

Senate File 480

Bill Text

PAG LIN

1 1 DIVISION I
1 2 MH/MR/DD ALLOWED GROWTH
1 3 Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
1 4 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR ADJUSTMENT
1 5 AND ALLOCATIONS. There is appropriated from the general fund
1 6 of the state to the department of human services for the
1 7 fiscal year beginning July 1, 2000, and ending June 30, 2001,
1 8 the following amount, or so much thereof as is necessary, to
1 9 be used for the purpose designated:
1 10 For distribution to counties of the county mental health,
1 11 mental retardation, and developmental disabilities allowed
1 12 growth factor adjustment, in accordance with section 331.438,
1 13 subsection 2, and section 331.439, subsection 3, and chapter
1 14 426B:
1 15 \$ 21,773,602
1 16 The funding appropriated in this section is the allowed
1 17 growth factor adjustment of 1.57 percent for fiscal year 2000-
1 18 2001, and is allocated as follows:
1 19 1. For distribution to counties for fiscal year 2000-2001
1 20 in accordance with the formula in section 331.438, subsection
1 21 2, paragraph "b":
1 22 \$ 12,000,000
1 23 2. For deposit in the per capita expenditure target pool
1 24 created in the property tax relief fund pursuant to section
1 25 426B.5, subsection 1:
1 26 \$ 5,773,602
1 27 3. For deposit in the incentive and efficiency pool
1 28 created in the property tax relief fund pursuant to section
1 29 426B.5, subsection 2:
1 30 \$ 2,000,000
1 31 4. For deposit in the risk pool created in the property
1 32 tax relief fund pursuant to section 426B.5, subsection 3:
1 33 \$ 2,000,000
1 34 DIVISION II
1 35 LOTTERY PROCEEDS
2 1 Sec. 2. Section [99E.10](#), subsection 1, unnumbered paragraph
2 2 3, Code 1999, is amended to read as follows:
2 3
.
~~The committing the lottery to environment, agriculture, and~~
-
2 4
.
~~natural resources fund, also to be known as the CLEAN fund, is~~
-
2 5
.
~~created in the office of the treasurer of state.~~
- Lottery
2 6 revenue remaining after expenses are determined shall be
2 7 transferred to the
.
~~CLEAN~~
- general fund of the state on a
2 8 monthly basis.
.

~~Revenues generated during the last month of~~

~~2 9~~

~~the fiscal year which are transferred to the CLEAN fund during~~

~~2 10~~

~~the following fiscal year shall be considered revenues~~

~~2 11~~

~~transferred during the previous fiscal year for purposes of~~

~~2 12~~

~~the allotments made to and appropriations made from the~~

~~2 13~~

~~separate accounts in the CLEAN fund for that previous fiscal~~

~~2 14~~

~~year.~~

- However, upon the request of the director and subject
2 15 to approval by the treasurer of state, an amount sufficient to
2 16 cover the foreseeable administrative expenses of the lottery
2 17 for a period of twenty-one days may be retained from the
2 18 lottery revenue. Prior to the monthly transfer to the

~~CLEAN~~

~~2 19 general fund of the state, the director may direct that
2 20 lottery revenue shall be deposited in the lottery fund and in
2 21 interest-bearing accounts designated by the treasurer of state
2 22 in the financial institutions of this state or invested in the
2 23 manner provided in section 12B.10. Interest or earnings paid
2 24 on the deposits or investments is considered lottery revenue
2 25 and shall be transferred to the~~

~~CLEAN~~

- ~~general fund of the
2 26 state in the same manner as other lottery revenue.~~

~~Money in~~

~~2 27~~

~~the CLEAN fund shall be deposited in interest bearing accounts~~

~~2 28~~

~~in financial institutions in this state or invested in the~~

~~2 29~~

~~manner provided in section 12B.10. The interest or earnings~~

~~2 30~~

~~on the deposits or investments shall be considered part of the~~

~~2 31~~

~~CLEAN fund and shall be retained in the fund unless~~

~~appropriated by the general assembly.~~

2 33 Sec. 3. Section [99E.10](#), subsection 2, Code 1999, is
2 34 amended to read as follows:

2 35 2. The director of management shall not include lottery
3 1 revenues in the director's fiscal year revenue estimates.
3 2

~~Moneys in the CLEAN fund shall not be considered a part of the~~

3 3

~~Iowa economic emergency fund.~~

3 4 Sec. 4. Section [99E.20](#), subsection 2, Code 1999, is
3 5 amended to read as follows:

3 6 2. A lottery fund is created in the office of the
3 7 treasurer of state. The fund consists of all revenues
3 8 received from the sale of lottery tickets or shares and all
3 9 other moneys lawfully credited or transferred to the fund.
3 10 The commissioner shall certify monthly that portion of the
3 11 fund that is transferred to the

~~CLEAN~~

~~general fund of the~~

3 12 state under section 99E.10 and shall cause that portion to be
3 13 transferred to the

~~CLEAN~~

~~general fund of the state. The~~

3 14 commissioner shall certify before the twentieth of each month
3 15 that portion of the lottery fund resulting from the previous
3 16 month's sales to be transferred to the

~~CLEAN~~

~~general fund of~~
3 17 the state.

3 18 Sec. 5. Section [99E.34](#), Code 1999, is repealed.

3 19 DIVISION III
3 20 STATE MEDICAL EXAMINER

3 21 Sec. 6. Section [691.5](#), Code 1999, is amended to read as
3 22 follows:

3 23 691.5 STATE MEDICAL EXAMINER.

3 24 The office and position of state medical examiner is
3 25

~~created under the control, direction, and supervision of the~~

3 26

~~commissioner of public safety. The commissioner of public~~

3 27

~~safety may assign the office of the state medical examiner to~~

3 28

~~a division or bureau within the public safety department~~

3 29 established for administrative purposes within the Iowa
3 30 department of public health. Other state agencies shall
3 31 cooperate with the state medical examiner in the use of state-
3 32 owned facilities when appropriate for the performance of
3 33 nonadministrative duties of the state medical examiner. The

3 34 state medical examiner shall be a physician and surgeon or
3 35 osteopathic physician and surgeon, be licensed to practice
4 1 medicine in the state of Iowa, and

~~possess special knowledge~~

4 2

~~in~~

~~be board certified or eligible to be board certified in~~

4 3 anatomic and forensic pathology by the American board of

4 4 pathology. The state medical examiner shall be appointed by

4 5 and serve at the pleasure of the

~~commissioner of public safety~~

4 6 director of public health upon the advice of and in

4 7 consultation with the director of public safety and the

4 8 governor. The state medical examiner, in consultation with

4 9 the director of public health, shall be responsible for

4 10 developing and administering the medical examiner's budget and

4 11 for employment of medical examiner staff and assistants. The

4 12 state medical examiner may be a faculty member of the college

4 13 of medicine or the college of law at the University of Iowa,

4 14 and any of the examiner's assistants or staff may be members

4 15 of the faculty or staff of the college of medicine or the

4 16 college of law at the University of Iowa.

4 17 Sec. 7. Section [691.6](#), subsection 3, Code 1999, is amended

4 18 to read as follows:

4 19 3. To adopt rules pursuant to chapter 17A, and subject to

4 20 the approval of the

~~commissioner of public safety~~

~~director of~~

4 21 public health, with the advice and approval of the state

4 22 medical examiner advisory council

~~, regarding the manner and~~

4 23

~~techniques to be employed while conducting autopsies; the~~

4 24

~~nature, character, and extent of investigations to be made in~~

4 25

~~cases of homicide or suspected homicide necessary to allow a~~

4 26

~~medical examiner to render a full and complete analysis and~~

4 27

~~report; the format and matters to be contained in all reports~~

4 28

~~rendered by medical examiners; and all other things necessary~~

4 29

~~to carry out this section~~

~~All county medical examiners and~~

4 30

~~peace officers are subject to the rules.~~

4 31 Sec. 8. NEW SECTION. 691.6A DEPUTY STATE MEDICAL
4 32 EXAMINER CREATION AND DUTIES.

4 33 The position of deputy state medical examiner is created
4 34 within the office of the state medical examiner. The deputy
4 35 state medical examiner shall report to and be responsible to
5 1 the state medical examiner. The deputy state medical examiner
5 2 shall meet the qualification criteria established in section
5 3 691.5 for the state medical examiner and shall be subject to
5 4 rules adopted by the state medical examiner as provided in
5 5 section 691.6, subsection 3. The state medical examiner and
5 6 the deputy state medical examiner shall function as a team,
5 7 providing peer review as necessary, fulfilling each other's
5 8 job responsibilities during times of absence, and working
5 9 jointly to provide services and education to county medical
5 10 examiners, law enforcement officials, hospital pathologists,
5 11 and other individuals and entities. The deputy medical
5 12 examiner may be, but is not required to be, a full-time
5 13 salaried faculty member of the department of pathology of the
5 14 college of medicine at the university of Iowa. If the medical
5 15 examiner is a full-time salaried faculty member of the
5 16 department of pathology of the college of medicine at the
5 17 university of Iowa, the Iowa department of public health and
5 18 the state board of regents shall enter into a chapter 28E
5 19 agreement to define the activities and functions of the deputy
5 20 medical examiner, and to allocate deputy medical examiner
5 21 costs, consistent with the requirements of this section.

5 22 Sec. 9. NEW SECTION. 691.6B INTERAGENCY COORDINATING
5 23 COUNCIL.

5 24 An interagency coordinating council is created to advise
5 25 the state medical examiner concerning the assurance of
5 26 effective coordination of the functions and operations of the
5 27 office of the state medical examiner with the needs and
5 28 interests of the departments of public safety and public
5 29 health. Members of the interagency coordinating council shall
5 30 include the state medical examiner, or when the state medical
5 31 examiner is not available, the deputy state medical examiner;
5 32 the commissioner of public safety or the commissioner's
5 33 designee; the director of public health or the director's
5 34 designee; and the governor or the governor's designee. The
5 35 interagency coordinating council shall meet on a regular
6 1 basis.

6 2 Sec. 10. NEW SECTION. 691.6C STATE MEDICAL EXAMINER
6 3 ADVISORY COUNCIL.

6 4 A state medical examiner advisory council is established to
6 5 advise and consult with the state medical examiner on a range
6 6 of issues affecting the organization and functions of the
6 7 office of the state medical examiner and the effectiveness of
6 8 the medical examiner system in the state. Membership of the
6 9 state medical examiner advisory council shall be determined by
6 10 the state medical examiner, in consultation with the director
6 11 of public health, and shall include, but not necessarily be
6 12 limited to, representatives from the office of the attorney
6 13 general, the Iowa county attorneys association, the Iowa
6 14 medical society, the Iowa association of pathologists, the
6 15 Iowa association of county medical examiners, the departments
6 16 of public safety and public health, the statewide emergency
6 17 medical system, and the Iowa funeral directors association.
6 18 The advisory council shall meet on a quarterly or more
6 19 frequent basis, and shall be organized and function as
6 20 established by the state medical examiner by rule.

6 21 Sec. 11. Section [691.7](#), Code 1999, is amended to read as
6 22 follows:
6 23 691.7 COMMISSIONER TO ACCEPT FEDERAL OR PRIVATE GRANTS.
6 24 The commissioner of public safety may accept federal or
6 25 private funds or grants to aid in the establishment or
6 26 operation of the state criminalistics laboratory, and the
6 27

~~commissioner of public safety~~

- ~~director of public health~~ or the

6 28 ~~state~~ board of regents may accept federal or private funds or
6 29 grants to aid in the establishment or operation of the
6 30 position of state medical examiner.

6 31 Sec. 12. STATE MEDICAL EXAMINER SYSTEM STUDY AND REPORT.

6 32 The state medical examiner, in consultation with the state
6 33 medical examiner advisory council, shall conduct a study
6 34 regarding the organization, needs, and operations of a
6 35 statewide medical examiners system. The study shall consider
7 1 the findings and recommendations of the 1998 consultants'
7 2 report of the national association of medical examiners
7 3 submitted to the commissioner of public safety, and shall
7 4 gather and analyze such additional information as the state
7 5 medical examiner and the advisory council determine necessary.
7 6 The state medical examiner shall make a report of the study's
7 7 recommendations to the governor and the general assembly by
7 8 January 1, 2000. The report shall take into account the
7 9 public health, criminalistic, educational, and advisory
7 10 purposes of the office of the state medical examiner; the
7 11 relationship of the office to and effective utilization by the
7 12 office of existing state, county, and community resources;
7 13 future facility needs for performing autopsies; support for
7 14 forensic activities throughout the state; transportation costs
7 15 to conduct autopsies and to perform other forensic pathology
7 16 activities; and any other factors identified by the state
7 17 medical examiner and the advisory council impacting a quality
7 18 statewide medical examiners system.

7 19 Sec. 13. APPROPRIATIONS FOR STATE MEDICAL EXAMINER. Funds
7 20 appropriated by the general assembly to the department of
7 21 public safety for the position of state medical examiner, and
7 22 for the state medical examiner's office, for the fiscal year
7 23 beginning July 1, 1998, and ending June 30, 1999, which remain
7 24 unobligated shall be transferred to the Iowa department of
7 25 public health on the effective date of this division of this
7 26 Act. Funds appropriated by the general assembly for the
7 27 position of state medical examiner, and for the state medical
7 28 examiner's office, for the fiscal year beginning July 1, 1999,
7 29 and ending June 30, 2000, are appropriated to the Iowa
7 30 department of public health in lieu of the original entity
7 31 designated in the appropriation.

7 32 Sec. 14. EFFECTIVE DATE. This division of this Act, being
7 33 deemed of immediate importance, takes effect upon enactment.

DIVISION IV

FISCAL YEAR 1999-2000

APPROPRIATIONS AND RELATED PROVISIONS

8 1 Sec. 15. Section [8.8](#), Code 1999, is amended to read as
8 2 follows:

8 3 8.8 SPECIAL OLYMPICS FUND APPROPRIATION.

8 4 A special olympics fund is created in the office of the
8 5 treasurer of state under the control of the department of
8 6 management. There is appropriated annually from the general
8 7 fund of the state to the special olympics fund
8 8

~~twenty~~

- ~~thirty~~

8 9 thousand dollars for distribution to one or more organizations
8 10 which administer special olympics programs benefiting the
8 11 citizens of Iowa with disabilities.

8 12 Sec. 16. Section 8.63, subsection 4, Code 1999, is amended
8 13 to read as follows:

8 14 4. a. In order for the innovations fund to be self-
8 15 supporting, the innovations fund committee shall establish
8 16 repayment schedules for each innovation fund loan awarded.
8 17 Agencies shall repay the funds over a period not to exceed
8 18 five years with interest, at a rate to be determined by the
8 19 innovations fund committee.

8 20 b. If the department of management and the department of
8 21 revenue and finance certify that the savings from a proposed
8 22 innovations fund project will result in a net increase in the
8 23 balance of the general fund of the state without a
8 24 corresponding cost savings to the requesting agency, and if
8 25 the requesting agency meets all other eligibility
8 26 requirements, the innovations fund committee may approve the
8 27 loan for the project and not require repayment by the
8 28 requesting agency. There is appropriated from the general
8 29 fund of the state to the department of revenue and finance an
8 30 amount sufficient to repay the loan amount.

8 31 Sec. 17. Section 437A.23, Code 1999, is amended to read as
8 32 follows:

8 33 437A.23 DEPOSIT OF TAX PROCEEDS.

8 34 All revenues received from imposition of the statewide
8 35 property tax shall be deposited in the general fund of the
9 1 state. Fifty percent of the revenues shall be available, as
9 2 appropriated by the general assembly, to the department of
9 3 management for salaries, support, services, and equipment to
9 4 administer the replacement tax. The balance of the revenues
9 5 shall be available, as appropriated by the general assembly,
9 6 to the department of revenue and finance for salaries,
9 7 support, services, and equipment to administer and enforce the
9 8 replacement tax and the statewide property tax.

9 9 Sec. 18. STATEWIDE PROPERTY TAX ADMINISTRATION. There is
9 10 appropriated from the general fund of the state from revenues
9 11 received from the imposition of the statewide property tax
9 12 pursuant to chapter 437A to the following departments for the
9 13 fiscal year beginning July 1, 1999, and ending June 30, 2000,
9 14 the following amounts, or so much thereof as is necessary, to
9 15 be used for the following designated purposes:

9 16 1. To the department of management for salaries, support,
9 17 services, and equipment to administer the replacement tax
9 18 pursuant to chapter 437A and for not more than the following
9 19 full-time equivalent position:

9 20 \$ 75,000
9 21 FTEs 1.00

9 22 2. To the department of revenue and finance for salaries,
9 23 support, services, and equipment to administer and enforce the
9 24 replacement tax and the statewide property tax pursuant to
9 25 chapter 437A:

9 26 \$ 75,000

9 27 Sec. 19. INSTITUTE FOR DECISION MAKING FULL-TIME
9 28 EQUIVALENT POSITIONS. The number of full-time equivalent
9 29 positions authorized for the institute for decision making at
9 30 the university of northern Iowa for the fiscal year beginning
9 31 July 1, 1999, in 1999 House File 745, if enacted, is increased
9 32 by 1 FTE.

9 33 DIVISION V
9 34 FISCAL YEAR 1998-1999
9 35 APPROPRIATIONS

10 1 Sec. 20. INTERNATIONAL TRADE OPERATIONS. Notwithstanding
10 2 section 8.33 and section 8.57, subsection 5, paragraph "c",
10 3 unencumbered or unobligated moneys remaining on June 30, 1999,
10 4 from the appropriation made in 1997 Acts, chapter 215, section
10 5 7, subsection 1, paragraph "c", are appropriated to the
10 6 department of economic development for the fiscal year
10 7 beginning July 1, 1999, and ending June 30, 2000, for
10 8 international trade operations, including but not limited to

10 9 travel expenses for designated state officials.

10 10 Sec. 21. REENGINEERING PROJECTS. Notwithstanding section
10 11 8.33, moneys appropriated in 1997 Iowa Acts, chapter 210,
10 12 section 8, subsection 2, that remain unencumbered or
10 13 unobligated at the close of the fiscal year shall not revert
10 14 but shall remain available for expenditure as determined by
10 15 the department of management for the purposes designated until
10 16 the close of the succeeding fiscal year.

10 17 Sec. 22. EXTENDED SCHOOL YEAR GRANT REALLOCATION FOR A
10 18 SCHOOL VIOLENCE CRISIS INTERVENTION TASK FORCE.

10 19 Notwithstanding section 8.33 and section 256.22, subsection
10 20 4, and in addition to the provisions of 1999 Iowa Acts, Senate
10 21 File 464, section 10, if enacted, from the funds appropriated
10 22 in 1998 Iowa Acts, chapter 1216, section 1, subsection 1, to
10 23 the department of education for extended school year grants,
10 24 which remain unencumbered or unobligated on June 30, 1999, the
10 25 following amounts shall not revert to the general fund of the
10 26 state and shall not be available for expenditure for the
10 27 following fiscal year for purposes of extended school year
10 28 grants, but shall be reallocated by the department of
10 29 education as follows:

10 30 1. For purposes of the school violence crisis intervention
10 31 task force established pursuant to this subsection:
10 32 \$ 50,000

10 33 The director of education shall collaborate with the
10 34 commissioner of public safety and the attorney general to
10 35 appoint members to and organize a school violence crisis
11 1 intervention task force to review the preparedness of public
11 2 school districts to react to or prevent violent crisis
11 3 situations. The director, in consultation with the
11 4 commissioner and the attorney general, shall invite
11 5 participation on the task force from other appropriate
11 6 agencies, associations, and law enforcement officials. The
11 7 task force shall develop guidelines that can be utilized by
11 8 school districts to raise their level of awareness and
11 9 preparedness to respond to violent crisis situations. The
11 10 task force shall provide its recommendations in a report to
11 11 the general assembly by December 1, 1999.

11 12 2. For a contract to purchase internet connectivity from
11 13 an internet service provider which provides internet filter
11 14 services for school districts who wish to receive such
11 15 services:
11 16 \$ 50,000

11 17 The department of education shall work with the boards of
11 18 directors of school districts and area education agencies in
11 19 establishing service requirements and selecting an internet
11 20 service provider to provide internet filter services through
11 21 servers located at the area education agencies. The goal of
11 22 providing a filtering service to a school district is to
11 23 protect students from inappropriate internet websites and to
11 24 promote the use of the internet for educational purposes.
11 25 School districts that wish to receive filtering services shall
11 26 assume the ongoing costs of the services.

11 27 Sec. 23. DEPARTMENT OF EDUCATION GEOGRAPHY ALLIANCE.
11 28 There is appropriated from the general fund of the state to
11 29 the department of education for the fiscal year beginning July
11 30 1, 1998, and ending June 30, 1999, the following amount, or so
11 31 much thereof as is necessary, to be used for the purpose
11 32 designated:

11 33 For the geography alliance:
11 34 \$ 25,000

11 35 Notwithstanding section 8.33, moneys appropriated in this
12 1 section that remain unencumbered or unobligated at the close
12 2 of the fiscal year shall not revert but shall remain available
12 3 for expenditure for the purposes designated until the close of
12 4 the succeeding fiscal year.

12 5 Sec. 24. REGENTS WASTE REDUCTION CENTER. There is

12 6 appropriated from the general fund of the state to the state
12 7 board of regents for the fiscal year beginning July 1, 1998,
12 8 and ending June 30, 1999, the following amount, or so much
12 9 thereof as is necessary, to be used for the purpose
12 10 designated:

12 11 To the university of northern Iowa, Iowa waste reduction
12 12 center for the safe and economic management of solid waste and
12 13 hazardous substances established in section 268.4, for costs
12 14 of establishing and implementing the environmental auditor
12 15 training program in accordance with 1998 Iowa Acts, chapter
12 16 1109, section 10, as codified in section 455K.10:

12 17 \$ 220,000

12 18 Notwithstanding section 8.33, moneys appropriated in this
12 19 section that remain unencumbered or unobligated at the close
12 20 of the fiscal year shall not revert but shall remain available
12 21 for expenditure for the purpose designated until the close of
12 22 the succeeding fiscal year.

12 23 Sec. 25. EFFECTIVE DATE. This division of this Act, being
12 24 deemed of immediate importance, takes effect upon enactment.

12 25 DIVISION VI
12 26 MISCELLANEOUS

12 27 Sec. 26. Section 232.2, subsection 22, paragraph b,
12 28 subparagraph (7), if enacted by 1999 Iowa Acts, Senate File
12 29 193, section 1, is amended by striking the subparagraph.

12 30 Sec. 27. Section 232.2, subsection 22, paragraph c, if
12 31 enacted by 1999 Iowa Acts, Senate File 193, section 1, is
12 32 amended to read as follows:

12 33 c. The order appointing the guardian ad litem shall
12 34

~~specify the duties of and~~

~~grant authorization to the guardian~~

12 35 ad litem to interview any relevant person and inspect and copy
13 1 any records relevant to the proceedings, if not prohibited by
13 2 federal law. The order shall specify that the guardian ad
13 3 litem may interview any person providing medical, mental
13 4 health, social, educational, or other services to the child,
13 5 may attend any departmental staff meeting, case conference, or
13 6 meeting with medical or mental health providers, service
13 7 providers, organizations, or educational institutions
13 8 regarding the child, if deemed necessary by the guardian ad
13 9 litem, and may inspect and copy any records relevant to the
13 10 proceedings.

13 11 DIVISION VII
13 12 CORRECTIVE AMENDMENTS

13 13 Sec. 28. Section 12C.1, subsection 3, paragraph b, Code
13 14 1999, as amended, by 1999 Iowa Acts, House File 571, section
13 15 4, if enacted, is amended to read as follows:

13 16 b. If a depository is a bank, public deposits in the bank
13 17 shall be secured pursuant to sections

~~12C.23~~

~~12C.23A and~~

13 18 12C.24.

13 19 Sec. 29. Section 12C.23, subsection 3, paragraph d, Code
13 20 1999, as amended by 1999 Iowa Acts, House File 571, section
13 21 11, if enacted, is amended to read as follows:

13 22 d. If the loss to public funds is not covered by insurance
13 23 and the proceeds of the failed credit union's assets which are
13 24 liquidated within thirty days of the closing of the credit
13 25 union and pledged collateral, the treasurer shall provide
13 26 coverage of the remaining loss from the state sinking fund for
13 27 public deposits in credit unions. If the funds are inadequate
13 28 to cover the entire loss, then the treasurer shall make an
13 29 assessment against other credit unions who hold public funds.
13 30 The assessment shall be determined by multiplying the total
13 31 amount of the remaining loss to public depositors by a

13 32 percentage that represents the average of public funds
13 33 deposits held by all credit unions during the preceding
13 34 twelve-month period ending on the last day of the month
13 35 immediately preceding the month the credit union was closed.
14 1 Each credit union shall pay its assessment to the treasurer
14 2 within three business days after it receives notice of
14 3 assessment. If a credit union fails to pay its assessment
14 4 when due, the treasurer of state shall initiate a lawsuit to
14 5 collect the assessment. If a credit union is found to have
14 6 failed to pay the assessment as required by this

~~subparagraph~~

14 7 paragraph, the court shall order it to pay the assessment,
14 8 court costs, reasonable attorney's fees based upon the amount
14 9 of time the attorney general's office spent preparing and
14 10 bringing the action, and reasonable expenses incurred by the
14 11 treasurer of state's office. Idle balances in the fund are to
14 12 be invested by the treasurer with earnings credited to the
14 13 fund. Fees paid by credit unions for administration of this
14 14 chapter will be credited to the fund and the treasurer may
14 15 deduct actual costs of administration from the fund.
14 16 Sec. 30. Section 12C.23A, subsection 3, paragraph b, if
14 17 enacted by 1999 Iowa Acts, House File 571, section 12, is
14 18 amended to read as follows:
14 19 b. The recovery of any loss to public depositors shall
14 20 begin with applicable deposit insurance. The priority of
14 21 claims are those established pursuant to section 524.1312,
14 22 subsection 2

~~, section 523.22, subsection 1, paragraph "b", or~~

14 23

~~section 534.517~~

-. To the extent permitted by federal law, in
14 24 the distribution of an insolvent federally chartered bank's
14 25 assets, the order of payment of liabilities if its assets are
14 26 insufficient to pay in full all its liabilities for which
14 27 claims are made shall be in the same order as for a state-
14 28 chartered bank as provided in section 524.1312, subsection 2.
14 29 Sec. 31. Section 12C.23A, subsection 3, paragraph d, if
14 30 enacted by 1999 Iowa Acts, House File 571, section 12, is
14 31 amended to read as follows:
14 32 d. If the loss to public funds is not covered by insurance
14 33 and the proceeds of the failed bank's assets which are
14 34 liquidated within thirty days of the closing of the bank, are
14 35 not sufficient to cover the loss, then any further payments to
15 1 cover the loss will come from the state sinking fund for
15 2 public deposits in banks. If the balance in that sinking fund
15 3 is inadequate to pay the entire loss, then the treasurer shall
15 4 obtain the additional amount needed by making an assessment
15 5 against other banks whose public funds deposits exceed deposit
15 6 insurance coverage. A bank's assessment shall be determined
15 7 by multiplying the total amount of the remaining loss to all
15 8 public depositors by a percentage that represents that bank's
15 9 proportional share of the

~~average~~

- total of uninsured public

15 10 funds deposits held by all banks. Each bank shall pay its
15 11 assessment to the treasurer within three business days after
15 12 it receives notice of assessment. If a bank fails to pay its
15 13 assessment when due, the treasurer of state shall initiate a
15 14 lawsuit to collect the assessment. If a bank is found to have
15 15 failed to pay the assessment as required by this

~~subparagraph~~

15 16 paragraph, the court shall order it to pay the assessment,
15 17 court costs, reasonable attorney fees based on the amount of
15 18 time the attorney general's office spent preparing and
15 19 bringing the action, and reasonable expenses incurred by the
15 20 treasurer of state. Idle balances in the fund shall be
15 21 invested by the treasurer with earnings credited to the fund.
15 22 Fees paid by banks for administration of this chapter shall be
15 23 credited to the fund and the treasurer may deduct actual costs
15 24 of administration from the fund.

15 25 Sec. 32. Section [13B.4](#), subsection 1, Code 1999, as
15 26 amended by 1999 Iowa Acts, House File 573, section 1, is
15 27 amended to read as follows:

15 28 1. The state public defender shall coordinate the
15 29 provision of legal representation of all indigents under
15 30 arrest or charged with a crime, on appeal in criminal cases,
15 31

~~and~~

- on appeal in proceedings to obtain postconviction relief
15 32 when ordered to do so by the district court in which the
15 33 judgment or order was issued, and on a reopening of a sentence
15 34 proceeding, and may provide for the representation of
15 35 indigents in proceedings instituted pursuant to chapter 908.

16 1 The state public defender shall not engage in the private
16 2 practice of law.

16 3 Sec. 33. Section [37.10](#), unnumbered paragraph 1, Code 1999,
16 4 as amended by 1999 Acts, House File 224, section 2, is amended
16 5 to read as follows:

16 6 Each commissioner, except for a memorial hospital
16 7 commissioner, shall be an honorably discharged soldier,
16 8 sailor, marine, airman, or coast guard member and be a
16 9 resident of the county in which the memorial hall or monument
16 10 is located. Each commissioner for a memorial hospital shall
16 11 be a resident of the county in which the memorial hospital is
16 12 located.

16 13 Sec. 34. Section [124.401F](#), subsection 1, Code 1999, as
16 14 enacted by 1999 Iowa Acts, House File 573, section 6, is
16 15 amended to read as follows:

16 16 1. A person shall not intentionally tamper with anhydrous
16 17 ammonia equipment. Tampering occurs when a person who is not
16 18 authorized by the owner of anhydrous ammonia equipment uses
16 19 the equipment in violation of a provision of this section. A
16 20 person shall not in any manner or for any purpose sell, fill,
16 21 refill, deliver, permit to be delivered, or use an anhydrous
16 22 ammonia container or receptacle, including for the storage of
16 23 any gas or compound, unless the person owns the container or
16 24 receptacle or is authorized to do so by the owner. A person
16 25 shall not possess or transport anhydrous ammonia in a
16 26 container or receptacle which is not authorized by the
16 27 secretary of agriculture to hold anhydrous ammonia.

16 28 Sec. 35. Section 172C.1, subsection 3, as enacted by 1999
16 29 Iowa Acts, Senate File 436, if enacted, is amended to read as
16 30 follows:

16 31 3. "Packer" means a person who is engaged in the business
16 32 of slaughtering livestock or receiving, purchasing, or
16 33 soliciting livestock for slaughter, if the meat products of
16 34 the slaughtered livestock which are directly or indirectly to
16 35 be offered for resale or for public consumption

~~and the meat~~

17 1

~~products~~

- have a total annual value of ten million dollars or

17 2 more. As used in this chapter, "packer" includes an agent of
17 3 the packer engaged in buying or soliciting livestock for
17 4 slaughter on behalf of a packer. "Packer" does not include a
17 5 frozen food locker plant regulated under chapter 172.
17 6 Sec. 36. Section [249A.3](#), subsection 2, unnumbered
17 7 paragraph 1, Code 1999, is amended to read as follows:
17 8 Medical assistance may also, within the limits of available
17 9 funds and in accordance with section 249A.4, subsection 1, be
17 10 provided to, or on behalf of, other individuals and families
17 11 who are not excluded under subsection

~~4~~

~~5~~ of this section and

17 12 whose incomes and resources are insufficient to meet the cost
17 13 of necessary medical care and services in accordance with the
17 14 following order of priorities:

17 15 Sec. 37. Section 256E.7, subsection 4, as enacted by 1999
17 16 Iowa Acts, House File 743, section 7, is amended to read as
17 17 follows:

17 18 4. Prior to receiving funds pursuant to section 256E.5,
17 19 subsection 2, the institutions under the control of the
17 20 department of human services as provided in section 218.1,
17 21 subsections 1 through 3, 5, 7, and 8, shall each submit to the
17 22 departments of education and human services a technology plan
17 23 that supports and improves student achievement, demonstrates
17 24 the manner in which technology will be utilized to improve
17 25 student achievement, and includes an evaluation component.
17 26 Each institution developing a plan under this subsection needs
17 27 to develop only one plan to send to the departments of
17 28 education and human services while this chapter is effective.
17 29 Each institution shall submit an annual progress report to the
17 30 departments of education and human services.

~~Each institution~~

~~17 31~~

~~shall submit an annual progress report to the departments of~~

~~17 32~~

~~education and human services.~~

17 33 Sec. 38. Section [321.471](#), subsection 1, unnumbered
17 34 paragraph 1, Code 1999, as amended by 1999 Iowa Acts, House
17 35 File 651, section 8, if enacted, is amended to read as
18 1 follows:

18 2 Local authorities with respect to a highway under their
18 3 jurisdiction may by ordinance or resolution prohibit the
18 4 operation of vehicles upon the highway or impose restrictions
18 5 as to the weight of vehicles to be operated upon the highway
18 6 for a total period of not to exceed ninety days in any one
18 7 calendar year, whenever the highway by reason of
18 8 deterioration, rain, snow, or other climatic conditions will
18 9 be seriously damaged or destroyed unless the use of vehicles
18 10 on the highway is prohibited or the permissible weights
18 11 reduced. The ordinance or resolution shall not apply to
18 12 implements of husbandry as defined in section 321.1,
18 13 implements of husbandry loaded on hauling units for
18 14 transporting the implements to locations for repair, or fire
18 15 apparatus and road maintenance equipment owned by

~~or~~

~~under~~

18 16 lease to, or used in the performance of a contract with a
18 17 state or local authority.

18 18 Sec. 39. Section [321.471](#), subsection 2, Code 1999,

18 19 paragraph a, as enacted and amended by 1999 Iowa Acts, House
18 20 File 651, section 8, if enacted, is amended to read as

18 21 follows:

18 22 a. Upon a finding that a bridge or culvert does not meet
18 23 established standards set forth by state and federal
18 24 authorities, local authorities may by ordinance or resolution
18 25 impose limitations for an indefinite period of time on the
18 26 weight of vehicles upon bridges or culverts located on
18 27 highways under their sole jurisdiction. The limitations shall
18 28 be effective when signs giving notice of the limitations are
18 29 erected. The ordinance or resolution shall not apply to
18 30 implements of husbandry loaded on hauling units for
18 31 transporting the implements to locations for purposes of
18 32 repair or to fire apparatus or road maintenance equipment
18 33 owned by

~~or~~

~~under lease to~~

~~any~~

~~or used in the performance of~~

18 34 a contract with a state or local authority.

18 35 Sec. 40. Section 321.474, unnumbered paragraph 1, Code
19 1 1999, as amended by 1999 Iowa Acts, House File 651, section 9,
19 2 if enacted, is amended to read as follows:

19 3 The department shall have authority, as granted to local
19 4 authorities, to determine by resolution and to impose
19 5 restrictions as to the weight of vehicles, except implements
19 6 of husbandry as defined in section 321.1, implements of
19 7 husbandry loaded on hauling units for transporting the
19 8 implements to locations for repair, and fire apparatus and
19 9 road maintenance equipment owned by

~~or~~

~~under lease to~~

~~any~~

~~or~~

19 10 used in the performance of a contract with a state or local
19 11 authority, operated upon any highway under the jurisdiction of
19 12 the department for a definite period of time not to exceed
19 13 twelve months. The restrictions shall be effective when signs
19 14 giving notice of the restrictions and the expiration date of
19 15 the restrictions are erected upon the affected highway or
19 16 portion of highway.

19 17 Sec. 41. Section 321.474, unnumbered paragraph 2, if
19 18 enacted by 1999 Iowa Acts, House File 651, section 9, is
19 19 amended to read as follows:

19 20 Upon a finding that a bridge or culvert does not meet
19 21 established standards set forth by state and federal
19 22 authorities, the department may impose, by resolution,
19 23 restrictions for an indefinite period of time on the weight of
19 24 vehicles operated upon bridges or culverts located on highways
19 25 under its jurisdiction. The restrictions shall be effective
19 26 when signs giving notice of the restrictions are erected. The
19 27 restrictions shall not apply to implements of husbandry loaded
19 28 on hauling units for transporting the implements to locations
19 29 for purposes of repair or to fire apparatus or road
19 30 maintenance equipment owned by

~~or~~

~~under lease to~~

~~any~~

~~or used~~

19 31 in the performance of a contract with a state or local
19 32 authority.

19 33 Sec. 42. Section 427.1, subsection 30, if enacted by 1999
19 34 Iowa Acts, House File 758, is amended to read as follows:
19 35 30. MOBILE HOME PARK STORM SHELTER. A structure
20 1 constructed as a storm shelter at a mobile home park as
20 2 defined in section 435.1.

~~If the structure serves a use in~~

20 3

~~addition to use as a storm shelter, the exemption shall apply~~

20 4

~~only to that portion of the structure which serves as a storm~~

20 5

~~shelter.~~

- An application for this exemption shall be filed

20 6 with the assessing authority not later than April fifteenth of
20 7 the first year for which the exemption is requested, on forms
20 8 provided by the department of revenue and finance. The
20 9 application shall describe and locate the storm shelter to be
20 10 exempted. If the storm shelter structure is used exclusively
20 11 as a storm shelter, all of the structure's assessed value
20 12 shall be exempt from taxation. If the storm shelter structure
20 13 is not used exclusively as a storm shelter, the storm shelter
20 14 structure

~~which is not used exclusively as a storm shelter~~

20 15 shall be assessed for taxation at seventy-five percent of its
20 16 value as commercial property.

20 17 Sec. 43. Section 476.86, unnumbered paragraph 1, as
20 18 enacted by 1999 Iowa Acts, Senate File 224, section 2, is
20 19 amended to read as follows:

20 20 As used in this section and section 476.87, unless the
20 21 context otherwise requires:

20 22 Sec. 44. Section 514C.14, subsection 2, paragraph b, if
20 23 enacted by 1999 Iowa Acts, Senate File 8, section 1, is
20 24 amended to read as follows:

20 25 b. This

~~chapter~~

- ~~section~~ shall not apply to accident only,

20 26 specified disease, short-term hospital or medical, hospital
20 27 confinement indemnity, credit, dental, vision, Medicare
20 28 supplement, long-term care, basic hospital and medical-
20 29 surgical expense coverage as defined by the commissioner,
20 30 disability income insurance coverage, coverage issued as a
20 31 supplement to liability insurance, workers' compensation or
20 32 similar insurance, or automobile medical payment insurance.

20 33 Sec. 45. Section 524.1406, subsection 3, paragraph b, if
20 34 enacted by 1999 Iowa Acts, House File 445, section 1, is
20 35 amended to read as follows:

21 1 b.

~~If, prior~~

- Prior to giving notice of a meeting at which

21 2 a shareholder would be entitled to assert dissenter's rights,
21 3 a bank may seek a declaratory judgment to establish the fair
21 4 value for purposes of section 490.1301, subsection 4, of
21 5 shares held by shareholders who would have a right to dissent.
21 6 Another cause of action or a counterclaim shall not be joined
21 7 with such a declaratory action. A declaratory judgment shall
21 8 be filed in the county where the bank's principal place of

21 9 business is located. The court shall appoint an attorney to
21 10 represent minority shareholders. All shareholders of the bank
21 11 shall be served with notice of the action and be advised of
21 12 the name, address, and telephone number of the attorney
21 13 appointed to represent minority shareholder interests. The
21 14 bank may select an appraiser to give an opinion on fair value
21 15 and the attorney shall select an appraiser to give an opinion
21 16 on fair value. Any shareholder may participate individually
21 17 and present evidence of the fair value of such shareholder's
21 18 shares. All court costs, appraiser's fees, and the fees and
21 19 expenses of the attorney shall be assessed against the bank.
21 20 A judgment in the action shall not determine fair value for a
21 21 share to be less than the stockholders' equity in the bank in
21 22 its last statement of condition filed under section 524.220
21 23 divided by the number of shares outstanding. A final judgment
21 24 in the action shall establish fair value for the purposes of
21 25 chapter 490, division XIII and shall be disclosed to the
21 26 shareholders in the notice to shareholders of the meeting to
21 27 approve the transaction that gives rise to dissenters' rights.
21 28 If the proposed transaction is approved by the shareholders,
21 29 upon consummation of the proposed transaction the fair value
21 30 so established shall be paid to all shareholders entitled to
21 31 payment for their shares upon receipt of such shareholders'
21 32 share certificates.

21 33 Sec. 46. Section [602.7103](#), subsection 2, Code 1999, as
21 34 amended by House File 647, section 7, as subsection 1, if
21 35 enacted, is amended to read as follows:

22 1 1. An associate juvenile judge shall have the same
22 2 jurisdiction to conduct juvenile court proceedings, to issue
22 3 warrants, nontestimonial identification orders, and contempt
22 4 arrest warrants for adults in juvenile court proceedings, and
22 5 to issue orders, findings, and decisions as the judge of the
22 6 juvenile court. However, the

~~appointing~~

- chief judge may limit

22 7 the exercise of juvenile court jurisdiction by the associate
22 8 juvenile judge.

22 9 Sec. 47. Section 602.7103B, subsection 5, if enacted by
22 10 1999 Iowa Acts, House File 647, section 9, is amended to read
22 11 as follows:

22 12 5. A full-time associate juvenile judge who seeks to
22 13 resign from the office of

~~district associate~~

- full-time

22 14 associate juvenile judge shall notify in writing the chief
22 15 judge of the judicial district as to the full-time associate
22 16 juvenile judge's intention to resign and the effective date of
22 17 the resignation. The chief judge of the judicial district,
22 18 upon receipt of the notice, shall notify the county magistrate
22 19 appointing commission and the state court administrator of the
22 20 actual or impending vacancy in the office of full-time
22 21 associate juvenile judge due to resignation.

22 22 Sec. 48. Section 633.20B, subsection 5, if enacted by 1999
22 23 Iowa Acts, House File 647, section 13, is amended to read as
22 24 follows:

22 25 5. A full-time associate probate judge who seeks to resign
22 26 from the office of

~~district associate~~

- full-time associate

22 27 probate judge shall notify in writing the chief judge of the
22 28 judicial district as to the full-time associate probate
22 29 judge's intention to resign and the effective date of the
22 30 resignation. The chief judge of the judicial district, upon
22 31 receipt of the notice, shall notify the county magistrate

22 32 appointing commission and the state court administrator of the
22 33 actual or impending vacancy in the office of full-time
22 34 associate probate judge due to resignation.
22 35 Sec. 49. Section 808B.5, subsection 11, Code 1999, as
23 1 amended by 1999 Iowa Acts, Senate File 309, section 21, if
23 2 enacted, is amended to read as follows:
23 3 11. An aggrieved person in a trial, hearing, or proceeding
23 4 in or before any court, department, officer, agency,
23 5 regulatory body, or other authority of this state, may move to
23 6 suppress the contents of an intercepted wire, oral, or
23 7 electronic communication, or evidence derived from the wire,
23 8 oral, or electronic communication, on the grounds that the
23 9 communication was unlawfully intercepted, the order of
23 10 authorization under which it was intercepted was insufficient
23 11 on its face, or the interception was not made in conformity
23 12 with the order of authorization. The motion shall be made
23 13 before the trial, hearing, or proceeding unless there was no
23 14 opportunity to make the motion or the person was not aware of
23 15 the grounds of the motion. If the motion is granted, the
23 16 contents of the intercepted wire, oral, or electronic
23 17 communication, or evidence derived from the wire

~~communication~~

23 18

~~or~~

~~oral, or electronic~~ communication, shall be treated as
23 19 having been obtained in violation of this chapter.

23 20 Sec. 50. Section 808B.11, subsections 1 and 2, if enacted
23 21 by 1999 Iowa Acts, Senate File 309, section 26, are amended to
23 22 read as follows:

23 23 1. An application for an order or an extension of an order
23 24 authorizing or approving the installation and use of a pen
23 25 register or a trap and trace device shall be made in writing
23 26 by a prosecuting attorney upon oath or affirmation to a
23 27 district court.

~~A~~

~~Only a~~ special state agent may

~~only~~

~~conduct~~

23 28 an investigation authorized under this section or section
23 29 808B.12. An application shall include the following
23 30 information:

23 31 a. The identity of the prosecuting attorney, and the
23 32 identity of the special state agent authorized to conduct the
23 33 investigation.

23 34 b. A certified statement by the special state agent that
23 35 the information likely to be obtained is relevant to an
24 1 ongoing criminal investigation of an offense listed under
24 2 section 808B.3 or an offense that may lead to an immediate
24 3 danger of death of or serious

~~bodily~~

~~injury~~

~~of~~

~~to~~ a person.

24 4 2. Upon application the court may enter an ex parte order
24 5 or an ex parte extension of an order, authorizing the
24 6 installation and use of a pen register or trap and trace
24 7 device within the territorial jurisdiction of the court, if
24 8 the court finds that the special state agent has certified to
24 9 the court that the information likely to be obtained by the
24 10 use of a pen register or trap and trace device is relevant to

24 11 an ongoing criminal investigation of an offense listed under
24 12 section 808B.3 or an offense that may lead to

~~the~~

- an immediate

24 13 danger of death of or serious

~~bodily~~

- injury

~~of~~

- to a person.

24 14 Sec. 51. Section 808B.11, subsection 4, if enacted by 1999

24 15 Iowa Acts, Senate File 309, section 26, is amended to read as

24 16 follows:

24 17 4.

~~Any~~

- Except as otherwise provided in paragraph "b", any

24 18 order granted under this section shall be sealed until

24 19 otherwise ordered by the court.

24 20 a. Any person owning or leasing the telephone line to

24 21 which the pen register or trap and trace device is attached,

24 22 or who has been ordered by the court to furnish information,

24 23 facilities, or technical assistance to the applicant, shall

24 24 not disclose the existence of the pen register or trap and

24 25 trace device or the existence of the investigation of the

24 26 listed subscriber, to any person, unless or until otherwise

24 27 ordered by the court.

24 28 b.

~~Notwithstanding subsection 4, a~~

- A prosecuting attorney

24 29 or special state agent may utilize or share any information

24 30 obtained from the use of a pen register or trap and trace

24 31 device with other prosecuting attorneys or law enforcement

24 32 agencies while acting within the scope of their employment.

24 33 c. A violation of this subsection may be punished as

24 34 contempt of court.

24 35 Sec. 52. Section 808B.12, subsection 1, paragraph a, if

25 1 enacted by 1999 Iowa Acts, Senate File 309, section 27, is

25 2 amended to read as follows:

25 3 a. The court reasonably determines that an emergency

25 4 situation exists that involves an immediate danger of death of

25 5 or serious

~~bodily~~

- injury to any person.

25 6 Sec. 53. Section 808B.12, subsection 3, if enacted by 1999

25 7 Iowa Acts, Senate File 309, section 27, is amended to read as

25 8 follows:

25 9 3. An investigative or law enforcement officer who

25 10 knowingly uses a pen register or trap and trace device

25 11 pursuant to this section after the effectiveness of the

25 12

~~authorizing~~

- emergency order has terminated pursuant to

25 13 subsection 2 due to the lapse of the forty-eight hours commits

25 14 a serious misdemeanor.

25 15 Sec. 54. 1999 Iowa Acts, House File 745, section 19, if

25 16 enacted, is amended to read as follows:

25 17 SEC. 19. Notwithstanding section 8.33, all unencumbered

25 18 and unobligated moneys remaining in the economic development

25 19 deaf interpreters revolving fund established in section

25 20 15.108, shall transfer to the rural community 2000 program

25 21 revolving fund established in section 15.287 on the effective

25 22 date of this section of this Act.
25 23 Sec. 55. 1999 Iowa Acts, Senate File 460, section 10,
25 24 subsection 7, unnumbered paragraph 2, if enacted, is amended
25 25 to read as follows:
25 26 The employment appeal board shall be reimbursed by the
25 27 labor services division of the department of

~~employment~~

25 28

~~services~~

- workforce development for all costs associated with
25 29 hearings conducted under chapter 91C, related to contractor
25 30 registration. The board may expend, in addition to the amount
25 31 appropriated under this subsection, additional amounts as are
25 32 directly billable to the labor services division under this
25 33 subsection and to retain the additional full-time equivalent
25 34 positions as needed to conduct hearings required pursuant to
25 35 chapter 91C.

26 1 Sec. 56. 1999 Iowa Acts, Senate File 464, section 1,
26 2 subsection 4, if enacted, is amended to read as follows:

26 3 4. NATIONAL GUARD

~~TUITION AID~~

- EDUCATIONAL ASSISTANCE

26 4 PROGRAM

26 5 For purposes of providing national guard

~~tuition aid~~

26 6 educational assistance under the program established in
26 7 section 261.86:
26 8 \$ 833,900

26 9 Sec. 57. 1999 Iowa Acts, Senate File 464, section 4, if
26 10 enacted, is amended to read as follows:

26 11 SEC. 4. REMAINING NATIONAL GUARD TUITION AID PROGRAM
26 12 BALANCE. Notwithstanding section 8.33, the unencumbered or
26 13 unobligated moneys remaining at the end of the fiscal year
26 14 ending June 30, 1999, from the appropriations made in 1998
26 15 Iowa Acts, chapter 1215, section 1, subsection 4, shall not
26 16 revert but shall be available for expenditure during the
26 17 subsequent fiscal year for the purposes of the national guard
26 18

~~tuition aid~~

- educational assistance program established by this
26 19 Act.

26 20 Sec. 58. STRATEGIC INVESTMENT FUND TRANSFER EFFECTIVE
26 21 DATE. The provision in 1999 Iowa Acts, House File 745,
26 22 section 1, subsection 2, paragraph "e", if enacted, relating
26 23 to the transfer of moneys from the strategic investment fund
26 24 to the physical infrastructure assistance fund, being deemed
26 25 of immediate importance, takes effect upon enactment.

26 26 Sec. 59. Sections 15E.152 through 15E.155, 15E.157 through
26 27 15E.161, 15E.165, and 15E.166, Code 1999, are repealed.

26 28 Sec. 60. EFFECTIVE DATES. The following sections of this
26 29 division of this Act, being deemed of immediate importance,
26 30 take effect upon enactment or as otherwise specified:

26 31 1. Section 28, amending section 12C.1.

26 32 2. Section 29, amending section 12C.23, subsection 3,
26 33 paragraph "d".

26 34 3. Section 30, amending section 12C.23A, subsection 3,
26 35 paragraph "b".

27 1 4. Section 31, amending section 12C.23A, subsection 3,
27 2 paragraph "d".

27 3 5. Section 35, amending section 172C.1, takes effect July

27 4 1, 2000.
27 5 6. Section 43, amending section 476.86.
27 6 7. Section 54, amending 1999 Iowa Acts, House File 745,
27 7 section 19.
27 8 8. Section 57, amending 1999 Iowa Acts, Senate File 464,
27 9 section 4.
27 10 9. Section 58, relating to the effective date of 1999 Iowa
27 11 Acts, House File 745, section 1, subsection 2, paragraph "e".
27 12

EXPLANATION

27 13 This bill relates to public expenditure and regulatory
27 14 matters, makes appropriations, and provides effective dates.
27 15 Division I makes an appropriation for county mental health,
27 16 mental retardation, and developmental disabilities services
27 17 growth factor adjustment for fiscal year 2000-2001. Under
27 18 Code section 331.438, the allowed growth factor amount is to
27 19 be established in a statute that is enacted during the fiscal
27 20 year that begins two years in advance of the fiscal year to
27 21 which the adjustment applies. The appropriation is allocated
27 22 for distribution to counties and to various funding pools for
27 23 specified purposes.

27 24 Division II amends Code section 99E.10, relating to lottery
27 25 revenues, to provide for transfer of the revenues to the
27 26 general fund of the state. Under current law, the lottery
27 27 revenue remaining after payment of expenses is transferred to
27 28 the CLEAN fund. The bill repeals Code section 99E.34,
27 29 providing for expenditures from the CLEAN fund for the ten-
27 30 year period ending June 30, 2000.

27 31 Division III relates to the state medical examiner by
27 32 amending Code section 691.5 to provide that this position is
27 33 established for administrative purposes within the Iowa
27 34 department of public health instead of under the control of
27 35 the commissioner of public safety. New Code section 691.6A
28 1 creates the position of deputy state medical examiner. New
28 2 Code section 691.6B creates an interagency coordinating
28 3 council to advise the state medical examiner regarding the
28 4 needs and interests of the departments of public safety and
28 5 public health. New Code section 691.6C creates a state
28 6 medical examiner advisory council. Code section 691.7
28 7 provides for acceptance of federal or private grants for the
28 8 office by the director of public health. The state medical
28 9 examiner is to conduct a study of the office in consultation
28 10 with the advisory council. Appropriations to the department
28 11 of public safety as of the division's effective date are
28 12 transferred to the Iowa department of public health. The
28 13 division takes effect upon enactment.

28 14 Division IV includes fiscal year 1999-2000 appropriations
28 15 and related provisions.

28 16 The division contains an appropriation for an increase in
28 17 the standing appropriation to the special olympics fund in
28 18 Code section 8.8.

28 19 Code section 8.63, relating to the innovations fund, is
28 20 amended to allow for approval of projects that result in
28 21 savings to the general fund of the state rather than to a
28 22 requesting agency and provides for an appropriation to repay
28 23 the loan for such projects.

28 24 Code section 437A.23 is amended to provided that revenues
28 25 from the statewide property tax imposed pursuant to the
28 26 electricity and natural gas replacement tax chapter are to be
28 27 available to the departments of management and revenue and
28 28 finance as appropriated by the general assembly. The division
28 29 also contains the specific appropriations for those
28 30 departments for the fiscal year 1999-2000.

28 31 The full-time equivalent position authorization for the
28 32 institute of decision making at the university of northern
28 33 Iowa is increased by one position.

28 34 Division V relates to appropriations for fiscal year 1998-
28 35 1999 and makes supplemental appropriations for that fiscal

29 1 year.

29 2 Moneys appropriated for international trade operations are
29 3 from moneys previously appropriated for a China-Des Moines
29 4 trade and cultural center which was never built.

29 5 Moneys remaining from a previous appropriation for
29 6 reengineering projects are not to revert but will remain
29 7 available for the purposes designated.

29 8 Moneys are reallocated from unused fiscal year 1998-1999
29 9 appropriations for extended school year grants to a school
29 10 violence crisis intervention task force and for internet
29 11 filter services.

29 12 Supplemental appropriations for the fiscal year 1998-1999
29 13 are made to the department of education for the geography
29 14 alliance and to the state board of regents for use at the
29 15 university of northern Iowa's waste reduction center for the
29 16 environmental auditor training program.

29 17 Division VI amends 1999 Iowa Acts, Senate File 193, as it
29 18 relates to expending the requirements placed on guardians ad
29 19 litem for children in juvenile cases by making the mandatory
29 20 attendance at department of human services staff meetings or
29 21 case conferences, and the mandatory meetings with medical or
29 22 mental health providers, service providers, organizations or
29 23 educational institutions, discretionary. In addition, the
29 24 order appointing a guardian ad litem does not have to specify
29 25 the duty of the guardian ad litem to interview relevant people
29 26 and inspect and copy relevant documents and records.

29 27 Division VII contains corrective amendments to bills that
29 28 were passed during the 1999 legislative session by at least
29 29 one chamber of the general assembly or have been enacted.

29 30 Code section 12C.1, if enacted by 1999 Iowa Acts, House
29 31 File 571, relating to deposit of public funds and liquidation
29 32 of failed bank assets, is amended to correct a reference to
29 33 another section. This section takes effect upon enactment.

29 34 Code section 12C.23, if enacted by 1999 Iowa Acts, House
29 35 File 571, relating to deposit of public funds and liquidation
30 1 of failed bank assets, is amended to correct a reference to a
30 2 paragraph.

30 3 Code section 12C.23A, if enacted by 1999 Iowa Acts, House
30 4 File 571, relating to deposit of public funds and liquidation
30 5 of failed bank assets, is amended to strike references to
30 6 credit unions and savings and loans as this section does not
30 7 apply to those financial institutions and to correct a
30 8 reference to a paragraph. This section takes effect upon
30 9 enactment.

30 10 Code section 12C.23A, if enacted by 1999 Iowa Acts, House
30 11 File 571, relating to the deposit of public funds and
30 12 liquidation of failed bank assets, is amended to change the
30 13 word "average" to "total". This section takes effect upon
30 14 enactment.

30 15 Code section 13B.4, as enacted by 1999 Iowa Acts, House
30 16 File 573, relating to responsibilities of the state public
30 17 defender, is amended to move a conjunction to the end of a
30 18 series.

30 19 Code section 37.10, as enacted by 1999 Iowa Acts, House
30 20 File 224, relating to memorial hospital commissioners, is
30 21 amended to add the missing word "commissioner".

30 22 Code section 124.401F, as enacted by 1999 Iowa Acts, House
30 23 File 573, relating to tampering with anhydrous ammonia
30 24 equipment, is amended to provide that the term "secretary"
30 25 means the secretary of agriculture.

30 26 Code section 172C.1, as enacted by 1999 Iowa Acts, Senate
30 27 File 436, relating to the definition of packer, is amended to
30 28 delete redundant language. This section takes effect July 1,
30 29 2000.

30 30 Code section 249A.3, relating to eligibility requirements
30 31 for the medical assistance program, is amended to correct an
30 32 internal reference.

30 33 Code section 256E.7, as enacted by 1999 Iowa Acts, House
30 34 File 743, relating to school technology planning, is amended
30 35 to strike a sentence requiring a progress report that was
31 1 inadvertently repeated within the provision.
31 2 Code sections 321.471 and 321.474, if amended or enacted by
31 3 1999 Iowa Acts, House File 651, relating to implements of
31 4 animal husbandry, is amended to include implements used in
31 5 performance of a contract with a state or local authority in
31 6 the list of exceptions to the applicability of ordinances,
31 7 resolutions, or other government authority.
31 8 Code section 427.1, subsection 30, if enacted by 1999 Iowa
31 9 Acts, House File 758, relating to the property tax exemption
31 10 of mobile home park storm shelters, is amended to strike
31 11 surplus language modifying the exemption when the shelter is
31 12 used for other purposes.
31 13 Code section 476.86, as enacted by 1999 Iowa Acts, Senate
31 14 File 224, is amended to insert a preposition. This section
31 15 takes effect upon enactment.
31 16 Code section 514C.14, if enacted by 1999 Iowa Acts, Senate
31 17 File 8, relating to policies or contracts for health coverage
31 18 of diabetes, is amended to correct an internal reference from
31 19 "chapter" to "section".
31 20 Code section 524.1406, if enacted by 1999 Iowa Acts, House
31 21 File 445, relating to notice for bank shareholder meetings, is
31 22 amended to strike an extraneous conditional word.
31 23 Code section 602.7103, if amended by 1999 Iowa Acts, House
31 24 File 647, is corrected to specify that it is the chief judge
31 25 not the appointing judge who may limit the jurisdiction of the
31 26 associate juvenile judge.
31 27 Code section 602.7103B, if enacted by 1999 Iowa Acts, House
31 28 File 647, relating to full-time associate juvenile judges, is
31 29 amended to correct a reference to such a judge.
31 30 Code section 633.20B, if enacted by 1999 Iowa Acts, House
31 31 File 647, relating to full-time associate probate judges, is
31 32 amended to correct a reference to such a judge.
31 33 Various amendments or new enactments to Code chapter 808B,
31 34 if enacted by 1999 Iowa Acts, Senate File 309, relating to
31 35 illegal interception of communications, are corrected as
32 1 follows: Code section 808B.5, subsection 11, is amended to
32 2 correct a parallel reference to the term "electronic"; Code
32 3 section 808B.11, subsections 1 and 2, are amended to provide
32 4 that a prosecuting attorney applies for certain orders,
32 5 application information addresses danger of death or serious
32 6 injury to a person and ex parte orders address such danger;
32 7 Code section 808B.11, subsection 4, is amended to correct an
32 8 internal reference in language providing for sealing of orders
32 9 and information; Code section 808B.12, subsection 1, is
32 10 amended to correct a parallel reference to terms involving
32 11 danger of death or serious injury to a person in language for
32 12 court determinations; and Code section 808B.12, subsection 3,
32 13 is amended to correct a reference to court orders from
32 14 "authorizing" to "emergency".
32 15 Section 19 of 1999 Iowa Acts, House File 745, relating to
32 16 economic development appropriations and transfer of certain
32 17 moneys to the rural community 2000 program revolving fund, if
32 18 enacted, is amended to correct a reference to the date the
32 19 transfer is to take effect. This section takes effect upon
32 20 enactment.
32 21 Another provision of 1999 Iowa Acts, House File 745,
32 22 relating to transfer of moneys from the strategic investment
32 23 fund to the physical infrastructure assistance fund, is made
32 24 effective upon enactment.
32 25 Section 10 of 1999 Iowa Acts, Senate File 460, relating to
32 26 the administration and regulation appropriations corrects the
32 27 name of the department of which the labor services division is
32 28 a part.
32 29 The amendments to 1999 Iowa Acts, Senate File 464, relating

32 30 to the education appropriations, corrects the references to
32 31 the name of the national guard educational assistance program
32 32 created in that Act.
32 33 The provisions of Code chapter 15E, part XIV, relating to
32 34 the Wallace technology foundation are repealed since the
32 35 assets of the foundation have been transferred as previously
33 1 required.
33 2 LSB 3432SV 78
33 3 mg/sc/14