the favorable election to the director of revenue and finance of the result of the election. Election costs shall be apportioned among school districts within the county on a pro rata basis in proportion to the number of registered voters in each school district and the total number of registered voters in all of the school districts within the county.

Sec. 39. Section 423.4, subsections 18 and 19, Code Supplement 1999, are amended to read as follows:

18. Aircraft; tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a scheduled interstate federal aviation administration ~~certified~~ certificated air carrier operation.

19. Tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a nonscheduled interstate federal aviation administration ~~certified~~ certificated air carrier operation operating under 14 C.F.R. ch. 1, pt. 135.

Sec. 40. Section 427.1, subsection 14, unnumbered paragraph 2, Code Supplement 1999, is amended to read as follows:

The assessor, in arriving at the valuation of any property of the society or organization, shall take into consideration

any uses of the property not for the appropriate objects of the organization and shall assess in the same manner as other property, all or any portion of the property involved which is leased or rented and is used regularly for commercial purposes for a profit to a party or individual. If a portion of the property is used regularly for commercial purposes an exemption shall not be allowed upon property so used and the exemption granted shall be in the proportion of the value of the property used solely for the appropriate objects of the organization, to the entire value of the property. However, the board of trustees or the board of directors of a hospital, as defined in section 135B.1, ~~subsection 1,~~ may permit use of a portion of the hospital for commercial purposes, and the hospital is entitled to full exemption for that portion used for nonprofit health-related purposes, upon compliance with the filing requirements of this subsection.

Sec. 41. Section 427B.4, unnumbered paragraph 1, Code 1999, is amended to read as follows:

An application shall be filed for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filed by the owner of the property with the local assessor by February 1 of the assessment year in which the value added is first assessed for taxation. Applications for exemption shall be made on forms prescribed by the director of revenue and finance and shall contain information pertaining to the nature of the improvement, its cost, and other information deemed necessary by the director of revenue and finance.

Sec. 42. Section 448.2, Code 1999, is amended to read ass follows:

448.2 FORM.

Deeds executed by the county treasurer shall be substantially in the following form:

KNOW ALL PERSONS BY THESE PRESENTS, that the following described parcel: (Here follows the description), situated in

the county of ..... and state of Iowa, was subject to taxes for the year (or years) A.D. ...., and the taxes on the parcel for the year (or years) stated remained due and unpaid at the date of the sale; and the treasurer of the county, on the .... day of ....., A.D. ...., by virtue of the authority vested by law in the treasurer, at (an adjournment of) the sale begun and publicly held on the third Monday of June, A.D. ...., exposed to public sale at the office of the county treasurer in the county named, in substantial conformity with all the requirements of the statute, the parcel described, for the payment of the total amount then due and remaining unpaid on the parcel, and at that time and place A-.....-B ....., of the county of ..... and state of ....., offered to pay the sum of .. dollars and .. cents, being the total amount then due and remaining unpaid on the parcel, for (here follows the description of the parcel sold) which was the least quantity bid for, and payment of that sum was made by that person to the treasurer, the parcel was stricken off to that person at that price; and A-.....-B ..... did, on the ... day of ....., A.D. ...., assign the certificate of the sale of the parcel and all right, title, and interest to the parcel to E .....-P-..... of the county of ..... and state of .....; and by the affidavit of ....., filed in the treasurer's office on the ... day of ....., A.D. ...., it appears that notice has been given more than ninety days before the execution of this deed to ..... and ..... of the expiration of the time of redemption allowed by law; and two years have elapsed since the date of the sale, and the parcel has not been redeemed:

Now, I, E-.....-B ....., treasurer of the county, for the consideration of the stated sum paid to the treasurer and by virtue of law, have granted, bargained, and sold, and by these presents do grant, bargain, and sell to A-.....-B ..... (or E .....-P .....), and that person's heirs and assigns, the parcel described, to have and to hold unto that person (or E

~~.....F~~ .....), and that person's heirs and assigns, forever; subject, however, to all the rights of redemption provided by law. In witness whereof, I, ~~C.....D~~ ....., treasurer of ..... county, by virtue of the authority vested in me, have subscribed my name on this .... day of ....., A.D. ....

.....
Treasurer

State of Iowa,)
.....County.) ss.

I certify that before me, ..., in and for said county, personally appeared the above named ~~C.....D~~ ....., treasurer of the county, personally known to me to be the treasurer of the county at the date of the execution of the above conveyance, and to be the identical person whose name is affixed to and who executed the above conveyance as treasurer of the county, and acknowledged the execution of the conveyance to be the treasurer's voluntary act and deed as treasurer of the county, for the purposes expressed in the conveyance.

Given under my hand (and seal) this .... day of ....., A.D. ....

Sec. 43. Section 453C.1, subsection 9, paragraph a, Code Supplement 1999, is amended to read as follows:

a. Manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer, except where such importer is an original participating manufacturer, as that term is defined in the master settlement agreement, that will be responsible for the payments under the master settlement agreement with respect to such cigarettes as a result of the provisions of ~~the~~ subsection II(mm) of the master settlement agreement and that pays the taxes specified in subsection II(z) of the master settlement agreement and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States.

Sec. 44. Section 455B.173, subsection 8, Code Supplement 1999, is amended to read as follows:

8. Formulate and adopt specific and detailed statewide standards pursuant to chapter 17A for review of plans and specifications and the construction of sewer systems and water supply distribution systems and extensions to such systems not later than October 1, 1977. The standards shall be based on criteria contained in the "Recommended Standards for Sewage Works" and "Recommended Standards for Water Works" (Ten States Standards) as adopted by the Great Lakes-Upper Mississippi River board of state sanitary engineers, design manuals published by the department, applicable federal guidelines and standards, standard textbooks, current technical literature and applicable safety standards. The material standards for polyvinyl chloride pipe shall not exceed the specifications for polyvinyl chloride pipe in designations D-1784-69, D-2241-73, D-2564-76, D-2672-76, D-3036-73 and D-3139-73 of the American society ~~of~~ for testing and ~~material~~ materials. The rules adopted which directly pertain to the construction of sewer systems and water supply distribution systems and the review of plans and specifications for such construction shall be known respectively as the Iowa Standards for Sewer Systems and the Iowa Standards for Water Supply Distribution Systems and shall be applicable in each governmental subdivision of the state. Exceptions shall be made to the standards so formulated only upon special request to and receipt of permission from the department. The department shall publish the standards and make copies of such standards available to governmental subdivisions and to the public.

Sec. 45. Section 455B.474, subsection 1, paragraph d, subparagraph (2), subparagraph subdivision (d), Code Supplement 1999, is amended to read as follows:

(d) For purposes of classifying a site as either low risk or no action required, the department shall rely upon the example tier one risk-based screening level look-up table of

the American society for testing ~~of~~ and materials' emergency standard, ES38-94, or other look-up table as determined by the department by rule.

Sec. 46. Section 455B.474, subsection 1, paragraph f, subparagraph (4), subparagraph subdivision (e), Code Supplement 1999, is amended to read as follows:

(e) Risk-based corrective action assessment principles which identify the risks presented to the public health and safety or the environment by each release in a manner that will protect the public health and safety or the environment using a tiered procedure consistent with the American society for testing ~~of~~ and materials' emergency standard, ES38-94.

Sec. 47. Section 514.7, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

The contracts by any such corporation with the subscribers for health care service shall at all times be subject to the approval of the commissioner of insurance. The ~~commission~~ commissioner shall require that participating pharmacies be reimbursed by the pharmaceutical service corporation at rates or prices equal to rates or prices charged nonsubscribers, unless the commissioner determines otherwise to prevent loss to subscribers.

Sec. 48. Section 514E.1, subsection 12, Code 1999, is amended to read as follows:

12. "Health care facility" means a health care facility as defined in section 135C.1, ~~subsection 6,~~ a hospital as defined in section 135B.1, ~~subsection 1,~~ or a community mental health center established under chapter 230A.

Sec. 49. Section 522A.3, subsection 5, paragraph d, Code Supplement 1999, is amended to read as follows:

d. A fee, compensation, or commission is not paid to an employee by a rental company dependent ~~based~~ solely on the sale of insurance under any limited license issued pursuant to this section.

Sec. 50. Section 554.12105, subsections 2 and 3, Code

1999, are amended to read as follows:

2. Other definitions applying to this article and the sections in which they appear are:

"Acceptance"	Section 554.12209
"Beneficiary"	Section 554.12103
"Beneficiary's bank"	Section 554.12103
"Executed"	Section 554.12301
"Execution date"	Section 554.12301
"Funds transfer"	Section 554.12104
"Funds-transfer system rule"	Section 554.12501
"Governing law"	Section 554.12507
"Intermediary bank"	Section 554.12104
"Originator"	Section 554.12104
"Originator's bank"	Section 554.12104
"Payment by beneficiary's bank to beneficiary"	Section 554.12405
"Payment by originator to beneficiary"	Section 554.12406
"Payment by sender to receiving bank"	Section 554.12403
"Payment date"	Section 554.12401
"Payment order"	Section 554.12103
"Receiving bank"	Section 554.12103
"Security procedure"	Section 554.12201
"Sender"	Section 554.12103

3. The following definitions in article 4 apply to this article:

"Clearing house"	Section 554.4104
"Item"	Section 554.4104
"Suspends payments"	Section 554.4104

Sec. 51. Section 598B.208, subsection 3, Code Supplement 1999, is amended to read as follows:

3. If a court dismisses a petition or stays a proceeding because it declines to exercise its jurisdiction pursuant to subsection 1, it shall assess against the party seeking to

invoke its jurisdiction necessary and reasonable expenses including costs, communication expenses, attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care expenses during the course of the proceedings, unless the party from whom fees are sought establishes that the assessment would be clearly inappropriate. The court shall not assess fees, costs, or expenses against this state unless authorized by law other than this chapter.

Sec. 52. Section 598B.312, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The court shall award the prevailing party, including a state, necessary and reasonable expenses incurred by or on behalf of the party, including costs, communication expenses, attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care expenses during the course of the proceedings, unless the party from whom fees or expenses are sought establishes that the award would be clearly inappropriate.

Sec. 53. Section 637.202, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. The beneficiary's fractional interest in the undistributed principal assets must be calculated without regard to property specifically given to a beneficiary and property required to be pay pecuniary amounts not in trust.

Sec. 54. Section 663.8, Code 1999, is amended to read as follows:

663.8 FORM OF WRIT.

If the petition is in accordance with the foregoing requirements, and states sufficient grounds for the allowance of the writ, it shall issue, and may be substantially as follows:

The State of Iowa,

To A~~.....~~-B~~.....~~:

You are hereby commanded to have the body of C~~.....~~-D~~....~~, by you unlawfully detained, as is alleged, before the court

(or before me, or before E.....-P....., judge, etc., as the case may be), at ...., on .... (or immediately after being served with this writ), to be dealt with according to law, and have you then and there this writ, with a return thereon of your doings in the premises.

Sec. 55. Section 692A.13, subsection 3, paragraph c, subparagraphs (1) and (2), Code Supplement 1999, are amended to read as follows:

(1) Persons who commit a criminal offense against a minor, an aggravated offense, sexual exploitation, a sexually violent offense, or an other relevant offense on or after the effective date of this Act and who have been assessed to be a "moderate-risk" or "high-risk".

(2) Persons who committed an offense prior to July 1, 1999, and who have been assessed to be a "moderate-risk" or "high-risk" and whose opportunity to request a hearing regarding the assessment of risk has lapsed.

Sec. 56. 1999 Iowa Acts, chapter 112, section 9, is amended by striking the amending phrase to the section and inserting in lieu thereof the following: "Section 692A.5, subsection 1, Code 1999, is amended by adding the following new paragraph:"

DIVISION II

CENTURY DATE CHANGE

Sec. 57. Sections 6B.9, 28A.6, 52.21, 85.24, 96.14, 441.26, 448.15, 458.22, 461B.5, 468.371, 468.553, 515.138, 558.26, 558.39, 558.57, 558.58, 558.66, 617.3, 633.279, 633.295, and 656.2, Code 1999, are amended by striking "day of ___, 19__," and inserting in lieu thereof "day of ___ (month), ____ (year),".

Sec. 58. Section 43.26, Code 1999, is amended by striking "June, 19___" and inserting in lieu thereof "June, ____ (year)".

Sec. 59. Section 46.9, Code 1999, is amended by striking "January 31, 19___" and inserting in lieu thereof "January 31,

____ (year)".

Sec. 60. Sections 52.9 and 52.38, Code 1999, are amended by striking "election of ___, 19___" and inserting in lieu thereof "election of _____ (date)".

Sec. 61. Sections 52.9 and 52.38, Code 1999, are amended by striking "Dated ___ 19___" and inserting in lieu thereof "Dated ____".

Sec. 62. Section 52.21, Code 1999, is amended by striking "VOTING MACHINE RETURN AND TALLY SHEET ____ ELECTION ___ 19___, COUNTY OF ____" and inserting in lieu thereof "VOTING MACHINE RETURN AND TALLY SHEET _____ ELECTION ____ (DATE), COUNTY OF _____".

Sec. 63. Section 384.50, Code 1999, is amended to read as follows:

384.50 NOTICE OF HEARING.

The clerk shall publish notice of the date, time, and place of the hearing once each week for two consecutive weeks in the manner provided by section 362.3, the first publication of which shall be not less than ten days before the date of the hearing. The notice must be in substantially the following form:

NOTICE TO PROPERTY OWNERS

Notice is given that there is now on file for public inspection in the office of the clerk of ....., Iowa, a proposed resolution of necessity, an estimate of cost, and a plat and schedule showing the amounts proposed to be assessed against each lot and the valuation of each lot within a district approved by the council of ....., Iowa, for a ..... improvement of the type(s) and in the location(s) as follows:

The council will meet at .. o'clock ...m., on ....~~,-19..~~ (date), at the ....., at which time the owners of property subject to assessment for the proposed improvement or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the

boundaries of the district, the cost, the assessment against any lot, or the final adoption of a resolution of necessity. A property owner will be deemed to have waived all objections unless at the time of hearing the property owner has filed objections with the clerk.

.....

Clerk.

Not less than fifteen days before the hearing, the clerk shall send a copy of the notice by mail to each property owner whose property is subject to assessment for the improvement at the address as shown by the records of the county auditor. If a property is shown to be in the name of more than one owner at the same mailing address, a single notice may be mailed addressed to all owners at that address. Failure to receive a mailed notice is not a defense to the special assessment.

Sec. 64. Sections 468.511, 558.25, and 558.39, Code 1999, are amended by striking "day of ____, A.D. 19___" and inserting in lieu thereof "day of ____ (month), ____ (year)".

Sec. 65. Section 602.6504, Code 1999, is amended by striking "December 31, 19___" and inserting in lieu thereof "December 31, ____ (year)".

Sec. 66. Section 614.14, subsection 2, Code Supplement 1999, is amended to read as follows:

2. A bona fide purchaser is a purchaser for value in good faith and without notice of any adverse claim, who has relied on a current, recorded affidavit in substantially the following form delivered to the purchaser:

[Individual trustee] Affidavit in re [insert legal description]

I, ..., being first duly sworn and under oath state of my personal knowledge that:

1. I am the trustee under the trust dated ..., ~~19...~~ to which the above-described real estate was conveyed to the trustee by ....., pursuant to an instrument recorded the .. day of .... (month), 19..(year), recorded in the office of the

... County Recorder in ..... [insert recording data].

2. I am the presently existing trustee under the trust and am authorized to ... [describe the transfer to be made by the trustee to the bona fide purchaser], without any limitation or qualification whatsoever.

3. The trust is in existence and I as trustee am authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

.....

[signature of affiant]

Sworn to and subscribed before me by ..... on this .. day of ... (month), 19..(year)

.....

[Notary Public in and for the State of ...]

[Corporate trustee] Affidavit in re [insert legal description]

I, ..., being first duly sworn and under oath state of my personal knowledge that:

1. ..... is the trustee under the trust dated ..., ~~19...~~ to which the above-described real estate was conveyed to the trustee by ....., pursuant to an instrument recorded the ... day of ... (month), 19..(year), recorded in the office of the ... County Recorder in ..... [insert recording data].

2. ..... is the presently existing trustee under the trust and is authorized to ... [describe the transfer to be made by the trustee to the bona fide purchaser], without any limitation or qualification whatsoever, and I am ..... [officer] of the corporate trustee.

3. The trust is in existence and ..... as trustee is authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

.....

[signature of affiant]

Sworn to and subscribed before me by ....., on this ... day of ... (month), ~~19~~..(year)

.....

[Notary Public in and for the State of ...]

Sec. 67. Section 633.230, subsection 1, Code 1999, is amended to read as follows:

1. In intestate matters, the administrator, as soon as letters are issued, shall cause to be published once each week for two consecutive weeks in a daily or weekly newspaper of general circulation published in the county in which the estate is pending, and at any time during the pendency of administration that the administrator has knowledge of the name and address of a person believed to own or possess a claim which will not or may not be paid or otherwise satisfied during administration, provide by ordinary mail to each such claimant at the claimant's last known address, a notice of appointment which shall be in substantially the following form:

NOTICE OF APPOINTMENT OF
ADMINISTRATOR AND
NOTICE TO CREDITORS

In the District Court of Iowa
in and for ..... County.
In the Estate of ....., Deceased
Probate No. .....

To All Persons Interested in the Estate of ....., Deceased, who died on or about .....~~,~~ ~~19~~ (date):

You are hereby notified that on the ... day of .....(month), ~~19~~..(year), the undersigned was appointed administrator of the estate.

Notice is hereby given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district

court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of the mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this ... day of .....(month), ~~19~~..(year)

.....

Administrator of the estate

.....

Address

.....

Attorney for the administrator

.....

Address

Date of second publication ... day of .....(month), ~~19~~..(year) (Date to be inserted by publisher)

Sec. 68. Section 633.304, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The notice shall be substantially in the following form:

Notice of Probate of Will,
of Appointment of Executor,
and Notice to Creditors

In the District Court of Iowa
in and for .... County. Probate No.
....

In the Estate of ....., Deceased

To All Persons Interested in the Estate of ....., Deceased, who died on or about ....., ~~19~~.. (date):

You are hereby notified that on the ... day of .....(month), ~~19~~..(year), the last will and testament of ....., deceased, bearing date of the ... day of .....(month, ~~19~~..(year), was admitted to probate in the above named court and that ..... was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months

from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this ... day of .....(month), 19..(year)

.....
Executor of estate

.....
Address

.....
Attorney for executor

.....
Address

Date of second publication
... day of .....(month), 19..(year)
(Date to be inserted by publisher)

Sec. 69. Section 633.305, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The notice shall be substantially in the following form:

Notice of Proof of Will Without Administration

In the District Court of Iowa
in and for .... County. Probate No.
....

In the Estate of ....., Deceased

To All Persons Interested in the Estate of ....., Deceased, who died on or about .....(month), 19..(year):

You are hereby notified that on the ... day of .....(month), 19..(year), the last will and testament of ....., deceased, bearing date of the ... day of .....(month), 19..(year), was admitted to probate in the above named court and there will be no present administration of the estate. Any action to set aside the will must be brought in the district court of the county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Dated this ... day of .....(month), 19..(year)

.....
Clerk of the district court

.....
Attorney for estate

.....
Address

Date of second publication
... day of .....(month), 19..(year)
(Date to be inserted by publisher)

SENATE AMENDMENT TO HOUSE FILE 2136

H-8411

Amend House File 2136, as amended, passed, and reprinted by the House, as follows:

1. Page 2, by striking lines 25 through 34
2. Page 6, line 3, by striking the words "~~the~~" and inserting the following: "and the".
3. Page 6, line 16, by striking the words "medicine, ~~the~~" and inserting the following: "medicine, the".
4. Page 24, line 26, by striking the figure "458.22" and inserting the following: "458A.2
5. By renumbering as necessary.

RECEIVED FROM THE SEN

H-8411 FILED MARCH 20, 2000

House Concurred 3/22/00 (p. 907)

HOUSE FILE 2136

AN ACT

RELATING TO NONSUBSTANTIVE CODE CORRECTIONS.

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

DIVISION I

MISCELLANEOUS PROVISIONS

Section 1. Section 6B.59, Code Supplement 1999, is amended to read as follows:

6B.59 SALE OF ACQUIRED PROPERTY -- REIMBURSEMENT TO LANDOWNER.

If an acquiring agency acquires property by condemnation, or by otherwise exercising the power of eminent domain, and that property is later sold by the acquiring agency for more than the acquisition price paid to the landowner, the acquiring agency shall pay to the landowner from whom the property was acquired the difference between the price at which it was acquired and the price at which it was sold by the acquiring agency less the cost of any improvements made to or benefiting the land by the acquiring agency. This section does not apply to property acquired by the ~~Iowa~~ state department of transportation.

Sec. 2. Section 7E.5, subsection 1, paragraph v, Code 1999, is amended to read as follows:

v. The department for the blind, created in ~~section 216B.2~~ chapter 216B, which has primary responsibility for services relating to blind persons.

Sec. 3. Section 12.31, Code 1999, is amended to read as follows:

12.31 SHORT TITLE.

This ~~division~~ section and sections 12.32 through 12.43 shall be known as the "Linked Investments for Tomorrow Act".

Sec. 4. Section 12.32, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

As used in ~~this division~~ section 12.31, this section, and sections 12.33 through 12.43, unless the context otherwise requires:

Sec. 5. Section 12.32, subsection 4, Code Supplement 1999, is amended to read as follows:

4. "Qualified linked investment" means a linked investment in which a certificate of deposit is placed by the treasurer of state with an eligible lending institution under the traditional livestock producers linked investment loan program established under section 12.43A.

Sec. 6. Section 15E.208, subsection 4, paragraph b, Code Supplement 1999, is amended to read as follows:

b. An agricultural products processor, if the processor or a person owning a controlling interest in the processor has demonstrated, within the most recent consecutive three-year period prior to the application for financing, a continuous and flagrant disregard for the health and safety of its employees or the quality of the environment. Violations of environmental protection statutes, rules, or regulations shall be reported for the most recent five-year period prior to application. Evidence of such disregard shall include a history of serious or uncorrected violations of state or federal law protecting occupational health and safety or the environment, including but not limited to serious or uncorrected violations of occupational safety and health

standards enforced by the division of labor services of the department of ~~employment services~~ workforce development pursuant to chapter 84A, or rules enforced by the environmental protection division of the department of natural resources pursuant to chapter 455B.

Sec. 7. Section 35A.1, subsection 4, Code 1999, is amended to read as follows:

4. "Director" means the executive director appointed pursuant to section ~~35A.3, subsection 3~~ 35A.8.

Sec. 8. Section 50.16, Code 1999, is amended to read as follows:

50.16 TALLY LIST OF BOARD.

The tally list shall be prepared in writing by the election board, giving, in legibly printed numerals, the total number of people who cast ballots in the precinct, the total number of ballots cast for each officer, except those rejected, the name of each person voted for, and the number of votes given to each person for each different office. The tally list shall be signed by the precinct election officials, and be substantially as follows:

At an election at ..... in ..... township, or in ..... precinct of ..... city or township, in ..... county, state of Iowa, on the ... day of ..... A.D. .., there were .. ballots cast for the office of ..... of which

A (Candidate's name) ..... B ..... had .. votes.
C (Candidate's name) ..... D ..... had .. votes.
(and in the same manner for any other officer).
A true tally list:
E (Election board member's name) .... M ..... Election Board
N (Election board member's name) .... O ..... Members.
P (Election board member's name) .... Q .....
Attest:
R (Tally Keeper's Name) ..... S ..... Designated
T (Tally Keeper's Name) ..... U ..... Tally Keepers.

Sec. 9. Section 50.29, Code 1999, is amended to read as follows:

50.29 CERTIFICATE OF ELECTION.

When any person is thus declared elected, there shall be delivered to that person a certificate of election, under the official seal of the county, in substance as follows:

STATE OF IOWA)
..... County.)

At an election held in said county on the .. day of ...., A.D. .. A-------B .... (candidate's name) was elected to the office of .... for the term of .. years from the .. day of ...., A.D. .. (or if elected to fill a vacancy, for the residue of the term ending on the .. day of ...., A.D. ..), and until a successor is elected and qualified.

C--------------B.....,
President of Board of Canvassers.
Witness, E--------------P.....,
County Commissioner of Elections
(clerk).

Such certificate is presumptive evidence of the person's election and qualification.

Sec. 10. Section 50.41, Code 1999, is amended to read as follows:

50.41 CERTIFICATE OF ELECTION.

Each person declared elected by the state board of canvassers shall receive a certificate, signed by the governor, or, in the governor's absence, by the secretary of state, with the seal of state affixed, attested by the other canvassers, to be in substance as follows:

STATE OF IOWA:

To A-------B ..... (candidate's name): It is hereby certified that, at an election held on the .. day of .... you were elected to the office of .... of Iowa, for the term of .. years, from the ... day of ..... (or if to fill a vacancy, for the residue of the term, ending on the .. day of ....).

Given at the seat of government this ... day of .....

If the governor is absent, the certificate of the election of the secretary of state shall be signed by the auditor. The certificate to members of the legislature shall describe, by the number, the district from which the member is elected.

Sec. 11. Section 62.11, Code 1999, is amended to read as follows:

62.11 SUBPOENAS.

Subpoenas for witnesses may be issued at any time after the notice of trial is served, either by the county treasurer or by the county auditor, and shall command the witnesses to appear at ....., on ....., to testify in relation to a contested election, wherein A-~~----------~~B ..... (Insert contestant's name) is contestant and C-~~----------~~D ..... (Insert incumbent's name) is incumbent.

Sec. 12. Section 86.17, subsection 1, Code Supplement 1999, is amended to read as follows:

1. Notwithstanding the provisions of section 17A.11, the ~~industrial~~ workers' compensation commissioner or a deputy ~~industrial~~ workers' compensation commissioner shall preside over any contested case proceeding brought under this chapter, chapter 85, 85A, or 85B in the manner provided by chapter 17A. The deputy commissioner or the commissioner may make such inquiries in contested case proceedings as shall be deemed necessary, so long as such inquiries do not violate any of the provisions of section 17A.17.

Sec. 13. Section 124.401F, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. Possesses or transports anhydrous ammonia in a container or receptacle which is not authorized to hold anhydrous ammonia according to rules adopted by the secretary of agriculture.

Sec. 14. Section 135.11, subsection 18, Code Supplement 1999, is amended to read as follows:

18. Consult with the office of statewide clinical education programs at the university of Iowa college of medicine and annually submit a report to the general assembly by January 15 verifying the number of physicians in active practice in Iowa by county who are engaged in providing obstetrical care. To the extent data are readily available, the report shall include information concerning the number of deliveries per year by specialty and county, the age of

physicians performing deliveries, and the number of current year graduates of the university of Iowa college of medicine and the ~~university-of-osteopathic-medicine-and-health-sciences~~ Des Moines university -- osteopathic medical center entering into residency programs in obstetrics, gynecology, and family practice. The report may include additional data relating to access to obstetrical services that may be available.

Sec. 15. Section 135.22A, subsection 1, paragraph a, Code Supplement 1999, is amended to read as follows:

a. "Brain injury" means ~~an~~ a brain injury ~~to-the-brain~~ as defined in section 135.22.

Sec. 16. Section 135.107, subsection 3, paragraph d, subparagraph (1), Code 1999, is amended to read as follows:

(1) The Iowa department of public health, in cooperation with a primary care collaborative effort including the university of Iowa college of medicine, the ~~university-of-osteopathic-medicine-and-health-sciences~~ Des Moines university -- osteopathic medical center, and other primary care professional educational institutions in Iowa, shall develop and establish area health education centers. The effort shall involve making application for a federal grant under 42 U.S.C. § 293j, as prescribed by that section.

Sec. 17. Section 135.107, subsection 4, Code 1999, is amended to read as follows:

4. The director of public health shall establish a primary care collaborative work group to coordinate all statewide recruitment and retention activities established pursuant to this section and to make recommendations to the department and the center for rural health and primary care relating to the implementation of subsection 3. Membership of the work group shall consist, at a minimum, of representatives from the university of Iowa college of medicine, ~~university-of-osteopathic-medicine-and-health-sciences~~ Des Moines university -- osteopathic medical center, university of Iowa physician assistant school, university of Iowa nurse practitioner school, ~~university-of-osteopathic-medicine-and-health-sciences~~ Des Moines university -- osteopathic medical center physician

assistant program, Iowa-Nebraska primary care association, Iowa medical society, Iowa osteopathic medical association, Iowa chapter of American college of osteopathic family physicians, Iowa academy of family physicians, nurse practitioner association, Iowa nurses association, association of Iowa hospitals and health systems, and Iowa physicians assistants association.

Sec. 18. Section 139B.1, subsection 1, paragraph a, Code Supplement 1999, is amended to read as follows:

a. "Contagious or infectious disease" means hepatitis in any form, meningococcal disease, tuberculosis, and any other disease with the exception of AIDS or HIV infection as defined in section 141A.1, determined to be life-threatening to a person exposed to the disease as established by rules adopted by the department based upon a determination by the state epidemiologist and in accordance with guidelines of the centers for disease control and prevention ~~and control~~ of the United States department of health and human services.

Sec. 19. Section 161B.1, subsection 2, paragraph f, Code 1999, is amended to read as follows:

f. State university of Iowa department of ~~preventative~~ preventive medicine and environmental health.

Sec. 20. Section 163A.1, subsection 9, paragraph b, unnumbered paragraphs 1 and 3, Code 1999, are amended to read as follows:

A herd which has been tested pursuant to a test approved by rule of the Iowa department of agriculture and land stewardship pursuant to chapter 17A, which test is in compliance with the recommended uniform methods and rules of the animal and plant health inspection service of the United States department of agriculture.

If the Iowa department of agriculture and land stewardship adopts a rule under paragraph "b" of this subsection and the recommended uniform methods and rules of the animal and plant health inspection service of the United States department of agriculture are subsequently changed, the Iowa department of agriculture and land stewardship shall not change its rule if

the effect would be to make less restrictive the standards or procedures for validating a brucellosis-free herd.

Sec. 21. Section 166.42, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

The secretary may establish a reserve supply of biological products of approved modified live virus hog-cholera vaccine and of anti-hog-cholera serum or its equivalent in antibody concentrate to be used as directed by the secretary in the event of an emergency resulting from a hog-cholera outbreak. Vaccine and serum or antibody concentrate from the reserve supply, if used for such an emergency, shall be made available to swine producers at a price which will not result in a profit. Payment shall be made by the producer to the department and such vaccine shall be administered by a licensed practicing veterinarian. The secretary may cooperate with other states in the accumulation, maintenance and disbursement of such reserve supply of biological products. The secretary, with the advice and written consent of the state veterinarian, and the advice and written consent of the veterinarian-in-charge for Iowa of the animal, and plant, ~~and~~ health inspection service--veterinary services, United States department of agriculture, shall determine when an emergency resulting from a hog-cholera outbreak exists.

Sec. 22. Section 184A.1A, subsection 4, Code Supplement 1999, is amended to read as follows:

4. Within thirty days after approval at the referendum to establish a council and to impose an assessment, the department shall organize the council as provided in section 184A.1B.

Sec. 23. Section 229A.5A, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The prosecuting attorney or attorney general is authorized upon the occurrence of a recent overt act, or upon receiving written notice pursuant to section 229A.3, or before the filing of a petition under this chapter, to subpoena and compel the attendance of witnesses, examine the witnesses under oath, and require the production of documentary evidence

for inspection, reproduction, or copying. Except as otherwise provided by this section, the prosecuting attorney or attorney general shall have the same powers and limitations, subject to judicial oversight and enforcement, as provided by this chapter and by the Iowa rules of civil procedure. Any person compelled to appear under a demand for oral testimony under this section may be accompanied, represented, and advised by counsel at ~~their~~ the person's own expense.

Sec. 24. Section 229A.7, subsection 5, Code Supplement 1999, is amended to read as follows:

5. If the court or jury is not satisfied beyond a reasonable doubt that the respondent is a sexually violent predator, the court shall direct the respondent's release. Upon a mistrial, the court shall direct that the respondent be held at an appropriate secure facility until another trial is conducted. Any subsequent trial following a mistrial shall be held within ninety days of the previous trial, unless such subsequent trial is continued as provided in subsection ~~1~~ 2.

Sec. 25. Section 235C.3, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. A health professional training campaign, including recommendations concerning the curriculum offered at the college of medicine at the state university of Iowa and ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center, providing assistance in the identification of women at risk of substance abuse during pregnancy and strategies to be employed in assisting those women to maintain healthy lifestyles during pregnancy. This education campaign shall offer information to health professionals on assessment, laboratory testing, and referrals.

Sec. 26. Section 237A.23, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The departments of education, public health, and human services shall jointly establish a leadership council for child care training and development in this state. In addition to representatives of the three departments, the

leadership council shall include but is not limited to representatives of community colleges, institutions of higher learning under the state board of regents and private institutions of higher education, the Iowa cooperative extension service in agriculture and home economics, and child care resource and referral service agencies.

Sec. 27. Section 255.26, unnumbered paragraph 1, Code 1999, is amended to read as follows:

Warrants issued under section 255.25 shall be promptly drawn on the treasurer of state and forwarded by the director of revenue and finance to the treasurer of the state university, and the same shall be by the treasurer of the state university placed to the credit of the funds which are set aside for the support of the university hospital. ~~However, warrants shall not be paid unless the UB-82 claim required pursuant to section 255A.13 has been filed with the community health management information system.~~ The superintendent of the university hospital shall certify to the auditor of state on the first day of January, April, July, and October of each year, the amount as herein provided not previously certified by the superintendent due the state from the several counties having patients chargeable thereto, and the auditor of state shall thereupon charge the same to the county so owing. A duplicate certificate shall also be mailed to the auditor of each county having patients chargeable thereto. Expenses for obstetrical patients served under section 255A.9 shall be reimbursed as specified in section 255A.9.

Sec. 28. Section 255A.13, Code 1999, is amended to read as follows:

255A.13 DATA COLLECTION.

~~Beginning July 1, 1987, the~~ The university of Iowa hospitals and clinics shall submit, on a quarterly basis, ~~UB-82~~ UB-92 claims for all patients discharged after being served under the indigent patient program under chapter 255. ~~The UB-82 claim shall include all data elements which are required by the community health management information system.~~

Sec. 29. Section 257.46, subsection 2, Code Supplement 1999, is amended to read as follows:

2. The remaining portion of the budget shall be funded by the thirty-eight dollar increase in allowable growth for the school budget year beginning July 1, 1999, increased by the growth of the regular program district cost each year. School districts shall annually report the amount expended for a gifted and talented program to the department of education. The proportion of a school district's budget which corresponds to the thirty-eight dollar increase in allowable growth for the school budget year beginning July 1, 1999, added to the amount in subsection 1, shall be utilized exclusively for a school district's gifted and talented ~~and gifted~~ program.

Sec. 30. Section 261.19, Code 1999, is amended to read as follows:

261.19 OSTEOPATHIC PHYSICIAN RECRUITMENT PROGRAM.

1. A physician recruitment program is established, to be administered by the college student aid commission, for ~~the university of osteopathic medicine and health sciences of Des Moines, Iowa~~ Des Moines university -- osteopathic medical center. The program shall consist of a forgivable loan program and a tuition scholarship program for students and a loan repayment program for physicians. The commission shall regularly adjust the physician service requirement under each aspect of the program to provide, to the extent possible, an equal financial benefit for each period of service required. From funds appropriated for purposes of the program by the general assembly, the commission shall pay a fee to ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center for the administration of the program. A portion of the fee shall be paid by the commission to the university based upon the number of physicians recruited under subsection 4.

2. A forgivable loan may be awarded to a resident of Iowa who is enrolled at ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center if the student agrees to practice in this state for a

period of time to be determined by the commission at the time the loan is awarded. Forgivable loans to eligible students shall not become due and interest on the loan shall not accrue until after the student completes a residency program. If the student completes the period of practice established by the commission and agreed to by the student, the loan amount shall be forgiven. The loan amount shall not be forgiven if the osteopathic physician fails to complete the required time period of practice in this state or fails to satisfactorily continue in the university's program of medical education.

3. A student enrolled at ~~the university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center shall be eligible for a tuition scholarship for the student's study at the university. The scholarship shall be for an amount not to exceed the annual tuition at the university. A student who receives a tuition scholarship shall not be eligible for the loan repayment program provided for by this section. A student who receives a tuition scholarship shall agree to practice in an eligible rural community in this state for a period of time to be determined by the commission at the time the scholarship is awarded. The student shall repay the scholarship to the commission if the student fails to practice in a medically underserved rural community in this state for the required period of time.

4. A physician shall be eligible for the physician loan repayment program if the physician agrees to practice in an eligible rural community in this state. ~~The university of osteopathic medicine and health sciences~~ Des Moines university -- osteopathic medical center shall recruit and place physicians in rural communities which have agreed to provide additional funds for the physician's loan repayment. The contract for the loan repayment shall stipulate the time period the physician shall practice in an eligible rural community in this state. In addition, the contract shall stipulate that the physician repay any funds paid on the physician's loan by the commission if the physician fails to

practice in an eligible rural community in this state for the required period of time. For purposes of this subsection, "eligible rural community" means a medically underserved rural community which agrees to match state funds provided on at least a dollar-for-dollar basis for the loan repayment of a physician who practices in the community.

5. The commission shall adopt rules pursuant to chapter 17A to administer this section.

Sec. 31. Section 263.17, subsection 2, paragraph a, subparagraph (1), Code 1999, is amended to read as follows:

(1) The state university of Iowa department of ~~preventative~~ preventive medicine and environmental health.

Sec. 32. Section 279.51, subsection 2, paragraph b, subparagraph (1), Code Supplement 1999, is amended to read as follows:

(1) To school districts to establish programs for ~~three-year-~~ three-year-old, ~~four-year-~~ four-year-old, and five-year-old at-risk children which are a combination of preschool and full-day kindergarten.

Sec. 33. Section 359A.18, subsection 5, Code 1999, is amended to read as follows:

5. A fence consisting of four parallel, coated steel, smooth high-tensile wire which meets requirements adopted by the American society of ~~for~~ testing and materials, including but not limited to requirements relating to the grade, tensile strength, elongation, dimensions, and tolerances of the wire. The wire must be firmly fastened to plastic, metal, or wooden posts securely planted in the earth. The posts shall not be more than two rods apart. The top wire shall be at least forty inches in height.

Sec. 34. Section 422.45, subsections 38A and 38B, Code Supplement 1999, are amended to read as follows:

38A. The gross receipts from the sale or rental of aircraft; the sale or rental of tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and the gross receipts of all services

used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a scheduled interstate federal aviation ~~administration-certified~~ administration certificated air carrier operation.

38B. The gross receipts from the sale or rental of tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and the gross receipts of all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a nonscheduled interstate federal aviation ~~administration-certified~~ administration certificated air carrier operation operating under 14 C.F.R. ch. 1, pt. 135.

Sec. 35. Section 422.121, Code Supplement 1999, is amended to read as follows:

422.121 APPROPRIATION -- LIMITATION.

Beginning with the fiscal year beginning July 1, 1997, there is appropriated annually from the general fund of the state two million dollars to refund the credits allowed under this division. Notwithstanding section 422.120, for tax years beginning on or after January 1, 1997, the livestock production tax credit shall only be allowed for cow-calf operations. In calculating the tax credit for cow-calf operations for tax years beginning in the 1997 calendar year, mature beef cows bred or for breeding, bred yearling heifers, and breeding bulls in the operations' inventory on December 31 of the tax year which were also in the ~~operations~~ operations' inventory on July 1 of the tax year and stockers and feeders sold during the tax year may be counted. In calculating the tax credit for cow-calf operations for tax years beginning on or after January 1, 1998, only those bred cows, bred heifers, and breeding bulls in the operations' inventory on December 31 of the tax year which were also in the ~~operations~~ operations' inventory on July 1 of the tax year may be counted.

Sec. 36. Section 422B.1, subsection 6, paragraph b, Code Supplement 1999, is amended to read as follows:

b. Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of a local option tax, the county auditor shall give written notice by sending a copy of the abstract of the ~~ballot~~ votes from the favorable election to the director of revenue and finance or, in the case of a local vehicle tax, to the director of the department of transportation, of the result of the election.

Sec. 37. Section 422E.2, subsection 4, paragraph b, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of the tax, the county auditor shall give written notice by sending a copy of the abstract of ~~ballot~~ the votes from the favorable election to the director of revenue and finance of the result of the election. Election costs shall be apportioned among school districts within the county on a pro rata basis in proportion to the number of registered voters in each school district and the total number of registered voters in all of the school districts within the county.

Sec. 38. Section 423.4, subsections 18 and 19, Code Supplement 1999, are amended to read as follows:

18. Aircraft; tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a scheduled interstate federal aviation administration ~~certified~~ certificated air carrier operation.

19. Tangible personal property permanently affixed or attached as a component part of the aircraft, including but not limited to repair or replacement materials or parts; and all services used for aircraft repair, remodeling, and maintenance services when such services are performed on aircraft, aircraft engines, or aircraft component materials or parts. For the purposes of this exemption, "aircraft" means aircraft used in a nonscheduled interstate federal aviation administration ~~certified~~ certificated air carrier operation operating under 14 C.F.R. ch. 1, pt. 135.

Sec. 39. Section 427.1, subsection 14, unnumbered paragraph 2, Code Supplement 1999, is amended to read as follows:

The assessor, in arriving at the valuation of any property of the society or organization, shall take into consideration any uses of the property not for the appropriate objects of the organization and shall assess in the same manner as other property, all or any portion of the property involved which is leased or rented and is used regularly for commercial purposes for a profit to a party or individual. If a portion of the property is used regularly for commercial purposes an exemption shall not be allowed upon property so used and the exemption granted shall be in the proportion of the value of the property used solely for the appropriate objects of the organization, to the entire value of the property. However, the board of trustees or the board of directors of a hospital, as defined in section 135B.1, ~~subsection 1,~~ may permit use of a portion of the hospital for commercial purposes, and the hospital is entitled to full exemption for that portion used for nonprofit health-related purposes, upon compliance with the filing requirements of this subsection.

Sec. 40. Section 427B.4, unnumbered paragraph 1, Code 1999, is amended to read as follows:

An application shall be filed for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filed by the owner of the property with the local assessor by February 1 of the

assessment year in which the value added is first assessed for taxation. Applications for exemption shall be made on forms prescribed by the director of revenue and finance and shall contain information pertaining to the nature of the improvement, its cost, and other information deemed necessary by the director of revenue and finance.

Sec. 41. Section 448.2, Code 1999, is amended to read as follows:

448.2 FORM.

Deeds executed by the county treasurer shall be substantially in the following form:

KNOW ALL PERSONS BY THESE PRESENTS, that the following described parcel: (Here follows the description), situated in the county of ..... and state of Iowa, was subject to taxes for the year (or years) A.D. ...., and the taxes on the parcel for the year (or years) stated remained due and unpaid at the date of the sale; and the treasurer of the county, on the .... day of ....., A.D. ...., by virtue of the authority vested by law in the treasurer, at (an adjournment of) the sale begun and publicly held on the third Monday of June, A.D. ...., exposed to public sale at the office of the county treasurer in the county named, in substantial conformity with all the requirements of the statute, the parcel described, for the payment of the total amount then due and remaining unpaid on the parcel, and at that time and place A-~~~~~-B ....., of the county of ..... and state of ....., offered to pay the sum of .. dollars and .. cents, being the total amount then due and remaining unpaid on the parcel, for (here follows the description of the parcel sold) which was the least quantity bid for, and payment of that sum was made by that person to the treasurer, the parcel was stricken off to that person at that price; and A-~~~~~-B ..... did, on the ... day of ....., A.D. ...., assign the certificate of the sale of the parcel and all right, title, and interest to the parcel to E ~~~~~-P-..... of the county of ..... and state of .....; and by the affidavit of ....., filed in the treasurer's office on the ... day of ....., A.D. ...., it appears that

notice has been given more than ninety days before the execution of this deed to ..... and ..... of the expiration of the time of redemption allowed by law; and two years have elapsed since the date of the sale, and the parcel has not been redeemed:

Now, I, E-~~~~~-B ....., treasurer of the county, for the consideration of the stated sum paid to the treasurer and by virtue of law, have granted, bargained, and sold, and by these presents do grant, bargain, and sell to A-~~~~~-B ..... (or E ~~~~~-P .....), and that person's heirs and assigns, the parcel described, to have and to hold unto that person (or E ~~~~~-P .....), and that person's heirs and assigns, forever; subject, however, to all the rights of redemption provided by law. In witness whereof, I, E-~~~~~-B ....., treasurer of ..... county, by virtue of the authority vested in me, have subscribed my name on this .... day of ....., A.D. ....

.....
Treasurer

State of Iowa,)
.....County.) ss.

I certify that before me, ..., in and for said county, personally appeared the above named E-~~~~~-B ....., treasurer of the county, personally known to me to be the treasurer of the county at the date of the execution of the above conveyance, and to be the identical person whose name is affixed to and who executed the above conveyance as treasurer of the county, and acknowledged the execution of the conveyance to be the treasurer's voluntary act and deed as treasurer of the county, for the purposes expressed in the conveyance.

Given under my hand (and seal) this .... day of ....., A.D. ....

Sec. 42. Section 453C.1, subsection 9, paragraph a, Code Supplement 1999, is amended to read as follows:

a. Manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer,

except where such importer is an original participating manufacturer, as that term is defined in the master settlement agreement, that will be responsible for the payments under the master settlement agreement with respect to such cigarettes as a result of the provisions of the subsection II(mm) of the master settlement agreement and that pays the taxes specified in subsection II(z) of the master settlement agreement and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States.

Sec. 43. Section 455B.173, subsection 8, Code Supplement 1999, is amended to read as follows:

8. Formulate and adopt specific and detailed statewide standards pursuant to chapter 17A for review of plans and specifications and the construction of sewer systems and water supply distribution systems and extensions to such systems not later than October 1, 1977. The standards shall be based on criteria contained in the "Recommended Standards for Sewage Works" and "Recommended Standards for Water Works" (Ten States Standards) as adopted by the Great Lakes-Upper Mississippi River board of state sanitary engineers, design manuals published by the department, applicable federal guidelines and standards, standard textbooks, current technical literature and applicable safety standards. The material standards for polyvinyl chloride pipe shall not exceed the specifications for polyvinyl chloride pipe in designations D-1784-69, D-2241-73, D-2564-76, D-2672-76, D-3036-73 and D-3139-73 of the American society ~~of~~ for testing and ~~material~~ materials. The rules adopted which directly pertain to the construction of sewer systems and water supply distribution systems and the review of plans and specifications for such construction shall be known respectively as the Iowa Standards for Sewer Systems and the Iowa Standards for Water Supply Distribution Systems and shall be applicable in each governmental subdivision of the state. Exceptions shall be made to the standards so formulated only upon special request to and receipt of permission from the department. The department shall publish the standards and make copies of such standards available to governmental subdivisions and to the public.

Sec. 44. Section 455B.474, subsection 1, paragraph d, subparagraph (2), subparagraph subdivision (d), Code Supplement 1999, is amended to read as follows:

(d) For purposes of classifying a site as either low risk or no action required, the department shall rely upon the example tier one risk-based screening level look-up table of the American society for testing ~~of~~ and materials' emergency standard, ES38-94, or other look-up table as determined by the department by rule.

Sec. 45. Section 455B.474, subsection 1, paragraph f, subparagraph (4), subparagraph subdivision (e), Code Supplement 1999, is amended to read as follows:

(e) Risk-based corrective action assessment principles which identify the risks presented to the public health and safety or the environment by each release in a manner that will protect the public health and safety or the environment using a tiered procedure consistent with the American society for testing ~~of~~ and materials' emergency standard, ES38-94.

Sec. 46. Section 514.7, unnumbered paragraph 1, Code Supplement 1999, is amended to read as follows:

The contracts by any such corporation with the subscribers for health care service shall at all times be subject to the approval of the commissioner of insurance. The ~~commission~~ commissioner shall require that participating pharmacies be reimbursed by the pharmaceutical service corporation at rates or prices equal to rates or prices charged nonsubscribers, unless the commissioner determines otherwise to prevent loss to subscribers.

Sec. 47. Section 514E.1, subsection 12, Code 1999, is amended to read as follows:

12. "Health care facility" means a health care facility as defined in section 135C.1, ~~subsection 6~~, a hospital as defined in section 135B.1, ~~subsection 1~~, or a community mental health center established under chapter 230A.

Sec. 48. Section 522A.3, subsection 5, paragraph d, Code Supplement 1999, is amended to read as follows:

d. A fee, compensation, or commission is not paid to an employee by a rental company dependent based solely on the sale of insurance under any limited license issued pursuant to this section.

Sec. 49. Section 554.12105, subsections 2 and 3, Code 1999, are amended to read as follows:

2. Other definitions applying to this article and the sections in which they appear are:

"Acceptance"	Section 554.12209
"Beneficiary"	Section 554.12103
"Beneficiary's bank"	Section 554.12103
"Executed"	Section 554.12301
"Execution date"	Section 554.12301
"Funds transfer"	Section 554.12104
"Funds-transfer system rule"	Section 554.12501
"Governing law"	Section 554.12507
"Intermediary bank"	Section 554.12104
"Originator"	Section 554.12104
"Originator's bank"	Section 554.12104
"Payment by beneficiary's bank to beneficiary"	Section 554.12405
"Payment by originator to beneficiary"	Section 554.12406
"Payment by sender to receiving bank"	Section 554.12403
"Payment date"	Section 554.12401
"Payment order"	Section 554.12103
"Receiving bank"	Section 554.12103
"Security procedure"	Section 554.12201
"Sender"	Section 554.12103

3. The following definitions in article 4 apply to this article:

"Clearing house"	Section 554.4104
"Item"	Section 554.4104
"Suspends payments"	Section 554.4104

Sec. 50. Section 598B.208, subsection 3, Code Supplement 1999, is amended to read as follows:

3. If a court dismisses a petition or stays a proceeding because it declines to exercise its jurisdiction pursuant to subsection 1, it shall assess against the party seeking to invoke its jurisdiction necessary and reasonable expenses including costs, communication expenses, attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care expenses during the course of the proceedings, unless the party from whom fees are sought establishes that the assessment would be clearly inappropriate. The court shall not assess fees, costs, or expenses against this state unless authorized by law other than this chapter.

Sec. 51. Section 598B.312, subsection 1, Code Supplement 1999, is amended to read as follows:

1. The court shall award the prevailing party, including a state, necessary and reasonable expenses incurred by or on behalf of the party, including costs, communication expenses, attorney fees, investigative fees, expenses for witnesses, travel expenses, and child care expenses during the course of the proceedings, unless the party from whom fees or expenses are sought establishes that the award would be clearly inappropriate.

Sec. 52. Section 637.202, subsection 2, paragraph b, Code Supplement 1999, is amended to read as follows:

b. The beneficiary's fractional interest in the undistributed principal assets must be calculated without regard to property specifically given to a beneficiary and property required to be pay pecuniary amounts not in trust.

Sec. 53. Section 663.8, Code 1999, is amended to read as follows:

663.8 FORM OF WRIT.

If the petition is in accordance with the foregoing requirements, and states sufficient grounds for the allowance of the writ, it shall issue, and may be substantially as follows:

The State of Iowa,

To A.....-B.....:

You are hereby commanded to have the body of ~~E.....B....~~, by you unlawfully detained, as is alleged, before the court (or before me, or before ~~E.....P....~~, judge, etc., as the case may be), at ...., on .... (or immediately after being served with this writ), to be dealt with according to law, and have you then and there this writ, with a return thereon of your doings in the premises.

Sec. 54. Section 692A.13, subsection 3, paragraph c, subparagraphs (1) and (2), Code Supplement 1999, are amended to read as follows:

(1) Persons who commit a criminal offense against a minor, an aggravated offense, sexual exploitation, a sexually violent offense, or an other relevant offense on or after the effective date of this Act and who have been assessed to be a "moderate-risk" or "high-risk".

(2) Persons who committed an offense prior to July 1, 1999, and who have been assessed to be a "moderate-risk" or "high-risk" and whose opportunity to request a hearing regarding the assessment of risk has lapsed.

Sec. 55. 1999 Iowa Acts, chapter 112, section 9, is amended by striking the amending phrase to the section and inserting in lieu thereof the following: "Section 692A.5, subsection 1, Code 1999, is amended by adding the following new paragraph:"

DIVISION II

CENTURY DATE CHANGE

Sec. 56. Sections 68B.9, 28A.6, 52.21, 85.24, 96.14, 441.26, 448.15, 458A.22, 461B.5, 468.371, 468.553, 515.138, 558.26, 558.39, 558.57, 558.58, 558.66, 617.3, 633.279, 633.295, and 656.2, Code 1999, are amended by striking "day of ___, 19__," and inserting in lieu thereof "day of ___ (month), ____ (year),".

Sec. 57. Section 43.26, Code 1999, is amended by striking "June, 19___" and inserting in lieu thereof "June, ____ (year)".

Sec. 58. Section 46.9, Code 1999, is amended by striking "January 31, 19___" and inserting in lieu thereof "January 31, ____ (year)".

Sec. 59. Sections 52.9 and 52.38, Code 1999, are amended by striking "election of ___, 19___" and inserting in lieu thereof "election of _____ (date)".

Sec. 60. Sections 52.9 and 52.38, Code 1999, are amended by striking "Dated ___ 19__" and inserting in lieu thereof "Dated ____".

Sec. 61. Section 52.21, Code 1999, is amended by striking "VOTING MACHINE RETURN AND TALLY SHEET ____ ELECTION ___ 19___, COUNTY OF ____" and inserting in lieu thereof "VOTING MACHINE RETURN AND TALLY SHEET _____ ELECTION ____ (DATE), COUNTY OF _____".

Sec. 62. Section 384.50, Code 1999, is amended to read as follows:

384.50 NOTICE OF HEARING.

The clerk shall publish notice of the date, time, and place of the hearing once each week for two consecutive weeks in the manner provided by section 362.3, the first publication of which shall be not less than ten days before the date of the hearing. The notice must be in substantially the following form:

NOTICE TO PROPERTY OWNERS

Notice is given that there is now on file for public inspection in the office of the clerk of ....., Iowa, a proposed resolution of necessity, an estimate of cost, and a plat and schedule showing the amounts proposed to be assessed against each lot and the valuation of each lot within a district approved by the council of ....., Iowa, for a ..... improvement of the type(s) and in the location(s) as follows:

The council will meet at .. o'clock ...m., on ....~~,-19--~~ (date), at the ....., at which time the owners of property subject to assessment for the proposed improvement or any other person having an interest in the matter may appear and be heard for or against the making of the improvement, the boundaries of the district, the cost, the assessment against any lot, or the final adoption of a resolution of necessity. A property owner will be deemed to have waived all objections

unless at the time of hearing the property owner has filed objections with the clerk.

.....

Clerk.

Not less than fifteen days before the hearing, the clerk shall send a copy of the notice by mail to each property owner whose property is subject to assessment for the improvement at the address as shown by the records of the county auditor. If a property is shown to be in the name of more than one owner at the same mailing address, a single notice may be mailed addressed to all owners at that address. Failure to receive a mailed notice is not a defense to the special assessment.

Sec. 63. Sections 468.511, 558.25, and 558.39, Code 1999, are amended by striking "day of ____, A.D. 19___" and inserting in lieu thereof "day of ____ (month), ____ (year)".

Sec. 64. Section 602.6504, Code 1999, is amended by striking "December 31, 19___" and inserting in lieu thereof "December 31, ____ (year)".

Sec. 65. Section 614.14, subsection 2, Code Supplement 1999, is amended to read as follows:

2. A bona fide purchaser is a purchaser for value in good faith and without notice of any adverse claim, who has relied on a current, recorded affidavit in substantially the following form delivered to the purchaser:

[Individual trustee] Affidavit in re [insert legal description]

I, ..., being first duly sworn and under oath state of my personal knowledge that:

1. I am the trustee under the trust dated ..., ~~19...~~ to which the above-described real estate was conveyed to the trustee by ....., pursuant to an instrument recorded the .. day of .... (month), 19..(year), recorded in the office of the ... County Recorder in ..... [insert recording data].

2. I am the presently existing trustee under the trust and am authorized to ... [describe the transfer to be made by the trustee to the bona fide purchaser], without any limitation or qualification whatsoever.

3. The trust is in existence and I as trustee am authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

.....

[signature of affiant]

Sworn to and subscribed before me by ..... on this .. day of ... (month), 19..(year)

.....

[Notary Public in and for the State of ...]

[Corporate trustee] Affidavit in re [insert legal description]

I, ..., being first duly sworn and under oath state of my personal knowledge that:

1. ..... is the trustee under the trust dated ..., ~~19...~~ to which the above-described real estate was conveyed to the trustee by ....., pursuant to an instrument recorded the ... day of ... (month), 19..(year), recorded in the office of the ... County Recorder in ..... [insert recording data].

2. ..... is the presently existing trustee under the trust and is authorized to ... [describe the transfer to be made by the trustee to the bona fide purchaser], without any limitation or qualification whatsoever, and I am ..... [officer] of the corporate trustee.

3. The trust is in existence and ..... as trustee is authorized to transfer the interests in the real estate as described in paragraph 2, free and clear of any adverse claims.

.....

[signature of affiant]

Sworn to and subscribed before me by ....., on this ... day of ... (month), 19..(year)

.....

[Notary Public in and for the State of ...]

Sec. 66. Section 633.230, subsection 1, Code 1999, is amended to read as follows:

1. In intestate matters, the administrator, as soon as letters are issued, shall cause to be published once each week for two consecutive weeks in a daily or weekly newspaper of general circulation published in the county in which the estate is pending, and at any time during the pendency of administration that the administrator has knowledge of the name and address of a person believed to own or possess a claim which will not or may not be paid or otherwise satisfied during administration, provide by ordinary mail to each such claimant at the claimant's last known address, a notice of appointment which shall be in substantially the following form:

NOTICE OF APPOINTMENT OF
ADMINISTRATOR AND
NOTICE TO CREDITORS

In the District Court of Iowa
in and for ..... County.
In the Estate of ....., Deceased
Probate No. .....

To All Persons Interested in the Estate of ....., Deceased, who died on or about .....~~,~~ ~~19~~ ~~,~~ (date):

You are hereby notified that on the ... day of .....(month), ~~19~~..(year), the undersigned was appointed administrator of the estate.

Notice is hereby given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of the mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this ... day of .....(month), ~~19~~..(year)

.....
Administrator of the estate

.....
Address

.....
Attorney for the administrator

.....
Address

Date of second publication ... day of .....(month), ~~19~~..(year) (Date to be inserted by publisher)

Sec. 67. Section 633.304, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The notice shall be substantially in the following form:

Notice of Probate of Will,
of Appointment of Executor,
and Notice to Creditors

In the District Court of Iowa
in and for .... County. Probate No.
....

In the Estate of ....., Deceased
To All Persons Interested in the Estate of ....., Deceased, who died on or about .....~~,~~ ~~19~~ ~~,~~ (date):

You are hereby notified that on the ... day of .....(month), ~~19~~..(year), the last will and testament of ....., deceased, bearing date of the ... day of .....(month), ~~19~~..(year), was admitted to probate in the above named court and that ..... was appointed executor of the estate. Any action to set aside the will must be brought in the district court of said county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Notice is further given that all persons indebted to the estate are requested to make immediate payment to the undersigned, and creditors having claims against the estate shall file them with the clerk of the above named district court, as provided by law, duly authenticated, for allowance, and unless so filed by the later to occur of four months from the second publication of this notice or one month from the date of mailing of this notice (unless otherwise allowed or paid) a claim is thereafter forever barred.

Dated this ... day of .....(month), 19..(year)

.....
Executor of estate

.....
Address

.....
Attorney for executor

.....
Address

Date of second publication
... day of .....(month), 19..(year)
(Date to be inserted by publisher)

Sec. 68. Section 633.305, unnumbered paragraph 3, Code 1999, is amended to read as follows:

The notice shall be substantially in the following form:

Notice of Proof of Will Without Administration

In the District Court of Iowa
in and for .... County. Probate No.
....

In the Estate of ....., Deceased
To All Persons Interested in the Estate of ....., Deceased, who died on or about .....(month), 19..(year):

You are hereby notified that on the ... day of .....(month), 19..(year), the last will and testament of ....., deceased, bearing date of the ... day of .....(month), 19..(year), was admitted to probate in the above named court and there will be no present administration of the estate. Any action to set aside the will must be brought in the district court of the county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Dated this ... day of .....(month), 19..(year)

.....
Clerk of the district court

.....
Attorney for estate

.....
Address

Date of second publication
... day of .....(month), 19..(year)
(Date to be inserted by publisher)

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2136, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 4/6, 2000

THOMAS J. VILSACK
Governor