

HSB 785

APPROPRIATIONS

Succeeded by  
CF/HF 2572

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON MILLAGE)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to public expenditure and regulatory matters,  
2 making appropriations, and establishing a Microsoft settlement  
3 fund.

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

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DIVISION I

MH/MR/DD ALLOWED GROWTH

Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT AND ALLOCATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment, in accordance with section 331.438, subsection 2, and section 331.439, subsection 3, and chapter 426B:

..... \$ 25,784,846

The funding appropriated in this section is the allowed growth factor adjustment of 1.7 percent for fiscal year 2001-2002, and is allocated as follows:

1. For distribution to counties for fiscal year 2001-2002 in accordance with the formula in section 331.438, subsection 2, paragraph "b":

..... \$ 12,000,000

2. For deposit in the per capita expenditure target pool created in the property tax relief fund pursuant to section 426B.5, subsection 1:

..... \$ 9,784,846

In addition to the requirement of section 426B.5, subsection 1, paragraph "c", limiting eligibility for moneys appropriated in this paragraph to counties levying the maximum amount allowed, both of the following eligibility requirements are applicable:

a. In the fiscal year beginning July 1, 2000, the county's services fund ending balance under generally accepted accounting principles was equal to or less than 35 percent of the county's projected expenditures for that fiscal year.

1 b. The county is in compliance with the filing date  
2 requirements under section 331.403.

3 3. For deposit in the incentive and efficiency pool  
4 created in the property tax relief fund pursuant to section  
5 426B.5, subsection 2:  
6 ..... \$ 2,000,000

7 4. For deposit in the risk pool created in the property  
8 tax relief fund pursuant to section 426B.5, subsection 3:  
9 ..... \$ 2,000,000

10 DIVISION II

11 TRANSFER OF TOBACCO FUNDS -- FY 2000-2001

12 Sec. 2. TRANSFER OF FUNDS -- TOBACCO SETTLEMENT FUND.

13 From moneys deposited in the tobacco settlement fund created  
14 in section 12.65, the sum of sixty-four million six hundred  
15 thousand dollars is transferred to the general fund of the  
16 state for the fiscal year beginning July 1, 2000, and ending  
17 June 30, 2001.

18 DIVISION III

19 REDUCTION IN PHASE III MONEYS

20 Sec. 3. Section 294A.25, subsection 1, Code Supplement  
21 1999, is amended to read as follows:

22 1. For the fiscal year beginning July 1, ~~1998~~ 2000, and  
23 for each succeeding year, there is appropriated from the  
24 general fund of the state to the department of education the  
25 amount of ~~eighty-two~~ eighty million eight hundred ninety-one  
26 thousand three hundred thirty-six dollars to be used to  
27 improve teacher salaries. The moneys shall be distributed as  
28 provided in this section.

29 DIVISION IV

30 MICROSOFT FUND

31 Sec. 4. NEW SECTION. 12.67 MICROSOFT SETTLEMENT FUND.

32 A Microsoft settlement fund is created in the office of the  
33 treasurer of state. The state portion of any moneys paid to  
34 the state by Microsoft in settlement of its federal antitrust  
35 trial or the state's antitrust lawsuit shall be deposited in

1 the Microsoft settlement fund. Moneys deposited in the fund  
2 shall be used only as provided in appropriations made by the  
3 general assembly.

4 Notwithstanding section 12C.7, subsection 2, interest or  
5 earnings on moneys in the Microsoft settlement fund shall be  
6 credited to the Microsoft settlement fund.

7 DIVISION V

8 MISCELLANEOUS

9 Sec. 5. Section 100B.1, subsection 1, unnumbered paragraph  
10 1, as enacted by 2000 Iowa Acts, House File 2492, section 8,  
11 is amended to read as follows:

12 The state fire service and emergency response council is  
13 established in the division of fire protection of the  
14 department of public safety. The council shall consist of ten  
15 voting members. Members of the state fire service and  
16 emergency response council shall be appointed by the governor.  
17 Appointments are not subject to the requirements of sections  
18 69.16 and 69.16A. The governor shall appoint members from the  
19 following organizations, chosen from a list of names submitted  
20 by each of the following organizations:

21 DIVISION VI

22 CORRECTIVE AMENDMENTS

23 Sec. 6. Section 2D.3, as enacted by 2000 Iowa Acts, House  
24 File 2442, section 3, is amended to read as follows:

25 2D.3 LEGISLATIVE BRANCH PROTOCOL OFFICER.

26 The legislative service bureau shall employ a legislative  
27 branch protocol officer to coordinate activities related to  
28 state, national, and international visitors to the state  
29 capitol or with an interest in the general assembly, and  
30 related to travel of members of the general assembly abroad.  
31 The protocol officer shall serve in a consultative capacity  
32 and shall provide staff support to the international relations  
33 advisory council. The protocol officer shall also work with  
34 the executive branch protocol officer to coordinate state,  
35 national, and international relations activities. The

1 legislative branch protocol officer shall submit periodic  
2 reports to the international relations committee of the  
3 legislative council regarding the visits of state, national,  
4 and international visitors and regarding international  
5 activities.

6 Sec. 7. Section 30.2, subsection 2, Code 1999, is amended  
7 to read as follows:

8 2. The commission is composed of twelve members appointed  
9 by the governor. One member shall be appointed to represent  
10 the department of agriculture and land stewardship, one to  
11 represent the department of workforce development, one to  
12 represent the department of justice, one to represent the  
13 department of natural resources, one to represent the  
14 department of public defense, one to represent the Iowa  
15 department of public health, one to represent the department  
16 of public safety, one to represent the state department of  
17 transportation, one to represent the state fire service  
18 ~~institute-of-the-iowa-state-university-of-science-and~~  
19 ~~technology and emergency response council~~, and one to  
20 represent the office of the governor. Two representatives  
21 from private industry shall also be appointed by the governor,  
22 subject to confirmation by the senate.

23 Sec. 8. Section 85.3, subsection 3, unnumbered paragraph  
24 1, as enacted by 2000 Iowa Acts, Senate File 2373, section 1,  
25 is amended to read as follows:

26 Service of process or original notice upon a nonresident  
27 employer may be performed as provided in section 617.3 or as  
28 provided in the Iowa rules of civil procedure. In addition,  
29 service may be made on any corporation, individual, personal  
30 representative, partnership, or association that has the  
31 necessary minimum contact with this state as provided in rule  
32 of civil procedure 56.1 within or without this state or if  
33 such service cannot be made, in any manner consistent with due  
34 process of law prescribed by the workers' compensation  
35 commission commissioner.

1 Sec. 9. Section 88.6, subsection 9, as enacted by 2000  
2 Iowa Acts, House File 2492, section 6, is amended to read as  
3 follows:

4 9. Reports of inspections and investigations involving the  
5 occupational safety and health for fire fighters shall be  
6 presented to the state fire service and emergency response  
7 council.

8 Sec. 10. Section 135.110, subsection 1, paragraph a,  
9 subparagraph (1), as enacted by 2000 Iowa Acts, House File  
10 2362, section 3, is amended to read as follows:

11 (1) The causes and manner of domestic abuse deaths,  
12 including an analysis of factual information obtained through  
13 review of domestic abuse death certificates and domestic abuse  
14 death data, including patient records and other pertinent  
15 confidential and public information concerning domestic abuse  
16 deaths.

17 Sec. 11. Section 148E.3, subsection 1, as enacted by 2000  
18 Iowa Acts, Senate File 182, section 7, is amended to read as  
19 follows:

20 1. A person otherwise licensed to practice medicine and  
21 surgery, osteopathy, osteopathic medicine and surgery,  
22 chiropractic, podiatry, or dentistry who is exclusively  
23 engaged in the practice of the person's **professions**  
24 profession.

25 Sec. 12. Section 152.7, unnumbered paragraph 3, as enacted  
26 by 2000 Iowa Acts, House File 2105, section 5, is amended to  
27 read as follows:

28 For purposes of licensure pursuant to the nurse licensure  
29 compact contained in section 152E.1, the compact administrator  
30 may refuse to accept a change in the qualifications for  
31 licensure as a registered nurse or as a licensed practical or  
32 vocational nurse by a licensing authority in another state  
33 which is a party to the compact which substantially modifies  
34 that state's qualifications for licensure in effect on July 1,  
35 2000. A refusal to accept a change in a party state's

1 qualifications for licensure may result in submitting the  
2 issue to an arbitration panel or in withdrawal from the  
3 compact, in at the discretion of the compact administrator.

4 Sec. 13. Section 152E.1, article II, sections i, k, l, and  
5 n, as enacted by 2000 Iowa Acts, House File 2105, section 8,  
6 are amended to read as follows:

7 i. "Nurse" means a registered nurse or licensed practical  
8 or vocational nurse, as those terms are defined by each  
9 party's-state party state's practice laws.

10 k. "Remote state" means a party state, other than the home  
11 state, where either of the following applies:

12 1. Where the patient is located at the time nursing care  
13 is provided.

14 2. In the case of the practice of nursing not involving a  
15 patient, in such party state where the recipient of nursing  
16 practice care is located.

17 1. "Remote state action" means either of the following:

18 1. Any administrative, civil, equitable, or criminal  
19 action permitted by a remote state's laws which are is imposed  
20 on a nurse by the remote state's licensing board or other  
21 authority, including actions against an individual's  
22 multistate licensure privilege to practice in the remote  
23 state.

24 2. Cease and desist and other injunctive or equitable  
25 orders issued by remote states or the licensing boards+ boards  
26 of remote states.

27 n. "State practice laws" means those individual party's  
28 party state laws and regulations that govern the practice of  
29 nursing, define the scope of nursing practice, and create the  
30 methods and grounds for imposing discipline. "State practice  
31 laws" does not include the initial qualifications for  
32 licensure or requirements necessary to obtain and retain a  
33 license, except for qualifications or requirements of the home  
34 state.

35 Sec. 14. Section 152E.1, article III, sections a and e, as

1 enacted by 2000 Iowa Acts, House File 2105, section 8, are  
2 amended to read as follows:

3 a. A license to practice registered nursing issued by a  
4 home state to a resident in that state ~~will~~ shall be  
5 recognized by each party state as authorizing a multistate  
6 licensure privilege to practice as a registered nurse in such  
7 party state. A license to practice licensed practical or  
8 vocational nursing issued by a home state to a resident in  
9 that state ~~will~~ shall be recognized by each party state as  
10 ~~authorized~~ authorizing a multistate licensure privilege to  
11 practice as a licensed practical or vocational nurse in such  
12 party state. In order to obtain or retain a license, an  
13 applicant must meet the home state's qualifications for  
14 licensure and license renewal as well as all other applicable  
15 state laws.

16 e. Individuals not residing in a party state shall  
17 continue to be able to apply for nurse licensure as provided  
18 for under the laws of each party state. However, the license  
19 granted to these individuals ~~will~~ shall not be recognized as  
20 granting the privilege to practice nursing in any other party  
21 state unless explicitly agreed to by that party state.

22 Sec. 15. Section 152E.1, article IV, sections c and d, as  
23 enacted by 2000 Iowa Acts, House File 2105, section 8, are  
24 amended to read as follows:

25 c. A nurse who intends to change the nurse's primary state  
26 of residence may apply for licensure in the new home state in  
27 advance of such change. However, new licenses ~~will~~ shall not  
28 be issued by a party state until after a nurse provides  
29 evidence of change in the nurse's primary state of residence  
30 satisfactory to the new home state's licensing board.

31 d. 1. If a nurse changes the nurse's primary state of  
32 residence by moving between two party states, and obtains a  
33 license from the new home state, the license from the former  
34 home state is no longer valid.

35 2. If a nurse changes the nurse's primary state of

1 residence by moving from a nonparty state to a party state,  
2 and obtains a license from the new home state, the individual  
3 state license issued by the nonparty state is not affected and  
4 ~~will~~ shall remain in full force if so provided by the laws of  
5 the nonparty state.

6 3. If a nurse changes the nurse's primary state of  
7 residence by moving from a party state to a nonparty state,  
8 the license issued by the prior home state converts to an  
9 individual state license, valid only in the former home state,  
10 without the multistate licensure privilege to practice in  
11 other party states.

12 Sec. 16. Section 152E.1, article VI, section c, as enacted  
13 by 2000 Iowa Acts, House File 2105, section 8, is amended to  
14 read as follows:

15 c. Issue cease and desist orders or to limit or revoke a  
16 nurse's authority to practice in the ~~nurse's~~ state.

17 Sec. 17. Section 152E.1, article VII, sections a and d, as  
18 enacted by 2000 Iowa Acts, House File 2105, section 8, are  
19 amended to read as follows:

20 a. All party states shall participate in a cooperative  
21 effort to create a coordinated database of all licensed  
22 registered nurses and licensed practical or vocational nurses.  
23 This system ~~will~~ shall include information on the licensure  
24 and disciplinary history of each nurse, as contributed by  
25 party states, to assist in the coordination of nurse licensure  
26 and enforcement efforts.

27 d. Notwithstanding any other provision of law, all party  
28 states' licensing boards contributing information to the  
29 coordinated licensure information system may designate  
30 information that ~~may~~ shall not be shared with nonparty states  
31 or disclosed to other entities or individuals without the  
32 express permission of the contributing state.

33 Sec. 18. Section 232.2, subsection 4, unnumbered paragraph  
34 1, Code Supplement 1999, as amended by 2000 Iowa Acts, Senate  
35 File 2344, section 4, is amended to read as follows:

1 "Case permanency plan" means the plan, mandated by Pub. L.  
2 No. 96-272 and Pub. L. No. 105-89, as codified in 42 U.S.C. §  
3 622(b)(10), 671(a)(16), and 675(1),(5), which is designed to  
4 achieve placement in the most appropriate, least restrictive,  
5 and most family-like, ~~and most appropriate~~ setting available  
6 and in close proximity to the parent's home, consistent with  
7 the best interests and special needs of the child, and which  
8 considers the placement's proximity to the school in which the  
9 child is enrolled at the time of placement. The plan shall be  
10 developed by the department or agency involved and the child's  
11 parent, guardian, or custodian. The plan shall specifically  
12 include all of the following:

13 Sec. 19. Section 249H.2, subsection 1, paragraphs a and b,  
14 as enacted by 2000 Iowa Acts, Senate File 2193, section 2, are  
15 amended to read as follows:

16 a. The preservation, improvement, and coordination of the  
17 health care infrastructure of Iowa ~~is~~ are critical to the  
18 health and safety of Iowans.

19 b. An increasing number of seniors and persons with  
20 disabilities in the state ~~require~~ requires long-term care  
21 services provided outside of a medical institution.

22 Sec. 20. Section 249H.3, subsection 1, as enacted by 2000  
23 Iowa Acts, Senate File 2193, section 3, is amended to read as  
24 follows:

25 1. "Affordable" means rates for payment of services which  
26 do not exceed the rates established for providers of medical  
27 and health services under the medical assistance program with  
28 eligibility for an individual equal to the eligibility for  
29 medical assistance pursuant to section 249A.3. In relation to  
30 services provided by a provider of services under a home and  
31 community-based waiver, "affordable" means that the total  
32 monthly cost of the home and community-based waiver services  
33 provided ~~do~~ does not exceed the cost for that level of care as  
34 established by rule by the department of human services,  
35 pursuant to chapter 17A, in consultation with the department

1 of elder affairs.

2 Sec. 21. Section 249H.6, subsection 12, as enacted by 2000  
3 Iowa Acts, Senate File 2193, section 6, is amended to read as  
4 follows:

5 12. The senior living coordinating unit shall review  
6 projects that receive grants under this section to ensure that  
7 the goal to provide alternatives to nursing facility care is  
8 being met and that an adequate number of nursing facility  
9 services ~~remain~~ remains to meet the needs of Iowans.

10 Sec. 22. Section 249H.8, subsection 1, as enacted by 2000  
11 Iowa Acts, Senate File 2193, section 8, is amended to read as  
12 follows:

13 1. A person operating a PACE program shall have a PACE  
14 program agreement with the health care financing  
15 administration of the United States department of health and  
16 human services, shall enter into a contract with the  
17 department of human services and shall comply with 42 U.S.C. §  
18 1396(u)(4) and all regulations promulgated pursuant to that  
19 section.

20 Sec. 23. Section 261.19B, Code 1999, as amended by 2000  
21 Iowa Acts, Senate File 2248, section 13, is amended to read as  
22 follows:

23 261.19B OSTEOPATHIC PHYSICIAN RECRUITMENT REVOLVING FUND.  
24 An osteopathic physician recruitment revolving fund is  
25 created in the state treasury as a separate fund under the  
26 control of the commission. The commission shall deposit  
27 payments made by osteopathic physician recruitment recipients  
28 and the proceeds from the sale of osteopathic loans into the  
29 osteopathic ~~loan~~ physician recruitment revolving fund. Moneys  
30 credited to the fund shall be used to supplement moneys  
31 appropriated for the osteopathic physician recruitment  
32 program, for loan forgiveness to eligible physicians, and to  
33 pay for loan or interest repayment defaults by eligible  
34 physicians. Notwithstanding section 8.33, any balance in the  
35 fund on June 30 of any fiscal year shall not revert to the

1 general fund of the state.

2 Sec. 24. Section 279.52, unnumbered paragraph 1, Code  
3 1999, as amended by 2000 Iowa Acts, House File 2435, section  
4 1, is amended to read as follows:

5 The board of directors may pay the actual cost of an  
6 asbestos project from any funds in the general fund of the  
7 district, funds received from the physical plant and equipment  
8 levy, or moneys obtained through a federal asbestos loan  
9 program, to be repaid from any of the funds specified in this  
10 subsection section over a three-year period.

11 Sec. 25. Section 306.11, Code 1999, as amended by 2000  
12 Iowa Acts, Senate File 2194, section 1, is amended to read as  
13 follows:

14 306.11 HEARING -- PLACE -- DATE.

15 In proceeding to the vacation and closing of a road, part  
16 thereof, or railroad crossing, the agency in control of the  
17 road, or road system, shall fix a date for a hearing on the  
18 vacation and closing in the county where the road, or part  
19 thereof, or crossing, is located, and if located in more than  
20 one county, then in a county in which any part of the road or  
21 crossing is located. If the road to be vacated or changed is  
22 a secondary road located in more than one county, the boards  
23 of supervisors of the counties, acting jointly, shall fix a  
24 date for a hearing on the vacation or change in either or any  
25 of the counties where the road, or part thereof, is located.  
26 If the proposed vacation is of part of a road right-of-way  
27 held by easement and will not change the existing traveled  
28 portion of the road or deny access to the road by adjoining  
29 landowners, a hearing is not required.

30 Sec. 26. Section 411.22, subsection 1, unnumbered  
31 paragraph 1, as enacted by 2000 Iowa Acts, Senate File 2411,  
32 section 109, is amended to read as follows:

33 If a member receives an injury or dies for which benefits  
34 are payable under section 411.6, subsection 3, 5, 8, or 9, or  
35 section 411.15, and if the injury or death is caused under

1 circumstances creating a legal liability for damages against a  
 2 third party other than the retirement system, the retirement  
 3 system is subrogated to the rights of the member or the  
 4 member's ~~legal-representative~~ beneficiary entitled to receive  
 5 a death benefit and may maintain an action for damages against  
 6 the third party for lost earnings and lost earnings capacity.  
 7 If the retirement system recovers damages in the action, the  
 8 court shall enter judgment for distribution of the recovery as  
 9 follows:

10 Sec. 27. Section 455B.171, subsection 31B, as enacted by  
 11 2000 Iowa Acts, Senate File 2371, is amended to read as  
 12 follows:

13 31B. "Section 305(b) ~~list~~ report" means any report ~~or-list~~  
 14 required under 33 U.S.C. § 1315(b).

15 Sec. 28. Section 455B.193, unnumbered paragraph 2, as  
 16 enacted by 2000 Iowa Acts, Senate File 2371, section 10, is  
 17 amended to read as follows:

18 The department of natural resources shall develop a  
 19 methodology for water quality assessments as used in the  
 20 section 303(d) ~~listings~~ lists and assess the validity of the  
 21 data.

22 Sec. 29. Section 462A.14, subsection 12, paragraph d, as  
 23 enacted by 2000 Iowa Acts, House File 2331, if 2000 Iowa Acts,  
 24 House File 2511 is enacted, is amended to read as follows:

25 d. The court may prescribe the length of time for the  
 26 evaluation and treatment or the court may request that the  
 27 community college or licensed substance abuse program  
 28 conducting the course for drinking drivers which the defendant  
 29 is ordered to attend or the treatment program to which the  
 30 defendant is committed immediately report to the court when  
 31 the defendant has received maximum benefit from the course for  
 32 drinking drivers or treatment program or has recovered from  
 33 the defendant's addiction, dependency, or tendency to  
 34 chronically abuse alcohol or drugs.

35 Sec. 30. Section 466.4, subsections 2 and 5, as enacted by

1 2000 Iowa Acts, Senate File 2371, section 5, are amended to  
2 read as follows:

3 2. The department of agriculture and land stewardship  
4 shall request the assistance of and consult with the United  
5 States department of ~~agriculture~~ agriculture's natural  
6 resources conservation service and farm service agency to  
7 implement the conservation reserve enhancement program. The  
8 department shall also consult with county boards of  
9 supervisors, county conservation boards, drainage district  
10 representatives, department of natural resources, and soil and  
11 water conservation districts affected by the implementation of  
12 the conservation reserve enhancement program. The department  
13 shall also collaborate with other public agencies and private  
14 organizations to develop wetland habitat and related projects  
15 to improve water quality.

16 5. The five-year goal of the conservation reserve ~~enhanced~~  
17 enhancement program is the establishment of thirty-two  
18 thousand five hundred acres of wetlands.

19 Sec. 31. Section 481A.125, subsection 1, paragraph a, as  
20 enacted by 2000 Iowa Acts, Senate File 2300, section 1, is  
21 amended to read as follows:

22 a. To intentionally place oneself in a location where a  
23 human presence may affect the behavior of a fur-bearing game  
24 animal, bird, or fish or the feasibility of killing or taking  
25 a fur-bearing game animal, bird, or fish with the intent of  
26 obstructing or harassing another person who is lawfully  
27 hunting, fishing, or fur harvesting.

28 Sec. 32. Section 481A.125, subsection 5, as enacted by  
29 2000 Iowa Acts, Senate File 2300, section 1, is amended to  
30 read as follows:

31 5. This ~~subsection~~ section shall not prohibit a landowner,  
32 tenant, or an employee of a landowner or tenant from  
33 performing normal agricultural operations or a law enforcement  
34 officer from performing official duties.

35 Sec. 33. Section 521F.3, subsection 2, paragraph a,

1 unnumbered paragraph 1, as enacted by 2000 Iowa Acts, House  
2 File 2316, section 3, is amended to read as follows:

3 A health organization's risk-based capital shall be  
4 determined pursuant to the formula set forth in the risk-based  
5 capital instructions. The formula shall take into account all  
6 of the following, and may by be adjusted, as deemed  
7 appropriate by the commissioner, for the covariance between  
8 the following:

9 Sec. 34. Section 521F.4, subsection 3, as enacted by 2000  
10 Iowa Acts, House File 2316, section 4, is amended to read as  
11 follows:

12 3. The risk-based capital plan shall be filed within  
13 forty-five days of the company-action-level event, or, if the  
14 health organization requests a hearing pursuant to section  
15 521F.8 for the purpose of challenging the adjusted risk-based  
16 capital report, within forty-five days after notification to  
17 the insurer health organization that the commissioner, after  
18 hearing, has rejected the insurer's health organization's  
19 challenge.

20 Sec. 35. Section 521F.8, subsection 2, paragraph b,  
21 subparagraph (1), as enacted by 2000 Iowa Acts, House File  
22 2316, section 8, is amended to read as follows:

23 (1) ~~The~~ That the health organization's risk-based capital  
24 plan or revised risk-based capital plan is unsatisfactory.

25 Sec. 36. Section 523C.19, subsections 2 and 3, as enacted  
26 by 2000 Iowa Acts, House file 2317, section 30, are amended to  
27 read as follows:

28 2. If a hearing is not timely requested, the summary order  
29 becomes final by operation of law. The order shall remain  
30 effective from the date of issuance until the date the order  
31 becomes final by operation of law or is overturned by a  
32 presiding officer or court following a request for hearing. A  
33 person who has been issued a summary order under this section  
34 may contest it by filing a request for a contested case  
35 proceeding as provided in chapter 17A and in accordance with

1 rules adopted by the commissioner. However, the person shall  
2 have at least thirty days from the date that the order is  
3 issued in order to file the request. Section 17A.18A is  
4 inapplicable to a summary order issued under this subsection  
5 section.

6 3. A person violating a summary order issued under this  
7 subsection section shall be deemed in contempt of that order.  
8 The commissioner may petition the district court to enforce  
9 the order as certified by the commissioner. The district  
10 court shall adjudge the person in contempt of the order if the  
11 court finds after hearing that the person is not in compliance  
12 with the order. The court shall assess a civil penalty  
13 against the person in an amount not less than three thousand  
14 dollars but not greater than ten thousand dollars per  
15 violation, and may issue further orders as it deems  
16 appropriate.

17 Sec. 37. Section 600.13, subsection 1, paragraph c, as  
18 amended by 2000 Iowa Acts, Senate File 421, section 17, is  
19 amended to read as follows:

20 c. Dismiss the adoption petition if the requirements of  
21 this Act chapter have not been met or if dismissal of the  
22 adoption petition is in the best interest of the person whose  
23 adoption has been petitioned. Upon dismissal, the juvenile  
24 court or court shall determine who is to be guardian or  
25 custodian of a minor child, including the adoption petitioner  
26 if it is in the best interest of the minor person whose  
27 adoption has been petitioned.

28 Sec. 38. Section 692B.2, article XI(a)(1)(B), as enacted  
29 by 2000 Iowa Acts, Senate File 2145, section 2, is amended to  
30 read as follows:

31 (B) any rule or standard established by the council  
32 pursuant to Article V VI; and

33 Sec. 39. Section 714.16, subsection 2, paragraph n,  
34 subparagraph (3), subparagraph subdivision (a), as enacted by  
35 2000 Iowa Acts, House File 2148, section 1, is amended to read

1 as follows:

2 (a) "Local telephone directory" means a telephone  
3 classified advertising directory or the business section of a  
4 telephone directory that is distributed free of charge to some  
5 or all telephone subscribers in a local area **directory**.

6 Sec. 40. 2000 Iowa Acts, Senate File 2193, section 23, is  
7 amended to read as follows:

8 SEC. 23. RETROACTIVE APPLICABILITY. The section in this  
9 Act that creates section 249H-6 249H.4 as it relates to  
10 receipt of federal funding, is retroactively applicable to  
11 October 1, 1999.

12 Sec. 41. 2000 Iowa Acts, Senate File 2254, section 4, is  
13 amended to read as follows:

14 SEC. 4. RETROACTIVE APPLICABILITY. Section 252I.4,  
15 subsection 3 4, as amended in this Act, is retroactively  
16 applicable to January 1, 2000.

17 Sec. 42. 2000 Iowa Acts, Senate File 2344, section 16, is  
18 amended by striking the section and inserting in lieu thereof  
19 the following:

20 SEC. 16. Section 239B.24, subsection 1, unnumbered  
21 paragraph 1, Code Supplement 1999, is amended to read as  
22 follows:

23 The following persons are deemed to be eligible for  
24 benefits under the state child care assistance program  
25 administered by the department in accordance with section  
26 237A.13, notwithstanding the program's eligibility  
27 requirements or any waiting list:

28 Sec. 43. APPROPRIATIONS FOR THE DRUG POLICY COORDINATOR.  
29 References in 2000 Iowa Acts, House File 2533, sections 5  
30 through 8 and 33, to the drug enforcement and abuse prevention  
31 coordinator are deemed to be references to the drug policy  
32 coordinator if 2000 Iowa Acts, House File 2153 is enacted.

33 Sec. 44. AMENDMENTS TO DISAPPROVED BILLS VOID. If a  
34 provision of a bill, which is amended in this division of this  
35 Act, does not become law due to the governor's disapproval of

1 the provision, the amendment to that disapproved provision in  
2 this division of this Act is void.

3 EXPLANATION

4 Division I of this bill appropriates moneys for the 2001-  
5 2002 fiscal year to the department of human services for  
6 distribution to counties of the county mental health, mental  
7 retardation, and developmental disabilities (MH/MR/DD) allowed  
8 growth factor adjustment. The allowed growth factor  
9 adjustment equals 1.7 percent. The division also provides for  
10 the allotment of the appropriation for various purposes for  
11 county relief for MH/MR/DD services provided by the county.

12 The division applies additional eligibility requirements  
13 for allotment of funding from the per capita expenditure  
14 target pool involving the size of the county's MH/MR/DD  
15 services fund balance and compliance with a financial  
16 reporting deadline.

17 Division II of this bill transfers from moneys deposited in  
18 the tobacco settlement fund, created in Code section 12.65,  
19 the sum of \$64,600,000 to the general fund of the state for  
20 the 2000-2001 fiscal year.

21 Division III of this bill reduces the standing limited  
22 appropriation for the educational excellence program by  
23 \$2,000,000 beginning with the 2000-2001 fiscal year.

24 Division IV of this bill establishes a Microsoft settlement  
25 fund into which are to be deposited the state's portion of any  
26 moneys paid as a result of the federal antitrust trial against  
27 Microsoft, or as a result of the state's own antitrust action.  
28 The moneys in the Microsoft settlement fund are only to be  
29 used as appropriated by the general assembly.

30 Division V of this Act exempts the newly created state fire  
31 service and emergency response council from the requirements  
32 that its membership be bipartisan and gender balanced.

33 Division VI of this Act makes numerous corrective changes  
34 to previously passed legislation during the 2000 Session. The  
35 more significant include the following:

1 New Code section 2D.3 is amended to correct a reference to  
2 the international relations advisory council.

3 Code section 30.2, subsection 2, and Code section 88.6, new  
4 subsection 9, are amended to correct the references to the new  
5 state fire service and emergency response council.

6 Code section 85.3, new subsection 3, is amended to change  
7 reference to the workers' compensation commission to the  
8 workers' compensation commissioner.

9 New Code section 135.110, subsection 1, paragraph "a",  
10 subparagraph (1) is amended to correct a reference to domestic  
11 abuse death certificates.

12 New Code section 152E.1, articles II, III, IV, and VI are  
13 amended to change the improper use of the words "will" or "may  
14 not" to "shall" or "shall not" and to make other technical  
15 corrections.

16 Code section 232.2, subsection 4, unnumbered paragraph 1,  
17 is amended to eliminate a redundancy.

18 Code section 261.19B is amended to correct a reference to  
19 the osteopathic physician recruitment revolving fund.

20 Code section 279.52, unnumbered paragraph 1, is amended to  
21 correct the reference from "this subsection" to "this section"  
22 as there are no subsections in Code section 279.52.

23 New Code section 411.22, subsection 1, unnumbered paragraph  
24 1, is amended to change a reference from "member's legal  
25 representative beneficiary" to "member's beneficiary".

26 Code section 455B.171, new subsection 31B, is amended to  
27 change a defined term and reference from "list" to "report"  
28 since that is what is required under 33 U.S.C. § 1315(b).

29 New Code section 464.4, subsection 5, is amended to correct  
30 the reference to the conservation reserve enhancement program.

31 Code section 462A.14, new subsection 12, paragraph "d", is  
32 amended to refer to licensed substance abuse programs which  
33 conduct courses for drinking drivers, providing House File  
34 2511 is enacted during the 2000 Session.

35 Code section 481A.125, new subsection 5, is amended to

1 correct a reference from "subsection" to "section" in order  
2 for the prohibition in the new subsection 5 to make sense.

3 New Code section 521F.4, subsection 3, is amended to  
4 specify that the insurer referred to in that subsection is a  
5 health organization.

6 Code section 600.13, subsection 1, paragraph "c", is  
7 amended to change the reference from "Act" to "chapter" since  
8 the Act referred to was the one which amended Code chapter  
9 600.

10 New Code section 692B.2, article XI(a)(1)(b), is amended to  
11 correct the reference to the article of that section in which  
12 rules and standards are established.

13 The retroactive applicability provisions in 2000 Iowa Acts,  
14 Senate File 2193 and Senate File 2254, are amended to correct  
15 internal references.

16 The amendment to 2000 Iowa Acts, Senate File 2344, section  
17 16, is to correct the lead-in error in reference to Code  
18 section 239B.24, subsection 1.

19 The division deems references to the current drug  
20 enforcement and abuse prevention coordinator in the federal  
21 block grant appropriation bill as referring to the drug policy  
22 coordinator if House File 2153 is enacted.

23 The division contains a provision that specifies that if  
24 the governor disapproves of any portion of a bill that is  
25 amended in this division, the amendment to that disapproved  
26 portion of the bill is void.

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APR 12 2000

APPROPRIATIONS CALENDAR

HOUSE FILE 2572  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 785)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to public expenditure and regulatory matters,  
2 making appropriations, and establishing a Microsoft settlement  
3 fund, and providing an effective date.

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

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HF 2572

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DIVISION I

MH/MR/DD ALLOWED GROWTH

Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT AND ALLOCATIONS. There is appropriated from the general fund of the state to the department of human services for the fiscal year beginning July 1, 2001, and ending June 30, 2002, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For distribution to counties of the county mental health, mental retardation, and developmental disabilities allowed growth factor adjustment, in accordance with section 331.438, subsection 2, and section 331.439, subsection 3, and chapter 426B:

..... \$ 25,784,846

The funding appropriated in this section is the allowed growth factor adjustment for fiscal year 2001-2002, and is allocated as follows:

1. For distribution to counties for fiscal year 2001-2002 in accordance with the formula in section 331.438, subsection 2, paragraph "b":

..... \$ 12,000,000

2. For deposit in the per capita expenditure target pool created in the property tax relief fund pursuant to section 426B.5, subsection 1:

..... \$ 9,784,846

In addition to the requirement of section 426B.5, subsection 1, paragraph "c", limiting eligibility for moneys appropriated in this paragraph to counties levying the maximum amount allowed, both of the following eligibility requirements are applicable:

a. In the fiscal year beginning July 1, 2000, the county's services fund ending balance under generally accepted accounting principles was equal to or less than 35 percent of the county's projected expenditures for that fiscal year.

1 b. The county is in compliance with the filing date  
2 requirements under section 331.403.

3 3. For deposit in the incentive and efficiency pool  
4 created in the property tax relief fund pursuant to section  
5 426B.5, subsection 2:

6 ..... \$ 2,000,000

7 4. For deposit in the risk pool created in the property  
8 tax relief fund pursuant to section 426B.5, subsection 3:

9 ..... \$ 2,000,000

10 DIVISION II

11 TRANSFER OF TOBACCO FUNDS -- FY 2000-2001

12 Sec. 2. TRANSFER OF FUNDS -- TOBACCO SETTLEMENT FUND.

13 From moneys deposited in the tobacco settlement fund created  
14 in section 12.65, the sum of sixty-four million six hundred  
15 thousand dollars is transferred to the general fund of the  
16 state for the fiscal year beginning July 1, 2000, and ending  
17 June 30, 2001.

18 DIVISION III

19 REDUCTION IN PHASE III MONEYS

20 Sec. 3. Section 294A.25, subsection 1, Code Supplement  
21 1999, is amended to read as follows:

22 1. For the fiscal year beginning July 1, ~~1998~~ 2000, and  
23 for each succeeding year, there is appropriated from the  
24 general fund of the state to the department of education the  
25 amount of ~~eighty-two~~ eighty million eight hundred ninety-one  
26 thousand three hundred thirty-six dollars to be used to  
27 improve teacher salaries. The moneys shall be distributed as  
28 provided in this section.

29 DIVISION IV

30 MICROSOFT FUND

31 Sec. 4. NEW SECTION. 12.67 MICROSOFT SETTLEMENT FUND.

32 A Microsoft settlement fund is created in the office of the  
33 treasurer of state. The state portion of any moneys paid to  
34 the state by Microsoft in settlement of its federal antitrust  
35 trial or the state's antitrust lawsuit shall be deposited in

1 the Microsoft settlement fund. Moneys deposited in the fund  
2 shall be used only as provided in appropriations made by the  
3 general assembly.

4 Notwithstanding section 12C.7, subsection 2, interest or  
5 earnings on moneys in the Microsoft settlement fund shall be  
6 credited to the Microsoft settlement fund.

7 DIVISION V

8 MISCELLANEOUS

9 Sec. 5. Section 100B.1, subsection 1, unnumbered paragraph  
10 1, as enacted by 2000 Iowa Acts, House File 2492, section 8,  
11 is amended to read as follows:

12 The state fire service and emergency response council is  
13 established in the division of fire protection of the  
14 department of public safety. The council shall consist of ten  
15 voting members. Members of the state fire service and  
16 emergency response council shall be appointed by the governor.  
17 Appointments are not subject to the requirements of sections  
18 69.16 and 69.16A. The governor shall appoint members from the  
19 following organizations, chosen from a list of names submitted  
20 by each of the following organizations:

21 Sec. 6. Section 166D.7, subsection 4, paragraph a, Code  
22 1999, as amended by 2000 Acts, Senate File 2312, section 10,  
23 is amended to read as follows:

24 a. The herd shall be certified when one hundred percent of  
25 breeding swine have reacted negatively to a test. The herd  
26 must have been free from infection for thirty days prior to  
27 testing. At least ninety percent of swine in the herd must  
28 have been on the premises as a part of the herd for at least  
29 sixty days prior to testing, or swine in the herd must have  
30 been directly moved or relocated from a qualified negative  
31 herd or qualified differentiable negative herd. A  
32 differentiable vaccine must be administered at intervals in  
33 accordance with the package insert for that vaccine. To  
34 remain certified, the herd must be retested and recertified as  
35 provided by the department. The herd shall be recertified

1 when each thirty-days month at least twenty-five ten percent  
2 of the herd's breeding swine react negatively to a test.

3 Sec. 7. EFFECTIVE DATE. Section 6 of this division of  
4 this Act, being deemed of immediate importance, takes effect  
5 upon enactment.

6 DIVISION VI

7 CORRECTIVE AMENDMENTS

8 Sec. 8. Section 2D.3, as enacted by 2000 Iowa Acts, House  
9 File 2442, section 3, is amended to read as follows:

10 2D.3 LEGISLATIVE BRANCH PROTOCOL OFFICER.

11 The legislative service bureau shall employ a legislative  
12 branch protocol officer to coordinate activities related to  
13 state, national, and international visitors to the state  
14 capitol or with an interest in the general assembly, and  
15 related to travel of members of the general assembly abroad.  
16 The protocol officer shall serve in a consultative capacity  
17 and shall provide staff support to the international relations  
18 advisory council. The protocol officer shall also work with  
19 the executive branch protocol officer to coordinate state,  
20 national, and international relations activities. The  
21 legislative branch protocol officer shall submit periodic  
22 reports to the international relations committee of the  
23 legislative council regarding the visits of state, national,  
24 and international visitors and regarding international  
25 activities.

26 Sec. 9. Section 30.2, subsection 2, Code 1999, is amended  
27 to read as follows:

28 2. The commission is composed of twelve members appointed  
29 by the governor. One member shall be appointed to represent  
30 the department of agriculture and land stewardship, one to  
31 represent the department of workforce development, one to  
32 represent the department of justice, one to represent the  
33 department of natural resources, one to represent the  
34 department of public defense, one to represent the Iowa  
35 department of public health, one to represent the department

1 of public safety, one to represent the state department of  
2 transportation, one to represent the state fire service  
3 ~~institute-of-the-iowa-state-university-of-science-and~~  
4 technology and emergency response council, and one to  
5 represent the office of the governor. Two representatives  
6 from private industry shall also be appointed by the governor,  
7 subject to confirmation by the senate.

8 Sec. 10. Section 85.3, subsection 3, unnumbered paragraph  
9 1, as enacted by 2000 Iowa Acts, Senate File 2373, section 1,  
10 is amended to read as follows:

11 Service of process or original notice upon a nonresident  
12 employer may be performed as provided in section 617.3 or as  
13 provided in the Iowa rules of civil procedure. In addition,  
14 service may be made on any corporation, individual, personal  
15 representative, partnership, or association that has the  
16 necessary minimum contact with this state as provided in rule  
17 of civil procedure 56.1 within or without this state or if  
18 such service cannot be made, in any manner consistent with due  
19 process of law prescribed by the workers' compensation  
20 commission commissioner.

21 Sec. 11. Section 88.6, subsection 9, as enacted by 2000  
22 Iowa Acts, House File 2492, section 6, is amended to read as  
23 follows:

24 9. Reports of inspections and investigations involving the  
25 occupational safety and health for fire fighters shall be  
26 presented to the state fire service and emergency response  
27 council.

28 Sec. 12. Section 135.110, subsection 1, paragraph a,  
29 subparagraph (1), as enacted by 2000 Iowa Acts, House File  
30 2362, section 3, is amended to read as follows:

31 (1) The causes and manner of domestic abuse deaths,  
32 including an analysis of factual information obtained through  
33 review of domestic abuse death certificates and domestic abuse  
34 death data, including patient records and other pertinent  
35 confidential and public information concerning domestic abuse

1 deaths.

2 Sec. 13. Section 148E.3, subsection 1, as enacted by 2000  
3 Iowa Acts, Senate File 182, section 7, is amended to read as  
4 follows:

5 1. A person otherwise licensed to practice medicine and  
6 surgery, osteopathy, osteopathic medicine and surgery,  
7 chiropractic, podiatry, or dentistry who is exclusively  
8 engaged in the practice of the person's ~~professions~~  
9 profession.

10 Sec. 14. Section 152.7, unnumbered paragraph 3, as enacted  
11 by 2000 Iowa Acts, House File 2105, section 5, is amended to  
12 read as follows:

13 For purposes of licensure pursuant to the nurse licensure  
14 compact contained in section 152E.1, the compact administrator  
15 may refuse to accept a change in the qualifications for  
16 licensure as a registered nurse or as a licensed practical or  
17 vocational nurse by a licensing authority in another state  
18 which is a party to the compact which substantially modifies  
19 that state's qualifications for licensure in effect on July 1,  
20 2000. A refusal to accept a change in a party state's  
21 qualifications for licensure may result in submitting the  
22 issue to an arbitration panel or in withdrawal from the  
23 compact, ~~in~~ at the discretion of the compact administrator.

24 Sec. 15. Section 152E.1, article II, sections i, k, l, and  
25 n, as enacted by 2000 Iowa Acts, House File 2105, section 8,  
26 are amended to read as follows:

27 i. "Nurse" means a registered nurse or licensed practical  
28 or vocational nurse, as those terms are defined by each  
29 ~~party's-state~~ party state's practice laws.

30 k. "Remote state" means a party state, other than the home  
31 state, where either of the following applies:

32 1. Where the patient is located at the time nursing care  
33 is provided.

34 2. In the case of the practice of nursing not involving a  
35 patient, in such party state where the recipient of nursing

1 practice care is located.

2 1. "Remote state action" means either of the following:

3 1. Any administrative, civil, equitable, or criminal  
4 action permitted by a remote state's laws which ~~are~~ is imposed  
5 on a nurse by the remote state's licensing board or other  
6 authority, including actions against an individual's  
7 multistate licensure privilege to practice in the remote  
8 state.

9 2. Cease and desist and other injunctive or equitable  
10 orders issued by remote states or the licensing ~~boards~~ boards  
11 of remote states.

12 n. "State practice laws" means those individual ~~party's~~  
13 party state laws and regulations that govern the practice of  
14 nursing, define the scope of nursing practice, and create the  
15 methods and grounds for imposing discipline. "State practice  
16 laws" does not include the initial qualifications for  
17 licensure or requirements necessary to obtain and retain a  
18 license, except for qualifications or requirements of the home  
19 state.

20 Sec. 16. Section 152E.1, article III, sections a and e, as  
21 enacted by 2000 Iowa Acts, House File 2105, section 8, are  
22 amended to read as follows:

23 a. A license to practice registered nursing issued by a  
24 home state to a resident in that state ~~will~~ shall be  
25 recognized by each party state as authorizing a multistate  
26 licensure privilege to practice as a registered nurse in such  
27 party state. A license to practice licensed practical or  
28 vocational nursing issued by a home state to a resident in  
29 that state ~~will~~ shall be recognized by each party state as  
30 ~~authorized~~ authorizing a multistate licensure privilege to  
31 practice as a licensed practical or vocational nurse in such  
32 party state. In order to obtain or retain a license, an  
33 applicant must meet the home state's qualifications for  
34 licensure and license renewal as well as all other applicable  
35 state laws.

1 e. Individuals not residing in a party state shall  
2 continue to be able to apply for nurse licensure as provided  
3 for under the laws of each party state. However, the license  
4 granted to these individuals ~~will~~ shall not be recognized as  
5 granting the privilege to practice nursing in any other party  
6 state unless explicitly agreed to by that party state.

7 Sec. 17. Section 152E.1, article IV, sections c and d, as  
8 enacted by 2000 Iowa Acts, House File 2105, section 8, are  
9 amended to read as follows:

10 c. A nurse who intends to change the nurse's primary state  
11 of residence may apply for licensure in the new home state in  
12 advance of such change. However, new licenses ~~will~~ shall not  
13 be issued by a party state until after a nurse provides  
14 evidence of change in the nurse's primary state of residence  
15 satisfactory to the new home state's licensing board.

16 d. 1. If a nurse changes the nurse's primary state of  
17 residence by moving between two party states, and obtains a  
18 license from the new home state, the license from the former  
19 home state is no longer valid.

20 2. If a nurse changes the nurse's primary state of  
21 residence by moving from a nonparty state to a party state,  
22 and obtains a license from the new home state, the individual  
23 state license issued by the nonparty state is not affected and  
24 ~~will~~ shall remain in full force if so provided by the laws of  
25 the nonparty state.

26 3. If a nurse changes the nurse's primary state of  
27 residence by moving from a party state to a nonparty state,  
28 the license issued by the prior home state converts to an  
29 individual state license, valid only in the former home state,  
30 without the multistate licensure privilege to practice in  
31 other party states.

32 Sec. 18. Section 152E.1, article VI, section c, as enacted  
33 by 2000 Iowa Acts, House File 2105, section 8, is amended to  
34 read as follows:

35 c. Issue cease and desist orders or to limit or revoke a

1 nurse's authority to practice in the nurse's state.

2 Sec. 19. Section 152E.1, article VII, sections a and d, as  
3 enacted by 2000 Iowa Acts, House File 2105, section 8, are  
4 amended to read as follows:

5 a. All party states shall participate in a cooperative  
6 effort to create a coordinated database of all licensed  
7 registered nurses and licensed practical or vocational nurses.  
8 This system ~~will~~ shall include information on the licensure  
9 and disciplinary history of each nurse, as contributed by  
10 party states, to assist in the coordination of nurse licensure  
11 and enforcement efforts.

12 d. Notwithstanding any other provision of law, all party  
13 states' licensing boards contributing information to the  
14 coordinated licensure information system may designate  
15 information that ~~may~~ shall not be shared with nonparty states  
16 or disclosed to other entities or individuals without the  
17 express permission of the contributing state.

18 Sec. 20. Section 232.2, subsection 4, unnumbered paragraph  
19 1, Code Supplement 1999, as amended by 2000 Iowa Acts, Senate  
20 File 2344, section 4, is amended to read as follows:

21 "Case permanency plan" means the plan, mandated by Pub. L.  
22 No. 96-272 and Pub. L. No. 105-89, as codified in 42 U.S.C. §  
23 622(b)(10), 671(a)(16), and 675(1),(5), which is designed to  
24 achieve placement in the most appropriate, least restrictive,  
25 and most family-like~~7-and-most-appropriate~~ setting available  
26 and in close proximity to the parent's home, consistent with  
27 the best interests and special needs of the child, and which  
28 considers the placement's proximity to the school in which the  
29 child is enrolled at the time of placement. The plan shall be  
30 developed by the department or agency involved and the child's  
31 parent, guardian, or custodian. The plan shall specifically  
32 include all of the following:

33 Sec. 21. Section 249H.2, subsection 1, paragraphs a and b,  
34 as enacted by 2000 Iowa Acts, Senate File 2193, section 2, are  
35 amended to read as follows:

1 a. The preservation, improvement, and coordination of the  
2 health care infrastructure of Iowa ~~is~~ are critical to the  
3 health and safety of Iowans.

4 b. An increasing number of seniors and persons with  
5 disabilities in the state ~~require~~ requires long-term care  
6 services provided outside of a medical institution.

7 Sec. 22. Section 249H.3, subsection 1, as enacted by 2000  
8 Iowa Acts, Senate File 2193, section 3, is amended to read as  
9 follows:

10 1. "Affordable" means rates for payment of services which  
11 do not exceed the rates established for providers of medical  
12 and health services under the medical assistance program with  
13 eligibility for an individual equal to the eligibility for  
14 medical assistance pursuant to section 249A.3. In relation to  
15 services provided by a provider of services under a home and  
16 community-based waiver, "affordable" means that the total  
17 monthly cost of the home and community-based waiver services  
18 provided ~~do~~ does not exceed the cost for that level of care as  
19 established by rule by the department of human services,  
20 pursuant to chapter 17A, in consultation with the department  
21 of elder affairs.

22 Sec. 23. Section 249H.6, subsection 12, as enacted by 2000  
23 Iowa Acts, Senate File 2193, section 6, is amended to read as  
24 follows:

25 12. The senior living coordinating unit shall review  
26 projects that receive grants under this section to ensure that  
27 the goal to provide alternatives to nursing facility care is  
28 being met and that an adequate number of nursing facility  
29 services ~~remain~~ remains to meet the needs of Iowans.

30 Sec. 24. Section 249H.8, subsection 1, as enacted by 2000  
31 Iowa Acts, Senate File 2193, section 8, is amended to read as  
32 follows:

33 1. A person operating a PACE program shall have a PACE  
34 program agreement with the health care financing  
35 administration of the United States department of health and

1 human services, shall enter into a contract with the  
2 department of human services and shall comply with 42 U.S.C. §  
3 1396(u)(4) and all regulations promulgated pursuant to that  
4 section.

5 Sec. 25. Section 261.19B, Code 1999, as amended by 2000  
6 Iowa Acts, Senate File 2248, section 13, is amended to read as  
7 follows:

8 261.19B OSTEOPATHIC PHYSICIAN RECRUITMENT REVOLVING FUND.

9 An osteopathic physician recruitment revolving fund is  
10 created in the state treasury as a separate fund under the  
11 control of the commission. The commission shall deposit  
12 payments made by osteopathic physician recruitment recipients  
13 and the proceeds from the sale of osteopathic loans into the  
14 osteopathic ~~loan~~ physician recruitment revolving fund. Moneys  
15 credited to the fund shall be used to supplement moneys  
16 appropriated for the osteopathic physician recruitment  
17 program, for loan forgiveness to eligible physicians, and to  
18 pay for loan or interest repayment defaults by eligible  
19 physicians. Notwithstanding section 8.33, any balance in the  
20 fund on June 30 of any fiscal year shall not revert to the  
21 general fund of the state.

22 Sec. 26. Section 279.52, unnumbered paragraph 1, Code  
23 1999, as amended by 2000 Iowa Acts, House File 2435, section  
24 1, is amended to read as follows:

25 The board of directors may pay the actual cost of an  
26 asbestos project from any funds in the general fund of the  
27 district, funds received from the physical plant and equipment  
28 levy, or moneys obtained through a federal asbestos loan  
29 program, to be repaid from any of the funds specified in this  
30 subsection section over a three-year period.

31 Sec. 27. Section 306.11, Code 1999, as amended by 2000  
32 Iowa Acts, Senate File 2194, section 1, is amended to read as  
33 follows:

34 306.11 HEARING -- PLACE -- DATE.

35 In proceeding to the vacation and closing of a road, part

1 thereof, or railroad crossing, the agency in control of the  
2 road, or road system, shall fix a date for a hearing on the  
3 vacation and closing in the county where the road, or part  
4 thereof, or crossing, is located, and if located in more than  
5 one county, then in a county in which any part of the road or  
6 crossing is located. If the road to be vacated or changed is  
7 a secondary road located in more than one county, the boards  
8 of supervisors of the counties, acting jointly, shall fix a  
9 date for a hearing on the vacation or change in either or any  
10 of the counties where the road, or part thereof, is located.  
11 If the proposed vacation is of part of a road right-of-way  
12 held by easement and will not change the existing traveled  
13 portion of the road or deny access to the road by adjoining  
14 landowners, a hearing is not required.

15 Sec. 28. Section 411.22, subsection 1, unnumbered  
16 paragraph 1, as enacted by 2000 Iowa Acts, Senate File 2411,  
17 section 109, is amended to read as follows:

18 If a member receives an injury or dies for which benefits  
19 are payable under section 411.6, subsection 3, 5, 8, or 9, or  
20 section 411.15, and if the injury or death is caused under  
21 circumstances creating a legal liability for damages against a  
22 third party other than the retirement system, the retirement  
23 system is subrogated to the rights of the member or the  
24 member's ~~legal-representative~~ beneficiary entitled to receive  
25 a death benefit and may maintain an action for damages against  
26 the third party for lost earnings and lost earnings capacity.  
27 If the retirement system recovers damages in the action, the  
28 court shall enter judgment for distribution of the recovery as  
29 follows:

30 Sec. 29. Section 455B.171, subsection 31B, as enacted by  
31 2000 Iowa Acts, Senate File 2371, section 9, is amended to  
32 read as follows:

33 31B. "Section 305(b) ~~list~~ report" means any report ~~or-list~~  
34 required under 33 U.S.C. § 1315(b).

35 Sec. 30. Section 455B.193, unnumbered paragraph 2, as

1 enacted by 2000 Iowa Acts, Senate File 2371, section 10, is  
2 amended to read as follows:

3 The department of natural resources shall develop a  
4 methodology for water quality assessments as used in the  
5 section 303(d) ~~listings~~ lists and assess the validity of the  
6 data.

7 Sec. 31. Section 462A.14, subsection 12, paragraph d, as  
8 enacted by 2000 Iowa Acts, House File 2331, section 2, if 2000  
9 Iowa Acts, House File 2511 is enacted, is amended to read as  
10 follows:

11 d. The court may prescribe the length of time for the  
12 evaluation and treatment or the court may request that the  
13 community college or licensed substance abuse program  
14 conducting the course for drinking drivers which the defendant  
15 is ordered to attend or the treatment program to which the  
16 defendant is committed immediately report to the court when  
17 the defendant has received maximum benefit from the course for  
18 drinking drivers or treatment program or has recovered from  
19 the defendant's addiction, dependency, or tendency to  
20 chronically abuse alcohol or drugs.

21 Sec. 32. Section 466.4, subsections 2 and 5, as enacted by  
22 2000 Iowa Acts, Senate File 2371, section 5, are amended to  
23 read as follows:

24 2. The department of agriculture and land stewardship  
25 shall request the assistance of and consult with the United  
26 States department of ~~agriculture~~ agriculture's natural  
27 resources conservation service and farm service agency to  
28 implement the conservation reserve enhancement program. The  
29 department shall also consult with county boards of  
30 supervisors, county conservation boards, drainage district  
31 representatives, department of natural resources, and soil and  
32 water conservation districts affected by the implementation of  
33 the conservation reserve enhancement program. The department  
34 shall also collaborate with other public agencies and private  
35 organizations to develop wetland habitat and related projects

1 violation, and may issue further orders as it deems  
2 appropriate.

3 Sec. 39. Section 600.13, subsection 1, paragraph c, as  
4 amended by 2000 Iowa Acts, Senate File 421, section 17, is  
5 amended to read as follows:

6 c. Dismiss the adoption petition if the requirements of  
7 this Act chapter have not been met or if dismissal of the  
8 adoption petition is in the best interest of the person whose  
9 adoption has been petitioned. Upon dismissal, the juvenile  
10 court or court shall determine who is to be guardian or  
11 custodian of a minor child, including the adoption petitioner  
12 if it is in the best interest of the minor person whose  
13 adoption has been petitioned.

14 Sec. 40. Section 692B.2, article XI(a)(1)(B), as enacted  
15 by 2000 Iowa Acts, Senate File 2145, section 2, is amended to  
16 read as follows:

17 (B) any rule or standard established by the council  
18 pursuant to Article V VI; and

19 Sec. 41. Section 714.16, subsection 2, paragraph n,  
20 subparagraph (3), subparagraph subdivision (a), as enacted by  
21 2000 Iowa Acts, House File 2148, section 1, is amended to read  
22 as follows:

23 (a) "Local telephone directory" means a telephone  
24 classified advertising directory or the business section of a  
25 telephone directory that is distributed free of charge to some  
26 or all telephone subscribers in a local area directory.

27 Sec. 42. 2000 Iowa Acts, Senate File 2193, section 23, is  
28 amended to read as follows:

29 SEC. 23. RETROACTIVE APPLICABILITY. The section in this  
30 Act that creates section ~~249H-6~~ 249H.4 as it relates to  
31 receipt of federal funding, is retroactively applicable to  
32 October 1, 1999.

33 Sec. 43. 2000 Iowa Acts, Senate File 2254, section 4, is  
34 amended to read as follows:

35 SEC. 4. RETROACTIVE APPLICABILITY. Section 252I.4,

1 subsection 3 4, as amended in this Act, is retroactively  
2 applicable to January 1, 2000.

3 Sec. 44. 2000 Iowa Acts, Senate File 2344, section 16, is  
4 amended by striking the section and inserting in lieu thereof  
5 the following:

6 SEC. 16. Section 239B.24, subsection 1, unnumbered  
7 paragraph 1, Code Supplement 1999, is amended to read as  
8 follows:

9 The following persons are deemed to be eligible for  
10 benefits under the state child care assistance program  
11 administered by the department in accordance with section  
12 237A.13, notwithstanding the program's eligibility  
13 requirements or any waiting list:

14 Sec. 45. APPROPRIATIONS FOR THE DRUG POLICY COORDINATOR.  
15 References in 2000 Iowa Acts, House File 2533, sections 5  
16 through 8 and 33, to the drug enforcement and abuse prevention  
17 coordinator are deemed to be references to the drug policy  
18 coordinator if 2000 Iowa Acts, House File 2153 is enacted.

19 Sec. 46. AMENDMENTS TO DISAPPROVED BILLS VOID. If a  
20 provision of a bill, which is amended in this division of this  
21 Act, does not become law due to the governor's disapproval of  
22 the provision, the amendment to that disapproved provision in  
23 this division of this Act is void.

24 EXPLANATION

25 Division I of this bill appropriates moneys for the 2001-  
26 2002 fiscal year to the department of human services for  
27 distribution to counties of the county mental health, mental  
28 retardation, and developmental disabilities (MH/MR/DD) allowed  
29 growth factor adjustment. The division also provides for the  
30 allotment of the appropriation for various purposes for county  
31 relief for MH/MR/DD services provided by the county.

32 The division applies additional eligibility requirements  
33 for allotment of funding from the per capita expenditure  
34 target pool involving the size of the county's MH/MR/DD  
35 services fund balance and compliance with a financial

1 reporting deadline.

2 Division II of this bill transfers from moneys deposited in  
3 the tobacco settlement fund, created in Code section 12.65,  
4 the sum of \$64,600,000 to the general fund of the state for  
5 the 2000-2001 fiscal year.

6 Division III of this bill reduces the standing limited  
7 appropriation for the educational excellence program by  
8 \$2,000,000 beginning with the 2000-2001 fiscal year.

9 Division IV of this bill establishes a Microsoft settlement  
10 fund into which are to be deposited the state's portion of any  
11 moneys paid as a result of the federal antitrust trial against  
12 Microsoft, or as a result of the state's own antitrust action.  
13 The moneys in the Microsoft settlement fund are only to be  
14 used as appropriated by the general assembly.

15 Division V of this Act exempts the newly created state fire  
16 service and emergency response council from the requirements  
17 that its membership be bipartisan and gender balanced.

18 The division also amends Code section 166D.7, subsection 4,  
19 paragraph "a", as amended during the 2000 Session, to require  
20 breeding herds to recertify that they are not infected with  
21 pseudorabies for each month when at least 10 percent of the  
22 herd's breeding swine, rather than 25 hogs, react negatively  
23 to the test. This provision takes effect upon enactment.

24 Division VI of this Act makes numerous corrective changes  
25 to previously passed legislation during the 2000 Session. The  
26 more significant include the following:

27 New Code section 2D.3 is amended to correct a reference to  
28 the international relations advisory council.

29 Code section 30.2, subsection 2, and Code section 88.6, new  
30 subsection 9, are amended to correct the references to the new  
31 state fire service and emergency response council.

32 Code section 85.3, new subsection 3, is amended to change  
33 reference to the workers' compensation commission to the  
34 workers' compensation commissioner.

35 New Code section 135.110, subsection 1, paragraph "a",

1 subparagraph (1) is amended to correct a reference to domestic  
2 abuse death certificates.

3 New Code section 152E.1, articles II, III, IV, and VI are  
4 amended to change the improper use of the words "will" or "may  
5 not" to "shall" or "shall not" and to make other technical  
6 corrections.

7 Code section 232.2, subsection 4, unnumbered paragraph 1,  
8 is amended to eliminate a redundancy.

9 Code section 261.19B is amended to correct a reference to  
10 the osteopathic physician recruitment revolving fund.

11 Code section 279.52, unnumbered paragraph 1, is amended to  
12 correct the reference from "this subsection" to "this section"  
13 as there are no subsections in Code section 279.52.

14 New Code section 411.22, subsection 1, unnumbered paragraph  
15 1, is amended to change a reference from "member's legal  
16 representative beneficiary" to "member's beneficiary".

17 Code section 455B.171, new subsection 31B, is amended to  
18 change a defined term and reference from "list" to "report"  
19 since that is what is required under 33 U.S.C. § 1315(b).

20 New Code section 464.4, subsection 5, is amended to correct  
21 the reference to the conservation reserve enhancement program.

22 Code section 462A.14, new subsection 12, paragraph "d", is  
23 amended to refer to licensed substance abuse programs which  
24 conduct courses for drinking drivers, providing House File  
25 2511 is enacted during the 2000 Session.

26 Code section 481A.125, new subsection 5, is amended to  
27 correct a reference from "subsection" to "section" in order  
28 for the prohibition in the new subsection 5 to make sense.

29 New Code section 521F.4, subsection 3, is amended to  
30 specify that the insurer referred to in that subsection is a  
31 health organization.

32 Code section 600.13, subsection 1, paragraph "c", is  
33 amended to change the reference from "Act" to "chapter" since  
34 the Act referred to was the one which amended Code chapter  
35 600.

1 New Code section 692B.2, article XI(a)(1)(b), is amended to  
2 correct the reference to the article of that section in which  
3 rules and standards are established.

4 The retroactive applicability provisions in 2000 Iowa Acts,  
5 Senate File 2193 and Senate File 2254, are amended to correct  
6 internal references.

7 The amendment to 2000 Iowa Acts, Senate File 2344, section  
8 16, is to correct the lead-in error in reference to Code  
9 section 239B.24, subsection 1.

10 The division deems references to the current drug  
11 enforcement and abuse prevention coordinator in the federal  
12 block grant appropriation bill as referring to the drug policy  
13 coordinator if House File 2153 is enacted.

14 The division contains a provision that specifies that if  
15 the governor disapproves of any portion of a bill that is  
16 amended in this division, the amendment to that disapproved  
17 portion of the bill is void.

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HOUSE FILE 2572

H-8916

1 Amend House File 2572 as follows:

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

4 "Sec. \_\_\_\_\_. Section 257.31, subsection 5, paragraph  
5 j, Code 1999, is amended to read as follows:

6 j. Unusual need to continue providing a program or  
7 other special assistance to non-English speaking  
8 pupils after the expiration of the three-year four-  
9 year period specified in section 280.4.

10 Sec. \_\_\_\_\_. Section 280.4, subsection 3, Code 1999,  
11 is amended to read as follows:

12 3. In order to provide funds for the excess costs  
13 of instruction of limited English proficient students  
14 above the costs of instruction of pupils in a regular  
15 curriculum, students identified as limited English  
16 proficient shall be assigned an additional weighting  
17 that shall be included in the weighted enrollment of  
18 the school district of residence for a period not  
19 exceeding three four years. However, the school  
20 budget review committee may grant supplemental aid or  
21 modified allowable growth to a school district to  
22 continue funding a program for students after the  
23 expiration of the three-year four-year period. The  
24 school budget review committee shall calculate the  
25 additional amount for the weighting to the nearest  
26 one-hundredth of one percent so that to the extent  
27 possible the moneys generated by the weighting will be  
28 equivalent to the moneys generated by the two-tenths  
29 weighting provided prior to July 2, 1991."

By MASCHER of John.

H-8916 FILED APRIL 17, 2000

## HOUSE FILE 2572

H-8901

1 Amend House File 2572 as follows:

2 1. Page 3, by striking lines 9 through 20, and  
3 inserting the following:

4 "Sec. \_\_\_\_ . Section 100B.1, subsection 1,  
5 unnumbered paragraphs 1 and 2, as enacted by 2000 Iowa  
6 Acts, House File 2492, section 8, are amended to read  
7 as follows:

8 The state fire service and emergency response  
9 council is established in the division of fire  
10 protection of the department of public safety. The  
11 council shall consist of ten voting members. Members  
12 of the state fire service and emergency response  
13 council shall be ~~appointed by the governor. The~~  
14 ~~governor shall appoint members from the following~~  
15 ~~organizations, chosen from a list of names submitted~~  
16 by appointed by the president or board of directors of  
17 each of the following organizations:

18 a. Two members from the Iowa firemen's  
19 association.

20 b. Two members from the Iowa fire chiefs'  
21 association.

22 c. One member from the Iowa association of  
23 professional fire fighters.

24 d. Two members from the Iowa association of  
25 professional fire chiefs.

26 e. One member from the Iowa fire fighters group.

27 f. One member from the Iowa emergency medical  
28 services association.

29 The tenth member of the council shall be a member  
30 of the general public appointed by the governor. To  
31 the extent possible, appointments shall comply with  
32 sections 69.16 and 69.16A. Vacancies shall be filled  
33 by the original appointing authority and in the manner  
34 of the original appointment."

35 2. By renumbering as necessary.

By HUSER of Polk

H-8901 FILED APRIL 13, 2000

## HOUSE FILE 2572

## H-8906

1 Amend House File 2572 as follows:

2 1. Page 3, by striking lines 9 through 20, and  
3 inserting the following:

4 "Sec. \_\_\_\_ . Section 100B.1, subsection 1,  
5 unnumbered paragraphs 1 and 2, as enacted by 2000 Iowa  
6 Acts, House File 2492, section 8, are amended to read  
7 as follows:

8 The state fire service and emergency response  
9 council is established in the division of fire  
10 protection of the department of public safety. The  
11 council shall consist of ten voting members. Members  
12 of the state fire service and emergency response  
13 council shall be ~~appointed by the governor. The~~  
14 ~~governor shall appoint members from the following~~  
15 ~~organizations, chosen from a list of names submitted~~  
16 by appointed by the president or board of directors of  
17 each of the following organizations:

18 a. Two members from the Iowa firemen's  
19 association.

20 b. Two members from the Iowa fire chiefs'  
21 association.

22 c. One member from the Iowa association of  
23 professional fire fighters.

24 d. Two members from the Iowa association of  
25 professional fire chiefs.

26 e. One member from the Iowa fire fighters group.

27 f. One member from the Iowa emergency medical  
28 services association.

29 The tenth member of the council shall be a member  
30 of the general public appointed by the governor. To  
31 the extent possible, appointments shall comply with  
32 sections 69.16 and 69.16A. Membership composition of  
33 the council shall be reexamined periodically for  
34 purposes of compliance with section 69.16A. Vacancies  
35 shall be filled by the original appointing authority  
36 and in the manner of the original appointment."

37 2. By renumbering as necessary.

By HUSER of Polk

H-8906 FILED APRIL 13, 2000

## HOUSE FILE 2572

H-8996

1 Amend House File 2572 as follows:

2 1. Page 3, by striking lines 9 through 20, and  
3 inserting the following:

4 "Sec. \_\_\_\_\_. Section 100B.1, subsection 1, as  
5 enacted by 2000 Iowa Acts, House File 2492, section 8,  
6 is amended to read as follows:

7 1. The state fire service and emergency response  
8 council is established in the division of fire  
9 protection of the department of public safety. The  
10 council shall consist of ten voting members. Members  
11 of the state fire service and emergency response  
12 council shall be appointed by the governor. The  
13 governor shall appoint members ~~from the following~~  
14 organizations, chosen of the council from a list of  
15 names nominees submitted by each of the following  
16 organizations:

17 a. Two members from a list submitted by the Iowa  
18 firemen's association.

19 b. Two members from a list submitted by the Iowa  
20 fire chiefs' association.

21 c. One member from a list submitted by the Iowa  
22 association of professional fire fighters.

23 d. Two members from a list submitted by the Iowa  
24 association of professional fire chiefs.

25 e. One member from a list submitted by the Iowa  
26 fire fighters group.

27 f. One member from a list submitted by the Iowa  
28 emergency medical services association.

29 A person nominated for membership on the council is  
30 not required to be a member of the organization that  
31 nominates the person.

32 The tenth member of the council shall be a member  
33 of the general public appointed by the governor.

34 The labor commissioner, or the labor commissioner's  
35 designee, shall be a nonvoting ex officio member of  
36 the council. Members of the council shall hold office  
37 commencing July 1, 2000, for four years and until  
38 their successors are appointed, except that three  
39 initial appointees shall be appointed for two years,  
40 three initial appointees for three years, and four  
41 initial appointees for four years.

42 The fire marshal or the fire marshal's designee  
43 shall attend each meeting of the council."

By HUSER of Polk  
DOTZLER of Black Hawk

H-8996 FILED APRIL 19, 2000

HOUSE FILE 2572

H-9038

1 Amend House File 2572 as follows:  
 2 1. Page 4, by inserting after line 2 the  
 3 following:  
 4 "Sec. \_\_\_\_ . PROPERTY TAX VALUATION OF RENTAL  
 5 HOUSING FOR PERSONS WITH LOW INCOME -- INTERIM STUDY.  
 6 The legislative council is requested to establish a  
 7 study committee for the 2000 interim to review local  
 8 practices in property assessment of rental housing  
 9 projects for persons with low income. The committee  
 10 should be directed to consider the various  
 11 methodologies used by assessors for valuation of such  
 12 projects, the relationship between the tax levies on  
 13 such projects and the restricted rental income owners  
 14 can charge, and other factors that affect the  
 15 consistency of property tax treatment of such projects  
 16 around the state. The committee should be directed to  
 17 obtain input from local government officials, state-  
 18 level agencies providing subsidies for such projects,  
 19 assessors, independent appraisers and developers, and  
 20 advocates for rental housing for persons with low  
 21 income. The committee should make recommendations no  
 22 later than January 15, 2001, for consideration during  
 23 the 2001 legislative session for developing a  
 24 consistent approach for property tax valuation of such  
 25 rental housing and for implementing other options to  
 26 support the development of quality and affordable  
 27 housing projects for persons with low income that are  
 28 financially viable."

29 2. By renumbering as necessary.  
 By DRAKE of Pottawattamie VAN FOSSEN of Scott  
 BOAL of Polk JENKINS of Black Hawk  
 SHOULTZ of Black Hawk

H-9038 FILED APRIL 20, 2000

HOUSE FILE 2572

H-9063

1 Amend House File 2572 as follows:  
 2 1. Page 2, by striking lines 20 through 28 and  
 3 inserting the following:  
 4 "Sec. \_\_\_\_ . Notwithstanding the amount of the  
 5 standing appropriation from the general fund of the  
 6 state in section 294A.25, subsection 1, there is  
 7 appropriated from the general fund of the state to the  
 8 department of education in lieu of the appropriation  
 9 made in section 294A.25, subsection 1, for the fiscal  
 10 year beginning July 1, 2000, and ending June 30, 2001,  
 11 the following amount:  
 12 ..... \$ 80,891,336"  
 By MASCHER of Johnson

H-9063 FILED APRIL 24, 2000

## HOUSE FILE 2572

H-9072

1 Amend House File 2572 as follows:

2 1. Page 3, by inserting after line 6 the  
3 following:

4 "DIVISION

5 LIVESTOCK PRODUCTION TAX CREDIT

6 Sec. \_\_\_\_ . Section 422.121, Code Supplement 1999,  
7 is amended to read as follows:

8 422.121 APPROPRIATION -- LIMITATION.

9 Beginning with For the fiscal year years beginning  
10 July 1, 1997, July 1, 1998, and July 1, 1999, there is  
11 appropriated annually from the general fund of the  
12 state two million dollars to refund the credits  
13 allowed under this division. For the fiscal year  
14 beginning July 1, 2000, there is appropriated from the  
15 general fund of the state three million dollars to  
16 refund the credits allowed under this division. For  
17 the fiscal year beginning July 1, 2001, and each  
18 subsequent fiscal year, there is appropriated annually  
19 from the general fund of the state four million  
20 dollars to refund the credits allowed under this  
21 division. Notwithstanding section 422.120, for tax  
22 years beginning on or after January 1, 1997, the  
23 livestock production tax credit shall only be allowed  
24 for cow-calf operations. In calculating the tax  
25 credit for cow-calf operations for tax years beginning  
26 in the 1997 calendar year, mature beef cows bred or  
27 for breeding, bred yearling heifers, and breeding  
28 bulls in the operations' inventory on December 31 of  
29 the tax year which were also in the operations on July  
30 1 of the tax year and stockers and feeders sold during  
31 the tax year may be counted. In calculating the tax  
32 credit for cow-calf operations for tax years beginning  
33 on or after January 1, 1998, only those bred cows,  
34 bred heifers, and breeding bulls in the operations'  
35 inventory on December 31 of the tax year which were  
36 also in the operations on July 1 of the tax year may  
37 be counted."

By DOLECHECK of Ringgold  
ARNOLD of Lucas

H-9072 FILED APRIL 24, 2000

HOUSE FILE 2572

H-9073

1 Amend House File 2572 as follows:

2 1. Page 2, line 19, by inserting after the word  
3 "MONEYS" the following: " -- ACADEMIC COMPETITION".

4 2. Page 2, by inserting after line 28 the  
5 following:

6 "Sec. \_\_\_\_ DEPARTMENT OF EDUCATION. There is  
7 appropriated from the general fund of the state to the  
8 department of education for the fiscal year beginning  
9 July 1, 2000, and ending June 30, 2001, the following  
10 amount, or so much thereof as is necessary, to be used  
11 for the purpose designated:

12 For providing grants to support qualifying teams  
13 for a worldwide academic competition:

14 ..... \$ 10,000

By GREIMANN of Story

H-9073 FILED APRIL 24, 2000

HOUSE FILE 2572

H-9081

- 1 Amend House File 2572 as follows:
- 2 1. Page 1, line 15, by striking the figure
- 3 "25,784,846" and inserting the following:
- 4 "31,174,941".
- 5 2. Page 1, line 26, by striking the figure
- 6 "9,784,846" and inserting the following:
- 7 "15,174,941".

By MURPHY of Dubuque

H-9081 FILED APRIL 25, 2000

HOUSE FILE 2572

H-9088

- 1 Amend House File 2572 as follows:
- 2 1. Page 1, line 15, by striking the figure
- 3 "25,784,846" and inserting the following:
- 4 "28,852,267".
- 5 2. Page 1, line 26, by striking the figure
- 6 "9,784,846" and inserting the following:
- 7 "12,852,267".

By MURPHY of Dubuque

H-9088 FILED APRIL 25, 2000