

(SUCCESSOR TO HSB 730)

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

**A BILL FOR**

1 An Act relating to and making appropriations to state departments  
2 and agencies from the rebuild Iowa infrastructure fund,  
3 environment first fund, tobacco settlement trust fund, state  
4 general fund, road use tax fund, and primary road fund, and  
5 making related and corrective changes and providing effective  
6 dates.

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

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HF-2578

DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the designated fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For routine maintenance of state buildings and facilities, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2004-2005..... \$ 1,500,000

b. For relocation costs directly associated with remodeling projects on the capitol complex and for facility lease payments for the department of corrections, the Iowa department of public health, and the department of public safety, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2004-2005..... \$ 2,271,617

c. For technology improvement projects, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2004-2005..... \$ 361,496

Of the amount appropriated in this lettered paragraph, \$288,496 is allocated to maintain and operate the enterprise warehouse technology project and \$73,000 is allocated to the division of criminal and juvenile justice planning of the department of human rights for 1.00 full-time equivalent position to provide support for the justice data warehouse technology project.

d. For major renovation and major repair needs, including health, life, and fire safety needs, and for compliance with the federal Americans With Disabilities Act, for state buildings and facilities under the purview of the department:

FY 2004-2005..... \$ 2,500,000

(1) Of the amount appropriated in this lettered paragraph,

1 up to \$375,000 may be used for costs associated with project  
2 management services in the division of design and construction  
3 within the general services enterprise of the department,  
4 notwithstanding section 8.57, subsection 5, paragraph "c".

5 (2) Of the amount appropriated in this lettered paragraph,  
6 \$200,000 may be used for costs associated with the vertical  
7 infrastructure program, notwithstanding section 8.57,  
8 subsection 5, paragraph "c".

9 e. For costs associated with the remodeling of the records  
10 and property center:

11 FY 2004-2005..... \$ 5,000,000  
12 FY 2005-2006..... \$ 4,700,000

13 f. For accent lighting systems for the soldiers and  
14 sailors monument and the Allison monument on the capitol  
15 complex:

16 FY 2004-2005..... \$ 35,000

17 2. DEPARTMENT FOR THE BLIND

18 For the remodeling of the orientation center:

19 FY 2004-2005..... \$ 67,000

20 3. STATE BOARD OF REGENTS

21 For maintenance at the Iowa school for the deaf and the  
22 Iowa braille and sight saving school:

23 FY 2004-2005..... \$ 500,000

24 4. DEPARTMENT OF CORRECTIONS

25 For costs of entering into a lease-purchase agreement to  
26 connect the electrical system supporting the special needs  
27 unit at Fort Madison:

28 FY 2004-2005..... \$ 333,168

29 5. DEPARTMENT OF ECONOMIC DEVELOPMENT

30 For accelerated career education program capital projects  
31 at community colleges that are authorized under chapter 260G  
32 and that meet the definition of "vertical infrastructure" in  
33 section 8.57, subsection 5, paragraph "c":

34 FY 2004-2005..... \$ 5,500,000

35 The moneys appropriated in this subsection shall be

1 allocated equally among the community colleges in the state.  
2 If any portion of the equal allocation to a community college  
3 is not obligated or encumbered by April 1, 2005, the  
4 unobligated and unencumbered portions shall be available for  
5 use by other community colleges.

6 6. DEPARTMENT OF EDUCATION

7 a. To provide resources for structural and technological  
8 improvements to local libraries and for the enrich Iowa  
9 program, notwithstanding section 8.57, subsection 5, paragraph  
10 "c":

11 FY 2004-2005..... \$ 600,000

12 Funds allocated for purposes of the enrich Iowa program as  
13 provided in this lettered paragraph shall be distributed by  
14 the division of libraries and information services to provide  
15 support for Iowa's libraries.

16 b. For maintenance and lease costs associated with part  
17 III connections, notwithstanding section 8.57, subsection 5,  
18 paragraph "c":

19 FY 2004-2005..... \$ 2,727,000

20 c. For costs associated with the remodeling of the Jessie  
21 Parker building:

22 FY 2004-2005..... \$ 303,632

23 7. DEPARTMENT OF HUMAN SERVICES

24 To provide a grant for the planning, design, and  
25 construction of a residential treatment facility for youth  
26 with emotional and behavioral disorders:

27 FY 2004-2005..... \$ 250,000

28 8. IOWA STATE FAIR AUTHORITY

29 For vertical infrastructure projects on the state  
30 fairgrounds:

31 FY 2004-2005..... \$ 250,000

32 For purposes of this subsection, "vertical infrastructure"  
33 means the same as defined in section 8.57, subsection 5,  
34 paragraph "c".

35 9. NATIONAL PROGRAM FOR PLAYGROUND SAFETY AT THE

1 UNIVERSITY OF NORTHERN IOWA

2 For the Iowa safe surfacing initiative, notwithstanding  
3 section 8.57, subsection 5, paragraph "c":

4 ..... \$ 500,000

5 Not more than 2.5 percent of the funds appropriated in this  
6 subsection shall be used by the national program for  
7 playground safety for administrative costs associated with the  
8 Iowa safe surfacing initiative.

9 The crumb rubber playground tiles for the initiative shall  
10 be international play equipment manufacturers association  
11 (IPEMA)-certified to the American society for testing and  
12 materials (ASTM) F1292 standard.

13 10. DEPARTMENT OF PUBLIC DEFENSE

14 a. For planning, design, and construction of a national  
15 guard readiness center in or near Iowa City:

16 FY 2004-2005..... \$ 2,150,000

17 b. For maintenance and repair of national guard armories  
18 and facilities:

19 FY 2004-2005..... \$ 1,269,636

20 c. For construction of a new national guard armory at  
21 Boone:

22 FY 2004-2005..... \$ 1,096,000

23 11. IOWA DEPARTMENT OF PUBLIC HEALTH

24 For treatment of addictive disorders, to be utilized for  
25 the benefit of persons with addictions, notwithstanding  
26 section 8.57, subsection 5, paragraph "c":

27 FY 2004-2005..... \$ 1,690,000

28 It is the intent of the general assembly that from the  
29 moneys appropriated in this subsection, persons with a dual  
30 diagnosis of substance abuse and gambling addictions shall be  
31 given priority in treatment services.

32 12. DEPARTMENT OF PUBLIC SAFETY

33 a. For capitol building and judicial building security,  
34 notwithstanding section 8.57, subsection 5, paragraph "c":

35 FY 2004-2005..... \$ 800,000

1 b. To expand the current capitol building card access  
2 system to additional buildings and controlled-access parking  
3 lots on the capitol complex, notwithstanding section 8.57,  
4 subsection 5, paragraph "c":

5 FY 2004-2005..... \$ 650,000

6 c. For costs of entering into a lease-purchase agreement  
7 to upgrade the automated fingerprint identification system,  
8 notwithstanding section 8.57, subsection 5, paragraph "c":

9 FY 2004-2005..... \$ 550,000

10 d. For costs associated with improvements to Iowa's  
11 electronic criminal information records system to comply with  
12 national crime information center standards, notwithstanding  
13 section 8.57, subsection 5, paragraph "c":

14 FY 2004-2005..... \$ 500,000

15 13. STATE DEPARTMENT OF TRANSPORTATION

16 a. For operation and maintenance of the network of  
17 automated weather observation and data transfer systems  
18 associated with the Iowa aviation weather system, the runway  
19 marking program for public airports, the windsock program for  
20 public airports, and the aviation improvement program,  
21 notwithstanding section 8.57, subsection 5, paragraph "c":

22 FY 2004-2005..... \$ 500,000

23 b. For vertical infrastructure improvements at the  
24 commercial air service airports within the state:

25 FY 2004-2005..... \$ 1,100,000

26 One-half of the funds appropriated in this lettered  
27 paragraph shall be allocated equally between each commercial  
28 service airport, 40 percent of the funds shall be allocated  
29 based on the percentage that the number of enplaned passengers  
30 at each commercial service airport bears to the total number  
31 of enplaned passengers in the state during the previous fiscal  
32 year, and 10 percent of the funds shall be allocated based on  
33 the percentage that the air cargo tonnage at each commercial  
34 service airport bears to the total air cargo tonnage in the  
35 state during the previous fiscal year. In order for a

1 commercial service airport to receive funding under this  
2 lettered paragraph, the airport shall be required to submit  
3 applications for funding of specific projects to the  
4 department for approval by the state transportation  
5 commission.

6 c. For a vertical infrastructure improvement grant program  
7 for improvements at general aviation airports within the  
8 state:

9 FY 2004-2005..... \$ 581,400

10 14. OFFICE OF TREASURER OF STATE

11 For county fair infrastructure improvements for  
12 distribution in accordance with chapter 174 to qualified fairs  
13 which belong to the association of Iowa fairs:

14 FY 2004-2005..... \$ 1,060,000

15 15. COMMISSION OF VETERANS AFFAIRS

16 For deposit in the veterans trust fund established in  
17 section 35A.13, notwithstanding section 8.57, subsection 5,  
18 paragraph "c":

19 FY 2004-2005..... \$ 1,000,000

20 Sec. 2. PAYMENTS IN LIEU OF TUITION. There is

21 appropriated from the rebuild Iowa infrastructure fund to the  
22 state board of regents for the fiscal year beginning July 1,  
23 2004, and ending June 30, 2005, the following amount, or so  
24 much thereof as may be necessary, to be used for the purpose  
25 designated:

26 For allocation by the state board of regents to the state  
27 university of Iowa, the Iowa state university of science and  
28 technology, and the university of northern Iowa to reimburse  
29 the institutions for deficiencies in their operating funds  
30 resulting from the pledging of tuitions, student fees and  
31 charges, and institutional income to finance the cost of  
32 providing academic and administrative buildings and facilities  
33 and utility services at the institutions, notwithstanding  
34 section 8.57, subsection 5, paragraph "c":

35 ..... \$ 858,764

1     Sec. 3. REVERSION. Notwithstanding section 8.33, moneys  
2 appropriated in sections 1 and 2 of this division of this Act  
3 shall not revert at the close of the fiscal year for which  
4 they were appropriated but shall remain available for the  
5 purposes designated until the close of the fiscal year that  
6 begins July 1, 2007, or until the project for which the  
7 appropriation was made is completed, whichever is earlier.

8     Sec. 4. 2003 Iowa Acts, chapter 177, section 6, subsection  
9 2, is amended to read as follows:

10     2. For costs associated with the ~~planning-for-the-vacation~~  
11 ~~and-demolition disposition~~ of the Wallace building:

12 ..... \$           50,000

13     The amount appropriated in this subsection shall be used to  
14 conduct a complete evaluation and analysis regarding the  
15 condition of the Wallace building and to make a recommendation  
16 to the general assembly no later than January 31, 2005, as to  
17 whether the Wallace building should be renovated for future  
18 use or vacated and demolished. The recommendation shall  
19 include cost estimates for renovation of the building and for  
20 its demolition.

21     Sec. 5. 2003 Iowa Acts, chapter 177, section 14, is  
22 amended to read as follows:

23     SEC. 14. REVERSION. Notwithstanding section 8.33, moneys  
24 appropriated in this division of this Act shall not revert at  
25 the close of the fiscal year for which they were appropriated  
26 but shall remain available for the purposes designated until  
27 the close of the fiscal year that begins July 1, ~~2006~~ 2007, or  
28 until the project for which the appropriation was made is  
29 completed, whichever is earlier.

30     Sec. 6. 2003 Iowa Acts, chapter 179, section 140, is  
31 amended to read as follows:

32     SEC. 140. Notwithstanding section 8.33, unencumbered and  
33 unobligated funds remaining from the appropriation made in  
34 1996 Iowa Acts, chapter 1218, section 13, subsection 2,  
35 paragraph "a", subparagraph (2), as amended by 1997 Iowa Acts,

1 chapter 215, section 3, and from the appropriation made in  
2 1997 Iowa Acts, chapter 215, section 4, subsection 1, shall  
3 not revert but shall be available for the purposes designated  
4 in those provisions until the close of the fiscal year  
5 beginning July 1, ~~2003~~ 2004.

6 Of the amount of unencumbered and unobligated funds  
7 identified in this section, \$180,000 shall be used for the  
8 purposes described in 2003 Iowa Acts, chapter 177, section 6,  
9 subsection 2, as amended by this 2004 Act.

10 Sec. 7. 2002 Iowa Acts, chapter 1173, section 18, as  
11 amended by 2003 Iowa Acts, chapter 179, section 39, is amended  
12 to read as follows:

13 SEC. 18. POOLED TECHNOLOGY FUNDING -- PRIOR ALLOCATIONS --  
14 NONREVERSION. Notwithstanding section 8.33, moneys  
15 appropriated and allocated in 2001 Iowa Acts, chapter 189,  
16 section 5, subsection 1, which remain unobligated or  
17 unexpended at the close of the fiscal year for which they were  
18 appropriated shall not revert, but shall remain available for  
19 expenditure for the purposes for which they were appropriated  
20 and allocated, for the fiscal period beginning July 1, 2002,  
21 and ending June 30, ~~2004~~ 2005. Notwithstanding the  
22 expenditure limitation in this section, the information  
23 technology enterprise within the department of administrative  
24 services may expend available moneys in the pooled technology  
25 account established in the office of the treasurer of state to  
26 complete the comprehensive study required under 2003 Iowa  
27 Acts, chapter 145, section 290, subsection 2, paragraph "c".

28 Sec. 8. 2000 Iowa Acts, chapter 1225, section 2, as  
29 amended by 2001 Iowa Acts, chapter 185, section 2, is amended  
30 to read as follows:

31 SEC. 2. There is appropriated from the rebuild Iowa  
32 infrastructure fund to the department of corrections for the  
33 fiscal year beginning July 1, 2000, and ending June 30, 2001,  
34 the following amounts, or so much thereof as is necessary, to  
35 be used for the purposes designated:

1 1. To supplement funds appropriated in 1998 Iowa Acts,  
2 chapter 1219, section 2, subsection 3, for construction of a  
3 200-bed facility at the Iowa state penitentiary at Fort  
4 Madison:

5 ..... \$ 3,000,000

6 2. For community-based corrections projects:

7 ..... \$ 900,000

8 The first \$300,000 of the amount appropriated in this  
9 subsection shall be allocated for community-based corrections  
10 projects in Council Bluffs. The next \$600,000 of the amount  
11 appropriated in this subsection shall be allocated for  
12 community-based corrections projects in the judicial district  
13 in which the city of Davenport is located. These moneys may  
14 be used by the department to enter into lease-purchasing  
15 agreements or the payment of rent for such projects.

16 Notwithstanding section 8.33 and section 20 of this Act,  
17 moneys appropriated in subsection 2 that remain unencumbered  
18 or unobligated at the close of the fiscal year that begins  
19 July 1, 2003, shall revert at the close of the fiscal year  
20 that begins July 1, 2006. However, if the projects for which  
21 the moneys are appropriated are completed in an earlier fiscal  
22 year, unencumbered or unobligated moneys shall revert at the  
23 close of that fiscal year.

24 Sec. 9. 2000 Iowa Acts, chapter 1225, section 19,  
25 unnumbered paragraph 2, is amended to read as follows:

26 To supplement moneys appropriated in prior fiscal years for  
27 construction of a new dining hall and food services facility  
28 and renovation of the former Sheeler food preparation area:

29 ..... \$ 992,000

30 Sec. 10. 2000 Iowa Acts, chapter 1225, section 20, is  
31 amended to read as follows:

32 SEC. 20. REVERSION. Notwithstanding section 8.33, moneys  
33 appropriated in this division of this Act that remain  
34 unencumbered or unobligated at the close of the fiscal year  
35 that begins July 1, ~~2003~~ 2004, shall revert at the close of

1 that fiscal year. However, if the projects for which the  
2 moneys are appropriated are completed in an earlier fiscal  
3 year, unencumbered or unobligated moneys shall revert at the  
4 close of that fiscal year.

5 Sec. 11. GAMBLING TREATMENT FUND APPROPRIATION -- REPEAL.  
6 The section of 2004 Iowa Acts, Senate File 2298, appropriating  
7 moneys from the gambling treatment fund to the Iowa department  
8 of public health, if enacted, is repealed.

9 Sec. 12. Sections 4, 6, 7, 8, 9, and 10 of this division  
10 of this Act, being deemed of immediate importance, take effect  
11 upon enactment.

12 DIVISION II

13 ENVIRONMENT FIRST FUND

14 Sec. 13. There is appropriated from the environment first  
15 fund to the following departments and agencies for the fiscal  
16 year beginning July 1, 2004, and ending June 30, 2005, the  
17 following amounts, or so much thereof as is necessary, to be  
18 used for the purposes designated:

19 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

20 a. For the conservation reserve enhancement program to  
21 restore and construct wetlands for the purposes of  
22 intercepting tile line runoff, reducing nutrient loss,  
23 improving water quality, and enhancing agricultural production  
24 practices:

25 ..... \$ 1,500,000

26 Not more than 5 percent of the moneys appropriated in this  
27 lettered paragraph may be used for costs of administration and  
28 implementation of soil and water conservation practices.

29 b. For continuation of a program that provides  
30 multiobjective resource protections for flood control, water  
31 quality, erosion control, and natural resource conservation:

32 ..... \$ 2,700,000

33 Not more than 5 percent of the moneys appropriated in this  
34 lettered paragraph may be used for costs of administration and  
35 implementation of soil and water conservation practices.

1 c. For continuation of a statewide voluntary farm  
2 management demonstration program to demonstrate the  
3 effectiveness and adaptability of emerging practices in  
4 agronomy that protect water resources and provide other  
5 environmental benefits:

6 ..... \$ 850,000

7 Not more than 5 percent of the moneys appropriated in this  
8 lettered paragraph may be used for costs of administration and  
9 implementation of soil and water conservation practices.

10 Of the amount appropriated in this lettered paragraph,  
11 \$400,000 shall be allocated to the Iowa soybean association's  
12 agriculture and environment performance program.

13 d. For deposit in the alternative drainage system  
14 assistance fund created in section 460.303 to be used for  
15 purposes of supporting the alternative drainage system  
16 assistance program as provided in section 460.304:

17 ..... \$ 500,000

18 Not more than 5 percent of the moneys appropriated in this  
19 lettered paragraph may be used for costs of administration and  
20 implementation of soil and water conservation practices.

21 e. To provide financial assistance for the establishment  
22 of permanent soil and water conservation practices:

23 ..... \$ 5,500,000

24 (1) Not more than 5 percent of the moneys appropriated in  
25 this lettered paragraph may be allocated for cost-sharing to  
26 abate complaints filed under section 161A.47.

27 (2) Of the moneys appropriated in this lettered paragraph,  
28 5 percent shall be allocated for financial incentives to  
29 establish practices to protect watersheds above publicly owned  
30 lakes of the state from soil erosion and sediment as provided  
31 in section 161A.73.

32 (3) Not more than 30 percent of a district's allocation of  
33 moneys as financial incentives may be provided for the purpose  
34 of establishing management practices to control soil erosion  
35 on land that is row-cropped, including but not limited to no-

1 till planting, ridge-till planting, contouring, and contour  
2 strip-cropping as provided in section 161A.73.

3 (4) The state soil conservation committee created in  
4 section 161A.4 may allocate moneys appropriated in this  
5 lettered paragraph to conduct research and demonstration  
6 projects to promote conservation tillage and nonpoint source  
7 pollution control practices.

8 (5) The financial incentive payments may be used in  
9 combination with department of natural resources moneys.

10 (6) Not more than 10 percent of the moneys appropriated in  
11 this lettered paragraph may be used for costs of  
12 administration and implementation of soil and water  
13 conservation practices.

14 (7) A minimum of 50 percent of state conservation cost-  
15 share and state-controlled federal funds shall be used to make  
16 improvements in watersheds of impaired waters as identified by  
17 the 303d list.

18 f. To encourage and assist farmers in enrolling in and the  
19 implementation of federal conservation programs and work with  
20 them to enhance their revegetation efforts to improve water  
21 quality and habitat:

22 ..... \$ 2,000,000

23 Not more than 5 percent of the moneys appropriated in this  
24 lettered paragraph may be used for costs of administration and  
25 implementation of soil and water conservation practices.

26 g. For deposit in the loess hills development and  
27 conservation fund created in section 161D.2:

28 ..... \$ 600,000

29 Of the amount appropriated in this lettered paragraph,  
30 \$400,000 shall be allocated to the hungry canyons account and  
31 \$200,000 shall be allocated to the loess hills alliance  
32 account, to be used for the purposes for which the moneys in  
33 those accounts are authorized to be used under chapter 161D.

34 No more than 5 percent of the moneys allocated to each account  
35 in this lettered paragraph may be used for administrative

1 costs.

2 h. For deposit in the southern Iowa development and  
3 conservation fund created in section 161D.12:

4 ..... \$ 300,000

5 No more than 5 percent of the moneys appropriated in this  
6 lettered paragraph may be used for administrative costs.

7 2. DEPARTMENT OF ECONOMIC DEVELOPMENT

8 For deposit in the brownfield redevelopment fund created in  
9 section 15.293 to provide assistance under the brownfield  
10 redevelopment program:

11 ..... \$ 500,000

12 3. DEPARTMENT OF NATURAL RESOURCES

13 a. To provide local watershed managers with geographic  
14 information system data for their use in developing,  
15 monitoring, and displaying results of their watershed work:

16 ..... \$ 195,000

17 b. For statewide coordination of volunteer efforts under  
18 the water quality and keepers of the land programs:

19 ..... \$ 100,000

20 c. For continuing the establishment and operation of water  
21 quality monitoring stations:

22 ..... \$ 2,955,000

23 d. For deposit in the administration account of the water  
24 quality protection fund, to carry out the purposes of that  
25 account:

26 ..... \$ 500,000

27 e. For air quality monitoring equipment:

28 ..... \$ 500,000

29 f. For the dredging of lakes, including necessary  
30 preparation for dredging, in accordance with the department's  
31 classification of Iowa lakes restoration report:

32 ..... \$ 1,000,000

33 The department shall consider the following criteria for  
34 funding lake dredging projects as provided in this lettered  
35 paragraph, and shall prioritize projects based on the

1 following:

2 (1) Documented efforts to address watershed protection,  
3 considering testing, conservation efforts, and amount of time  
4 devoted to watershed protection.

5 (2) Protection of a natural resource and natural habitat.

6 (3) Percentage of public access and undeveloped lakefront  
7 property.

8 (4) Continuation of current projects partially funded by  
9 state resources to achieve department recommendations.

10 g. For purposes of funding capital projects for the  
11 purposes specified in section 452A.79, and for expenditures  
12 for the local cost share grants to be used for capital  
13 expenditures to local governmental units for boating  
14 accessibility:

15 ..... \$ 2,300,000

16 h. For regular maintenance of state parks and staff time  
17 associated with these activities:

18 ..... \$ 2,000,000

19 RESOURCES ENHANCEMENT AND PROTECTION FUND

20 Sec. 14. Notwithstanding the amount of the standing  
21 appropriation from the general fund of the state under section  
22 455A.18, subsection 3, there is appropriated from the  
23 environment first fund to the Iowa resources enhancement and  
24 protection fund, in lieu of the appropriation made in section  
25 455A.18, for the fiscal year beginning July 1, 2004, and  
26 ending June 30, 2005, the following amount, to be allocated as  
27 provided in section 455A.19:

28 ..... \$ 11,000,000

29 Sec. 15. REVERSION.

30 1. Except as provided in subsection 2, and notwithstanding  
31 section 8.33, moneys appropriated in this division of this Act  
32 that remain unencumbered or unobligated shall not revert at  
33 the close of the fiscal year for which they were appropriated  
34 but shall remain available for the purposes designated until  
35 the close of the fiscal year beginning July 1, 2005, or until

1 the project for which the appropriation was made is completed,  
2 whichever is earlier.

3 2. Notwithstanding section 8.33, moneys appropriated in  
4 this division of this Act to the department of agriculture and  
5 land stewardship to provide financial assistance for the  
6 establishment of permanent soil and water conservation  
7 practices that remain unencumbered or unobligated at the close  
8 of the fiscal year shall not revert but shall remain available  
9 for expenditure for the purposes designated until the close of  
10 the fiscal year that begins July 1, 2007.

11 DIVISION III

12 TOBACCO SETTLEMENT TRUST FUND

13 Sec. 16. There is appropriated from the tax-exempt bond  
14 proceeds restricted capital funds account of the tobacco  
15 settlement trust fund to the following departments and  
16 agencies for the fiscal year beginning July 1, 2004, and  
17 ending June 30, 2005, the following amounts, or so much  
18 thereof as is necessary, to be used for the purposes  
19 designated:

20 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

21 a. For the payment of claims relating to the purchase and  
22 implementation of an integrated information for Iowa system,  
23 notwithstanding section 12E.12, subsection 1, paragraph "b",  
24 subparagraph (1):

25 ..... \$ 6,049,284

26 b. For capitol interior restoration:

27 ..... \$ 3,000,000

28 2. TAX-EXEMPT STATUS -- USE OF APPROPRIATIONS. Payment of  
29 moneys from the appropriations in this section shall be made  
30 in a manner that does not adversely affect the tax-exempt  
31 status of any outstanding bonds issued by the tobacco  
32 settlement authority.

33 3. REVERSION. Notwithstanding section 8.33, moneys  
34 appropriated in this section shall not revert at the close of  
35 the fiscal year for which they were appropriated but shall

1 remain available for the purposes designated until the close  
2 of the fiscal year that begins July 1, 2006, or until the  
3 project for which the appropriation was made is completed,  
4 whichever is earlier.

5 Sec. 17. PAYMENTS IN LIEU OF TUITION. There is  
6 appropriated from the tax-exempt bond proceeds restricted  
7 capital funds account of the tobacco settlement trust fund of  
8 the state to the state board of regents for the fiscal year  
9 beginning July 1, 2004, and ending June 30, 2005, the  
10 following amount, or so much thereof as is necessary, to be  
11 used for the purpose designated:

12 For allocation by the state board of regents to the state  
13 university of Iowa, the Iowa state university of science and  
14 technology, and the university of northern Iowa to reimburse  
15 the institutions for deficiencies in their operating funds  
16 resulting from the pledging of tuitions, student fees and  
17 charges, and institutional income to finance the cost of  
18 providing academic and administrative buildings and facilities  
19 and utility services at the institutions, notwithstanding  
20 section 12E.12, subsection 1, paragraph "b", subparagraph (1):  
21 ..... \$ 10,437,174

22 Sec. 18. IOWA COMMUNICATIONS NETWORK DEBT SERVICE. There  
23 is appropriated from the tax-exempt bond proceeds restricted  
24 capital funds account of the tobacco settlement trust fund to  
25 the office of the treasurer of state for the fiscal year  
26 beginning July 1, 2004, and ending June 30, 2005, the  
27 following amount, or so much thereof as is necessary, to be  
28 used for the purpose designated:

29 For debt service for the Iowa communications network,  
30 notwithstanding section 12E.12, subsection 1, paragraph "b",  
31 subparagraph (1):  
32 ..... \$ 13,039,778

33 Funds appropriated in this section shall be deposited in a  
34 separate fund established in the office of the treasurer of  
35 state to be used solely for debt service for the Iowa

1 communications network. The Iowa telecommunications and  
2 technology commission shall certify to the treasurer of state  
3 when a debt service payment is due, and upon receipt of the  
4 certification, the treasurer shall make the payment. The  
5 commission shall pay any additional amount due from funds  
6 deposited in the Iowa communications network fund.

7 Sec. 19. PRISON DEBT SERVICE. There is appropriated from  
8 the tax-exempt bond proceeds restricted capital funds account  
9 of the tobacco settlement trust fund to the office of the  
10 treasurer of state for the fiscal year beginning July 1, 2004,  
11 and ending June 30, 2005, the following amount, or so much  
12 thereof as is necessary, to be used for the purpose  
13 designated:

14 For repayment of prison infrastructure bonds under section  
15 16.177, notwithstanding section 12E.12, subsection 1,  
16 paragraph "b", subparagraph (1):

17 ..... \$ 5,413,324

18 Sec. 20. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT -- TRANSFER  
19 TO REBUILD IOWA INFRASTRUCTURE FUND. Notwithstanding 2001  
20 Iowa Acts, chapter 174, section 1, subsection 1, as amended by  
21 2002 Iowa Acts, chapter 1167, section 4, 2002 Iowa Acts,  
22 chapter 1174, section 8, and 2002 Iowa Acts, chapter 1175,  
23 section 95, there is transferred from the endowment for Iowa's  
24 health account of the tobacco settlement trust fund created in  
25 section 12E.12 to the rebuild Iowa infrastructure fund for the  
26 fiscal year beginning July 1, 2004, and ending June 30, 2005,  
27 the following amount:

28 ..... \$ 966,960

29 Notwithstanding section 8.33, moneys transferred in this  
30 section shall not revert.

31 Sec. 21. 2003 Iowa Acts, chapter 177, section 23,  
32 subsection 3, is amended to read as follows:

33 3. Notwithstanding section 8.33, moneys appropriated in  
34 this section shall not revert at the close of the fiscal year  
35 for which they were appropriated, but shall remain available

1 for the purpose designated until the close of the fiscal year  
2 that begins July 1, ~~2008~~ 2006, or until the project for which  
3 the appropriation was made is completed, whichever is earlier.

4 Sec. 22. 2003 Iowa Acts, chapter 177, section 22,  
5 subsection 8, is amended to read as follows:

6 8. DEPARTMENT OF PUBLIC SAFETY

7 For improvements to the capitol complex security system,  
8 notwithstanding section 12E.12, subsection 1, paragraph "b",  
9 subparagraph (1):

10 ..... \$ 1,000,000

11 The moneys appropriated in this subsection may be used to  
12 expand the current capitol building card access system to  
13 additional buildings and controlled-access parking lots on the  
14 capitol complex.

15 Sec. 23. 2002 Iowa Acts, chapter 1173, section 1,  
16 subsection 7, paragraph a, is amended to read as follows:

17 a. For parking improvements and provision of street access  
18 for the judicial building:

19	FY 2002-2003 .....	\$	700,000
20	FY 2003-2004 .....	\$	0
21	FY 2004-2005 .....	\$	0
22	FY 2005-2006 .....	\$	0

23 Of the amount appropriated in this subsection for FY 2002-  
24 2003, up to \$330,000 may be used for costs associated with  
25 operation of the judicial building, notwithstanding section  
26 12E.12, subsection 1, paragraph "b", subparagraph (1).

27 DIVISION IV

28 MISCELLANEOUS FUNDS

29 Sec. 24. GENERAL FUND APPROPRIATIONS. There is  
30 appropriated from the general fund of the state to the state  
31 department of transportation for the fiscal year beginning  
32 July 1, 2004, and ending June 30, 2005, the following amount,  
33 or so much thereof as is necessary, to be used for the  
34 purposes designated:

35 For the rail assistance program and to provide economic

1 pursuant to this section during calendar year 2003, whether  
2 such interest has accrued prior to the effective date of this  
3 Act or will accrue on or after the effective date of this Act.  
4 In addition, each principal payment due under the assigned  
5 loan shall be deferred for three years from its respective  
6 payment date.

7 Sec. 32. Section 28M.1, if enacted by 2004 Iowa Acts,  
8 Senate File 2284, section 1, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 3. "Transportation" means the movement of  
11 individuals in a four or more wheeled motorized vehicle  
12 designed to carry passengers, including a car, van, or bus, or  
13 the carrying of individuals upon cars operated upon stationary  
14 rails, between one geographic point and another geographic  
15 point. "Transportation" does not include emergency or  
16 incidental transportation or transportation conducted by the  
17 department of human services at its institutions.

18 Sec. 33. Section 28M.2, subsections 1 and 3, if enacted by  
19 2004 Iowa Acts, Senate File 2284, section 2, are amended to  
20 read as follows:

21 1. A county with a population in excess of three one  
22 hundred seventy-five thousand and participating cities may  
23 create, by chapter 28E agreement, a regional transit district  
24 in the county pursuant to this chapter. Two or more  
25 contiguous counties and participating cities may create, by  
26 chapter 28E agreement, a regional transit district pursuant to  
27 this chapter if one of the counties has a population in excess  
28 of three one hundred seventy-five thousand. A district shall  
29 consist of the unincorporated area of any participating county  
30 and the incorporated area of any city in the county that does  
31 not have an urban transit system. However, a city without an  
32 urban transit system may decline, by resolution forwarded to  
33 the board of supervisors, to participate in a regional transit  
34 district.

35 3. A city that is located in a nonparticipating county

1 that is contiguous to a county with a population in excess of  
2 three one hundred seventy-five thousand that is creating a  
3 regional transit district may notify that county, by  
4 resolution forwarded to the board of supervisors of that  
5 county, that the city wishes to participate.

6 Sec. 34. Section 28M.5, subsection 1, unnumbered paragraph  
7 2, if enacted by 2004 Iowa Acts, Senate File 2284, section 5,  
8 is amended to read as follows:

9 The amount of the regional transit district levy that is  
10 the responsibility of a participating county shall be deducted  
11 from the maximum rates of taxes authorized to be levied by the  
12 county pursuant to section 331.423, subsections 1 and 2, as  
13 applicable. However, for a regional transit district that  
14 includes a county with a population of less than three hundred  
15 thousand, the amount of the regional transit district levy  
16 that is the responsibility of a participating county shall be  
17 deducted from the maximum rate of taxes authorized to be  
18 levied by the county pursuant to section 331.423, subsection  
19 1.

20 Sec. 35. Section 99F.4A, subsection 8, as amended by 2004  
21 Iowa Acts, House File 2302, if enacted, is amended by striking  
22 the subsection and inserting in lieu thereof the following:

23 8. The commission shall, upon the immediate payment of the  
24 applicable table games license fee and submission to the  
25 commission by December 31, 2004, of an application by a  
26 licensee of a pari-mutuel dog or horse racetrack licensed to  
27 conduct gambling games at a pari-mutuel racetrack enclosure,  
28 issue a license to the licensee to conduct table games of  
29 chance, including video machines that simulate table games of  
30 chance, at the pari-mutuel racetrack enclosure subject to the  
31 requirements of this subsection. The application shall  
32 identify the number of table games to be installed by the  
33 licensee. However, a table games license shall only be issued  
34 to a licensee required to pay a table games license fee of  
35 three million dollars under this subsection if the licensee,

1 and all other licensees of an excursion gambling boat in that  
2 county, file an agreement with the commission authorizing the  
3 granting of a table games license under this subsection and  
4 permitting all licensees of an excursion gambling boat to  
5 operate a barge as of a specific date. The licensee shall be  
6 granted a table games license by the commission without  
7 conducting a separate referendum authorizing table games upon  
8 payment of the applicable license fee to the commission which  
9 table games license fee may be offset by the licensee against  
10 taxes imposed on the licensee by section 99F.11, to the extent  
11 of twenty percent of the table games license fee paid pursuant  
12 to this subsection for each of the five years following the  
13 year in which the table games license fee was paid. A  
14 licensee shall not be required to pay a fee to renew a table  
15 games license issued pursuant to this subsection.

16 For purposes of this subsection, the applicable license fee  
17 for a licensee shall be three million dollars if the adjusted  
18 gross receipts from gambling games for the licensee in the  
19 previous fiscal year was less than one hundred million  
20 dollars, and shall be ten million dollars if the adjusted  
21 gross receipts from gambling games for the licensee in the  
22 previous fiscal year was one hundred million dollars or more.

23 Sec. 36. Section 260C.18A, subsection 3, Code Supplement  
24 2003, is amended to read as follows:

25 3. Of the moneys appropriated in this section, for the  
26 fiscal period beginning July 1, 2003, and ending June 30, 2006  
27 2007, the following amounts shall be designated for the  
28 purposes of funding job retention projects under section  
29 260F.9:

30 a. One million dollars for the fiscal year beginning July  
31 1, 2003.

32 b. One million dollars for the fiscal year beginning July  
33 1, 2004.

34 c. One million dollars for the fiscal year beginning July  
35 1, 2005.

1 d. One million dollars for the fiscal year beginning July  
2 1, 2006. However, this paragraph only applies if moneys  
3 allocated under paragraph "a" were distributed to community  
4 colleges as provided under subsection 8.

5 Sec. 37. Section 260C.18A, Code Supplement 2003, is  
6 amended by adding the following new subsection:

7 NEW SUBSECTION. 8. If moneys allocated under subsection  
8 3, paragraph "a", are unobligated and unencumbered on June 30,  
9 2004, those moneys shall be distributed to community colleges  
10 in accordance with subsection 5 for the fiscal year beginning  
11 July 1, 2004, and ending June 30, 2005.

12 Sec. 38. Section 306.46, as enacted by 2004 Iowa Acts,  
13 Senate File 2118, section 1, is amended by adding the  
14 following new subsection:

15 NEW SUBSECTION. 3. This section shall not impair or  
16 interfere with a city's authority to grant, amend, extend, or  
17 renew a franchise as provided in section 364.2, and shall not  
18 impair or interfere with a city's existing general police  
19 powers to control the use of its right-of-way.

20 Sec. 39. NEW SECTION. 327F.38 FIRST AID AND MEDICAL  
21 TREATMENT FOR EMPLOYEES.

22 The department shall adopt rules requiring railroad  
23 corporations within the state to provide reasonable and  
24 adequate access to first aid and medical treatment for  
25 employees injured in the course of employment. A railroad  
26 corporation found guilty of a rule adopted pursuant to this  
27 section shall, upon conviction, be subject to a schedule "one"  
28 penalty.

29 Sec. 40. 2003 Iowa Acts, chapter 145, section 290,  
30 subsection 2, paragraph c, is amended to read as follows:

31 c. By ~~September~~ December 1, 2004, the department of  
32 administrative services, with the assistance of the department  
33 of management, shall conduct a comprehensive study of the  
34 impact of transferring all state agency employees delivering  
35 information technology services to the department of

1 administrative services and of the impact of physically  
2 merging the data centers of the department, the state  
3 department of transportation, and the department of workforce  
4 development, into one data center. The study shall include an  
5 assessment of advantages and disadvantages, economies of  
6 scale, cost, and space availability, and shall solicit input  
7 from outside vendors, both public and private. The department  
8 shall report to the legislative ~~fiscal-bureau~~ services agency  
9 and the committees on government oversight of the senate and  
10 house of representatives on the department's findings and  
11 recommendations by ~~November-17~~ December 15, 2004.

12 Sec. 41. MENTAL HEALTH INSTITUTE AT CHEROKEE. If building  
13 space located at the state mental health institute at Cherokee  
14 being used by an organization other than the state will be  
15 vacated by the organization, the department of human services  
16 shall reserve the space to be available for the purposes  
17 described in this section. The department shall develop a  
18 plan for using vacant building space at the institute for a  
19 program to address the treatment needs of persons with a  
20 developmental disability who exhibit sexually violent behavior  
21 and are residents at state resource centers or other  
22 residential settings.

23 Sec. 42. EFFECTIVE DATE. The sections of this division of  
24 this Act amending section 260C.18A, Code Supplement 2003,  
25 being deemed of immediate importance, take effect upon  
26 enactment.

27 Sec. 43. EFFECTIVE DATE. The section of this division of  
28 this Act amending section 306.46, being deemed of immediate  
29 importance, takes effect upon enactment.

30 DIVISION VII  
31 CORRECTIVE PROVISIONS

32 Sec. 44. Section 9E.6A, unnumbered paragraph 1, Code 2003,  
33 as amended by 2004 Iowa Acts, House File 2516, section 1, if  
34 enacted, is amended to read as follows:

35 Each person performing a notarial act pursuant to section

1 9E.10 must acquire and use a stamp or seal as provided in this  
2 chapter. However, this section shall not apply to a notarial  
3 act performed by a judicial officer as defined in section  
4 602.1101, if the notarial act is performed in accordance with  
5 state or federal statutory authority, ~~or-is~~ and shall not  
6 apply to a certification by a chief officer or a chief  
7 officer's designee of a peace officer's verification of a  
8 uniform citation and complaint pursuant to section 805.6,  
9 subsection 5.

10 Sec. 45. Section 9H.1, subsection 17, Code Supplement  
11 2003, is amended to read as follows:

12 17. "Limited partnership" means a limited partnership as  
13 defined in section 487.101~~7~~~~-subsection-77~~~~-and~~ or 488.102, or a  
14 limited liability limited partnership under section 487.1301  
15 or chapter 488, which owns or leases agricultural land or is  
16 engaged in farming.

17 Sec. 46. Section 9H.1, subsection 17, Code Supplement  
18 2003, as amended by this division of this Act to take effect  
19 January 1, 2005, is amended to read as follows:

20 17. "Limited partnership" means a limited partnership as  
21 defined in section ~~487.101~~~~-or~~ 488.102, or a limited liability  
22 limited partnership under ~~section-487-1301~~~~-or~~ chapter 488,  
23 which owns or leases agricultural land or is engaged in  
24 farming.

25 Sec. 47. Section 10B.1, subsection 8, Code Supplement  
26 2003, is amended to read as follows:

27 8. "Limited partnership" means a foreign or domestic  
28 limited partnership, including a limited partnership as  
29 defined in section 487.101~~7~~~~-subsection-7~~ or 488.102, and a  
30 domestic or foreign limited liability limited partnership  
31 under section 487.1301 or 487.1303, or chapter 488.

32 Sec. 48. Section 10B.1, subsection 8, Code Supplement  
33 2003, as amended by this division of this Act to take effect  
34 January 1, 2005, is amended to read as follows:

35 8. "Limited partnership" means a foreign or domestic

1 limited partnership, including a limited partnership as  
2 defined in section ~~487.101~~-or 488.102, and a domestic or  
3 foreign limited liability limited partnership under section  
4 ~~487.1301~~-or-~~487.1303~~, or chapter 488.

5 Sec. 49. Section 68A.402, subsection 7, paragraph b, as  
6 amended by 2004 Iowa Acts, House File 2319, section 1, if  
7 enacted, is amended to read as follows:

8 b. COUNTY ELECTIONS. A political committee expressly  
9 advocating the nomination, election, or defeat of candidates  
10 for county office shall file reports on the same dates as a  
11 candidate's committee is required to file reports under  
12 subsection 2, paragraph "a" and subsection 5, paragraph "b".

13 Sec. 50. Section 68A.503, subsection 4, unnumbered  
14 paragraph 1, as amended by 2004 Iowa Acts, House File 2318,  
15 section 7, if enacted, is amended to read as follows:

16 The prohibitions in ~~sections~~ subsections 1 and 2 shall not  
17 apply to an insurance company, savings and loan association,  
18 bank, credit union, or corporation engaged in any of the  
19 following activities:

20 Sec. 51. Section 99B.11, subsection 2, paragraph c, Code  
21 2003, as amended by 2004 Iowa Acts, Senate File 2249, section  
22 1, is amended to read as follows:

23 c. Contests or exhibitions of cooking, horticulture,  
24 livestock, poultry, fish or other animals, artwork, hobbywork  
25 or craftwork, except those prohibited by chapter 717A or  
26 ~~section-725.11~~.

27 Sec. 52. Section 174.1, subsection 0B, paragraph a, as  
28 enacted by House File 2403, section 8, is amended to read as  
29 follows:

30 a. The organization owns or leases at least ten acres of  
31 fairgrounds. ~~A-society~~ An organization may meet the  
32 requirement of owning or leasing land, buildings, and  
33 improvements through ownership by a joint entity under chapter  
34 28E.

35 Sec. 53. Section 174.12, subsection 2, unnumbered

1 paragraph 1, Code 2003, as amended by 2004 Iowa Acts, House  
2 File 2403, section 16, is amended to read as follows:

3 A district director of the association representing the  
4 district in which the county is located, and the director of  
5 the Iowa state fair board representing the state fair board  
6 district in which the county is located, certify to the  
7 association that the fair had an accredited delegate in  
8 attendance at at least one of the district meetings, and at  
9 the association's annual meeting.

10 Sec. 54. Section 229.27, subsection 1, Code 2003, is  
11 amended to read as follows:

12 1. Hospitalization of a person under this chapter, either  
13 voluntarily or involuntarily, does not constitute a finding of  
14 nor equate with nor raise a presumption of incompetency, nor  
15 cause the person so hospitalized to be deemed a person of  
16 unsound mind nor a person under legal disability for any  
17 purpose, including but not limited to any circumstances to  
18 which sections 6B.15, 447.7, 487.402, subsection 5, paragraph  
19 "b", section 488.603, subsection 6, paragraph "c", sections  
20 487.705, 488.704, 597.6, 600B.21, 614.8, 614.19, 614.22,  
21 614.24, 614.27, and 633.244 are applicable.

22 Sec. 55. Section 229.27, subsection 1, Code 2003, as  
23 amended by this division of this Act to take effect January 1,  
24 2005, is amended to read as follows:

25 1. Hospitalization of a person under this chapter, either  
26 voluntarily or involuntarily, does not constitute a finding of  
27 nor equate with nor raise a presumption of incompetency, nor  
28 cause the person so hospitalized to be deemed a person of  
29 unsound mind nor a person under legal disability for any  
30 purpose, including but not limited to any circumstances to  
31 which sections 6B.15, 447.7, ~~487.402, subsection 5, paragraph~~  
32 ~~"b"~~, section 488.603, subsection 6, paragraph "c", sections  
33 487.705, 488.704, 597.6, 600B.21, 614.8, 614.19, 614.22,  
34 614.24, 614.27, and 633.244 are applicable.

35 Sec. 56. Section 260C.18A, subsection 2, unnumbered

1 paragraph 1, Code Supplement 2003, is amended to read as  
2 follows:

3 On July 1 of each year for the fiscal year beginning July  
4 1, 2003, and for every fiscal year thereafter, moneys from the  
5 grow Iowa values fund created in section 15G.108 are  
6 appropriated to the department of economic development for  
7 deposit in the workforce training and economic development  
8 funds in amounts determined pursuant to subsection 3 4.  
9 Moneys deposited in the funds and disbursed to community  
10 colleges for a fiscal year shall be expended for the following  
11 purposes, provided seventy percent of the moneys shall be used  
12 on projects in the areas of advanced manufacturing,  
13 information technology and insurance, and life sciences which  
14 include the areas of biotechnology, health care technology,  
15 and nursing care technology:

16 Sec. 57. Section 280A.5, if enacted by 2004 Iowa Acts,  
17 Senate File 2298, is amended to read as follows:

18 SEC. \_\_\_\_ . 280A.5 REPEAL.

19 This ~~section~~ chapter is repealed effective July 1, 2009.

20 Sec. 58. Section 321I.2, unnumbered paragraph 2, if  
21 enacted by 2004 Iowa Acts, Senate File 297, section 45, is  
22 amended to read as follows:

23 The director of transportation may adopt rules not  
24 inconsistent with this chapter regulating the use of all-  
25 terrain vehicles on streets and highways. ~~Cities may~~  
26 ~~designate streets under the jurisdiction of cities within~~  
27 ~~their respective corporate limits which may be used for the~~  
28 ~~sport of driving all-terrain vehicles.~~

29 Sec. 59. Section 321I.10, if enacted by 2004 Iowa Acts,  
30 Senate File 297, section 53, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 2A. Cities may designate streets under  
33 the jurisdiction of cities within their respective corporate  
34 limits which may be used for the sport of driving all-terrain  
35 vehicles.

1     Sec. 60. Section 331.606B, subsection 4, paragraph a, if  
2 enacted by 2004 Iowa Acts, Senate File 371, section 3, is  
3 amended to read as follows:

4     a. A document or instrument that was signed before July 1,  
5 ~~2004~~ 2005.

6     Sec. 61. Section 488.102, subsection 10, paragraph a,  
7 subparagraph (2), as enacted by 2004 Iowa Acts, House File  
8 2347, section 2, is amended to read as follows:

9     (2) A person that was a general partner in a limited  
10 partnership when the limited partnership became subject to  
11 this chapter under section ~~488.1206~~ 488.1204, subsection 1 or  
12 2.

13     Sec. 62. Section 488.102, subsection 12, paragraph a,  
14 subparagraph (2), as enacted by 2004 Iowa Acts, House File  
15 2347, section 2, is amended to read as follows:

16     (2) A person that was a limited partner in a limited  
17 partnership when the limited partnership became subject to  
18 this chapter under section ~~488.1206~~ 488.1204, subsection 1 or  
19 2.

20     Sec. 63. Section 488.102, subsection 13, as enacted by  
21 2004 Iowa Acts, House File 2347, section 2, is amended to read  
22 as follows:

23     13. "Limited partnership", except in the phrases "foreign  
24 limited partnership" and "foreign limited liability limited  
25 partnership", means an entity, having one or more general  
26 partners and one or more limited partners, which is formed  
27 under this chapter by two or more persons or becomes subject  
28 to this chapter under article 11 or section ~~488.1206~~ 488.1204,  
29 subsection 1 or 2. The term includes a limited liability  
30 limited partnership.

31     Sec. 64. Section 488.202, subsection 3, unnumbered  
32 paragraph 1, as enacted by 2004 Iowa Acts, House File 2347,  
33 section 20, is amended to read as follows:

34     A general partner that knows that any information in a  
35 filed certificate of limited partnership was false when the

1 certificate was filed or has become false due to changed  
2 circumstances shall promptly do at least one of the following:

3 Sec. 65. Section 488.209, subsection 1, paragraph c, as  
4 enacted by 2004 Iowa Acts, House File 2347, section 27, is  
5 amended to read as follows:

6 c. Whether all fees, taxes, and penalties under this  
7 chapter or other law due ~~to~~ the secretary of state have been  
8 paid.

9 Sec. 66. Section 488.209, subsection 2, paragraph c, as  
10 enacted by 2004 Iowa Acts, House File 2347, section 27, is  
11 amended to read as follows:

12 c. Whether all fees, taxes, and penalties under this  
13 chapter or other law due ~~to~~ the secretary of state have been  
14 paid.

15 Sec. 67. Section 488.508, subsection 6, as enacted by 2004  
16 Iowa Acts, House File 2347, section 50, is amended to read as  
17 follows:

18 6. A limited partnership's indebtedness, including  
19 indebtedness issued in connection with or as part of a  
20 distribution, is not considered a liability for purposes of  
21 subsection 2 if the terms of the indebtedness provide that  
22 payment of principal and interest ~~are~~ is made only to the  
23 extent that a distribution could then be made to partners  
24 under this section.

25 Sec. 68. Section 488.703, subsection 1, as enacted by 2004  
26 Iowa Acts, House File 2347, section 61, is amended to read as  
27 follows:

28 1. On application to a court of competent jurisdiction by  
29 any judgment creditor of a partner or transferee, the court  
30 may charge the transferable interest of the judgment debtor  
31 with payment of the unsatisfied amount of the judgment with  
32 interest. To the extent so charged, the judgment creditor has  
33 only the rights of a transferee. The court may appoint a  
34 receiver of the share of the distributions due or to become  
35 due ~~to~~ the judgment debtor in respect of the partnership and

1 make all other orders, directions, accounts, and inquiries the  
2 judgment debtor might have made or which the circumstances of  
3 the case may require to give effect to the charging order.

4 Sec. 69. Section 488.809, subsection 1, paragraph a, as  
5 enacted by 2004 Iowa Acts, House File 2347, section 72, is  
6 amended to read as follows:

7 a. Pay any fee, tax, or penalty under this chapter or  
8 other law due to the secretary of state.

9 Sec. 70. Section 488.906, subsection 1, paragraph a, as  
10 enacted by 2004 Iowa Acts, House File 2347, section 81, is  
11 amended to read as follows:

12 a. Pay, within sixty days after the due date, any fee, tax  
13 or penalty under this chapter or other law due to the  
14 secretary of state.

15 Sec. 71. Section 488.1106, subsection 1, paragraph a, as  
16 enacted by 2004 Iowa Acts, House File 2347, section 94, is  
17 amended to read as follows:

18 a. The governing statute of each of the other  
19 organizations authorizes the merger.

20 Sec. 72. Section 504.304, subsection 1, if enacted by 2004  
21 Iowa Acts, Senate File 2274, section 27, is amended to read as  
22 follows:

23 1. Except as provided in subsection 2, the validity of  
24 corporate action may shall not be challenged on the ground  
25 that the corporation lacks or lacked power to act.

26 Sec. 73. Section 504.854, subsection 3, paragraph b, if  
27 enacted by 2004 Iowa Acts, Senate File 2274, section 104, is  
28 amended to read as follows:

29 b. By the members, but the director who, at the time does  
30 not qualify as a disinterested director, may shall not vote as  
31 a member or on behalf of a member.

32 Sec. 74. Section 504.1422, subsection 3, if enacted by  
33 2004 Iowa Acts, Senate File 2274, section 145, is amended to  
34 read as follows:

35 3. A corporation that is administratively dissolved

1 continues its corporate existence but may shall not carry on  
2 any activities except those necessary to wind up and liquidate  
3 its affairs pursuant to section 504.1406 and notify its  
4 claimants pursuant to sections 504.1407 and 504.1408.

5 Sec. 75. Section 614.37, Code 2003, as amended by 2004  
6 Iowa Acts, House File 2450, section 8, if enacted, is amended  
7 to read as follows:

8 614.37 LIMITATION STATUTES NOT EXTENDED.

9 Nothing contained in this chapter shall be construed to  
10 extend the period for the bringing of an action or for the  
11 doing of any other required act under any statutes of  
12 limitations, nor, except as herein specifically provided, to  
13 effect the operation of any statutes governing the effect of  
14 the recording or the failure to record any instrument  
15 affecting land. It is intended that nothing contained in this  
16 division chapter be interpreted to revive or extend the period  
17 of filing a claim or bringing an action that may be limited or  
18 barred by any other statute.

19 Sec. 76. Section 669.14, subsection 11, unnumbered  
20 paragraph 1, Code Supplement 2003, as amended by 2004 Iowa  
21 Acts, House File 2347, section 116, is amended to read as  
22 follows:

23 Any claim for financial loss based upon an act or omission  
24 in financial regulation, including but not limited to  
25 examinations, inspections, audits, or other financial  
26 oversight responsibilities, pursuant to chapters 87, 203,  
27 203C, 203D, 421B, 486, ~~or-the-figure-"487"~~ 487, 488, and 490  
28 through 553, excluding chapters 540A, 542, 542B, 543B, 543C,  
29 543D, 544A, and 544B.

30 Sec. 77. Section 709A.1, subsection 2, paragraph c, Code  
31 2003, as amended by 2004 Iowa Acts, Senate File 2249, section  
32 2, is amended to read as follows:

33 c. Any premises the use of which constitutes a violation  
34 of chapter 717A, or section 725.57 or 725.107-~~or-725.11~~.

35 Sec. 78. Section 714.26, subsection 1, paragraph c, if

1 enacted by 2004 Iowa Acts, House File 2395, is amended to read  
2 as follows:

3 c. "Retail value" means the highest value of an item  
4 determined by any reasonable standard at the time the item  
5 bearing or identified by a counterfeit mark is seized. If a  
6 seized item bearing or identified by a counterfeit mark is a  
7 component of a finished product, "retail value" also means the  
8 highest value, determined by any reasonable standard, of the  
9 finished product on which the component would have been  
10 utilized. The retail value shall be the retail value of the  
11 aggregate quantity of all items seized which bear or are  
12 identified by a counterfeit mark. For purposes of this  
13 paragraph, reasonable standard includes but is not limited ~~the~~  
14 to the market value within the community, actual value,  
15 replacement value, or the counterfeiter's regular selling  
16 price for the item bearing or identified by a counterfeit  
17 mark, or the intellectual property owner's regular selling  
18 price for an item similar to the item bearing or identified by  
19 a counterfeit mark.

20 Sec. 79. Section 717E.1, subsection 3, paragraph a, if  
21 enacted by 2004 Iowa Acts, House File 2480, section 1, is  
22 amended to read as follows:

23 a. The annual fair and exposition held by the Iowa state  
24 fair board pursuant to chapter 173 or any fair held event  
25 conducted by a ~~county-or-district fair or-agricultural-society~~  
26 under the provisions of chapter 174.

27 Sec. 80. Section 812.6, subsection 2, unnumbered paragraph  
28 1, if enacted by 2004 Iowa Acts, Senate File 2272, section 8,  
29 is amended to read as follows:

30 If the court finds by clear and convincing evidence that  
31 the defendant poses a danger to the public peace or safety, or  
32 that the defendant is otherwise not qualified for pretrial  
33 release, or the defendant refuses to cooperate with treatment,  
34 the court shall commit the defendant to an appropriate  
35 inpatient treatment facility as provided in paragraphs

1 paragraph "a" and or "b". The defendant shall receive mental  
2 health treatment designed to restore the defendant to  
3 competency.

4 Sec. 81. Sections 7D.15, 10D.1, 15.114, 15.221, 15E.64,  
5 18A.11, 84A.1C, 225C.13, 303.3, 331.441, 357A.2, 357A.11,  
6 357A.20, 357A.21, 357A.22A, 357A.23, 357A.24, 425.11, 476.1,  
7 476.27, 480.3, 499.5, 499.5A, 500.3, 504C.1, 514.19, 514.23,  
8 and 515.1, Code 2003, are amended by inserting before the  
9 figure "504A" the following: "504 or", if 2004 Iowa Acts,  
10 Senate File 2274 is enacted.

11 Sec. 82. Sections 9H.1, 9H.4, 10B.1, 190C.6, 304A.21,  
12 331.427, 357A.15, 422.45, 490.1701, 504B.1, 504B.6, 513C.10,  
13 514.1, 514.2, 514.5, 616.10, 633.63, and 716.6B, Code  
14 Supplement 2003, are amended by inserting before the figure  
15 "504A" the following: "504 or", if 2004 Iowa Acts, Senate  
16 File 2274 is enacted.

17 Sec. 83. 2004 Iowa Acts, House File 401, section 1, is  
18 amended by striking the section and inserting in lieu thereof  
19 the following:

20 SECTION 1. Section 404A.4, subsection 4, Code Supplement  
21 2003, is amended to read as follows:

22 4. The total amount of tax credits that may be approved  
23 for a fiscal year under this chapter shall not exceed two  
24 million four hundred thousand dollars. For the fiscal years  
25 beginning July 1, 2005, and July 1, 2006, an additional five  
26 hundred thousand dollars of tax credits may be approved each  
27 fiscal year for purposes of projects located in cultural and  
28 entertainment districts certified pursuant to section 303.3B.  
29 Any of the additional tax credits allocated for projects  
30 located in certified cultural and entertainment districts that  
31 are not approved during a fiscal year may be carried over to  
32 the succeeding fiscal year. ~~Tax-credit-certificates-shall-be~~  
33 ~~issued-on-the-basis-of-the-earliest-awarding~~ The department of  
34 cultural affairs shall establish by rule the procedures for  
35 the application, review, selection, and awarding of

1 certifications of completion ~~as provided in subsection 1~~. The  
2 departments of economic development, cultural affairs, and  
3 revenue shall each adopt rules to jointly administer this  
4 subsection and shall provide by rule for the method to be used  
5 to determine for which fiscal year the tax credits are  
6 approved available.

7 Sec. 84. 2004 Iowa Acts, Senate File 2070, section 35,  
8 subsection 1, is amended to read as follows:

9 1. Except as provided in subsections 2 through ~~4~~ 6, this  
10 Act takes effect January 1, 2005.

11 Sec. 85. The section of 2004 Iowa Acts, House File 2489,  
12 amending section 523A.502, subsection 7, is repealed if 2004  
13 Iowa Acts, House File 2269, is enacted.

14 Sec. 86. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

15 1. The sections of this division of this Act amending  
16 sections 9H.1 and 10B.1, Code Supplement 2003, and 229.27,  
17 Code 2003, take effect January 1, 2005. The sections of this  
18 division of this Act further amending sections 9H.1 and 10B.1,  
19 Code Supplement 2003, and 229.27, Code 2003, as amended by  
20 this division of this Act to take effect January 1, 2005, take  
21 effect January 1, 2006.

22 2. The section of this division of this Act amending  
23 section 260C.18A, being deemed of immediate importance, takes  
24 effect upon enactment and applies retroactively to July 1,  
25 2003.

26 3. The section of this division of this Act amending 2004  
27 Iowa Acts, Senate File 2070, being deemed of immediate  
28 importance, takes effect upon enactment and applies  
29 retroactively to the date of enactment of Senate File 2070.

30 EXPLANATION

31 This bill makes appropriations for FY 2004-2005 and  
32 modifies prior appropriations from the rebuild Iowa  
33 infrastructure fund, environment first fund, the tax-exempt  
34 bond proceeds restricted capital funds account of the tobacco  
35 settlement trust fund, the state general fund, primary road

1 fund, road use tax fund, and gambling treatment fund for  
2 various capital and other projects. The bill also makes  
3 related Code changes and miscellaneous and corrective changes  
4 to legislation passed during the 2004 regular session.

5 REBUILD IOWA INFRASTRUCTURE FUND. Appropriations from the  
6 rebuild Iowa infrastructure fund include projects for the  
7 departments of administrative services, the blind,  
8 corrections, economic development, education, human services,  
9 public defense, public health, public safety, and  
10 transportation, and for the board of regents, Iowa state fair  
11 authority, national program for playground safety, treasurer  
12 of state, and the commission of veterans affairs, and to the  
13 state board of regents for tuition replacement.

14 ENVIRONMENT FIRST FUND. The bill appropriates funds from  
15 the environment first fund to the departments of agriculture  
16 and land stewardship, economic development, and natural  
17 resources. The bill appropriates \$11 million from the  
18 environment first fund to the resources enhancement and  
19 protection fund in lieu of the \$20 million appropriated by  
20 statute from the general fund of the state.

21 TOBACCO SETTLEMENT TRUST FUND. The bill makes  
22 appropriations and modifies prior appropriations from the tax-  
23 exempt bond proceeds restricted capital funds account of the  
24 tobacco settlement trust fund for projects for the department  
25 of administrative services and other agencies.

26 The bill also appropriates funds from the tax-exempt bond  
27 proceeds restricted capital funds account of the tobacco  
28 settlement trust fund to the state board of regents for  
29 tuition replacement and to the office of the treasurer of  
30 state for debt service for the Iowa communications network,  
31 and repayment of prison infrastructure bonds.

32 The bill also transfers moneys from the endowment for  
33 Iowa's health account of the tobacco settlement trust fund to  
34 the rebuild Iowa infrastructure fund.

35 MISCELLANEOUS FUNDS. The bill makes appropriations from

1 the general fund to the state department of transportation for  
2 the rail assistance program and to provide economic  
3 development project funding. The bill makes appropriations  
4 from the primary road fund and the road use tax fund to the  
5 state department of transportation to pay for services  
6 provided by the department of administrative services.

7 CODE CHANGES. The bill amends Code section 80.9 to provide  
8 that the department of public safety is solely responsible for  
9 certain executive branch capitol complex security system and  
10 equipment activities. The bill directs the department of  
11 administrative services to cooperate with the department of  
12 public safety in its execution of such activities.

13 MISCELLANEOUS PROVISIONS. The bill amends Code section  
14 15E.208 to direct the department of economic development to  
15 forgive any interest on a loan to an Iowa agricultural  
16 industry finance corporation which was assigned to an eligible  
17 person during calendar year 2003. The bill also provides that  
18 each principal payment due under the assigned loan shall be  
19 deferred for three years from its respective payment date.

20 The bill also amends Senate File 2284, passed in the 2004  
21 Session of the general assembly, to define transportation as  
22 the movement or carrying of individuals in a wheeled motorized  
23 vehicle or upon cars operated upon stationary rails. Senate  
24 File 2284 is also amended to change the population threshold  
25 for creation of regional transit districts from counties with  
26 a population in excess of 300,000 to counties with a  
27 population in excess of 175,000. The bill also allows the  
28 amount of the regional transit district levy that is the  
29 responsibility of a participating county to be deducted from  
30 the maximum rate of taxes authorized to be levied by the  
31 county, if the district includes a county with a population of  
32 less than 300,000.

33 The bill amends Code section 99F.4A, as amended by 2004  
34 Iowa Acts, House File 2302, if enacted, to require a licensee  
35 to immediately pay the applicable table games license fee and

1 Code sections 99B.11 and 709A.1, as amended by 2004 Iowa  
2 Acts, Senate File 2249, relating to contest events involving  
3 animals, are amended to strike references to repealed Code  
4 section 725.11, which repeal is contained in Senate File 2249.

5 Code section 174.1, as amended in 2004 Iowa Acts, House  
6 File 2403, relating to fairs, is amended to correct the  
7 definition of a fair in order to recognize that an  
8 organization rather than a society is incorporated to operate  
9 a fair.

10 Code section 174.12, relating to the certification process  
11 for local fairs, is amended to correct a grammatical  
12 construction.

13 Code section 260C.18A, relating to grow Iowa values fund  
14 appropriations to community college workforce training and  
15 economic development funds, is amended to correct an internal  
16 reference to a subsection. The amendment is made effective  
17 upon enactment and retroactively applicable to July 1, 2003,  
18 the effective date of the original enactment of Code section  
19 260C.18A.

20 Code section 280A.5, if enacted by 2004 Iowa Acts, Senate  
21 File 2298, relating to the Iowa learning technology  
22 initiative, is amended to correctly refer to the repeal of the  
23 chapter rather than the section.

24 Code sections 321I.2 and 321I.10, if enacted by 2004 Iowa  
25 Acts, Senate File 297, relating to the regulation of all-  
26 terrain vehicles, are amended by codifying a provision that  
27 allows cities to designate streets under their jurisdiction  
28 for the sport of driving all-terrain vehicles in the more  
29 appropriate Code section that regulates the operation of all-  
30 terrain vehicles on roadways and highways.

31 Code section 331.606B, if enacted by 2004 Iowa Acts, Senate  
32 File 371, is amended to change the date that documents or  
33 instruments recorded with the county recorder are exempt from  
34 the new formatting requirements. The date is changed from  
35 July 1, 2004, to July 1, 2005, to conform with other

1 provisions of the bill.

2 Code section 488.102 is amended to correct three internal  
3 references to another section of new Code chapter 488, which  
4 contains the uniform limited partnership Act enacted in House  
5 File 2347. Code sections 488.202, 488.209, 488.508, 488.703,  
6 488.809, 488.906, 488.1106, and 669.14, all contained in House  
7 File 2347, are amended to make grammatical corrections, most  
8 of which relate to the use of prepositions, articles, and  
9 verbs.

10 Code sections 504.304, 504.854, and 504.1422, if enacted in  
11 2004 Iowa Acts, Senate File 2274, relating to the revised Iowa  
12 nonprofit corporation Act provide that certain actions "shall"  
13 not be taken instead of "may" not be taken, in order to be  
14 consistent with existing Code style.

15 Code section 614.37, as amended by 2004 Iowa Acts, House  
16 File 2450, if enacted, relating to limitations on actions  
17 involving real property, is amended to change the reference to  
18 "division" to "chapter" to correspond with other changes in  
19 that legislation.

20 Code section 714.26, subsection 1, paragraph "c", if  
21 enacted by 2004 Iowa Acts, House File 2395, defining retail  
22 value for purposes of the crime of intellectual property  
23 counterfeiting, is amended to correct a grammatical  
24 construction.

25 Code section 717E.1, if enacted by 2004 Iowa Acts, House  
26 File 2480, relating to the prohibition of awarding pets as  
27 prizes, is amended to use the term "fair event" as newly  
28 defined for purposes of Code chapter 174 by 2004 Iowa Acts,  
29 House File 2403.

30 Code section 812.6, subsection 2, if enacted by 2004 Iowa  
31 Acts, Senate File 2272, which relates to mentally incompetent  
32 criminal defendants, is amended to use the disjunctive "or" to  
33 correctly indicate that treatment may be ordered in the  
34 alternative, depending upon the danger the defendant poses.

35 Numerous sections of the 2003 Code and 2003 Code Supplement

1 are amended to refer to new Code chapter 504, the revised Iowa  
2 nonprofit corporation Act in addition to referring to the  
3 existing nonprofit corporation Act contained in Code chapter  
4 504A, which will be repealed on July 1, 2005.

5 2004 Iowa Acts, House File 401, relating to property  
6 rehabilitation tax credits and certificates, is amended to  
7 display the correct Code Supplement 2003 version of the Code  
8 section being amended, since the House File was drafted prior  
9 to publication of the Code Supplement 2003. The amendment  
10 does not make substantive changes to House File 401 as  
11 enacted.

12 2004 Iowa Acts, Senate File 2070, relating to motor vehicle  
13 security interests and certain electric personal assistive  
14 mobility devices, is amended to correct an internal reference  
15 to make certain that these provisions take effect upon  
16 enactment. The amendment is made effective upon enactment and  
17 retroactively applicable to the date of enactment of Senate  
18 File 2070.

19 The amendment to Code section 523A.502 in 2004 Iowa Acts,  
20 House File 2489, relating to cemetery and funeral merchandise  
21 and services, is repealed, in favor of a similar but  
22 conflicting amendment to that Code section in 2004 Iowa Acts,  
23 House File 2269. The repeal results in no substantive  
24 difference in the amendment to the Code section.

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**HOUSE FILE 2578****H-8536**

1 Amend House File 2578 as follows:

2 1. Page 20, by inserting after line 27, the  
3 following:

4 "Sec. \_\_\_\_ . Section 8D.13, subsection 12, Code  
5 Supplement 2003, is amended to read as follows:

6 12. The commission, on its own or as recommended  
7 by an advisory committee of the commission and  
8 approved by the commission, shall permit a fee to be  
9 charged by a receiving site to the originator of the  
10 communication provided on the network. The fee  
11 charged shall be for the purpose of recovering the  
12 operating costs of a receiving site. The fee charged  
13 shall be reduced by an amount received by the  
14 receiving site pursuant to a state appropriation for  
15 such costs, or federal assistance received for such  
16 costs. Fees established under this subsection shall  
17 be paid by the originator of the communication  
18 directly to the receiving site. In the event that an  
19 entity requests a receiving site location in a video  
20 classroom facility which is authorized by, but not  
21 funded by, the originator of the communication, the  
22 requesting entity shall be directly billed by the  
23 video classroom facility for operating costs relating  
24 to the communication. For purposes of this section,  
25 "operating costs" include the costs associated with  
26 the management or coordination, operations, utilities,  
27 classroom, equipment, maintenance, and other costs  
28 directly related to providing the receiving site."

29 2. By renumbering as necessary.

By WATTS of Dallas

TYMESON of Madison

JENKINS of Black Hawk

**H-8536** FILED APRIL 14, 2004

**HOUSE FILE 2578****H-8537**

1 Amend House File 2578 as follows:

2 1. Page 24, by inserting after line 28 the  
3 following:

4 "Sec. \_\_\_\_ . 2004 Iowa Acts, Senate File 2257,  
5 section 1, subsection 10, if enacted, is amended to  
6 read as follows:

7 10. APPLICABILITY DATE. This section applies to  
8 personal insurance contracts or policies delivered,  
9 issued for delivery, continued, or renewed in this  
10 state on or after ~~April 1, 2005~~ October 1, 2004."

By HOFFMAN of Crawford

**H-8537** FILED APRIL 14, 2004

HOUSE FILE 2578

H-8538

1 Amend House File 2578 as follows:  
2 1. Page 36, by inserting after line 29 the  
3 following:

4 "DIVISION VIII

5 VISION IOWA AND COMMUNITY ATTRACTION AND TOURISM  
6 PROGRAMS

7 Sec. \_\_\_\_ . Section 8.57, subsection 5, paragraph e,  
8 unnumbered paragraph 1, Code Supplement 2003, is  
9 amended to read as follows:

10 Notwithstanding provisions to the contrary in  
11 sections 99D.17 and 99F.11, for the fiscal year  
12 beginning July 1, 2000, and for each fiscal year  
13 thereafter, not more than a total of sixty million  
14 dollars shall be deposited in the general fund of the  
15 state in any fiscal year pursuant to sections 99D.17  
16 and 99F.11. The next fifteen million dollars of the  
17 moneys directed to be deposited in the general fund of  
18 the state in a fiscal year pursuant to sections 99D.17  
19 and 99F.11 shall be deposited in the vision Iowa fund  
20 created in section 12.72 for the fiscal year beginning  
21 July 1, 2000, and for each fiscal year through the  
22 fiscal year beginning July 1, ~~2019~~ 2029. The next  
23 five million dollars of the moneys directed to be  
24 deposited in the general fund of the state in a fiscal  
25 year pursuant to sections 99D.17 and 99F.11 shall be  
26 deposited in the school infrastructure fund created in  
27 section 12.82 for the fiscal year beginning July 1,  
28 2000, and for each fiscal year thereafter until the  
29 principal and interest on all bonds issued by the  
30 treasurer of state pursuant to section 12.81 are paid,  
31 as determined by the treasurer of state. The total  
32 moneys in excess of the moneys deposited in the  
33 general fund of the state, the vision Iowa fund, and  
34 the school infrastructure fund in a fiscal year shall  
35 be deposited in the rebuild Iowa infrastructure fund  
36 and shall be used as provided in this section,  
37 notwithstanding section 8.60.

38 Sec. \_\_\_\_ . COMMUNITY ATTRACTION AND TOURISM FUND.

39 There is appropriated from the rebuild Iowa  
40 infrastructure fund to the office of the treasurer of  
41 state for the fiscal period beginning July 1, 2005,  
42 and ending June 30, 2009, the following amounts, or so  
43 much thereof as is necessary, to be used for the  
44 purposes designated:

45 For deposit in the community attraction and tourism  
46 fund:

47	FY 2005-2006 .....	\$ 12,000,000
48	FY 2006-2007 .....	\$ 12,000,000
49	FY 2007-2008 .....	\$ 12,000,000
50	FY 2008-2009 .....	\$ 12,000,000"

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1 2. By renumbering as necessary.

**By** RAECKER of Polk

**H-8538** FILED APRIL 14, 2004

## HOUSE FILE 2578

## H-8544

1 Amend House File 2578 as follows:

2 1. Page 24, by inserting after line 28 the  
3 following:

4 "Sec. \_\_\_\_ Section 462A.5, subsection 3, Code  
5 2003, is amended to read as follows:

6 3. The registration fees for vessels subject to  
7 this chapter are as follows:

8 a. For vessels of any length without motor or  
9 sail, ~~five~~ eight dollars.

10 b. For motorboats or sailboats less than ~~twelve~~  
11 sixteen feet in length, ~~eight~~ fifteen dollars.

12 c. For motorboats or sailboats ~~twelve~~ sixteen feet  
13 or more, but less than ~~fifteen~~ twenty-six feet in  
14 length, ~~ten~~ twenty-five dollars.

15 ~~d. For motorboats or sailboats fifteen feet or~~  
16 ~~more, but less than eighteen feet in length, twelve~~  
17 ~~dollars.~~

18 ~~e. For motorboats or sailboats eighteen feet or~~  
19 ~~more, but less than twenty-five feet in length,~~  
20 ~~eighteen dollars.~~

21 ~~f. d. For motorboats or sailboats twenty-five~~  
22 ~~twenty-six feet in length or more, twenty-eight but~~  
23 ~~less than forty feet in length, forty dollars.~~

24 e. For motor boats or sailboats forty feet in  
25 length or more, seventy-five dollars.

26 f. For all personal watercraft, twenty-five  
27 dollars.

28 Every registration certificate and number issued  
29 becomes delinquent at midnight April 30 of odd-  
30 numbered years unless terminated or discontinued in  
31 accordance with this chapter. After January 1 in odd-  
32 numbered years, an unregistered vessel and a renewal  
33 of registration may be registered for the two-year  
34 registration period beginning May 1 of that year.  
35 After January 1 in even-numbered years, unregistered  
36 vessels may be registered for the remainder of the  
37 current registration period at fifty percent of the  
38 appropriate registration fee.

39 If a timely application for renewal is made, the  
40 applicant shall receive the same registration number  
41 allocated to the applicant for the previous  
42 registration period. If the application for  
43 registration for the biennium is not made before May 1  
44 of each odd-numbered year, the applicant shall be  
45 charged a penalty of five dollars.

46 Sec. \_\_\_\_ Section 462A.22, Code 2003, is amended  
47 to read as follows:

48 462A.22 ENGINEER OR PILOT LICENSE AND FEES.

49 1. No A vessel shall not be operated for hire by a  
50 pilot or engineer upon the waters of this state under

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1 the jurisdiction of the commission unless the pilot or  
2 engineer first obtains an engineer's or pilot's  
3 license. A pilot's license is required for any person  
4 who has charge of the steering or directing of the  
5 vessel's course or who does the steering or directs  
6 the vessel's course. An engineer's license is  
7 required for all operators who have charge of or  
8 operate the equipment by which the boat is propelled.  
9 If one person acts in a dual or alternate capacity,  
10 the person shall first obtain both an engineer's and  
11 pilot's license.

12 2. Any person desiring a pilot's or engineer's  
13 license shall file an application with the commission  
14 upon forms prepared and furnished by the commission.  
15 Such license may be issued by the commission only upon  
16 recommendation of an officer duly authorized by the  
17 commission. Before the officer recommends such a  
18 license, the officer shall investigate the competency  
19 of the applicant, the applicant's acquaintance with  
20 and experience in boat work, habits as to sobriety,  
21 mental and physical qualifications for the work,  
22 acquaintance with the waters for which application to  
23 operate upon is made, familiarity with the laws and  
24 regulations pertaining to the vessel operation and all  
25 other pertinent matters. Such license shall not be  
26 issued to anyone under eighteen years of age.

27 3. The annual fee for a pilot's license is ten  
28 dollars. The annual fee for an engineer's license is  
29 twenty dollars. All fees for the licensing of pilots  
30 and engineers shall be forwarded by the commission to  
31 the treasurer of state, who shall place the money in  
32 the environment first fund created in section 8.57A.

33 4. Engineer's and pilot's licenses shall be in  
34 effect only for the calendar year in which ~~such~~ the  
35 license is issued.

36 Sec. \_\_\_\_\_. Section 462A.52, Code 2003, is amended  
37 to read as follows:

38 462A.52 FEES REMITTED TO COMMISSION.

39 Within ten days after the end of each month, a  
40 county recorder shall remit to the commission all fees  
41 collected by the recorder during the previous month.  
42 Before May 10 in odd-numbered years, a county recorder  
43 shall remit to the commission all unused license  
44 blanks for the previous biennium. All fees collected  
45 for the registration of vessels shall be forwarded by  
46 the commission to the treasurer of the state, who  
47 shall place the money in ~~a special conservation~~ the  
48 environment first fund created in section 8.57A. ~~The~~  
49 ~~money so collected is appropriated to the commission~~  
50 ~~solely for the administration and enforcement of~~

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- 1 ~~navigation laws and water safety.~~
- 2 Sec. \_\_\_\_ . Section 462A.21, Code 2003, is
- 3 repealed."
- 4 2. By renumbering as necessary.

**By** FREEMAN of Buena Vista  
RAYHONS of Hancock

UPMEYER of Hancock  
DOLECHECK of Ringgold

**H-8544** FILED APRIL 14, 2004

## HOUSE FILE 2578

## H-8546

1 Amend House File 2578 as follows:

2 1. Page 36, by inserting after line 29, the  
3 following:

4 "DIVISION

5 REGULATORY EFFICIENCY COMMISSION

6 Sec. \_\_\_\_ REGULATORY EFFICIENCY COMMISSION.

7 1. A regulatory efficiency commission is  
8 established for purposes of identifying unneeded  
9 regulations, fines, and fees that hinder business  
10 development. The commission shall also identify  
11 methods for streamlining access to regulatory  
12 information.

13 2. The commission shall consist of seven voting  
14 members appointed by the governor and four ex officio  
15 members.

16 a. The seven voting members appointed by the  
17 governor are subject to the requirements of sections  
18 69.16, 69.16A, and 69.19. The seven members shall  
19 consist of the following:

20 (1) Two members shall be economic development  
21 representatives from two different chambers of  
22 commerce. One shall be from a metropolitan area with  
23 more than fifty thousand people and one shall be from  
24 a metropolitan area with fifty thousand people or  
25 less.

26 (2) Two members representing agricultural  
27 interests.

28 (3) One member representing the Iowa association  
29 of business and industry.

30 (4) Two members representing commercial-based and  
31 manufacturing-based businesses.

32 b. The four ex officio members shall be members of  
33 the general assembly. Two members shall be from the  
34 senate and two members shall be from the house of  
35 representatives, with not more than one member from  
36 each chamber being from the same political party. The  
37 two senators shall be designated by the president of  
38 the senate after consultation with the majority and  
39 minority leaders of the senate. The two  
40 representatives shall be designated by the speaker of  
41 the house of representatives after consultation with  
42 the majority and minority leaders of the house of  
43 representatives. Legislative members shall serve in  
44 an ex officio, nonvoting capacity.

45 3. Meetings of the commission are subject to the  
46 provisions of chapter 21.

47 4. By January 10, 2005, the commission shall  
48 submit a written report to the governor and the  
49 general assembly. The report shall include the  
50 findings and legislative recommendations of the

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1 commission. The report shall be distributed by the  
2 secretary of the senate and the chief clerk of the  
3 house of representatives to the chairpersons and  
4 members of the administrative rules review committee  
5 and the economic growth committees in the senate and  
6 the house of representatives."

7 2. By renumbering as necessary.

By HOFFMAN of Crawford

**H-8546** FILED APRIL 14, 2004

HOUSE FILE 2578

H-8548

1 Amend House File 2578 as follows:  
2 1. Page 36, by inserting after line 29 the  
3 following:

4 "DIVISION

5 VISION IOWA AND COMMUNITY ATTRACTION AND TOURISM  
6 PROGRAMS

7 Sec. \_\_\_\_ . Section 8.57, subsection 5, paragraph e,  
8 unnumbered paragraph 1, Code Supplement 2003, is  
9 amended to read as follows:

10 Notwithstanding provisions to the contrary in  
11 sections 99D.17 and 99F.11, for the fiscal year  
12 beginning July 1, 2000, and for each fiscal year  
13 thereafter, not more than a total of sixty million  
14 dollars shall be deposited in the general fund of the  
15 state in any fiscal year pursuant to sections 99D.17  
16 and 99F.11. The next fifteen million dollars of the  
17 moneys directed to be deposited in the general fund of  
18 the state in a fiscal year pursuant to sections 99D.17  
19 and 99F.11 shall be deposited in the vision Iowa fund  
20 created in section 12.72 for the fiscal year beginning  
21 July 1, 2000, and for each fiscal year through the  
22 fiscal year beginning July 1, ~~2019~~ 2029. The next  
23 five million dollars of the moneys directed to be  
24 deposited in the general fund of the state in a fiscal  
25 year pursuant to sections 99D.17 and 99F.11 shall be  
26 deposited in the school infrastructure fund created in  
27 section 12.82 for the fiscal year beginning July 1,  
28 2000, and for each fiscal year thereafter until the  
29 principal and interest on all bonds issued by the  
30 treasurer of state pursuant to section 12.81 are paid,  
31 as determined by the treasurer of state. The total  
32 moneys in excess of the moneys deposited in the  
33 general fund of the state, the vision Iowa fund, and  
34 the school infrastructure fund in a fiscal year shall  
35 be deposited in the rebuild Iowa infrastructure fund  
36 and shall be used as provided in this section,  
37 notwithstanding section 8.60.

38 Sec. \_\_\_\_ . COMMUNITY ATTRACTION AND TOURISM FUND.

39 There is appropriated from the rebuild Iowa  
40 infrastructure fund to the office of the treasurer of  
41 state for the fiscal period beginning July 1, 2005,  
42 and ending June 30, 2009, the following amounts, or so  
43 much thereof as is necessary, to be used for the  
44 purposes designated:

45 For deposit in the community attraction and tourism  
46 fund:

47	FY 2005-2006	.....	\$ 10,000,000
48	FY 2006-2007	.....	\$ 10,000,000
49	FY 2007-2008	.....	\$ 12,500,000
50	FY 2008-2009	.....	\$ 12,500,000"

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1 2. By renumbering as necessary.

By RAECKER of Polk  
FREEMAN of Buena Vista

H-8548 FILED APRIL 14, 2004

HOUSE FILE 2578

H-8551

1 Amend House File 2578 as follows:

2 1. Page 18, line 29, by striking the words "There  
3 is".

4 2. Page 18, line 30, by inserting before the word  
5 "appropriated" the following:

6 "1. There is".

7 3. Page 19, by inserting after line 2 the  
8 following:

9 "2. There is appropriated from the general fund of  
10 the state to the racing and gaming commission within  
11 the department of inspections and appeals for the  
12 fiscal year beginning July 1, 2004, and ending June  
13 30, 2005, in addition to any other appropriation made  
14 by the general assembly, the following amount, or so  
15 much thereof as is necessary, to be used for the  
16 purposes designated:

17 For salaries, support, maintenance, and  
18 miscellaneous purposes for the regulation of pari-  
19 mutual racetracks:

20 ..... \$ 217,161"

21 The funds appropriated in this subsection shall be  
22 used for one additional gaming representative at each  
23 of the three licensed racetracks."

24 4. By renumbering, redesignating, and correcting  
25 internal references as necessary.

By EICHHORN of Hamilton

H-8551 FILED APRIL 14, 2004

**HOUSE FILE 2578****H-8559**

1 Amend House File 2578 as follows:

2 1. Page 14, by inserting after line 28 the  
3 following:

4 "Sec. \_\_\_\_ . USE OF REAP FUNDS FOR LAKEFRONT  
5 PROPERTY RESTRICTED. Resources enhancement and  
6 protection fund moneys shall not be used for the  
7 purchase of lakefront property that is being used for  
8 commercial purposes prior to its purchase."

9 2. Page 15, by inserting after line 10 the  
10 following:

11 "Sec. \_\_\_\_ . EFFECTIVE DATE. The section of this  
12 division of this Act restricting the use of resources  
13 enhancement and protection fund moneys for the  
14 purchase of certain lakefront property, being deemed  
15 of immediate importance, takes effect upon enactment."

16 3. By renumbering as necessary.

**By** RAYHONS of Hancock

COHOON of Des Moines

MERTZ of Kossuth

WATTS of Dallas

HUSEMAN of Cherokee

WHITEAD of Woodbury

ARNOLD of Lucas

JACOBY of Johnson

FREEMAN of Buena Vista

**H-8559** FILED APRIL 14, 2004

**HOUSE FILE 2578****H-8563**

1 Amend House File 2578 as follows:

2 1. Page 19, by inserting after line 2 the  
3 following:

4 "Sec. \_\_\_\_ . GENERAL FUND TRANSFER -- CASA PROGRAM.  
5 Of the amount appropriated from the general fund of  
6 the state for the fiscal year beginning July 1, 2004,  
7 in 2004 Iowa Acts, Senate File 2298, Division I, to  
8 the department of management for federal overrecovery,  
9 \$400,000 shall be transferred to the department of  
10 inspections and appeals, child advocacy board, to be  
11 used to address a federal funding reduction affecting  
12 the court appointed special advocate program."

13 2. By renumbering as necessary.

**By** EICHHORN of Hamilton

**H-8563** FILED APRIL 14, 2004

## HOUSE FILE 2578

## H-8564

1 Amend House File 2578 as follows:

2 1. Page 20, by inserting after line 27 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 8.57, subsection 5, Code  
5 Supplement 2003, is amended by adding the following  
6 new paragraph:

7 NEW PARAGRAPH. g. Notwithstanding any other  
8 provision to the contrary, and prior to the  
9 appropriation of moneys from the rebuild Iowa  
10 infrastructure fund pursuant to paragraph "c", and  
11 section 8.57A, subsection 4, moneys shall first be  
12 appropriated from the rebuild Iowa infrastructure fund  
13 to the vertical infrastructure fund as provided in  
14 section 8.57B, subsection 4.

15 Sec. \_\_\_\_\_. NEW SECTION. 8.57B VERTICAL  
16 INFRASTRUCTURE FUND.

17 1. A vertical infrastructure fund is created under  
18 the authority of the department of management. The  
19 fund shall consist of appropriations made to the fund  
20 and transfers of interest, earnings, and moneys from  
21 other funds as provided by law. The fund shall be  
22 separate from the general fund of the state and the  
23 balance in the fund shall not be considered part of  
24 the balance of the general fund of the state.  
25 However, the fund shall be considered a special  
26 account for the purposes of section 8.53, relating to  
27 generally accepted accounting principles.

28 2. Notwithstanding section 12C.7, subsection 2,  
29 interest or earnings on moneys in the vertical  
30 infrastructure fund shall be credited to the rebuild  
31 Iowa infrastructure fund.

32 3. Moneys in the fund in a fiscal year shall be  
33 used as appropriated by the general assembly for  
34 public vertical infrastructure projects. For the  
35 purposes of this section, "vertical infrastructure"  
36 includes only land acquisition and construction, major  
37 renovation, and major repair of buildings, all  
38 appurtenant structures, utilities, and site  
39 development. "Vertical infrastructure" does not  
40 include routine, recurring maintenance, debt service,  
41 or operational expenses or leasing of a building,  
42 appurtenant structure, or utility without a lease-  
43 purchase agreement.

44 4. There is appropriated from the rebuild Iowa  
45 infrastructure fund to the vertical infrastructure  
46 fund, the following:

47 a. For the fiscal year beginning July 1, 2005, and  
48 ending June 30, 2006, the sum of twenty-five million  
49 dollars.

50 b. For the fiscal year beginning July 1, 2006, and

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1 ending June 30, 2007, the sum of fifty million  
2 dollars.

3 c. For the fiscal year beginning July 1, 2007, and  
4 ending June 30, 2008, the sum of seventy-five million  
5 dollars.

6 d. For the fiscal year beginning July 1, 2008, and  
7 each fiscal year thereafter, the sum of one hundred  
8 million dollars."

9 2. By renumbering as necessary.

**By** DIX of Butler

COHOON of Des Moines

HUSEMAN of Cherokee

QUIRK of Chickasaw

**H-8564** FILED APRIL 14, 2004

HOUSE FILE 2578

H-8569

1 Amend House File 2578 as follows:

2 1. Page 13, by inserting after line 6 the  
3 following:

4 "i. To provide grants to watershed organizations  
5 for watershed-based water quality planning,  
6 restoration, and improvement activities, with an  
7 emphasis on geographical information system-based  
8 activities, targeting the best management practices  
9 and implementation:

10 ..... \$ 2,000,000

11 j. For the development of a nutrient research  
12 grant program:

13 ..... \$ 500,000

14 k. To develop and implement a voluntary nutrient  
15 reduction project to improve efficiency and reduce  
16 impacts of nutrients on the waters of the state:

17 ..... \$ 555,000"

18 2. Page 13, line 21, by inserting after the word  
19 "stations" the following: "and for more detailed  
20 monitoring and investigation of waters with suspected  
21 impairments".

22 3. Page 13, line 22, by striking the figure  
23 "2,955,000" and inserting the following: "3,500,000".

24 4. Page 14, by inserting after line 18 the  
25 following:

26 "i. For implementation of the total maximum daily  
27 load program to meet statutory time frames and to  
28 include stakeholders' involvement in the process:

29 ..... \$ 800,000

30 j. For the development and implementation of a  
31 comprehensive stormwater management program:

32 ..... \$ 200,000

33 k. To implement a plan to establish numeric  
34 standards for nitrogen and phosphorus by July 2006,  
35 involving all stakeholders in the process:

36 ..... \$ 200,000

37 4. STATE BOARD OF REGENTS

38 For allocation to Iowa state university of science  
39 and technology to update nitrogen management  
40 recommendations by December 1, 2005, to emphasize  
41 efficiency of use and environmental protection:

42 ..... \$ 200,000"

43 5. By renumbering, redesignating, and correcting  
44 internal references as necessary.

By THOMAS of Clayton  
WHITAKER of Van Buren  
KUHN of Floyd  
GREIMANN of Story  
FALLON of Polk  
HUNTER of Polk  
WHITEAD of Woodbury  
WENDT of Woodbury  
FOEGE of Linn  
BELL of Jasper  
COHOON of Des Moines  
LYKAM of Scott  
JACOBY of Johnson  
MASCHER of Johnson  
D. TAYLOR of Linn  
MURPHY of Dubuque  
JOCHUM of Dubuque  
BUKTA of Clinton  
BERRY of Black Hawk

FREVERT of Palo Alto  
GASKILL of Wapello  
OSTERHAUS of Jackson  
SHOULTZ of Black Hawk  
WINCKLER of Scott  
LENSING of Johnson  
SMITH of Marshall  
D. OLSON of Boone  
SHOMSHOR of Pottawattamie  
STEVENS of Dickinson  
PETERSEN of Polk  
T. TAYLOR of Linn  
FORD of Polk  
CONNORS of Polk  
MERTZ of Kossuth  
DAVITT of Warren  
OLDSON of Polk  
QUIRK of Chickasaw

H-8569 FILED APRIL 14, 2004

HOUSE FILE 2578

H-8571

1 Amend House File 2578 as follows:

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

4 "\_\_\_\_. DEPARTMENT OF AGRICULTURE AND LAND  
5 STEWARDSHIP.

6 For deposit in the alternative drainage system  
7 assistance fund created in section 460.303 to be used  
8 for purposes of supporting the alternative drainage  
9 system assistance program as provided in section  
10 460.304, notwithstanding section 8.57, subsection 5,  
11 paragraph "c":

12 FY 2004-2005..... \$ 500,000

13 Not more than 5 percent of the moneys appropriated  
14 in this subsection may be used for costs of  
15 administration and implementation of soil and water  
16 conservation practices."

17 2. By renumbering as necessary.

By KUHN of Floyd  
MERTZ of Kossuth

H-8571 FILED APRIL 15, 2004

LOST

HOUSE FILE 2578

H-8572

1 Amend House File 2578 as follows:

2 1. Page 22, by inserting after line 19 the  
3 following:

4 "Sec. \_\_\_\_ Section 99F.1, subsection 7A, if  
5 enacted by 2004 Iowa Acts, House File 2302, is amended  
6 to read as follows:

7 7A. "Excursion boat" means a self-propelled,  
8 floating vessel that is or has been previously  
9 certified ~~by the United States coast guard~~ for  
10 operation as a vessel."

11 2. By renumbering as necessary.

By RAECKER of Polk

H-8572 FILED APRIL 15, 2004

WITHDRAWN

## HOUSE FILE 2578

## H-8573

1 Amend House File 2578 as follows:

2 1. Page 23, by inserting after line 22 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 147.1, subsection 2, paragraph  
5 c, Code 2003, is amended to read as follows:

6 c. "Licensed" or "certified" when applied to a  
7 physician and surgeon, podiatric physician, osteopath,  
8 osteopathic physician and surgeon, physician  
9 assistant, psychologist or associate psychologist,  
10 chiropractor, nurse, dentist, dental hygienist,  
11 optometrist, speech pathologist, audiologist,  
12 pharmacist, physical therapist, occupational  
13 therapist, respiratory care practitioner, practitioner  
14 of cosmetology arts and sciences, practitioner of  
15 barbering, funeral director, dietitian, marital and  
16 family therapist, mental health counselor, social  
17 worker, massage therapist, athletic trainer, ~~or~~  
18 acupuncturist, or interpreter, means a person licensed  
19 under this subtitle.

20 Sec. \_\_\_\_\_. Section 147.1, subsection 2, paragraph  
21 f, Code 2003, is amended to read as follows:

22 f. "Profession" means medicine and surgery,  
23 podiatry, osteopathy, osteopathic medicine and  
24 surgery, practice as a physician assistant,  
25 psychology, chiropractic, nursing, dentistry, dental  
26 hygiene, optometry, speech pathology, audiology,  
27 pharmacy, physical therapy, occupational therapy,  
28 respiratory care, cosmetology arts and sciences,  
29 barbering, mortuary science, marital and family  
30 therapy, mental health counseling, social work,  
31 dietetics, massage therapy, athletic training, ~~or~~  
32 acupuncture, or interpreting.

33 Sec. \_\_\_\_\_. Section 147.2, unnumbered paragraph 1,  
34 Code 2003, is amended to read as follows:

35 A person shall not engage in the practice of  
36 medicine and surgery, podiatry, osteopathy,  
37 osteopathic medicine and surgery, psychology,  
38 chiropractic, physical therapy, nursing, dentistry,  
39 dental hygiene, optometry, speech pathology,  
40 audiology, occupational therapy, respiratory care,  
41 pharmacy, cosmetology, barbering, social work,  
42 dietetics, marital and family therapy or mental health  
43 counseling, massage therapy, mortuary science, ~~or~~  
44 acupuncture, or interpreting, or shall not practice as  
45 a physician assistant as defined in the following  
46 chapters of this subtitle, unless the person has  
47 obtained from the department a license for that  
48 purpose.

49 Sec. \_\_\_\_\_. Section 147.13, Code 2003, is amended by  
50 adding the following new subsection:

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1 NEW SUBSECTION. 21. For interpreters, interpreter  
2 examiners.

3 Sec. \_\_\_\_\_. Section 147.14, Code 2003, is amended by  
4 adding the following new subsection:

5 NEW SUBSECTION. 21. For interpreting, four  
6 members licensed to practice interpreting, three of  
7 whom shall be practicing interpreters at the time of  
8 appointment to the board and at least one of whom is  
9 employed in an educational setting; and three members  
10 who are consumers of interpreting services as defined  
11 in section 154E.1, each of whom shall be deaf. A  
12 majority of members of the board constitutes a quorum.

13 Sec. \_\_\_\_\_. Section 147.74, Code Supplement 2003, is  
14 amended by adding the following new subsection:

15 NEW SUBSECTION. 21A. An interpreter licensed  
16 under chapter 154E and this chapter may use the title  
17 "licensed interpreter" or the letters "L.I." after the  
18 person's name.

19 Sec. \_\_\_\_\_. Section 147.80, Code Supplement 2003, is  
20 amended by adding the following new subsection:

21 NEW SUBSECTION. 28A. License to practice  
22 interpreting, license to practice interpreting under a  
23 reciprocal license, or renewal of a license to  
24 practice interpreting.

25 Sec. \_\_\_\_\_. NEW SECTION. 154E.1 DEFINITIONS.

26 As used in this chapter, unless the context  
27 otherwise requires:

28 1. "Board" means the board of interpreter  
29 examiners established in chapter 147.

30 2. "Consumer" means an individual utilizing  
31 interpreting services who uses spoken English,  
32 American sign language, or a manual form of English.

33 3. "Department" means the Iowa department of  
34 public health.

35 4. "Interpreter training program" means a post-  
36 secondary education program training individuals to  
37 interpret or transliterate.

38 5. "Interpreting" means facilitating communication  
39 between individuals who communicate via American sign  
40 language and individuals who communicate via spoken  
41 English.

42 6. "Licensee" means any person licensed to  
43 practice interpreting or transliterating for deaf,  
44 hard-of-hearing, and hearing individuals in the state  
45 of Iowa.

46 7. "Transliterating" means facilitating  
47 communication between individuals who communicate via  
48 a manual form of English and individuals who  
49 communicate via spoken English.

50 Sec. \_\_\_\_\_. NEW SECTION. 154E.2 DUTIES OF THE

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Page 3

1 BOARD.

2 The board shall administer this chapter. The  
3 board's duties shall include, but are not limited to,  
4 the following:

5 1. Adopt rules consistent with this chapter and  
6 with chapter 147 which are necessary for the  
7 performance of its duties.

8 2. Act on matters concerning licensure and the  
9 process of applying for, granting, suspending,  
10 imposing supervisory or probationary conditions upon,  
11 reinstating, and revoking a license.

12 3. Establish and collect licensure fees. The  
13 board shall establish the amounts of license and  
14 renewal fees based upon the actual costs of sustaining  
15 the board and the actual costs of issuing the  
16 licenses, and all fees collected shall be deposited  
17 with the treasurer of state who shall deposit them in  
18 the general fund of the state.

19 4. Administer the provisions of this chapter  
20 regarding documentation required to demonstrate  
21 competence as an interpreter, and the processing of  
22 applications for licenses and license renewals.

23 5. Establish and maintain as a matter of public  
24 record a registry of interpreters licensed pursuant to  
25 this chapter.

26 6. Develop continuing education requirements as a  
27 condition of license renewal.

28 7. Evaluate requirements for licensure in other  
29 states to determine if reciprocity may be granted.

30 Sec. \_\_\_\_ . NEW SECTION. 154E.3 REQUIREMENTS FOR  
31 LICENSURE.

32 On or after July 1, 2005, every person providing  
33 interpreting or transliterating services in this state  
34 shall be licensed pursuant to this chapter. The board  
35 shall adopt rules pursuant to chapters 17A, 147, and  
36 272C establishing procedures for the licensing of new  
37 and existing interpreters. Prior to obtaining  
38 licensure, an applicant shall successfully pass an  
39 examination prescribed and approved by the board,  
40 demonstrating the following:

41 1. VOICE-TO-SIGN INTERPRETATION. An applicant  
42 shall demonstrate proficiency at:

43 a. Message equivalence, producing a true and  
44 accurate signed form of the spoken message,  
45 maintaining the integrity of content and meaning, and  
46 exhibiting few omissions, substitutions, or other  
47 errors.

48 b. Affect, producing nonmanual grammar consistent  
49 with the intent and emotion of the speaker, and  
50 exhibiting no distracting mannerisms.

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1 c. Vocabulary choice, making correct sign choices  
2 appropriate to the setting and consumers, applying  
3 facial grammar consistent with sign choice, selecting  
4 signs that remain true to speaker's intent, and  
5 demonstrating lexical variety.

6 d. Fluency, displaying confidence in production,  
7 exhibiting a strong command of American sign language  
8 or manual codes for English, applying nonmanual  
9 behaviors consistent with the speaker's intent, and  
10 demonstrating understanding of and sensitivity to  
11 cultural differences.

12 2. SIGN-TO-VOICE INTERPRETATION. An applicant  
13 shall demonstrate proficiency at:

14 a. Message equivalence, producing a true and  
15 accurate spoken form of the signed message,  
16 maintaining the integrity of content and meaning, and  
17 exhibiting few omissions, substitutions, or other  
18 errors.

19 b. Affect, producing inflection consistent with  
20 the intent and emotion of the speaker, and exhibiting  
21 no distracting mannerisms.

22 c. Vocabulary choice, making correct word choices  
23 appropriate to the setting and consumers, using vocal  
24 inflection consistent with word choice, selecting  
25 words that remain true to the speaker's intent, and  
26 demonstrating lexical variety.

27 d. Fluency, displaying confidence in production,  
28 exhibiting a strong command of English in both spoken  
29 and written forms, applying vocal inflections  
30 consistent with the speaker's intent, and  
31 demonstrating understanding of and sensitivity to  
32 cultural differences.

33 3. PROFESSIONAL CONDUCT. An applicant shall  
34 demonstrate:

35 a. Proficiency in functioning as a communicator of  
36 messages between the sender and receiver, and  
37 educating consumers of services about the functions  
38 and logistics of the interpreting process.

39 b. An impartial demeanor, refraining from  
40 interjecting opinions or advice and from aligning with  
41 one party over another. An applicant shall treat all  
42 people fairly and respectfully regardless of their  
43 relationship to the interpreting assignment, and  
44 present a professional appearance that is not visually  
45 distracting and is appropriate to the setting. An  
46 applicant shall exhibit knowledge and application of  
47 federal and state laws pertaining to the interpreting  
48 profession.

49 c. Integrity, and shall be proficient in  
50 understanding and applying ethical behavior

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1 appropriate for a licensee. An applicant shall  
2 demonstrate discretion in accepting and meeting  
3 interpreter services requests, and shall engage  
4 actively in lifelong learning.

5 Sec. \_\_\_\_ . NEW SECTION. 154E.4 EXCEPTIONS.

6 1. A person shall not practice interpreting or  
7 transliterating, or represent oneself to be an  
8 interpreter, unless the person is licensed under this  
9 chapter.

10 2. This chapter does not prohibit any of the  
11 following:

12 a. Any person residing outside of the state of  
13 Iowa holding a current license from another state that  
14 meets the state of Iowa's requirements from providing  
15 interpreting or transliterating services in this state  
16 for up to fourteen days per calendar year without a  
17 license issued pursuant to this chapter.

18 b. Any person who interprets or transliterates  
19 solely in a religious setting with the exception of  
20 those working in schools that receive government  
21 funding.

22 c. Volunteers working without compensation,  
23 including emergency situations, until a licensed  
24 interpreter is obtained.

25 d. Any person working as a substitute for a  
26 licensed interpreter in an early childhood,  
27 elementary, or secondary education setting for no more  
28 than thirty school days in a calendar year."

29 2. Page 24, by inserting after line 11 the  
30 following:

31 "Sec. \_\_\_\_ . Section 272C.1, subsection 6, Code  
32 2003, is amended by adding the following new  
33 paragraph:

34 NEW PARAGRAPH. ad. The board of interpreter  
35 examiners, created pursuant to chapter 154E."

36 3. Page 25, by inserting after line 22 the  
37 following:

38 "Sec. \_\_\_\_ . INTERPRETER STANDARDS AND REGULATIONS.  
39 There is appropriated from the general fund of the  
40 state to the Iowa department of public health, for the  
41 fiscal year beginning July 1, 2004, and ending June  
42 30, 2005, the following amount, or so much thereof as  
43 is necessary, for the purpose designated:

44 For protecting the health and safety of the public  
45 through establishing standards and enforcing  
46 regulations of interpreters for the deaf, hard-of-  
47 hearing, and hearing, and for not more than the  
48 following full-time equivalent positions:

49 .....	\$	60,390
50 .....	FTEs	1.00

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Page 6

1 Sec. \_\_\_\_ . TRANSITION PROVISIONS.

2 1. The board of interpreter examiners shall be  
3 provisionally established as provided in section  
4 147.14, as amended in this Act, effective July 1,  
5 2004, for the sole purpose of appointment of members  
6 and organizing, planning, and adopting rules, as  
7 described in section 9 of this Act, which rules shall  
8 be effective July 1, 2005. The board shall become  
9 fully operational July 1, 2007, as provided in this  
10 Act.

11 2. Applicants for licensure under chapter 154E who  
12 have not passed a licensure examination approved by  
13 the board by July 1, 2005, shall be issued a temporary  
14 license to practice interpreting for a period of two  
15 years, commencing on July 1, 2005.

16 3. Applicants issued a temporary license pursuant  
17 to this section shall pass a licensure examination  
18 approved by the board on or before July 1, 2007, in  
19 order to remain licensed as an interpreter.

20 Sec. \_\_\_\_ . EFFECTIVE DATE. The sections of this  
21 division of this Act providing for the licensing of  
22 interpreters by amending chapters 147 and 272C and  
23 enacting chapter 154E take effect July 1, 2005."

**By** EICHHORN of Hamilton  
HUTTER of Scott

HEATON of Henry  
CONNORS of Polk

**H-8573** FILED APRIL 15, 2004

ADOPTED

HOUSE FILE 2578

H-8574

1 Amend House File 2578 as follows:

2 1. Page 18, line 29, by striking the words "There  
3 is".

4 2. Page 18, line 30, by inserting before the word  
5 "appropriated" the following:

6 "1. There is".

7 3. Page 19, by inserting after line 2 the  
8 following:

9 "2. There is appropriated from the general fund of  
10 the state to the department of agriculture and land  
11 stewardship for the fiscal year beginning July 1,  
12 2004, and ending June 30, 2005, in addition to any  
13 other appropriation made by the general assembly, the  
14 following amount, or so much thereof as is necessary,  
15 to be used for the purposes designated:

16 For financial assistance for the establishment of  
17 permanent soil and water conservation practices as  
18 provided in the appropriation made in this Act for  
19 that purpose from the environment first fund:

20 ..... \$ 2,500,000"

21 4. Page 24, by inserting after line 28 the  
22 following:

23 "Sec. \_\_\_\_ . NEW SECTION. 422F.1 SHORT TITLE.

24 This chapter may be cited as the "Adult Enterprises  
25 Excise Tax Act".

26 Sec. \_\_\_\_ . NEW SECTION. 422F.2 DEFINITIONS.

27 For purposes of this chapter, unless the context  
28 otherwise requires:

29 1. "Adult enterprise" means a business that sells,  
30 leases, or rents obscene material or allows or permits  
31 an entertainer to expose the genitalia, buttocks, or  
32 the nipple of female breasts and the business is  
33 prohibited from admitting minors to the premises of  
34 the business under section 728.3.

35 2. "Lease or rental" means any transfer of  
36 possession or control of tangible personal property  
37 for a fixed or indeterminate term for consideration.  
38 A "lease or rental" may include a future option to  
39 purchase or extend.

40 3. "Obscene material" means the same as the term  
41 is defined in section 728.1.

42 4. "Sales" or "sale" means any transfer, exchange,  
43 or barter, conditional or otherwise, in any manner or  
44 by any means whatsoever, for consideration.

45 5. "Sales price" means the total amount of  
46 consideration, including cash, credit, property, and  
47 services, for which personal property or services are  
48 sold, leased, or rented, valued in money, whether  
49 received in money or otherwise, without any deduction  
50 of any of the following:

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- 1 a. The seller's cost of the property sold.
- 2 b. The cost of materials used, labor or service
- 3 cost, interest, losses, costs of transportation to the
- 4 seller, taxes imposed on the seller, or any other
- 5 expenses of the seller.
- 6 c. Charges by the seller for any services
- 7 necessary to complete the sale, other than delivery or
- 8 installation charges.
- 9 d. Delivery charges.
- 10 e. Installation charges.

11 Sec. \_\_\_\_ . NEW SECTION. 422F.3 TAX IMPOSED.

12 1. An adult enterprise excise tax according to and

13 measured by gross receipts is imposed on an adult

14 enterprise for the privilege of doing business in this

15 state as an adult enterprise. The tax is imposed at

16 the rate of twenty-five percent upon the sales price

17 of the sale, lease, or rental of tangible or

18 intangible property, upon the sales price from the

19 furnishing of services, and upon the sales price of

20 all sales of tickets and admissions by the adult

21 enterprise.

22 2. The adult enterprise shall collect the tax by

23 adding the tax to the sales price.

24 3. The adult enterprise excise tax levied shall be

25 in addition to any state sales tax imposed under

26 section 423.2. Section 422.25, subsection 4, sections

27 422.30, 422.67, and 422.68, section 422.69, subsection

28 1, sections 422.70 to 422.75, section 423.14,

29 subsection 1, and sections 423.23, 423.24, 423.25,

30 423.31, 423.33, 423.35, 423.37 to 423.42, and 423.47,

31 consistent with the provisions of this chapter, apply

32 with respect to the adult enterprise excise tax

33 authorized under this chapter, in the same manner and

34 with the same effect as if the tax was a retail sales

35 tax within the meaning of those statutes.

36 Notwithstanding this subsection, the director of

37 revenue shall provide for quarterly filing of returns

38 and for other than quarterly filing of returns, both

39 as prescribed in section 423.31. The director of

40 revenue may require all persons, as defined in section

41 423.1, who are engaged in the business of deriving any

42 sales price subject to tax under this chapter, to

43 register with the department of revenue.

44 Sec. \_\_\_\_ . NEW SECTION. 422F.4 DEPOSIT OF

45 REVENUE.

46 The revenue arising from the tax imposed under this

47 chapter shall be credited to the general fund of the

48 state."

49 5. By renumbering as necessary.

By HOGG of Linn

**H-8574** FILED APRIL 15, 2004

A-W/D B-W/D

**HOUSE FILE 2578**

**H-8576**

1 Amend House File 2578 as follows:  
 2 1. Page 2, by inserting after line 28 the  
 3 following:  
 4 "\_\_\_\_. DEPARTMENT OF CULTURAL AFFAIRS  
 5 For continuation of the project recommended by the  
 6 Iowa battle flag advisory committee to stabilize the  
 7 condition of the battle flag collection,  
 8 notwithstanding section 8.57, subsection 5, paragraph  
 9 "c":  
 10 FY 2004-2005 ..... \$ 100,000"  
 11 2. By renumbering, redesignating, and correcting  
 12 internal references as necessary.

**By** BOAL of Polk

**H-8576** FILED APRIL 15, 2004  
WITHDRAWN

**HOUSE FILE 2578**

**H-8584**

1 Amend House File 2578 as follows:  
 2 1. Page 19, by inserting after line 2 the  
 3 following:  
 4 "Sec. \_\_\_\_ . GENERAL FUND TRANSFER -- CHILD ADVOCACY  
 5 BOARD. Of the amount appropriated from the general  
 6 fund of the state for the fiscal year beginning July  
 7 1, 2004, in 2004 Iowa Acts, Senate File 2298, Division  
 8 I, to the department of management for federal  
 9 overrecovery, \$400,000 shall be transferred to the  
 10 department of inspections and appeals, child advocacy  
 11 board, to be used to address a federal funding  
 12 reduction affecting the child advocacy board."  
 13 2. By renumbering as necessary.

**By** EICHHORN of Hamilton

**H-8584** FILED APRIL 15, 2004  
WITHDRAWN

HOUSE FILE 2578

H-8588

1 Amend House File 2578 as follows:

2 1. Page 5, by inserting after line 14 the  
3 following:

4 "\_\_\_\_. To the division of fire safety of the  
5 department for allocation to the fire service training  
6 bureau for the planning, design, and construction of  
7 regional training facilities in the state:

8 FY 2004-2005..... \$ 150,000

9 \_\_\_\_\_. To the division of fire safety of the  
10 department for allocation to the fire service training  
11 bureau to be used for the revolving loan program for  
12 equipment purchases by local fire departments, not  
13 withstanding section 8.57, subsection 5, paragraph  
14 "c":

15 FY 2004-2005..... \$ 500,000"

16 2. By renumbering, redesignating, and correcting  
17 internal references as necessary.

By STRUYK of Pottawattamie HUSER of Polk  
RASMUSSEN of Buchanan BELL of Jasper  
LUKAN of Dubuque

H-8588 FILED APRIL 15, 2004

ADOPTED

## HOUSE FILE 2578

## H-8590

1 Amend House File 2578 as follows:

2 1. Page 6, by striking lines 16 through 18 and  
3 inserting the following: "For grants awarded under  
4 the home modification grant program for veterans  
5 created in section 35A.13, as enacted by this division  
6 of this Act, notwithstanding section 8.57, subsection  
7 5, paragraph "c":"

8 2. Page 7, by inserting after line 7 the  
9 following:

10 "Sec. \_\_\_\_ . NEW SECTION. 35A.13 HOME MODIFICATION  
11 GRANT PROGRAM FOR VETERANS.

12 1. For the purposes of this section, "veteran"  
13 means the same as defined in section 35.1 or a  
14 resident of this state who served in the armed forces  
15 of the United States, completed a minimum aggregate of  
16 ninety days of active federal service, and was  
17 discharged under honorable conditions.

18 2. A veterans home modification grant program is  
19 created under the control of the commission. The  
20 veterans home modification grant program shall provide  
21 grants to veterans who have a service-connected,  
22 permanent disability, rating less than fifty percent  
23 as verified by the United States department of  
24 veterans affairs or a branch of the United States  
25 armed forces. Grants shall be awarded for home  
26 modifications that are designed to meet the needs of  
27 the veteran with the disability who will be residing  
28 in the home.

29 3. It is the intent of the general assembly that  
30 the program be equitably accessible to eligible  
31 veterans throughout the state.

32 4. The commission shall adopt rules pursuant to  
33 chapter 17A to administer the program.

34 a. The rules shall establish criteria for the  
35 awarding of grants, including the maximum amount  
36 available per grant. In determining the maximum  
37 amount available per grant, the commission shall  
38 consider the number of potential recipients statewide.

39 b. The rules shall provide that eligible  
40 modifications may include but are not limited to any  
41 of the following:

- 42 (1) Bathroom modifications.
- 43 (2) Installation of grab bars and handrails.
- 44 (3) Kitchen modifications.
- 45 (4) Lifting devices.
- 46 (5) Main-level bathroom or bedroom additions.
- 47 (6) Ramp additions or repair.
- 48 (7) Sidewalk additions or repair.
- 49 (8) The widening of doorways or hallways.

50 c. The rules shall specify the types of eligible

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1 residences, which shall include but are not limited to  
2 single-family residences owned by the veteran.

3 d. The rules shall provide for a waiting list  
4 system to be instituted if the total amount of the  
5 grants awarded in a fiscal year exceeds available  
6 funding for that fiscal year."

7 3. By renumbering as necessary.

By COHOON of Des Moines  
WHITAKER of Van Buren

**H-8590** FILED APRIL 15, 2004

WITHDRAWN

**HOUSE FILE 2578****H-8591**

1 Amend the amendment, H-8573, to House File 2578 as  
2 follows:

3 1. Page 1, line 18, by inserting after the word  
4 "interpreter" the following: "for the hearing  
5 impaired".

6 2. Page 1, line 32, by inserting after the word  
7 "interpreting" the following: "for the hearing  
8 impaired".

9 3. Page 1, line 44, by inserting after the word  
10 "interpreting" the following: "for the hearing  
11 impaired".

12 4. Page 2, line 1, by inserting after the word  
13 "interpreter" the following: "for the hearing  
14 impaired".

15 5. Page 2, line 5, by inserting after the word  
16 "interpreting" the following: "for the hearing  
17 impaired".

18 6. Page 2, line 28, by inserting after the word  
19 "interpreter" the following: "for the hearing  
20 impaired".

21 7. Page 5, line 34, by inserting after the word  
22 "interpreter" the following: "for the hearing  
23 impaired".

24 8. Page 6, line 2, by inserting after the word  
25 "interpreter" the following: "for the hearing  
26 impaired".

By CONNORS of Polk

**H-8591** FILED APRIL 15, 2004

ADOPTED

**HOUSE FILE 2578**

**H-8594**

1 Amend House File 2578 as follows:

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

4 " . DEPARTMENT OF CULTURAL AFFAIRS

5 For historical site preservation grants, to be used  
6 for the restoration, preservation, and development of  
7 historical sites, notwithstanding section 8.57,  
8 subsection 5, paragraph "c":

9 ..... \$ 300,000

10 The department shall give priority in awarding  
11 grants to projects for historic landmarks and  
12 preserving railroad history."

13 2. By renumbering as necessary.

**By** WENDT of Woodbury

WHITEAD of Woodbury

**H-8594** FILED APRIL 15, 2004

WITHDRAWN

HOUSE FILE 2578

H-8595

1 Amend House File 2578 as follows:

2 1. Page 18, by inserting after line 28 the  
3 following:

4 "Sec. \_\_\_\_ . HELP AMERICA VOTE ACT. There is  
5 appropriated from the general fund of the state to the  
6 office of the secretary of state for the fiscal year  
7 beginning July 1, 2003, and ending June 30, 2004, the  
8 following amount, or so much thereof as is necessary,  
9 to be used for the purposes designated:

10 For the purchase and installation of voting  
11 machines to implement the federal Help America Vote  
12 Act (HAVA):

13 ..... \$ 765,000

14 Of the federal funds drawn down pursuant to HAVA,  
15 not less than 80 percent shall be distributed to  
16 counties for the implementation of that Act.

17 The state commissioner of elections shall report to  
18 the general assembly regarding the expenditure of the  
19 moneys appropriated in this subsection by January 2,  
20 2005, and July 1, 2005.

21 Notwithstanding section 8.33, moneys appropriated  
22 in this section that remain unencumbered or  
23 unobligated at the close of the fiscal year shall not  
24 revert but shall remain available for expenditure for  
25 the purposes designated until the close of the  
26 succeeding fiscal year."

27 2. Page 20, line 7, by striking the word and  
28 figure "Section 27" and inserting the following:

29 "1. The section of this division of this Act  
30 providing an appropriation for implementation of the  
31 federal Help America Vote Act, being deemed of  
32 immediate importance, takes effect upon enactment.

33 2. The section".

34 3. By renumbering as necessary.

By JACOBS of Polk

H-8595 FILED APRIL 15, 2004

ADOPTED

HOUSE FILE 2578

H-8596

1 Amend House File 2578 as follows:  
 2 1. Page 2, line 30, by inserting before the word  
 3 "For" the following: "a."  
 4 2. Page 2, line 35, by striking the word  
 5 "subsection" and inserting the following: "lettered  
 6 paragraph".  
 7 3. Page 3, by inserting after line 5 the  
 8 following:  
 9 "b. For a grant to the city of Council Bluffs to  
 10 be used to support the 28th avenue neighborhood  
 11 improvement project for the redevelopment of 30  
 12 moderate valuation homes, notwithstanding section  
 13 8.57, subsection 5, paragraph "c":  
 14 ..... \$ 300,000  
 15 The grant requirements shall provide for the city  
 16 to draw as much federal funding as is available for  
 17 purposes of the project."

By SHOMSHOR of Pottawattamie  
 STRUYK of Pottawattamie

H-8596 FILED APRIL 15, 2004  
 LOST

HOUSE FILE 2578

H-8597

1 Amend House File 2578 as follows:  
 2 1. Page 15, by striking lines 16 and 17 and  
 3 inserting the following: "agencies for the designated  
 4 fiscal years, the following amounts, or so much".  
 5 2. Page 15, by striking line 25 and inserting the  
 6 following:  
 7 "FY 2004-2005..... \$ 3,049,284  
 8 FY 2005-2006..... \$ 3,000,000"  
 9 3. Page 15, by striking line 27 and inserting the  
 10 following:  
 11 "FY 2004-2005..... \$ 3,000,000  
 12 \_\_\_\_\_. DEPARTMENT OF NATURAL RESOURCES  
 13 For costs associated with the planning and design  
 14 of a premier destination park:  
 15 FY 2004-2005..... \$ 3,000,000"  
 16 4. By renumbering as necessary.

By SWAIM of Davis  
 WHITAKER of Van Buren  
 ARNOLD of Lucas

H-8597 FILED APRIL 15, 2004  
 LOST



HOUSE FILE 2578

H-8601

1 Amend House File 2578 as follows:

2 1. Page 1, line 12, by striking the figure  
3 "1,500,000" and inserting the following: "2,000,000".

4 2. Page 1, line 22, by striking the figure  
5 "361,496" and inserting the following: "1,861,496".

6 3. Page 1, line 34, by striking the figure  
7 "2,500,000" and inserting the following: "7,300,000".

8 4. Page 2, by inserting after line 16 the  
9 following:

10 "\_\_\_\_. For capitol interior restoration:  
11 FY 2004-2005..... \$ 1,770,000

12 \_\_\_\_\_. For costs associated with maintenance and  
13 operation of the state laboratories facility located  
14 in Ankeny, notwithstanding section 8.57, subsection 5,  
15 paragraph "c":

16 FY 2004-2005..... \$ 355,500"

17 5. Page 2, line 25, by inserting before the word  
18 "For" the following: "a."

19 6. Page 2, by inserting after line 28 the  
20 following:

21 "b. For construction of a community-based  
22 correctional facility, including district offices, in  
23 Davenport:

24 FY 2004-2005..... \$ 3,000,000

25 FY 2005-2006..... \$ 2,500,000"

26 7. Page 2, by inserting after line 28 the  
27 following:

28 "\_\_\_\_. DEPARTMENT OF CULTURAL AFFAIRS

29 a. For historical site preservation grants, to be  
30 used for the restoration, preservation, and  
31 development of historical sites:

32 FY 2004-2005..... \$ 500,000

33 Historical site preservation grants shall only be  
34 awarded for projects which meet the definition of  
35 "vertical infrastructure" in section 8.57, subsection  
36 5, paragraph "c".

37 In making grants pursuant to this lettered  
38 paragraph, the department shall consider the existence  
39 and amount of other funds available to an applicant  
40 for the designated project. A grant awarded from  
41 moneys appropriated in this lettered paragraph shall  
42 not exceed \$100,000 per project. Not more than two  
43 grants may be awarded in the same county.

44 b. For continuation of the project recommended by  
45 the Iowa battle flag advisory committee to stabilize  
46 the condition of the battle flag collection,  
47 notwithstanding section 8.57, subsection 5, paragraph  
48 "c":

49 FY 2004-2005..... \$ 100,000"

50 8. Page 2, line 30, by inserting before the word

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- 1 "For" the following: "a."
- 2 9. Page 2, line 35, by striking the word
- 3 "subsection" and inserting the following:
- 4 "paragraph".
- 5 10. Page 3, by inserting after line 5 the
- 6 following:
- 7 "b. For costs associated with Iowa's hosting of
- 8 the national special Olympics, notwithstanding section
- 9 8.57, subsection 5, paragraph "c":
- 10 FY 2004-2005..... \$ 500,000
- 11 c. To provide a grant for the planning, design,
- 12 and construction of a not-for-profit family
- 13 recreational facility that will also include a cardiac
- 14 rehabilitation center and a family indoor aquatic
- 15 center:
- 16 FY 2004-2005..... \$ 200,000"
- 17 11. Page 3, by inserting after line 22 the
- 18 following:
- 19 "d. For allocation to the public broadcasting
- 20 division for costs of installation of digital and
- 21 analog television for Iowa public television
- 22 facilities, notwithstanding section 8.57, subsection
- 23 5, paragraph "c":
- 24 FY 2004-2005..... \$ 8,000,000
- 25 FY 2005-2006..... \$ 8,000,000
- 26 FY 2006-2007..... \$ 2,300,000"
- 27 12. Page 4, by inserting after line 12 the
- 28 following:
- 29 "\_\_\_\_. DEPARTMENT OF NATURAL RESOURCES
- 30 For costs associated with the planning, design, and
- 31 construction of a premier destination state park,
- 32 notwithstanding section 8.57, subsection 5, paragraph
- 33 "c":
- 34 FY 2004-2005..... \$ 500,000"
- 35 13. Page 6, line 11, by inserting before the word
- 36 "For" the following: "a."
- 37 14. Page 6, by inserting after line 14, the
- 38 following:
- 39 "b. For deposit in the vision Iowa fund, to be
- 40 used for the vision Iowa program, notwithstanding
- 41 section 8.57, subsection 5, paragraph "c":
- 42 FY 2004-2005..... \$ 2,000,000
- 43 c. For deposit in the community attraction and
- 44 tourism fund, to be used for the community attraction
- 45 and tourism program, notwithstanding section 8.57,
- 46 subsection 5, paragraph "c":
- 47 FY 2004-2005..... \$ 2,000,000"
- 48 15. Page 15, line 27, by striking the figure
- 49 "3,000,000" and inserting the following: "3,500,000".
- 50 16. Page 17, line 28, by striking the figure

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1 "966,960" and inserting the following: "10,966,960".

2 17. Page 19, line 9, by striking the figure

3 "440,369" and inserting the following: "465,491".

4 18. Page 19, line 22, by striking the figure

5 "71,969" and inserting the following: "76,059".

6 19. Page 19, by inserting after line 28 the

7 following:

8 "Sec. \_\_\_\_ . TRANSFER AND DEPOSIT OF SURPLUS MONEYS

9 IN LOCAL HOUSING ASSISTANCE PROGRAM FUND. The sum of

10 \$800,000 is transferred from moneys declared by the

11 Iowa finance authority under section 16.10 to be

12 surplus moneys to the department of economic

13 development for deposit in the local housing

14 assistance program fund created in section 15.354 for

15 the fiscal year beginning July 1, 2004, and ending

16 June 30, 2005."

17 20. Title page, line 4, by inserting after the

18 words "tax fund," the following: "Iowa finance

19 authority surplus moneys,".

20 21. By renumbering, redesignating, and correcting

21 internal references as necessary.

**By HUSEMAN of Cherokee**

**H-8601 FILED APRIL 15, 2004**

ADOPTED

## HOUSE FILE 2578

## H-8603

1 Amend House File 2578 as follows:

2 1. Page 3, line 26, by inserting after the word  
3 "disorders" the following: "located in a central Iowa  
4 county with a population of approximately 80,000".

5 2. Page 5, by striking lines 1 through 4 and  
6 inserting the following:

7 "b. To develop a capitol complex card access  
8 system, or expand the current capitol building card  
9 access system, through a competitive process, in order  
10 to provide a card access system for the buildings and  
11 controlled-access parking lots on the capitol complex  
12 that has complex-wide compatibility, notwithstanding  
13 section 8.57, subsection 5, paragraph "c":

14 3. Page 12, by striking lines 14 through 17.

15 4. Page 18, by striking lines 12 through 14 and  
16 inserting the following: "develop a capitol complex  
17 card access system, or expand the current capitol  
18 building card access system, through a competitive  
19 process, in order to provide a card access system for  
20 the buildings and controlled-access parking lots on  
21 the capitol complex that has complex-wide  
22 compatibility."

23 5. Page 18, line 23, by striking the word  
24 "subsection" and inserting the following: "lettered  
25 paragraph".

26 6. By striking page 20, line 34, through page 21,  
27 line 1 and inserting the following: "balance of the  
28 loan granted by the corporation to an eligible person  
29 and assigned to the department pursuant to this  
30 subparagraph during calendar year 2003, whether".

31 7. Page 22, by inserting after line 19 the  
32 following:

33 "Sec. \_\_\_\_ . Section 35A.2, subsection 2, Code 2003,  
34 as amended by 2004 Iowa Acts, Senate File 2298, if  
35 enacted, is amended to read as follows:

36 2. ~~Six~~ Eight commissioners shall be honorably  
37 discharged members of the armed forces of the United  
38 States. The American legion of Iowa, disabled  
39 American veterans department of Iowa, veterans of  
40 foreign wars department of Iowa, American veterans of  
41 World War II, Korea, and Vietnam, the Vietnam veterans  
42 of America, and the military order of the purple  
43 heart, through their department commanders, shall  
44 submit two names respectively from their organizations  
45 to the governor. The adjutant general and the Iowa  
46 affiliate of the reserve officers association shall  
47 submit names to the governor of persons to represent  
48 the Iowa national guard and the association. The  
49 governor shall appoint from the group of names  
50 submitted by the adjutant general and reserve officers

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1 association two representatives and from each of the  
2 other organizations one representative to serve as a  
3 member of the commission, unless the appointments  
4 would conflict with the bipartisan and gender balance  
5 provisions of sections 69.16 and 69.16A. In addition,  
6 the governor shall appoint ~~three members~~ one member of  
7 the public, knowledgeable in the general field of  
8 veterans affairs, to serve on the commission.

9 Sec. \_\_\_\_\_. Section 35D.13, subsection 2, Code 2003,  
10 as amended by 2004 Iowa Acts, Senate File 2298, if  
11 enacted, is amended to read as follows:

12 2. The commandant shall be a resident of the state  
13 of Iowa who served in the armed forces of the United  
14 States and was honorably discharged, and is a licensed  
15 nursing home administrator."

16 8. By striking page 22, line 20, through page 23,  
17 line 22.

18 9. Page 23, by inserting before line 23, the  
19 following:

20 "Sec. \_\_\_\_\_. Section 165B.5, subsection 3, if  
21 enacted by 2004 Iowa Acts, House File 2476, section 6,  
22 is amended to read as follows:

23 3. a. A person who owns or operates a restricted  
24 concentration point is subject to a civil penalty of  
25 ~~not less than~~ five thousand dollars for the first  
26 violation and ~~not less than~~ twenty-five thousand  
27 dollars for each subsequent violation. Each day that  
28 a violation continues constitutes a separate  
29 violation.

30 b. A person who has a legal interest in infected  
31 poultry or has custody of infected poultry which are  
32 located at a restricted concentration point is subject  
33 to a civil penalty of ~~not less than~~ five thousand  
34 dollars for the first violation and ~~not less than~~  
35 twenty-five thousand dollars for each subsequent  
36 violation. Each day that a violation continues  
37 constitutes a separate violation.

38 c. A person who transports poultry to or from a  
39 restricted concentration point is subject to a civil  
40 penalty of ~~not less than~~ one thousand dollars for the  
41 first violation and ~~not less than~~ five thousand  
42 dollars for each subsequent violation. Each day that  
43 a violation continues constitutes a separate  
44 violation.

45 d. A person who purchases, offers to purchase,  
46 barter, or offers to barter for poultry at a  
47 restricted concentration point is subject to a civil  
48 penalty of ~~not less than~~ one hundred dollars for the  
49 first violation and ~~not less than~~ one thousand dollars  
50 for each subsequent violation. Each day that a

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1 violation continues constitutes a separate violation.

2 e. A person who charges admission for entry into a  
3 restricted concentration point where a contest occurs  
4 or otherwise holds, advertises, or conducts the  
5 contest is subject to a civil penalty of ~~not less than~~  
6 one thousand dollars for the first violation and ~~not~~  
7 ~~less than~~ five thousand dollars for each subsequent  
8 violation. Each day that a violation continues  
9 constitutes a separate violation.

10 f. A person who attends or participates in a  
11 contest at a restricted concentration point where a  
12 contest occurs is subject to a civil penalty of ~~not~~  
13 ~~less than~~ one hundred dollars for the first violation  
14 and ~~not less than~~ one thousand dollars for each  
15 subsequent violation. Each day that a violation  
16 continues constitutes a separate violation."

17 10. Page 24, by inserting after line 28 the  
18 following:

19 "Sec. \_\_\_\_\_. Section 331.362, subsection 5, Code  
20 Supplement 2003, is amended to read as follows:

21 5. The board may enter into agreements with the  
22 department of transportation as provided in section  
23 313.2, including but not limited to agreements for the  
24 disposition of county property in accordance with  
25 section 331.361, subsection 2."

26 11. Page 27, by inserting after line 4 the  
27 following:

28 "Sec. \_\_\_\_\_. Section 34A.7A, subsection 2, paragraph  
29 f, if enacted by 2004 Iowa Acts, House File 2434, is  
30 amended by striking the paragraph and inserting in  
31 lieu thereof the following:

32 f. (1) The program manager shall allocate an  
33 amount up to one hundred twenty-seven thousand dollars  
34 per calendar quarter equally to the joint E911 service  
35 boards and the department of public safety that have  
36 submitted an annual written request to the program  
37 manager in a form approved by the program manager by  
38 May 15 of each year.

39 (2) Upon retirement of outstanding obligations  
40 referred to in paragraph "e", the amount allocated  
41 under this paragraph "f" shall be an amount up to four  
42 hundred thousand dollars per calendar quarter  
43 allocated as follows:

44 (a) Sixty-five percent of the total dollars  
45 available for allocation shall be allocated in  
46 proportion to the square miles of the service area to  
47 the total square miles in this state.

48 (b) Thirty-five percent of the total dollars  
49 available for allocation shall be allocated in  
50 proportion to the wireless E911 calls taken at the

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1 public safety answering point in the service area to  
2 the total number of wireless E911 calls originating in  
3 this state.

4 (c) Notwithstanding subparagraph subdivisions (a)  
5 and (b), the minimum amount allocated to each joint  
6 E911 service board and to the department of public  
7 safety shall be no less than one thousand dollars for  
8 each public safety answering point within the service  
9 area of the department of public safety or joint E911  
10 service board.

11 (3) The funds allocated in this paragraph "f"  
12 shall be used for communication equipment located  
13 inside the public safety answering points for the  
14 implementation and maintenance of wireless E911 phase  
15 2. The joint E911 service boards and the department  
16 of public safety shall provide an estimate of phase 2  
17 implementation costs to the program manager by January  
18 1, 2005."

19 12. Page 27, by inserting before line 5 the  
20 following:

21 "Sec. \_\_\_\_\_. Section 48A.11, subsection 1, paragraph  
22 e, Code 2003, as amended by 2004 Iowa Acts, Senate  
23 File 2269, section 8, if enacted, is amended to read  
24 as follows:

25 e. Iowa driver's license number if the registrant  
26 has a current and valid Iowa driver's license, Iowa  
27 nonoperator's identification card if the registrant  
28 has a current and valid Iowa nonoperator's  
29 identification card, or the last four numerals of the  
30 registrant's social security number. If the  
31 registrant does not have an Iowa driver's license  
32 number, an Iowa nonoperator's identification card  
33 number, or a social security number, the form shall  
34 provide space for a number to be assigned as provided  
35 in subsection 7.

36 Sec. \_\_\_\_\_. Section 48A.25A, unnumbered paragraph 1,  
37 if enacted by 2004 Iowa Acts, Senate File 2269,  
38 section 13, is amended to read as follows:.

39 Upon receipt of an application for voter  
40 registration by mail, the state registrar of voters  
41 shall compare the driver's license number, the Iowa  
42 nonoperator's identification card number, or the last  
43 four numerals of the social security number provided  
44 by the registrant with the records of the state  
45 department of transportation. To be verified, the  
46 voter registration record shall contain the same name,  
47 date of birth, and driver's license number or Iowa  
48 nonoperator's identification card number or whole or  
49 partial social security number as the records of the  
50 department of transportation. If the information

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1 cannot be verified, the application shall be rejected  
2 and the registrant shall be notified of the reason for  
3 the rejection. If the information can be verified, a  
4 record shall be made of the verification and the  
5 application shall be accepted.

6 Sec. \_\_\_\_\_. Section 48A.37, subsection 2, Code 2003,  
7 as amended by 2004 Iowa Acts, Senate File 2269,  
8 section 18, if enacted, is amended to read as follows:

9 2. Electronic records shall include a status code  
10 designating whether the records are active, inactive,  
11 local, or pending. Inactive records are records of  
12 registered voters to whom notices have been sent  
13 pursuant to section 48A.28, subsection 3, and who have  
14 not returned the card or otherwise responded to the  
15 notice, and those records have been designated  
16 inactive pursuant to section 48A.29. Local records  
17 are records of applicants who did not answer either  
18 "yes" or "no" to the question in section 48A.11,  
19 subsection 2A, paragraph "a". Pending records are  
20 records of applicants whose applications have not been  
21 verified pursuant to section 48A.25A. All other  
22 records are active records. An inactive record shall  
23 be made active when the registered voter votes at an  
24 election, registers again, or reports a change of  
25 name, address, telephone number, or political party  
26 affiliation. A pending record shall be made active  
27 upon verification. A local record shall be valid for  
28 any election for which no candidates for federal  
29 office appear on the ballot, ~~but the~~. A registrant  
30 may with only a local record shall not vote in a  
31 federal election unless the registrant submits a new  
32 voter registration application before election day  
33 indicating that the applicant is a citizen of the  
34 United States.

35 Sec. \_\_\_\_\_. Section 49.81, subsection 2, unnumbered  
36 paragraph 3, if enacted by 2004 Iowa Acts, Senate File  
37 2269, section 20, is amended to read as follows:

38 You must show identification before your ballot can  
39 be counted. Please bring or mail a copy of a current  
40 and valid photo identification card to the county  
41 ~~commissioners~~ commissioner's office or bring or mail a  
42 copy of one of the following current documents that  
43 show your name and address:

44 Sec. \_\_\_\_\_. Section 52.7, unnumbered paragraph 4,  
45 Code 2003, as amended by 2004 Iowa Acts, Senate File  
46 2269, section 27, if enacted, is amended to read as  
47 follows:

48 Such machine shall be so constructed as to  
49 accurately account for every vote cast upon it. The  
50 machine shall be so constructed as to remove

**H-8603**

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Page 6

1 information from the ballot identifying the voter  
2 before the ballot is recorded and counted. If the  
3 machine is a direct ~~electronic~~ recording electronic  
4 device, the machine shall be so constructed as to  
5 store each ballot cast separate from the ballot  
6 tabulation function, which ballot may be reproduced on  
7 paper in the case of a recount, manual audit, or  
8 machine malfunction.

9 Sec. \_\_\_\_\_. Section 53.3, subsection 7, if enacted  
10 by 2004 Iowa Acts, Senate File 2269, section 30, is  
11 amended to read as follows:

12 7. A statement that an absentee ballot will ~~by~~ be  
13 mailed to the applicant within twenty-four hours after  
14 the ballot for the election is available.

15 Sec. \_\_\_\_\_. Section 53.17, subsection 1, paragraph  
16 a, if enacted by 2004 Iowa Acts, Senate File 2269,  
17 section 33, is amended to read as follows:

18 a. The sealed carrier envelope may be delivered by  
19 the registered voter, by the special precinct election  
20 officials designated pursuant to section 53.22,  
21 subsection 1, or by the voter's designee if the  
22 absentee ballot is voted by a voter described in  
23 section 53.22, subsection 5, to the commissioner's  
24 office no later than the time the polls are closed on  
25 election day, ~~except as otherwise provided in~~  
26 ~~subsection 4.~~

27 Sec. \_\_\_\_\_. Section 53.17, subsection 4, paragraph  
28 d, subparagraph (2), if enacted by 2004 Iowa Acts,  
29 Senate File 2269, section 33, is amended to read as  
30 follows:

31 (2) The date and time the ~~voted~~ completed absentee  
32 ballot was received from the voter."

33 13. Page 36, by inserting after line 6 the  
34 following:

35 "Sec. \_\_\_\_\_. 2004 Iowa Acts, House File 2562,  
36 section 10, subsection 2, if enacted, is amended to  
37 read as follows:

38 2. On and after July 1, 2005, an owner of an  
39 electrical and mechanical amusement device as  
40 described in subsection 1 shall not offer the device  
41 for use by the public. However, the owner of a device  
42 shall be permitted to sell the device to a  
43 distributor, as defined in section 99B.1, as amended  
44 by this Act, or to a person authorized to offer the  
45 device to the public pursuant to section 99B.10,  
46 subsection 4, as amended by this Act for which a class  
47 "A", class "B", class "C", or class "D" liquor control  
48 license ~~or class "B" or class "C" beer permit~~ has been  
49 issued pursuant to chapter 123."

50 14. Page 36, by inserting after line 13 the

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1 following:

2 "Sec. \_\_\_\_ . 2004 Iowa Acts, Senate File 2282,  
3 section 1, if enacted, is amended to read as follows:  
4 SECTION 1. LOESS HILLS STUDY AND REPORT. The  
5 loess hills development and conservation authority, in  
6 consultation with the state advisory board for  
7 preserves, shall conduct a comprehensive study to  
8 determine the archaeological and paleontological  
9 significance and the significance of the flora and  
10 fauna of the loess hills and to determine the  
11 feasibility of designating land in the loess hills for  
12 dedication as a state native prairie preserve and of  
13 other various uses of the loess hills. The ~~natural~~  
14 ~~resource commission~~ loess hills development and  
15 conservation authority may accept gifts, grants,  
16 bequests, and other private contributions, as well as  
17 federal, state, or local funds for the purposes of  
18 conducting the study. The loess hills development and  
19 conservation authority and the state advisory board  
20 for preserves shall file a joint report containing  
21 their findings and recommendations with the  
22 legislative services agency by December 15, 2006, for  
23 distribution to the general assembly."  
24 15. By renumbering as necessary.

**By** HUSEMAN of Cherokee**H-8603** FILED APRIL 15, 2004

ADOPTED

## HOUSE FILE 2578

## H-8604

1 Amend House File 2578 as follows:

2 1. Page 24, by inserting after line 28 the  
3 following:

4 "Sec. \_\_\_\_\_. Section 602.8108, subsection 3,  
5 paragraph b, Code Supplement 2003, is amended to read  
6 as follows:

7 b. Of the amount received from the clerk, the  
8 state court administrator shall allocate ~~eighteen~~ six  
9 percent to be deposited in the criminalistics  
10 laboratory fund established in subsection 7, seventeen  
11 percent to be deposited in the victim compensation  
12 fund established in section 915.94, and ~~eighty-two~~  
13 seventy-seven percent to be deposited in the general  
14 fund.

15 Sec. \_\_\_\_\_. Section 602.8108, Code Supplement 2003,  
16 is amended by adding the following new subsection:

17 NEW SUBSECTION. 7. A criminalistics laboratory  
18 fund is created in the state treasury under the  
19 control of the department of public safety. The fund  
20 shall consist of appropriations made to the fund and  
21 transfers of interest, earnings, and moneys required  
22 to be collected for deposit in the fund, including  
23 moneys received from the criminal penalty surcharge  
24 pursuant to subsection 3, paragraph "b". All moneys  
25 in the fund are appropriated to the department of  
26 public safety for use by the department in  
27 criminalistics laboratory equipment purchasing,  
28 maintenance, depreciation, and training. Any balance  
29 in the fund on June 30 of any fiscal year shall not  
30 revert to any other fund of the state but shall remain  
31 available for the purposes described in this  
32 subsection.

33 Sec. \_\_\_\_\_. Section 911.2, unnumbered paragraph 1,  
34 Code 2003, is amended to read as follows:

35 When a court imposes a fine or forfeiture for a  
36 violation of a state law, or of a city or county  
37 ordinance except an ordinance regulating the parking  
38 of motor vehicles, the court shall assess an  
39 additional penalty in the form of a surcharge equal to  
40 ~~thirty~~ thirty-two percent of the fine or forfeiture  
41 imposed. An additional drug abuse resistance  
42 education surcharge of ten dollars shall be assessed  
43 by the clerk of the district court if the violation  
44 arose out of a violation of an offense provided for in  
45 chapter 321J or chapter 124, division IV. In the  
46 event of multiple offenses, the surcharge shall be  
47 based upon the total amount of fines or forfeitures  
48 imposed for all offenses. When a fine or forfeiture  
49 is suspended in whole or in part, the surcharge shall  
50 be reduced in proportion to the amount suspended."

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Page 2

1 2. By renumbering as necessary.

**By** HOGG of Linn

**H-8604** FILED APRIL 15, 2004

NOT GERMANE

**HOUSE FILE 2578**

**H-8605**

1 Amend House File 2578 as follows:

2 1. Page 6, by inserting after line 9 the  
3 following:

4 "\_\_\_\_. For establishment of a revolving fund for  
5 provision of loan guarantee or credit risk premium  
6 assistance for Iowa-based federal railroad  
7 administration classified class I and class II  
8 railroads:

9 ..... \$ 100,000

10 Loan guarantees or credit risk premium assistance  
11 made from the fund shall be used to support  
12 applications to the federal railroad rehabilitation  
13 and improvement financing program by such classified  
14 railroads."

15 2. By renumbering as necessary.

**By** COHOON of Des Moines

D. OLSON of Boone

**H-8605** FILED APRIL 15, 2004

LOST

**HOUSE FILE 2578****H-8607**

1 Amend House File 2578 as follows:  
2 1. Page 20, line 30, by striking the word  
3 "subdivision" and inserting the following:  
4 "subdivisions".  
5 2. Page 21, by inserting after line 6 the  
6 following:  
7 "NEW SUBPARAGRAPH SUBDIVISION. (d) This  
8 subparagraph subdivision applies to the annual amount  
9 that the corporation is required to repay the  
10 department pursuant to this subparagraph and the  
11 annual amount that the department is required to  
12 deposit into the road use tax fund pursuant to  
13 subsection 8. That amount shall at least equal four  
14 percent of the total amount of the Iowa agricultural  
15 industry finance loan that the department awarded to  
16 the corporation. However, the amount required to be  
17 repaid to the department and deposited into the road  
18 use tax fund shall never be less than one million  
19 dollars. The amount shall not be altered by any  
20 financing provided to an eligible person or other  
21 transfer of moneys made by the corporation, including  
22 but not limited to a loan made by the corporation the  
23 assignment of which the department has accepted  
24 pursuant to this subparagraph."  
25 2. By renumbering as necessary.

By KUHN of Floyd

**H-8607** FILED APRIL 15, 2004

ADOPTED

**HOUSE FILE 2578****H-8609**

1 Amend House File 2578 as follows:  
2 1. Page 24, by inserting after line 28 the  
3 following:  
4 "Sec. \_\_\_\_ . Section 422.11J, subsection 5,  
5 paragraph a, if enacted by 2004 Iowa Acts, Senate File  
6 2295, is amended to read as follows:  
7 a. "Disabled student" means a child requiring  
8 special education, as defined in section 256B.2,  
9 subsection 1, or a student with disabilities who  
10 qualifies for educational services under section 504  
11 of the federal Rehabilitation Act of 1973, as amended  
12 and codified in 29 U.S.C. § 794."  
13 2. By renumbering as necessary.

By HEDDENS of Story  
LUKAN of Dubuque

**H-8609** FILED APRIL 15, 2004

ADOPTED

**HOUSE FILE 2578**

**H-8610**

1 Amend House File 2578 as follows:  
 2 1. Page 24, by inserting after line 28 the  
 3 following:  
 4 "Sec. \_\_\_\_ . NEW SECTION. 422.65A ALLOCATION OF  
 5 REVENUE.  
 6 1. For the fiscal year beginning July 1, 2005, and  
 7 ending June 30, 2006, and for each fiscal year  
 8 thereafter, the first seven million five hundred  
 9 thousand dollars received from the franchise tax shall  
 10 be deposited into the rebuild Iowa infrastructure fund  
 11 created in section 8.57, and the remainder of the  
 12 moneys received from the franchise tax shall be  
 13 deposited in the general fund of the state.  
 14 2. The moneys deposited in the rebuild Iowa  
 15 infrastructure fund pursuant to subsection 1 are  
 16 appropriated to the community attraction and tourism  
 17 fund to be used as provided in section 15F.204."  
 18 2. By renumbering as necessary.

**By** DIX of Butler  
 SANDS of Louisa

**H-8610** FILED APRIL 15, 2004  
 OUT OF ORDER

**HOUSE FILE 2578**

**H-8611**

1 Amend the amendment, H-8601, to House File 2578 as  
 2 follows:  
 3 1. Page 1, line 25, by striking the figure  
 4 "2,500,000" and inserting the following:  
 5 "3,750,000".  
 6 2. Page 1, by inserting after line 25 the  
 7 following:  
 8 "FY 2006-2007..... \$ 3,750,000  
 9 It is the intent of the general assembly that the  
 10 department of management allocate the entire  
 11 appropriation for the fiscal year beginning July 1,  
 12 2006, to the department of corrections by July 31,  
 13 2006.""

**By** DIX of Butler

**H-8611** FILED APRIL 15, 2004  
 ADOPTED

**HOUSE FILE 2578**

**H-8612**

1 Amend the amendment, H-8573, to House File 2578 as  
2 follows:

3 1. Page 5, by inserting after line 50 the  
4 following:

5 "Sec. \_\_\_\_ . 2004 Iowa Acts, Senate File 2298,  
6 section 2, subsection 1, if enacted, is amended by  
7 striking the subsection and inserting in lieu thereof  
8 the following:

9 1. There is appropriated from the general fund of  
10 the state to the department of administrative services  
11 for the fiscal year beginning July 1, 2004, and ending  
12 June 30, 2005, the following amount, or so much  
13 thereof as is necessary, to be used for the purposes  
14 designated:

15 For start-up funding for revolving funds under the  
16 control of the department of administrative services  
17 and for salaries, support, maintenance, and  
18 miscellaneous purposes:

19 ..... \$ 1,889,610

20 Notwithstanding any provision of this section to  
21 the contrary, the department of administrative  
22 services shall deposit \$1,889,610 in the general fund  
23 of the state from moneys in departmental revolving  
24 funds and internal service funds at the end of the  
25 fiscal year."

**By EICHHORN of Hamilton**

**H-8612 FILED APRIL 15, 2004**

ADOPTED

**HOUSE FILE 2578**

**H-8613**

1 Amend the amendment, H-8597, to House File 2578 as  
2 follows:

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

5 "\_\_\_\_ . Page 2, by inserting after line 16 the  
6 following:

7 "\_\_\_\_ . For the payment of claims relating to the  
8 purchase and implementation of an integrated  
9 information system for Iowa system, notwithstanding  
10 section 8.57, subsection 5, paragraph "c":

11 FY 2005-2006..... \$ 3,000,000"

12 2. Page 1, by striking line 8.

13 3. By renumbering as necessary.

**By SWAIM of Davis**

**H-8613 FILED APRIL 15, 2004**

ADOPTED

**HOUSE FILE 2578****H-8614**

1 Amend House File 2578 as follows:

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

4 "In addition to the amount provided for costs  
5 associated with project management services in this  
6 subparagraph, the division of design and construction  
7 may be reimbursed from moneys appropriated in this  
8 lettered paragraph for such costs associated with  
9 applicable capital projects in an amount not to exceed  
10 \$370,824, notwithstanding section 8.57, subsection 5,  
11 paragraph "c". such reimbursement shall be provided  
12 for pursuant to an agreement entered into with a  
13 governmental entity to which the division of design  
14 and construction provides project management services  
15 relating to a capital project."

16 2. By renumbering as necessary.

By T. TAYLOR of Linn

**H-8614** FILED APRIL 15, 2004

ADOPTED

**HOUSE FILE 2578****H-8615**

1 Amend House File 2578 as follows:

2 1. Page 10, by inserting after line 8 the  
3 following:

4 "Sec. 201. Notwithstanding section 11.5B, for the  
5 fiscal year beginning July 1, 2003, and ending June  
6 30, 2004, the auditor of state shall not be entitled  
7 to reimbursement for performing any examination of the  
8 department of administrative services or funds  
9 received by the department of administrative services,  
10 except for an examination of the information  
11 technology enterprise within the department of  
12 administrative services and funds received by the  
13 information technology enterprise."

14 2. Page 10, line 9, by striking the word and  
15 figure "and 10" and inserting the following: "10, and  
16 201".

17 3. By renumbering as necessary.

By T. TAYLOR of Linn

**H-8615** FILED APRIL 15, 2004

ADOPTED

**HOUSE FILE 2578**

**H-8616**

1 Amend the amendment, H-8588, to House File 2578 as  
 2 follows:  
 3 1. Page 1, by inserting after line 1 the  
 4 following:  
 5 "\_\_\_\_. Page 4, line 24, by inserting before the  
 6 word "For" the following: "a."  
 7 \_\_\_\_\_. Page 4, by inserting after line 31 the  
 8 following:  
 9 "b. To the emergency medical services fund created  
 10 in section 132.25, notwithstanding section 8.57,  
 11 subsection 5, paragraph "c":  
 12 ..... \$ 200,000"  
 13 2. Page 1, line 15, by striking the figure  
 14 "500,000" and inserting the following: "300,000".  
 15 3. By renumbering as necessary.

**By** THOMAS of Clayton

**H-8616** FILED APRIL 16, 2004

**HOUSE FILE 2578**

**H-8617**

1 Amend the amendment, H-8564, to House File 2578 as  
 2 follows:  
 3 1. Page 1, by striking lines 10 and 11 and  
 4 inserting the following: "infrastructure fund  
 5 pursuant to paragraph "c", there is appropriated to  
 6 the environment first fund pursuant to section 8.57A,  
 7 subsection 4, prior to moneys being".  
 8 2. Page 1, line 45, by inserting after the word  
 9 "fund" the following: ", after the appropriation made  
 10 to the environment first fund pursuant to section  
 11 8.57A, subsection 4,".

**By** HOGG of Linn

**H-8617** FILED APRIL 15, 2004

LOST

**HOUSE FILE 2578**

**H-8618**

1 Amend the amendment, H-8588, to House File 2578 as  
 2 follows:  
 3 1. Page 1, by inserting after line 1 the  
 4 following:  
 5 "\_\_\_\_. Page 4, line 24, by inserting before the  
 6 word "For" the following: "a."  
 7 \_\_\_\_\_. Page 4, by inserting after line 31 the  
 8 following:  
 9 "b. To the emergency medical services fund created  
 10 in section 135.25, notwithstanding section 8.57,  
 11 subsection 5, paragraph "c":  
 12 ..... \$ 200,000"  
 13 2. By renumbering as necessary.

**By** THOMAS of Clayton

**H-8618** FILED APRIL 15, 2004  
LOST

**HOUSE FILE 2578**

**H-8619**

1 Amend the amendment, H-8601, to House File 2578 as  
 2 follows:  
 3 1. Page 1, by inserting after line 43 the  
 4 following:  
 5 "The department shall give priority in awarding  
 6 grants to projects for historic landmarks and  
 7 preserving railroad history."

**By** WENDT of Woodbury  
WHITEAD of Woodbury

**H-8619** FILED APRIL 15, 2004  
WITHDRAWN

**HOUSE FILE 2578**

**H-8620**

1 Amend the amendment, H-8601, to House File 2578 as  
 2 follows:  
 3 1. Page 2, by inserting after line 26 the  
 4 following:  
 5 "\_\_\_\_. Page 3, by inserting after line 27 the  
 6 following:  
 7 "\_\_\_\_. IOWA FINANCE AUTHORITY  
 8 For deposit in the housing trust fund created in  
 9 section 16.181, notwithstanding section 8.57,  
 10 subsection 5, paragraph "c":  
 11 FY 2004-2005..... \$ 800,000"  
 12 2. Page 3, by striking lines 6 through 16.  
 13 3. By renumbering as necessary.

**By** COHOON of Des Moines

**H-8620** FILED APRIL 15, 2004  
WITHDRAWN

**HOUSE FILE 2578**

**H-8621**

1 Amend House File 2578 as follows:

2 1. Page 3, by inserting after line 22 the  
3 following:

4 "\_\_\_\_. OFFICE OF THE GOVERNOR

5 For terrace hill quarters, to supplement the  
6 appropriation made for this purpose in 2004 Iowa Acts,  
7 Senate File 2298, Division I, if enacted,  
8 notwithstanding section 8.57, subsection 5, paragraph  
9 "c":

10 FY 2004-2005..... \$ 100,000"

11 2. By renumbering as necessary.

**By** DIX of Butler

**H-8621** FILED APRIL 15, 2004

ADOPTED

HOUSE FILE 2578

H-8622

1 Amend House File 2578 as follows:

2 1. Page 6, by striking lines 16 through 19 and  
3 inserting the following:

4 "a. For use of the home modification grant program  
5 for veterans and the establishment and operation of a  
6 state veterans cemetery as required in section 35A.3,  
7 subsection 14, if enacted by 2004 Iowa Acts, Senate  
8 File 2298, notwithstanding section 8.57, subsection 5,  
9 paragraph "c":

10 FY 2004-2005..... \$ 1,000,000

11 Of the amount appropriate in this subsection,  
12 \$400,000 shall be allocated for the establishment and  
13 operation of a state veterans cemetery if one is  
14 required by law and \$600,000 shall be allocated for  
15 the home modification grant program for veterans.

16 b. For the purposes of this subsection, "veteran"  
17 means the same as defined in section 35.1 or a  
18 resident of this state who served in the armed forces  
19 of the United States, completed a minimum aggregate of  
20 ninety days of active federal service, and was  
21 discharged under honorable conditions.

22 c. A veterans home modification grant program is  
23 created under the control of the commission. The  
24 veterans home modification grant program shall provide  
25 grants to veterans who have a service-connected,  
26 permanent disability, rating less than fifty percent  
27 as verified by the United States department of  
28 veterans affairs or a branch of the United States  
29 armed forces. Grants shall be awarded for home  
30 modifications that are designed to meet the needs of  
31 the veteran with the disability who will be residing  
32 in the home.

33 d. It is the intent of the general assembly that  
34 the program be equitably accessible to eligible  
35 veterans throughout the state.

36 e. The commission shall adopt rules pursuant to  
37 chapter 17A to administer the program.

38 (1) The rules shall establish criteria for the  
39 awarding of grants, including the maximum amount  
40 available per grant. In determining the maximum  
41 amount available per grant, the commission shall  
42 consider the number of potential recipients statewide.

43 (2) The rules shall provide that eligible  
44 modifications may include but are not limited to any  
45 of the following:

- 46 (a) Bathroom modifications.
- 47 (b) Installation of grab bars and handrails.
- 48 (c) Kitchen modifications.
- 49 (d) Lifting devices.
- 50 (e) Main-level bathroom or bedroom additions.

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Page 2

- 1 (f) Ramp additions or repair.
- 2 (g) Sidewalk additions or repair.
- 3 (h) The widening of doorways or hallways.
- 4 (3) The rules shall specify the types of eligible
- 5 residences, which shall include but are not limited to
- 6 single-family residences owned by the veteran.
- 7 (4) The rules shall provide for a waiting list
- 8 system to be instituted if the total amount of the
- 9 grants awarded in a fiscal year exceeds available
- 10 funding for that fiscal year."

By COHOON of Des Moines

**H-8622** FILED APRIL 15, 2004

LOST

**HOUSE FILE 2578****H-8623**

1 Amend House File 2578 as follows:

- 2 1. Page 8, line 27, by inserting after the word
- 3 ""c"." the following: "Of the available moneys in the
- 4 pooled technology account, \$100,000 shall be
- 5 transferred to the department of economic development
- 6 for the fiscal year beginning July 1, 2004, to be used
- 7 for the Iowa Lewis and Clark bicentennial commission
- 8 established pursuant to section 15.221."

By WHITEAD of Woodbury

HUSEMAN of Cherokee

WENDT of Woodbury

HOFFMAN of Crawford

**H-8623** FILED APRIL 16, 2004

ADOPTED

**HOUSE FILE 2578****H-8624**

1 Amend the amendment, H-8546, to House File 2578 as

- 2 follows:
- 3 1. Page 1, line 13, by striking the word "seven"
- 4 and inserting the following: "nine".
- 5 2. Page 1, line 16, by striking the word "seven"
- 6 and inserting the following: "nine".
- 7 3. Page 1, line 18, by striking the word "seven"
- 8 and inserting the following: "nine".
- 9 4. Page 1, by inserting after line 31 the
- 10 following:
- 11 "(5) One member representing the Iowa
- 12 environmental council.
- 13 (6) One member representing the Iowa chapter of
- 14 the sierra club."

By KUHN of Floyd

**H-8624** FILED APRIL 16, 2004

WITHDRAWN

**HOUSE FILE 2578****H-8625**

1 Amend the amendment, H-8601, to House File 2578 as  
2 follows:

3 1. Page 3, by striking lines 12 through 14 and  
4 inserting the following: "surplus moneys to the  
5 housing trust fund created in section 16.181 for".

By JACOBS of Polk

**H-8625** FILED APRIL 15, 2004

ADOPTED

**HOUSE FILE 2578****H-8626**

1 Amend the amendment, H-8601, to House File 2578 as  
2 follows:

3 1. Page 3, by striking lines 6 through 16.  
4 2. By renumbering as necessary.

By COHOON of Des Moines

**H-8626** FILED APRIL 15, 2004

WITHDRAWN

**HOUSE FILE 2578****H-8627**

1 Amend the amendment, H-8546, to House File 2578 as  
2 follows:

3 1. Page 1, line 13, by striking the word "seven"  
4 and inserting the following: "eight".

5 2. Page 1, line 16, by striking the word "seven"  
6 and inserting the following: "eight".

7 3. Page 1, line 18, by striking the word "seven"  
8 and inserting the following: "eight".

9 4. Page 1, by inserting after line 31 the  
10 following:

11 "(5) One member representing the Iowa  
12 environmental council."

By KUHN of Floyd

HOGG of Linn

WHITAKER of Van Buren

**H-8627** FILED APRIL 16, 2004

ADOPTED

HOUSE FILE 2578

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 730)

(As Amended and Passed by the House April 15, 2004)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to and making appropriations to state departments  
2 and agencies from the rebuild Iowa infrastructure fund,  
3 environment first fund, tobacco settlement trust fund, state  
4 general fund, road use tax fund, Iowa finance authority  
5 surplus moneys, and primary road fund, and making related and  
6 corrective changes and providing effective dates.

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

8  
9  
10  
11  
12  
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19  
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22

House Amendments \_\_\_\_\_

Deleted Language 

DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

1  
2  
3 Section 1. There is appropriated from the rebuild Iowa  
4 infrastructure fund to the following departments and agencies  
5 for the designated fiscal years, the following amounts, or so  
6 much thereof as is necessary, to be used for the purposes  
7 designated:

8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

9 a. For routine maintenance of state buildings and  
10 facilities, notwithstanding section 8.57, subsection 5,  
11 paragraph "c":

12 FY 2004-2005..... \$ 2,000,000

13 b. For relocation costs directly associated with  
14 remodeling projects on the capitol complex and for facility  
15 lease payments for the department of corrections, the Iowa  
16 department of public health, and the department of public  
17 safety, notwithstanding section 8.57, subsection 5, paragraph  
18 "c":

19 FY 2004-2005..... \$ 2,271,617

20 c. For technology improvement projects, notwithstanding  
21 section 8.57, subsection 5, paragraph "c":

22 FY 2004-2005..... \$ 1,861,496

23 Of the amount appropriated in this lettered paragraph,  
24 \$288,496 is allocated to maintain and operate the enterprise  
25 warehouse technology project and \$73,000 is allocated to the  
26 division of criminal and juvenile justice planning of the  
27 department of human rights for 1.00 full-time equivalent  
28 position to provide support for the justice data warehouse  
29 technology project.

30 d. For major renovation and major repair needs, including  
31 health, life, and fire safety needs, and for compliance with  
32 the federal Americans With Disabilities Act, for state  
33 buildings and facilities under the purview of the department:

34 FY 2004-2005..... \$ 7,300,000

35 (1) Of the amount appropriated in this lettered paragraph,

1 up to \$375,000 may be used for costs associated with project  
2 management services in the division of design and construction  
3 within the general services enterprise of the department,  
4 notwithstanding section 8.57, subsection 5, paragraph "c".

5 [ In addition to the amount provided for costs associated  
6 with project management services in this subparagraph, the  
7 division of design and construction may be reimbursed from  
8 moneys appropriated in this lettered paragraph for such costs  
9 associated with applicable capital projects in an amount not  
10 to exceed \$370,824, notwithstanding section 8.57, subsection  
11 5, paragraph "c". such reimbursement shall be provided for  
12 pursuant to an agreement entered into with a governmental  
13 entity to which the division of design and construction  
14 provides project management services relating to a capital  
15 project.]

16 (2) Of the amount appropriated in this lettered paragraph,  
17 \$200,000 may be used for costs associated with the vertical  
18 infrastructure program, notwithstanding section 8.57,  
19 subsection 5, paragraph "c".

20 e. For costs associated with the remodeling of the records  
21 and property center:

22	FY 2004-2005.....	\$	5,000,000
23	FY 2005-2006.....	\$	4,700,000

24 f. For accent lighting systems for the soldiers and  
25 sailors monument and the Allison monument on the capitol  
26 complex:

27	FY 2004-2005.....	\$	35,000
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28 [g. For capitol interior restoration:

29	FY 2004-2005.....	\$	1,770,000
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30 h. For costs associated with maintenance and operation of  
31 the state laboratories facility located in Ankeny,  
32 notwithstanding section 8.57, subsection 5, paragraph "c":

33	FY 2004-2005.....	\$	355,500]
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34 2. DEPARTMENT FOR THE BLIND

35 For the remodeling of the orientation center:

1 FY 2004-2005..... \$ 67,000  
2 3. STATE BOARD OF REGENTS  
3 For maintenance at the Iowa school for the deaf and the  
4 Iowa braille and sight saving school:  
5 FY 2004-2005..... \$ 500,000  
6 4. DEPARTMENT OF CORRECTIONS  
7 a. For costs of entering into a lease-purchase agreement  
8 to connect the electrical system supporting the special needs  
9 unit at Fort Madison:  
10 FY 2004-2005..... \$ 333,168  
11 b. For construction of a community-based correctional  
12 facility, including district offices, in Davenport:  
13 FY 2004-2005..... \$ 3,000,000  
14 FY 2005-2006..... \$ 3,750,000  
15 FY 2006-2007..... \$ 3,750,000  
16 It is the intent of the general assembly that the  
17 department of management allocate the entire appropriation for  
18 the fiscal year beginning July 1, 2006, to the department of  
19 corrections by July 31, 2006.  
20 5. DEPARTMENT OF CULTURAL AFFAIRS  
21 a. For historical site preservation grants, to be used for  
22 the restoration, preservation, and development of historical  
23 sites:  
24 FY 2004-2005..... \$ 500,000  
25 Historical site preservation grants shall only be awarded  
26 for projects which meet the definition of "vertical  
27 infrastructure" in section 8.57, subsection 5, paragraph "c".  
28 In making grants pursuant to this lettered paragraph, the  
29 department shall consider the existence and amount of other  
30 funds available to an applicant for the designated project. A  
31 grant awarded from moneys appropriated in this lettered  
32 paragraph shall not exceed \$100,000 per project. Not more  
33 than two grants may be awarded in the same county.  
34 b. For continuation of the project recommended by the Iowa  
35 battle flag advisory committee to stabilize the condition of

1 the battle flag collection, notwithstanding section 8.57,  
2 subsection 5, paragraph "c":

3 FY 2004-2005..... \$ 100,000 ]

4 6. DEPARTMENT OF ECONOMIC DEVELOPMENT

5 a. For accelerated career education program capital  
6 projects at community colleges that are authorized under  
7 chapter 260G and that meet the definition of "vertical  
8 infrastructure" in section 8.57, subsection 5, paragraph "c":

9 FY 2004-2005..... \$ 5,500,000

10 The moneys appropriated in this paragraph shall be  
11 allocated equally among the community colleges in the state.  
12 If any portion of the equal allocation to a community college  
13 is not obligated or encumbered by April 1, 2005, the  
14 unobligated and unencumbered portions shall be available for  
15 use by other community colleges.

16 b. For costs associated with Iowa's hosting of the  
17 national special Olympics, notwithstanding section 8.57,  
18 subsection 5, paragraph "c":

19 FY 2004-2005..... \$ 500,000

20 c. To provide a grant for the planning, design, and  
21 construction of a not-for-profit family recreational facility  
22 that will also include a cardiac rehabilitation center and a  
23 family indoor aquatic center:

24 FY 2004-2005..... \$ 200,000 ]

25 7. DEPARTMENT OF EDUCATION

26 a. To provide resources for structural and technological  
27 improvements to local libraries and for the enrich Iowa  
28 program, notwithstanding section 8.57, subsection 5, paragraph  
29 "c":

30 FY 2004-2005..... \$ 600,000

31 Funds allocated for purposes of the enrich Iowa program as  
32 provided in this lettered paragraph shall be distributed by  
33 the division of libraries and information services to provide  
34 support for Iowa's libraries.

35 b. For maintenance and lease costs associated with part

1 III connections, notwithstanding section 8.57, subsection 5,  
 2 paragraph "c":  
 3 FY 2004-2005..... \$ 2,727,000  
 4 c. For costs associated with the remodeling of the Jessie  
 5 Parker building:  
 6 FY 2004-2005..... \$ 303,632  
 7 [d. For allocation to the public broadcasting division for  
 8 costs of installation of digital and analog television for  
 9 Iowa public television facilities, notwithstanding section  
 10 8.57, subsection 5, paragraph "c":  
 11 FY 2004-2005..... \$ 8,000,000  
 12 FY 2005-2006..... \$ 8,000,000  
 13 FY 2006-2007..... \$ 2,300,000 ]

14 [8. OFFICE OF THE GOVERNOR  
 15 For terrace hill quarters, to supplement the  
 16 appropriation made for this purpose in 2004 Iowa Acts,  
 17 Senate File 2298, Division I, if enacted,  
 18 notwithstanding section 8.57, subsection 5, paragraph  
 19 "c":  
 20 FY 2004-2005..... \$ 100,000 ]

21 9. DEPARTMENT OF HUMAN SERVICES  
 22 To provide a grant for the planning, design, and  
 23 construction of a residential treatment facility for youth  
 24 with emotional and behavioral disorders located in a central  
 25 Iowa county with a population of approximately 80,000:  
 26 FY 2004-2005..... \$ 250,000

27 10. IOWA STATE FAIR AUTHORITY  
 28 For vertical infrastructure projects on the state  
 29 fairgrounds:  
 30 FY 2004-2005..... \$ 250,000  
 31 For purposes of this subsection, "vertical infrastructure"  
 32 means the same as defined in section 8.57, subsection 5,  
 33 paragraph "c".

34 11. NATIONAL PROGRAM FOR PLAYGROUND SAFETY AT THE  
 35 UNIVERSITY OF NORTHERN IOWA

1 For the Iowa safe surfacing initiative, notwithstanding  
2 section 8.57, subsection 5, paragraph "c":  
3 ..... \$ 500,000

4 Not more than 2.5 percent of the funds appropriated in this  
5 subsection shall be used by the national program for  
6 playground safety for administrative costs associated with the  
7 Iowa safe surfacing initiative.

8 The crumb rubber playground tiles for the initiative shall  
9 be international play equipment manufacturers association  
10 (IPEMA)-certified to the American society for testing and  
11 materials (ASTM) F1292 standard.

12 [ 12. DEPARTMENT OF NATURAL RESOURCES

13 For costs associated with the planning, design, and  
14 construction of a premier destination state park,  
15 notwithstanding section 8.57, subsection 5, paragraph "c":

16 FY 2004-2005..... \$ 500,000 ]

17 13. DEPARTMENT OF PUBLIC DEFENSE

18 a. For planning, design, and construction of a national  
19 guard readiness center in or near Iowa City:

20 FY 2004-2005..... \$ 2,150,000

21 b. For maintenance and repair of national guard armories  
22 and facilities:

23 FY 2004-2005..... \$ 1,269,636

24 c. For construction of a new national guard armory at  
25 Boone:

26 FY 2004-2005..... \$ 1,096,000

27 14. IOWA DEPARTMENT OF PUBLIC HEALTH

28 For treatment of addictive disorders, to be utilized for  
29 the benefit of persons with addictions, notwithstanding  
30 section 8.57, subsection 5, paragraph "c":

31 FY 2004-2005..... \$ 1,690,000

32 It is the intent of the general assembly that from the  
33 moneys appropriated in this subsection, persons with a dual  
34 diagnosis of substance abuse and gambling addictions shall be  
35 given priority in treatment services.

1 15. DEPARTMENT OF PUBLIC SAFETY

2 a. For capitol building and judicial building security,  
3 notwithstanding section 8.57, subsection 5, paragraph "c":  
4 FY 2004-2005..... \$ 800,000

5 [ b. To develop a capitol complex card access system, or  
6 expand the current capitol building card access system,  
7 through a competitive process, in order to provide a card  
8 access system for the buildings and controlled-access parking  
9 lots on the capitol complex that has complex-wide  
10 compatibility, notwithstanding section 8.57, subsection 5,  
11 paragraph "c":

12 FY 2004-2005..... \$ 650,000 ]

13 c. For costs of entering into a lease-purchase agreement  
14 to upgrade the automated fingerprint identification system,  
15 notwithstanding section 8.57, subsection 5, paragraph "c":

16 FY 2004-2005..... \$ 550,000

17 d. For costs associated with improvements to Iowa's  
18 electronic criminal information records system to comply with  
19 national crime information center standards, notwithstanding  
20 section 8.57, subsection 5, paragraph "c":

21 FY 2004-2005..... \$ 500,000

22 [ e. To the division of fire safety of the department for  
23 allocation to the fire service training bureau for the  
24 planning, design, and construction of regional training  
25 facilities in the state:

26 FY 2004-2005..... \$ 150,000

27 f. To the division of fire safety of the department for  
28 allocation to the fire service training bureau to be used for  
29 the revolving loan program for equipment purchases by local  
30 fire departments, not withstanding section 8.57, subsection 5,  
31 paragraph "c":

32 FY 2004-2005..... \$ 500,000 ]

33 16. STATE DEPARTMENT OF TRANSPORTATION

34 a. For operation and maintenance of the network of  
35 automated weather observation and data transfer systems

1 associated with the Iowa aviation weather system, the runway  
2 marking program for public airports, the windsock program for  
3 public airports, and the aviation improvement program,  
4 notwithstanding section 8.57, subsection 5, paragraph "c":  
5 FY 2004-2005..... \$ 500,000

6 b. For vertical infrastructure improvements at the  
7 commercial air service airports within the state:  
8 FY 2004-2005..... \$ 1,100,000

9 One-half of the funds appropriated in this lettered  
10 paragraph shall be allocated equally between each commercial  
11 service airport, 40 percent of the funds shall be allocated  
12 based on the percentage that the number of enplaned passengers  
13 at each commercial service airport bears to the total number  
14 of enplaned passengers in the state during the previous fiscal  
15 year, and 10 percent of the funds shall be allocated based on  
16 the percentage that the air cargo tonnage at each commercial  
17 service airport bears to the total air cargo tonnage in the  
18 state during the previous fiscal year. In order for a  
19 commercial service airport to receive funding under this  
20 lettered paragraph, the airport shall be required to submit  
21 applications for funding of specific projects to the  
22 department for approval by the state transportation  
23 commission.

24 c. For a vertical infrastructure improvement grant program  
25 for improvements at general aviation airports within the  
26 state:  
27 FY 2004-2005..... \$ 581,400

28 17. OFFICE OF TREASURER OF STATE

29 a. For county fair infrastructure improvements for  
30 distribution in accordance with chapter 174 to qualified fairs  
31 which belong to the association of Iowa fairs:  
32 FY 2004-2005..... \$ 1,060,000

33 b. For deposit in the vision Iowa fund, to be used for the  
34 vision Iowa program, notwithstanding section 8.57, subsection  
35 5, paragraph "c":

1 FY 2004-2005..... \$ 2,000,000  
2 c. For deposit in the community attraction and tourism  
3 fund, to be used for the community attraction and tourism  
4 program, notwithstanding section 8.57, subsection 5, paragraph  
5 "c":

6 FY 2004-2005..... \$ 2,000,000 ]

7 18. COMMISSION OF VETERANS AFFAIRS  
8 For deposit in the veterans trust fund established in  
9 section 35A.13, notwithstanding section 8.57, subsection 5,  
10 paragraph "c":

11 FY 2004-2005..... \$ 1,000,000

12 Sec. 2. PAYMENTS IN LIEU OF TUITION. There is  
13 appropriated from the rebuild Iowa infrastructure fund to the  
14 state board of regents for the fiscal year beginning July 1,  
15 2004, and ending June 30, 2005, the following amount, or so  
16 much thereof as may be necessary, to be used for the purpose  
17 designated:

18 For allocation by the state board of regents to the state  
19 university of Iowa, the Iowa state university of science and  
20 technology, and the university of northern Iowa to reimburse  
21 the institutions for deficiencies in their operating funds  
22 resulting from the pledging of tuitions, student fees and  
23 charges, and institutional income to finance the cost of  
24 providing academic and administrative buildings and facilities  
25 and utility services at the institutions, notwithstanding  
26 section 8.57, subsection 5, paragraph "c":

27 ..... \$ 858,764

28 Sec. 3. REVERSION. Notwithstanding section 8.33, moneys  
29 appropriated in sections 1 and 2 of this division of this Act  
30 shall not revert at the close of the fiscal year for which  
31 they were appropriated but shall remain available for the  
32 purposes designated until the close of the fiscal year that  
33 begins July 1, 2007, or until the project for which the  
34 appropriation was made is completed, whichever is earlier.

35 Sec. 4. 2003 Iowa Acts, chapter 177, section 6, subsection

1 2, is amended to read as follows:

2 2. For costs associated with the ~~planning-for-the-vacation~~  
3 ~~and-demolition~~ disposition of the Wallace building:

4 ..... \$ 50,000

5 The amount appropriated in this subsection shall be used to  
6 conduct a complete evaluation and analysis regarding the  
7 condition of the Wallace building and to make a recommendation  
8 to the general assembly no later than January 31, 2005, as to  
9 whether the Wallace building should be renovated for future  
10 use or vacated and demolished. The recommendation shall  
11 include cost estimates for renovation of the building and for  
12 its demolition.

13 Sec. 5. 2003 Iowa Acts, chapter 177, section 14, is  
14 amended to read as follows:

15 SEC. 14. REVERSION. Notwithstanding section 8.33, moneys  
16 appropriated in this division of this Act shall not revert at  
17 the close of the fiscal year for which they were appropriated  
18 but shall remain available for the purposes designated until  
19 the close of the fiscal year that begins July 1, ~~2006~~ 2007, or  
20 until the project for which the appropriation was made is  
21 completed, whichever is earlier.

22 Sec. 6. 2003 Iowa Acts, chapter 179, section 140, is  
23 amended to read as follows:

24 SEC. 140. Notwithstanding section 8.33, unencumbered and  
25 unobligated funds remaining from the appropriation made in  
26 1996 Iowa Acts, chapter 1218, section 13, subsection 2,  
27 paragraph "a", subparagraph (2), as amended by 1997 Iowa Acts,  
28 chapter 215, section 3, and from the appropriation made in  
29 1997 Iowa Acts, chapter 215, section 4, subsection 1, shall  
30 not revert but shall be available for the purposes designated  
31 in those provisions until the close of the fiscal year  
32 beginning July 1, ~~2003~~ 2004.

33 Of the amount of unencumbered and unobligated funds  
34 identified in this section, \$180,000 shall be used for the  
35 purposes described in 2003 Iowa Acts, chapter 177, section 6,

1 subsection 2, as amended by this 2004 Act.

2     Sec. 7. 2002 Iowa Acts, chapter 1173, section 18, as  
3 amended by 2003 Iowa Acts, chapter 179, section 39, is amended  
4 to read as follows:

5     SEC. 18. POOLED TECHNOLOGY FUNDING -- PRIOR ALLOCATIONS --  
6 NONREVERSION. Notwithstanding section 8.33, moneys  
7 appropriated and allocated in 2001 Iowa Acts, chapter 189,  
8 section 5, subsection 1, which remain unobligated or  
9 unexpended at the close of the fiscal year for which they were  
10 appropriated shall not revert, but shall remain available for  
11 expenditure for the purposes for which they were appropriated  
12 and allocated, for the fiscal period beginning July 1, 2002,  
13 and ending June 30, ~~2004~~ 2005. Notwithstanding the  
14 expenditure limitation in this section, the information  
15 technology enterprise within the department of administrative  
16 services may expend available moneys in the pooled technology  
17 account established in the office of the treasurer of state to  
18 complete the comprehensive study required under 2003 Iowa  
19 Acts, chapter 145, section 290, subsection 2, paragraph "c".  
20 Of the available moneys in the pooled technology account,  
21 \$100,000 shall be transferred to the department of economic  
22 development for the fiscal year beginning July 1, 2004, to be  
23 used for the Iowa Lewis and Clark bicentennial commission  
24 established pursuant to section 15.221.

25     Sec. 8. 2000 Iowa Acts, chapter 1225, section 2, as  
26 amended by 2001 Iowa Acts, chapter 185, section 2, is amended  
27 to read as follows:

28     SEC. 2. There is appropriated from the rebuild Iowa  
29 infrastructure fund to the department of corrections for the  
30 fiscal year beginning July 1, 2000, and ending June 30, 2001,  
31 the following amounts, or so much thereof as is necessary, to  
32 be used for the purposes designated:

33     1. To supplement funds appropriated in 1998 Iowa Acts,  
34 chapter 1219, section 2, subsection 3, for construction of a  
35 200-bed facility at the Iowa state penitentiary at Fort

1 Madison:

2 ..... \$ 3,000,000

3 2. For community-based corrections projects:

4 ..... \$ 900,000

5 The first \$300,000 of the amount appropriated in this  
6 subsection shall be allocated for community-based corrections  
7 projects in Council Bluffs. The next \$600,000 of the amount  
8 appropriated in this subsection shall be allocated for  
9 community-based corrections projects in the judicial district  
10 in which the city of Davenport is located. These moneys may  
11 be used by the department to enter into lease-purchasing  
12 agreements or the payment of rent for such projects.

13 Notwithstanding section 8.33 and section 20 of this Act,  
14 moneys appropriated in subsection 2 that remain unencumbered  
15 or unobligated at the close of the fiscal year that begins  
16 July 1, 2003, shall revert at the close of the fiscal year  
17 that begins July 1, 2006. However, if the projects for which  
18 the moneys are appropriated are completed in an earlier fiscal  
19 year, unencumbered or unobligated moneys shall revert at the  
20 close of that fiscal year.

21 Sec. 9. 2000 Iowa Acts, chapter 1225, section 19,  
22 unnumbered paragraph 2, is amended to read as follows:

23 To supplement moneys appropriated in prior fiscal years for  
24 construction of a new dining hall and food services facility  
25 and renovation of the former Sheeler food preparation area:

26 ..... \$ 992,000

27 Sec. 10. 2000 Iowa Acts, chapter 1225, section 20, is  
28 amended to read as follows:

29 SEC. 20. REVERSION. Notwithstanding section 8.33, moneys  
30 appropriated in this division of this Act that remain  
31 unencumbered or unobligated at the close of the fiscal year  
32 that begins July 1, ~~2003~~ 2004, shall revert at the close of  
33 that fiscal year. However, if the projects for which the  
34 moneys are appropriated are completed in an earlier fiscal  
35 year, unencumbered or unobligated moneys shall revert at the

1 close of that fiscal year.

2 Sec. 11. GAMBLING TREATMENT FUND APPROPRIATION -- REPEAL.  
3 The section of 2004 Iowa Acts, Senate File 2298, appropriating  
4 moneys from the gambling treatment fund to the Iowa department  
5 of public health, if enacted, is repealed.

6 [Sec. 12. Notwithstanding section 11.5B, for the fiscal  
7 year beginning July 1, 2003, and ending June 30, 2004, the  
8 auditor of state shall not be entitled to reimbursement for  
9 performing any examination of the department of administrative  
10 services or funds received by the department of administrative  
11 services, except for an examination of the information  
12 technology enterprise within the department of administrative  
13 services and funds received by the information technology  
14 enterprise.]

15 Sec. 13. Sections 4, 6, 7, 8, 9, 10, and 12 of this  
16 division of this Act, being deemed of immediate importance,  
17 take effect upon enactment.

18 DIVISION II

19 ENVIRONMENT FIRST FUND

20 Sec. 14. There is appropriated from the environment first  
21 fund to the following departments and agencies for the fiscal  
22 year beginning July 1, 2004, and ending June 30, 2005, the  
23 following amounts, or so much thereof as is necessary, to be  
24 used for the purposes designated:

25 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

26 a. For the conservation reserve enhancement program to  
27 restore and construct wetlands for the purposes of  
28 intercepting tile line runoff, reducing nutrient loss,  
29 improving water quality, and enhancing agricultural production  
30 practices:

31 ..... \$ 1,500,000

32 Not more than 5 percent of the moneys appropriated in this  
33 lettered paragraph may be used for costs of administration and  
34 implementation of soil and water conservation practices.

35 b. For continuation of a program that provides

1 multiobjective resource protections for flood control, water  
2 quality, erosion control, and natural resource conservation:  
3 ..... \$ 2,700,000

4 Not more than 5 percent of the moneys appropriated in this  
5 lettered paragraph may be used for costs of administration and  
6 implementation of soil and water conservation practices.

7 c. For continuation of a statewide voluntary farm  
8 management demonstration program to demonstrate the  
9 effectiveness and adaptability of emerging practices in  
10 agronomy that protect water resources and provide other  
11 environmental benefits:

12 ..... \$ 850,000

13 Not more than 5 percent of the moneys appropriated in this  
14 lettered paragraph may be used for costs of administration and  
15 implementation of soil and water conservation practices.

16 Of the amount appropriated in this lettered paragraph,  
17 \$400,000 shall be allocated to the Iowa soybean association's  
18 agriculture and environment performance program.

19 d. For deposit in the alternative drainage system  
20 assistance fund created in section 460.303 to be used for  
21 purposes of supporting the alternative drainage system  
22 assistance program as provided in section 460.304:

23 ..... \$ 500,000

24 Not more than 5 percent of the moneys appropriated in this  
25 lettered paragraph may be used for costs of administration and  
26 implementation of soil and water conservation practices.

27 e. To provide financial assistance for the establishment  
28 of permanent soil and water conservation practices:

29 ..... \$ 5,500,000

30 (1) Not more than 5 percent of the moneys appropriated in  
31 this lettered paragraph may be allocated for cost-sharing to  
32 abate complaints filed under section 161A.47.

33 (2) Of the moneys appropriated in this lettered paragraph,  
34 5 percent shall be allocated for financial incentives to  
35 establish practices to protect watersheds above publicly owned

1 lakes of the state from soil erosion and sediment as provided  
2 in section 161A.73.

3 (3) Not more than 30 percent of a district's allocation of  
4 moneys as financial incentives may be provided for the purpose  
5 of establishing management practices to control soil erosion  
6 on land that is row-cropped, including but not limited to no-  
7 till planting, ridge-till planting, contouring, and contour  
8 strip-cropping as provided in section 161A.73.

9 (4) The state soil conservation committee created in  
10 section 161A.4 may allocate moneys appropriated in this  
11 lettered paragraph to conduct research and demonstration  
12 projects to promote conservation tillage and nonpoint source  
13 pollution control practices.

14 (5) The financial incentive payments may be used in  
15 combination with department of natural resources moneys.

16 (6) Not more than 10 percent of the moneys appropriated in  
17 this lettered paragraph may be used for costs of  
18 administration and implementation of soil and water  
19 conservation practices.

\*

20 f. To encourage and assist farmers in enrolling in and the  
21 implementation of federal conservation programs and work with  
22 them to enhance their revegetation efforts to improve water  
23 quality and habitat:

24 ..... \$ 2,000,000

25 Not more than 5 percent of the moneys appropriated in this  
26 lettered paragraph may be used for costs of administration and  
27 implementation of soil and water conservation practices.

28 g. For deposit in the loess hills development and  
29 conservation fund created in section 161D.2:

30 ..... \$ 600,000

31 Of the amount appropriated in this lettered paragraph,  
32 \$400,000 shall be allocated to the hungry canyons account and  
33 \$200,000 shall be allocated to the loess hills alliance  
34 account, to be used for the purposes for which the moneys in  
35 those accounts are authorized to be used under chapter 161D.

1 No more than 5 percent of the moneys allocated to each account  
2 in this lettered paragraph may be used for administrative  
3 costs.

4 h. For deposit in the southern Iowa development and  
5 conservation fund created in section 161D.12:  
6 ..... \$ 300,000

7 No more than 5 percent of the moneys appropriated in this  
8 lettered paragraph may be used for administrative costs.

9 2. DEPARTMENT OF ECONOMIC DEVELOPMENT

10 For deposit in the brownfield redevelopment fund created in  
11 section 15.293 to provide assistance under the brownfield  
12 redevelopment program:

13 ..... \$ 500,000

14 3. DEPARTMENT OF NATURAL RESOURCES

15 a. To provide local watershed managers with geographic  
16 information system data for their use in developing,  
17 monitoring, and displaying results of their watershed work:

18 ..... \$ 195,000

19 b. For statewide coordination of volunteer efforts under  
20 the water quality and keepers of the land programs:

21 ..... \$ 100,000

22 c. For continuing the establishment and operation of water  
23 quality monitoring stations:

24 ..... \$ 2,955,000

25 d. For deposit in the administration account of the water  
26 quality protection fund, to carry out the purposes of that  
27 account:

28 ..... \$ 500,000

29 e. For air quality monitoring equipment:

30 ..... \$ 500,000

31 f. For the dredging of lakes, including necessary  
32 preparation for dredging, in accordance with the department's  
33 classification of Iowa lakes restoration report:

34 ..... \$ 1,000,000

35 The department shall consider the following criteria for

1 funding lake dredging projects as provided in this lettered  
2 paragraph, and shall prioritize projects based on the  
3 following:

4 (1) Documented efforts to address watershed protection,  
5 considering testing, conservation efforts, and amount of time  
6 devoted to watershed protection.

7 (2) Protection of a natural resource and natural habitat.

8 (3) Percentage of public access and undeveloped lakefront  
9 property.

10 (4) Continuation of current projects partially funded by  
11 state resources to achieve department recommendations.

12 g. For purposes of funding capital projects for the  
13 purposes specified in section 452A.79, and for expenditures  
14 for the local cost share grants to be used for capital  
15 expenditures to local governmental units for boating  
16 accessibility:

17 ..... \$ 2,300,000

18 h. For regular maintenance of state parks and staff time  
19 associated with these activities:

20 ..... \$ 2,000,000

21 RESOURCES ENHANCEMENT AND PROTECTION FUND

22 Sec. 15. Notwithstanding the amount of the standing  
23 appropriation from the general fund of the state under section  
24 455A.18, subsection 3, there is appropriated from the  
25 environment first fund to the Iowa resources enhancement and  
26 protection fund, in lieu of the appropriation made in section  
27 455A.18, for the fiscal year beginning July 1, 2004, and  
28 ending June 30, 2005, the following amount, to be allocated as  
29 provided in section 455A.19:

30 ..... \$ 11,000,000

31 Sec. 16. REVERSION.

32 1. Except as provided in subsection 2, and notwithstanding  
33 section 8.33, moneys appropriated in this division of this Act  
34 that remain unencumbered or unobligated shall not revert at  
35 the close of the fiscal year for which they were appropriated

1 but shall remain available for the purposes designated until  
2 the close of the fiscal year beginning July 1, 2005, or until  
3 the project for which the appropriation was made is completed,  
4 whichever is earlier.

5 2. Notwithstanding section 8.33, moneys appropriated in  
6 this division of this Act to the department of agriculture and  
7 land stewardship to provide financial assistance for the  
8 establishment of permanent soil and water conservation  
9 practices that remain unencumbered or unobligated at the close  
10 of the fiscal year shall not revert but shall remain available  
11 for expenditure for the purposes designated until the close of  
12 the fiscal year that begins July 1, 2007.

13 DIVISION III

14 TOBACCO SETTLEMENT TRUST FUND

15 Sec. 17. There is appropriated from the tax-exempt bond  
16 proceeds restricted capital funds account of the tobacco  
17 settlement trust fund to the following departments and  
18 agencies for the fiscal year beginning July 1, 2004, and  
19 ending June 30, 2005, the following amounts, or so much  
20 thereof as is necessary, to be used for the purposes  
21 designated:

22 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

23 a. For the payment of claims relating to the purchase and  
24 implementation of an integrated information for Iowa system,  
25 notwithstanding section 12E.12, subsection 1, paragraph "b",  
26 subparagraph (1):

27 ..... \$ 6,049,284

28 b. For capitol interior restoration:

29 ..... \$ 3,500,000

30 2. TAX-EXEMPT STATUS -- USE OF APPROPRIATIONS. Payment of

31 moneys from the appropriations in this section shall be made  
32 in a manner that does not adversely affect the tax-exempt  
33 status of any outstanding bonds issued by the tobacco  
34 settlement authority.

35 3. REVERSION. Notwithstanding section 8.33, moneys

1 appropriated in this section shall not revert at the close of  
2 the fiscal year for which they were appropriated but shall  
3 remain available for the purposes designated until the close  
4 of the fiscal year that begins July 1, 2006, or until the  
5 project for which the appropriation was made is completed,  
6 whichever is earlier.

7     Sec. 18. PAYMENTS IN LIEU OF TUITION. There is  
8 appropriated from the tax-exempt bond proceeds restricted  
9 capital funds account of the tobacco settlement trust fund of  
10 the state to the state board of regents for the fiscal year  
11 beginning July 1, 2004, and ending June 30, 2005, the  
12 following amount, or so much thereof as is necessary, to be  
13 used for the purpose designated:

14     For allocation by the state board of regents to the state  
15 university of Iowa, the Iowa state university of science and  
16 technology, and the university of northern Iowa to reimburse  
17 the institutions for deficiencies in their operating funds  
18 resulting from the pledging of tuitions, student fees and  
19 charges, and institutional income to finance the cost of  
20 providing academic and administrative buildings and facilities  
21 and utility services at the institutions, notwithstanding  
22 section 12E.12, subsection 1, paragraph "b", subparagraph (1):  
23 ..... \$ 10,437,174

24     Sec. 19. IOWA COMMUNICATIONS NETWORK DEBT SERVICE. There  
25 is appropriated from the tax-exempt bond proceeds restricted  
26 capital funds account of the tobacco settlement trust fund to  
27 the office of the treasurer of state for the fiscal year  
28 beginning July 1, 2004, and ending June 30, 2005, the  
29 following amount, or so much thereof as is necessary, to be  
30 used for the purpose designated:

31     For debt service for the Iowa communications network,  
32 notwithstanding section 12E.12, subsection 1, paragraph "b",  
33 subparagraph (1):  
34 ..... \$ 13,039,778  
35     Funds appropriated in this section shall be deposited in a

1 separate fund established in the office of the treasurer of  
2 state to be used solely for debt service for the Iowa  
3 communications network. The Iowa telecommunications and  
4 technology commission shall certify to the treasurer of state  
5 when a debt service payment is due, and upon receipt of the  
6 certification, the treasurer shall make the payment. The  
7 commission shall pay any additional amount due from funds  
8 deposited in the Iowa communications network fund.

9 Sec. 20. PRISON DEBT SERVICE. There is appropriated from  
10 the tax-exempt bond proceeds restricted capital funds account  
11 of the tobacco settlement trust fund to the office of the  
12 treasurer of state for the fiscal year beginning July 1, 2004,  
13 and ending June 30, 2005, the following amount, or so much  
14 thereof as is necessary, to be used for the purpose  
15 designated:

16 For repayment of prison infrastructure bonds under section  
17 16.177, notwithstanding section 12E.12, subsection 1,  
18 paragraph "b", subparagraph (1):

19 ..... \$ 5,413,324

20 Sec. 21. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT -- TRANSFER  
21 TO REBUILD IOWA INFRASTRUCTURE FUND. Notwithstanding 2001  
22 Iowa Acts, chapter 174, section 1, subsection 1, as amended by  
23 2002 Iowa Acts, chapter 1167, section 4, 2002 Iowa Acts,  
24 chapter 1174, section 8, and 2002 Iowa Acts, chapter 1175,  
25 section 95, there is transferred from the endowment for Iowa's  
26 health account of the tobacco settlement trust fund created in  
27 section 12E.12 to the rebuild Iowa infrastructure fund for the  
28 fiscal year beginning July 1, 2004, and ending June 30, 2005,  
29 the following amount:

30 ..... \$ 10,966,960

31 Notwithstanding section 8.33, moneys transferred in this  
32 section shall not revert.

33 Sec. 22. 2003 Iowa Acts, chapter 177, section 23,  
34 subsection 3, is amended to read as follows:

35 3. Notwithstanding section 8.33, moneys appropriated in

1 this section shall not revert at the close of the fiscal year  
2 for which they were appropriated, but shall remain available  
3 for the purpose designated until the close of the fiscal year  
4 that begins July 1, ~~2008~~ 2006, or until the project for which  
5 the appropriation was made is completed, whichever is earlier.

6 Sec. 23. 2003 Iowa Acts, chapter 177, section 22,  
7 subsection 8, is amended to read as follows:

8 8. DEPARTMENT OF PUBLIC SAFETY

9 For improvements to the capitol complex security system,  
10 notwithstanding section 12E.12, subsection 1, paragraph "b",  
11 subparagraph (1):

12 ..... \$ 1,000,000

13 The moneys appropriated in this subsection may be used to  
14 develop a capitol complex card access system, or expand the  
15 current capitol building card access system, through a  
16 competitive process, in order to provide a card access system  
17 for the buildings and controlled-access parking lots on the  
18 capitol complex that has complex-wide compatibility.

19 Sec. 24. 2002 Iowa Acts, chapter 1173, section 1,  
20 subsection 7, paragraph a, is amended to read as follows:

21 a. For parking improvements and provision of street access  
22 for the judicial building:

23	FY 2002-2003 .....	\$	700,000
24	FY 2003-2004 .....	\$	0
25	FY 2004-2005 .....	\$	0
26	FY 2005-2006 .....	\$	0

27 Of the amount appropriated in this lettered paragraph for  
28 FY 2002-2003, up to \$330,000 may be used for costs associated  
29 with operation of the judicial building, notwithstanding  
30 section 12E.12, subsection 1, paragraph "b", subparagraph (1).

31 DIVISION IV

32 MISCELLANEOUS FUNDS

33 [Sec. 25. HELP AMERICA VOTE ACT. There is appropriated  
34 from the general fund of the state to the office of the  
35 secretary of state for the fiscal year beginning July 1, 2003,

1 and ending June 30, 2004, the following amount, or so much  
2 thereof as is necessary, to be used for the purposes  
3 designated:

4 For the purchase and installation of voting machines to  
5 implement the federal Help America Vote Act (HAVA):

6 ..... \$ 765,000

7 Of the federal funds drawn down pursuant to HAVA, not less  
8 than 80 percent shall be distributed to counties for the  
9 implementation of that Act.

10 The state commissioner of elections shall report to the  
11 general assembly regarding the expenditure of the moneys  
12 appropriated in this subsection by January 2, 2005, and July  
13 1, 2005.

14 Notwithstanding section 8.33, moneys appropriated in this  
15 section that remain unencumbered or unobligated at the close  
16 of the fiscal year shall not revert but shall remain available  
17 for expenditure for the purposes designated until the close of  
18 the succeeding fiscal year.]

19 Sec. 26. GENERAL FUND APPROPRIATIONS.

20 1. There is appropriated from the general fund of the  
21 state to the state department of transportation for the fiscal  
22 year beginning July 1, 2004, and ending June 30, 2005, the  
23 following amount, or so much thereof as is necessary, to be  
24 used for the purposes designated:

25 For the rail assistance program and to provide economic  
26 development project funding:

27 ..... \$ 100,751

28 [2. There is appropriated from the general fund of the  
29 state to the racing and gaming commission within the  
30 department of inspections and appeals for the fiscal year  
31 beginning July 1, 2004, and ending June 30, 2005, in addition  
32 to any other appropriation made by the general assembly, the  
33 following amount, or so much thereof as is necessary, to be  
34 used for the purposes designated:

35 For salaries, support, maintenance, and miscellaneous

1 purposes for the regulation of pari-mutual racetracks:

2 ..... \$ 217,161

3 The funds appropriated in this subsection shall be used for  
4 one additional gaming representative at each of the three  
5 licensed racetracks.]

6 Sec. 27. PRIMARY ROAD FUND APPROPRIATION. There is  
7 appropriated from the primary road fund to the department of  
8 administrative services for the fiscal year beginning July 1,  
9 2004, and ending June 30, 2005, the following amount, or so  
10 much thereof as is necessary, to be used for distribution to  
11 the state department of transportation:

12 ..... \$ 465,491

13 Moneys appropriated in this section shall be separately  
14 accounted for in a distribution account and shall be  
15 distributed to the state department of transportation to pay  
16 for services provided the state department of transportation  
17 by the department of administrative services as described in  
18 chapter 8A.

19 Sec. 28. ROAD USE TAX FUND APPROPRIATION. There is  
20 appropriated from the road use tax fund to the department of  
21 administrative services for the fiscal year beginning July 1,  
22 2004, and ending June 30, 2005, the following amount, or so  
23 much thereof as is necessary, to be used for distribution to  
24 the state department of transportation:

25 ..... \$ 76,059

26 Moneys appropriated in this section shall be separately  
27 accounted for in a distribution account and shall be  
28 distributed to the state department of transportation to pay  
29 for services provided the state department of transportation  
30 by the department of administrative services as described in  
31 chapter 8A.

32 [Sec. 29. TRANSFER AND DEPOSIT OF SURPLUS MONEYS IN LOCAL  
33 HOUSING ASSISTANCE PROGRAM FUND. The sum of \$800,000 is  
34 transferred from moneys declared by the Iowa finance authority  
35 under section 16.10 to be surplus moneys to the housing trust

1 fund created in section 16.181 for the fiscal year beginning  
2 July 1, 2004, and ending June 30, 2005.]

3 Sec. 30. 2003 Iowa Acts, chapter 171, section 2, is  
4 amended by inserting the following new unnumbered paragraph:  
5 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
6 moneys appropriated in subsection 1 that remain unencumbered  
7 or unobligated at the close of the fiscal year shall not  
8 revert but shall remain available for expenditure until the  
9 close of the fiscal year that begins July 1, 2004, for the  
10 purpose of restocking the department's salt storage.

11 Sec. 31. DEPARTMENT OF TRANSPORTATION -- PERSONNEL  
12 SERVICES PAYMENT -- REPEAL. The portion of 2004 Iowa Acts,  
13 Senate File 2298, relating to payments by the state department  
14 of transportation to the department of administrative services  
15 for personnel services provided, if enacted, is repealed.

16 Sec. 32. EFFECTIVE DATE.

17 [1. The section of this division of this Act providing an  
18 appropriation for implementation of the federal Help America  
19 Vote Act, being deemed of immediate importance, takes effect  
20 upon enactment.

21 2. The section] of this division of this Act, amending 2003  
22 Iowa Acts, chapter 171, section 2, being deemed of immediate  
23 importance, takes effect upon enactment.

24 DIVISION V

25 CODE CHANGES

26 Sec. 33. Section 80.9, subsection 2, paragraph f, Code  
27 2003, is amended to read as follows:

28 f. Provide protection and security for persons and  
29 property on the grounds of the state capitol complex.  
30 Notwithstanding chapter 8A or any other provision of law, the  
31 department shall be solely responsible for the purchase,  
32 installation, and maintenance of, including making any  
33 improvements or additions to, executive branch capitol complex  
34 security systems or equipment, including the changing of locks  
35 and issuance of keys, access cards, and identification badges.

1 The department of administrative services shall cooperate with  
2 the department of public safety in executing the department's  
3 duties under this paragraph.

4 DIVISION VI

5 MISCELLANEOUS PROVISIONS

6 [Sec. 34. Section 8.57, subsection 5, Code Supplement 2003,  
7 is amended by adding the following new paragraph:

8 NEW PARAGRAPH. g. Notwithstanding any other provision to  
9 the contrary, and prior to the appropriation of moneys from  
10 the rebuild Iowa infrastructure fund pursuant to paragraph  
11 "c", and section 8.57A, subsection 4, moneys shall first be  
12 appropriated from the rebuild Iowa infrastructure fund to the  
13 vertical infrastructure fund as provided in section 8.57B,  
14 subsection 4.

15 Sec. 35. NEW SECTION. 8.57B VERTICAL INFRASTRUCTURE  
16 FUND.

17 1. A vertical infrastructure fund is created under the  
18 authority of the department of management. The fund shall  
19 consist of appropriations made to the fund and transfers of  
20 interest, earnings, and moneys from other funds as provided by  
21 law. The fund shall be separate from the general fund of the  
22 state and the balance in the fund shall not be considered part  
23 of the balance of the general fund of the state. However, the  
24 fund shall be considered a special account for the purposes of  
25 section 8.53, relating to generally accepted accounting  
26 principles.

27 2. Notwithstanding section 12C.7, subsection 2, interest  
28 or earnings on moneys in the vertical infrastructure fund  
29 shall be credited to the rebuild Iowa infrastructure fund.

30 3. Moneys in the fund in a fiscal year shall be used as  
31 appropriated by the general assembly for public vertical  
32 infrastructure projects. For the purposes of this section,  
33 "vertical infrastructure" includes only land acquisition and  
34 construction, major renovation, and major repair of buildings,  
35 all appurtenant structures, utilities, and site development.

1 "Vertical infrastructure" does not include routine, recurring  
2 maintenance, debt service, or operational expenses or leasing  
3 of a building, appurtenant structure, or utility without a  
4 lease-purchase agreement.

5 4. There is appropriated from the rebuild Iowa  
6 infrastructure fund to the vertical infrastructure fund, the  
7 following:

8 a. For the fiscal year beginning July 1, 2005, and ending  
9 June 30, 2006, the sum of twenty-five million dollars.

10 b. For the fiscal year beginning July 1, 2006, and ending  
11 June 30, 2007, the sum of fifty million dollars.

12 c. For the fiscal year beginning July 1, 2007, and ending  
13 June 30, 2008, the sum of seventy-five million dollars.

14 d. For the fiscal year beginning July 1, 2008, and each  
15 fiscal year thereafter, the sum of one hundred million  
16 dollars.]

17 [Sec. 36. Section 8D.13, subsection 12, Code Supplement  
18 2003, is amended to read as follows:

19 12. The commission, on its own or as recommended by an  
20 advisory committee of the commission and approved by the  
21 commission, shall permit a fee to be charged by a receiving  
22 site to the originator of the communication provided on the  
23 network. The fee charged shall be for the purpose of  
24 recovering the operating costs of a receiving site. The fee  
25 charged shall be reduced by an amount received by the  
26 receiving site pursuant to a state appropriation for such  
27 costs, or federal assistance received for such costs. Fees  
28 established under this subsection shall be paid by the  
29 originator of the communication directly to the receiving  
30 site. In the event that an entity requests a receiving site  
31 location in a video classroom facility which is authorized by,  
32 but not funded by, the originator of the communication, the  
33 requesting entity shall be directly billed by the video  
34 classroom facility for operating costs relating to the  
35 communication. For purposes of this section, "operating

1 costs" include the costs associated with the management or  
2 coordination, operations, utilities, classroom, equipment,  
3 maintenance, and other costs directly related to providing the  
4 receiving site.]

5 Sec. 37. Section 15E.208, subsection 3, paragraph b,  
6 subparagraph (2), Code Supplement 2003, is amended by adding  
7 the following new subparagraph subdivisions:

8 NEW SUBPARAGRAPH SUBDIVISION. (c) Notwithstanding any  
9 provision of this section or this division to the contrary,  
10 the department shall forgive all interest on the principal  
11 balance of the loan granted by the corporation to an eligible  
12 person and assigned to the department pursuant to this  
13 subparagraph during calendar year 2003, whether such interest  
14 has accrued prior to the effective date of this Act or will  
15 accrue on or after the effective date of this Act. In  
16 addition, each principal payment due under the assigned loan  
17 shall be deferred for three years from its respective payment  
18 date.

19 NEW SUBPARAGRAPH SUBDIVISION. (d) This subparagraph  
20 subdivision applies to the annual amount that the corporation  
21 is required to repay the department pursuant to this  
22 subparagraph and the annual amount that the department is  
23 required to deposit into the road use tax fund pursuant to  
24 subsection 8. That amount shall at least equal four percent  
25 of the total amount of the Iowa agricultural industry finance  
26 loan that the department awarded to the corporation. However,  
27 the amount required to be repaid to the department and  
28 deposited into the road use tax fund shall never be less than  
29 one million dollars. The amount shall not be altered by any  
30 financing provided to an eligible person or other transfer of  
31 moneys made by the corporation, including but not limited to a  
32 loan made by the corporation the assignment of which the  
33 department has accepted pursuant to this subparagraph.]

34 Sec. 38. Section 28M.1, if enacted by 2004 Iowa Acts,  
35 Senate File 2284, section 1, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 3. "Transportation" means the movement of  
3 individuals in a four or more wheeled motorized vehicle  
4 designed to carry passengers, including a car, van, or bus, or  
5 the carrying of individuals upon cars operated upon stationary  
6 rails, between one geographic point and another geographic  
7 point. "Transportation" does not include emergency or  
8 incidental transportation or transportation conducted by the  
9 department of human services at its institutions.

10 Sec. 39. Section 28M.2, subsections 1 and 3, if enacted by  
11 2004 Iowa Acts, Senate File 2284, section 2, are amended to  
12 read as follows:

13 1. A county with a population in excess of three one  
14 hundred seventy-five thousand and participating cities may  
15 create, by chapter 28E agreement, a regional transit district  
16 in the county pursuant to this chapter. Two or more  
17 contiguous counties and participating cities may create, by  
18 chapter 28E agreement, a regional transit district pursuant to  
19 this chapter if one of the counties has a population in excess  
20 of three one hundred seventy-five thousand. A district shall  
21 consist of the unincorporated area of any participating county  
22 and the incorporated area of any city in the county that does  
23 not have an urban transit system. However, a city without an  
24 urban transit system may decline, by resolution forwarded to  
25 the board of supervisors, to participate in a regional transit  
26 district.

27 3. A city that is located in a nonparticipating county  
28 that is contiguous to a county with a population in excess of  
29 three one hundred seventy-five thousand that is creating a  
30 regional transit district may notify that county, by  
31 resolution forwarded to the board of supervisors of that  
32 county, that the city wishes to participate.

33 Sec. 40. Section 28M.5, subsection 1, unnumbered paragraph  
34 2, if enacted by 2004 Iowa Acts, Senate File 2284, section 5,  
35 is amended to read as follows:

1 The amount of the regional transit district levy that is  
2 the responsibility of a participating county shall be deducted  
3 from the maximum rates of taxes authorized to be levied by the  
4 county pursuant to section 331.423, subsections 1 and 2, as  
5 applicable. However, for a regional transit district that  
6 includes a county with a population of less than three hundred  
7 thousand, the amount of the regional transit district levy  
8 that is the responsibility of a participating county shall be  
9 deducted from the maximum rate of taxes authorized to be  
10 levied by the county pursuant to section 331.423, subsection  
11 1.

12 **Sec. 41.** Section 35A.2, subsection 2, Code 2003, as  
13 amended by 2004 Iowa Acts, Senate File 2298, if enacted, is  
14 amended to read as follows:

15 2. Six Eight commissioners shall be honorably discharged  
16 members of the armed forces of the United States. The  
17 American legion of Iowa, disabled American veterans department  
18 of Iowa, veterans of foreign wars department of Iowa, American  
19 veterans of World War II, Korea, and Vietnam, the Vietnam  
20 veterans of America, and the military order of the purple  
21 heart, through their department commanders, shall submit two  
22 names respectively from their organizations to the governor.  
23 The adjutant general and the Iowa affiliate of the reserve  
24 officers association shall submit names to the governor of  
25 persons to represent the Iowa national guard and the  
26 association. The governor shall appoint from the group of  
27 names submitted by the adjutant general and reserve officers  
28 association two representatives and from each of the other  
29 organizations one representative to serve as a member of the  
30 commission, unless the appointments would conflict with the  
31 bipartisan and gender balance provisions of sections 69.16 and  
32 69.16A. In addition, the governor shall appoint ~~three-members~~  
33 one member of the public, knowledgeable in the general field  
34 of veterans affairs, to serve on the commission.

35 Sec. 42. Section 35D.13, subsection 2, Code 2003, as

1 amended by 2004 Iowa Acts, Senate File 2298, if enacted, is  
2 amended to read as follows:

3 2. The commandant shall be a resident of the state of Iowa  
4 who served in the armed forces of the United States and was  
5 honorably discharged, and is a licensed nursing home  
6 administrator.

7 [Sec. 43. Section 147.1, subsection 2, paragraph c, Code  
8 2003, is amended to read as follows:

9 c. "Licensed" or "certified" when applied to a physician  
10 and surgeon, podiatric physician, osteopath, osteopathic  
11 physician and surgeon, physician assistant, psychologist or  
12 associate psychologist, chiropractor, nurse, dentist, dental  
13 hygienist, optometrist, speech pathologist, audiologist,  
14 pharmacist, physical therapist, occupational therapist,  
15 respiratory care practitioner, practitioner of cosmetology  
16 arts and sciences, practitioner of barbering, funeral  
17 director, dietitian, marital and family therapist, mental  
18 health counselor, social worker, massage therapist, athletic  
19 trainer, ~~or~~ acupuncturist, or interpreter for the hearing  
20 impaired, means a person licensed under this subtitle.

21 Sec. 44. Section 147.1, subsection 2, paragraph f, Code  
22 2003, is amended to read as follows:

23 f. "Profession" means medicine and surgery, podiatry,  
24 osteopathy, osteopathic medicine and surgery, practice as a  
25 physician assistant, psychology, chiropractic, nursing,  
26 dentistry, dental hygiene, optometry, speech pathology,  
27 audiology, pharmacy, physical therapy, occupational therapy,  
28 respiratory care, cosmetology arts and sciences, barbering,  
29 mortuary science, marital and family therapy, mental health  
30 counseling, social work, dietetics, massage therapy, athletic  
31 training, ~~or~~ acupuncture, or interpreting for the hearing  
32 impaired.

33 Sec. 45. Section 147.2, unnumbered paragraph 1, Code 2003,  
34 is amended to read as follows:

35 A person shall not engage in the practice of medicine and

1 surgery, podiatry, osteopathy, osteopathic medicine and  
2 surgery, psychology, chiropractic, physical therapy, nursing,  
3 dentistry, dental hygiene, optometry, speech pathology,  
4 audiology, occupational therapy, respiratory care, pharmacy,  
5 cosmetology, barbering, social work, dietetics, marital and  
6 family therapy or mental health counseling, massage therapy,  
7 mortuary science, or acupuncture, or interpreting for the  
8 hearing impaired, or shall not practice as a physician  
9 assistant as defined in the following chapters of this  
10 subtitle, unless the person has obtained from the department a  
11 license for that purpose.

12 Sec. 46. Section 147.13, Code 2003, is amended by adding  
13 the following new subsection:

14 NEW SUBSECTION. 21. For interpreters, interpreter for the  
15 hearing impaired examiners.

16 Sec. 47. Section 147.14, Code 2003, is amended by adding  
17 the following new subsection:

18 NEW SUBSECTION. 21. For interpreting for the hearing  
19 impaired, four members licensed to practice interpreting,  
20 three of whom shall be practicing interpreters at the time of  
21 appointment to the board and at least one of whom is employed  
22 in an educational setting; and three members who are consumers  
23 of interpreting services as defined in section 154E.1, each of  
24 whom shall be deaf. A majority of members of the board  
25 constitutes a quorum.

26 Sec. 48. Section 147.74, Code Supplement 2003, is amended  
27 by adding the following new subsection:

28 NEW SUBSECTION. 21A. An interpreter licensed under  
29 chapter 154E and this chapter may use the title "licensed  
30 interpreter" or the letters "L.I." after the person's name.

31 Sec. 49. Section 147.80, Code Supplement 2003, is amended  
32 by adding the following new subsection:

33 NEW SUBSECTION. 28A. License to practice interpreting,  
34 license to practice interpreting under a reciprocal license,  
35 or renewal of a license to practice interpreting.

1     Sec. 50. NEW SECTION. 154E.1 DEFINITIONS.

2     As used in this chapter, unless the context otherwise  
3 requires:

4     1. "Board" means the board of interpreter for the hearing  
5 impaired examiners established in chapter 147.

6     2. "Consumer" means an individual utilizing interpreting  
7 services who uses spoken English, American sign language, or a  
8 manual form of English.

9     3. "Department" means the Iowa department of public  
10 health.

11    4. "Interpreter training program" means a post-secondary  
12 education program training individuals to interpret or  
13 transliterate.

14    5. "Interpreting" means facilitating communication between  
15 individuals who communicate via American sign language and  
16 individuals who communicate via spoken English.

17    6. "Licensee" means any person licensed to practice  
18 interpreting or transliterating for deaf, hard-of-hearing, and  
19 hearing individuals in the state of Iowa.

20    7. "Transliterating" means facilitating communication  
21 between individuals who communicate via a manual form of  
22 English and individuals who communicate via spoken English.

23     Sec. 51. NEW SECTION. 154E.2 DUTIES OF THE BOARD.

24     The board shall administer this chapter. The board's  
25 duties shall include, but are not limited to, the following:

26     1. Adopt rules consistent with this chapter and with  
27 chapter 147 which are necessary for the performance of its  
28 duties.

29     2. Act on matters concerning licensure and the process of  
30 applying for, granting, suspending, imposing supervisory or  
31 probationary conditions upon, reinstating, and revoking a  
32 license.

33     3. Establish and collect licensure fees. The board shall  
34 establish the amounts of license and renewal fees based upon  
35 the actual costs of sustaining the board and the actual costs

1 of issuing the licenses, and all fees collected shall be  
2 deposited with the treasurer of state who shall deposit them  
3 in the general fund of the state.

4 4. Administer the provisions of this chapter regarding  
5 documentation required to demonstrate competence as an  
6 interpreter, and the processing of applications for licenses  
7 and license renewals.

8 5. Establish and maintain as a matter of public record a  
9 registry of interpreters licensed pursuant to this chapter.

10 6. Develop continuing education requirements as a  
11 condition of license renewal.

12 7. Evaluate requirements for licensure in other states to  
13 determine if reciprocity may be granted.

14 Sec. 52. NEW SECTION. 154E.3 REQUIREMENTS FOR LICENSURE.

15 On or after July 1, 2005, every person providing  
16 interpreting or transliterating services in this state shall  
17 be licensed pursuant to this chapter. The board shall adopt  
18 rules pursuant to chapters 17A, 147, and 272C establishing  
19 procedures for the licensing of new and existing interpreters.  
20 Prior to obtaining licensure, an applicant shall successfully  
21 pass an examination prescribed and approved by the board,  
22 demonstrating the following:

23 1. VOICE-TO-SIGN INTERPRETATION. An applicant shall  
24 demonstrate proficiency at:

25 a. Message equivalence, producing a true and accurate  
26 signed form of the spoken message, maintaining the integrity  
27 of content and meaning, and exhibiting few omissions,  
28 substitutions, or other errors.

29 b. Affect, producing nonmanual grammar consistent with the  
30 intent and emotion of the speaker, and exhibiting no  
31 distracting mannerisms.

32 c. Vocabulary choice, making correct sign choices  
33 appropriate to the setting and consumers, applying facial  
34 grammar consistent with sign choice, selecting signs that  
35 remain true to speaker's intent, and demonstrating lexical

1 variety.

2 d. Fluency, displaying confidence in production,  
3 exhibiting a strong command of American sign language or  
4 manual codes for English, applying nonmanual behaviors  
5 consistent with the speaker's intent, and demonstrating  
6 understanding of and sensitivity to cultural differences.

7 2. SIGN-TO-VOICE INTERPRETATION. An applicant shall  
8 demonstrate proficiency at:

9 a. Message equivalence, producing a true and accurate  
10 spoken form of the signed message, maintaining the integrity  
11 of content and meaning, and exhibiting few omissions,  
12 substitutions, or other errors.

13 b. Affect, producing inflection consistent with the intent  
14 and emotion of the speaker, and exhibiting no distracting  
15 mannerisms.

16 c. Vocabulary choice, making correct word choices  
17 appropriate to the setting and consumers, using vocal  
18 inflection consistent with word choice, selecting words that  
19 remain true to the speaker's intent, and demonstrating lexical  
20 variety.

21 d. Fluency, displaying confidence in production,  
22 exhibiting a strong command of English in both spoken and  
23 written forms, applying vocal inflections consistent with the  
24 speaker's intent, and demonstrating understanding of and  
25 sensitivity to cultural differences.

26 3. PROFESSIONAL CONDUCT. An applicant shall demonstrate:

27 a. Proficiency in functioning as a communicator of  
28 messages between the sender and receiver, and educating  
29 consumers of services about the functions and logistics of the  
30 interpreting process.

31 b. An impartial demeanor, refraining from interjecting  
32 opinions or advice and from aligning with one party over  
33 another. An applicant shall treat all people fairly and  
34 respectfully regardless of their relationship to the  
35 interpreting assignment, and present a professional appearance

1 that is not visually distracting and is appropriate to the  
2 setting. An applicant shall exhibit knowledge and application  
3 of federal and state laws pertaining to the interpreting  
4 profession.

5 c. Integrity, and shall be proficient in understanding and  
6 applying ethical behavior appropriate for a licensee. An  
7 applicant shall demonstrate discretion in accepting and  
8 meeting interpreter services requests, and shall engage  
9 actively in lifelong learning.

10 Sec. 53. NEW SECTION. 154E.4 EXCEPTIONS.

11 1. A person shall not practice interpreting or  
12 transliterating, or represent oneself to be an interpreter,  
13 unless the person is licensed under this chapter.

14 2. This chapter does not prohibit any of the following:

15 a. Any person residing outside of the state of Iowa  
16 holding a current license from another state that meets the  
17 state of Iowa's requirements from providing interpreting or  
18 transliterating services in this state for up to fourteen days  
19 per calendar year without a license issued pursuant to this  
20 chapter.

21 b. Any person who interprets or transliterates solely in a  
22 religious setting with the exception of those working in  
23 schools that receive government funding.

24 c. Volunteers working without compensation, including  
25 emergency situations, until a licensed interpreter is  
26 obtained.

27 d. Any person working as a substitute for a licensed  
28 interpreter in an early childhood, elementary, or secondary  
29 education setting for no more than thirty school days in a  
30 calendar year. ]

31 [Sec. 54. Section 165B.5, subsection 3, if enacted by 2004  
32 Iowa Acts, House File 2476, section 6, is amended to read as  
33 follows:

34 3. a. A person who owns or operates a restricted  
35 concentration point is subject to a civil penalty of ~~not-less~~

1 than five thousand dollars for the first violation and not  
2 less-than twenty-five thousand dollars for each subsequent  
3 violation. Each day that a violation continues constitutes a  
4 separate violation.

5 b. A person who has a legal interest in infected poultry  
6 or has custody of infected poultry which are located at a  
7 restricted concentration point is subject to a civil penalty  
8 of ~~not-less-than~~ five thousand dollars for the first violation  
9 and ~~not-less-than~~ twenty-five thousand dollars for each  
10 subsequent violation. Each day that a violation continues  
11 constitutes a separate violation.

12 c. A person who transports poultry to or from a restricted  
13 concentration point is subject to a civil penalty of ~~not-less~~  
14 ~~than~~ one thousand dollars for the first violation and ~~not-less~~  
15 ~~than~~ five thousand dollars for each subsequent violation.  
16 Each day that a violation continues constitutes a separate  
17 violation.

18 d. A person who purchases, offers to purchase, barter, or  
19 offers to barter for poultry at a restricted concentration  
20 point is subject to a civil penalty of ~~not-less-than~~ one  
21 hundred dollars for the first violation and ~~not-less-than~~ one  
22 thousand dollars for each subsequent violation. Each day that  
23 a violation continues constitutes a separate violation.

24 e. A person who charges admission for entry into a  
25 restricted concentration point where a contest occurs or  
26 otherwise holds, advertises, or conducts the contest is  
27 subject to a civil penalty of ~~not-less-than~~ one thousand  
28 dollars for the first violation and ~~not-less-than~~ five  
29 thousand dollars for each subsequent violation. Each day that  
30 a violation continues constitutes a separate violation.

31 f. A person who attends or participates in a contest at a  
32 restricted concentration point where a contest occurs is  
33 subject to a civil penalty of ~~not-less-than~~ one hundred  
34 dollars for the first violation and ~~not-less-than~~ one thousand  
35 dollars for each subsequent violation. Each day that a

1 violation continues constitutes a separate violation.]

2 Sec. 55. Section 260C.18A, subsection 3, Code Supplement  
3 2003, is amended to read as follows:

4 3. Of the moneys appropriated in this section, for the  
5 fiscal period beginning July 1, 2003, and ending June 30, 2006  
6 2007, the following amounts shall be designated for the  
7 purposes of funding job retention projects under section  
8 260F.9:

9 a. One million dollars for the fiscal year beginning July  
10 1, 2003.

11 b. One million dollars for the fiscal year beginning July  
12 1, 2004.

13 c. One million dollars for the fiscal year beginning July  
14 1, 2005.

15 d. One million dollars for the fiscal year beginning July  
16 1, 2006. However, this paragraph only applies if moneys  
17 allocated under paragraph "a" were distributed to community  
18 colleges as provided under subsection 8.

19 Sec. 56. Section 260C.18A, Code Supplement 2003, is  
20 amended by adding the following new subsection:

21 NEW SUBSECTION. 8. If moneys allocated under subsection  
22 3, paragraph "a", are unobligated and unencumbered on June 30,  
23 2004, those moneys shall be distributed to community colleges  
24 in accordance with subsection 5 for the fiscal year beginning  
25 July 1, 2004, and ending June 30, 2005.

26 [Sec. 57. Section 272C.1, subsection 6, Code 2003, is  
27 amended by adding the following new paragraph:

28 NEW PARAGRAPH. ad. The board of interpreter for the  
29 hearing impaired examiners, created pursuant to chapter 154E.]

30 Sec. 58. Section 306.46, as enacted by 2004 Iowa Acts,  
31 Senate File 2118, section 1, is amended by adding the  
32 following new subsection:

33 NEW SUBSECTION. 3. This section shall not impair or  
34 interfere with a city's authority to grant, amend, extend, or  
35 renew a franchise as provided in section 364.2, and shall not

1 impair or interfere with a city's existing general police  
2 powers to control the use of its right-of-way.

3 Sec. 59. NEW SECTION. 327F.38 FIRST AID AND MEDICAL  
4 TREATMENT FOR EMPLOYEES.

5 The department shall adopt rules requiring railroad  
6 corporations within the state to provide reasonable and  
7 adequate access to first aid and medical treatment for  
8 employees injured in the course of employment. A railroad  
9 corporation found guilty of a rule adopted pursuant to this  
10 section shall, upon conviction, be subject to a schedule "one"  
11 penalty.

12 [Sec. 60. Section 331.362, subsection 5, Code Supplement  
13 2003, is amended to read as follows:

14 5. The board may enter into agreements with the department  
15 of transportation as provided in section 313.2, including but  
16 not limited to agreements for the disposition of county  
17 property in accordance with section 331.361, subsection 2.

18 [Sec. 61. Section 422.11J, subsection 5, paragraph a, if  
19 enacted by 2004 Iowa Acts, Senate File 2295, is amended to  
20 read as follows:

21 a. "Disabled student" means a child requiring special  
22 education, as defined in section 256B.2, subsection 1, or a  
23 student with disabilities who qualifies for educational  
24 services under section 504 of the federal Rehabilitation Act  
25 of 1973, as amended and codified in 29 U.S.C. § 794.

26 [Sec. 62. 2004 Iowa Acts, Senate File 2257, section 1,  
27 subsection 10, if enacted, is amended to read as follows:

28 10. APPLICABILITY DATE. This section applies to personal  
29 insurance contracts or policies delivered, issued for  
30 delivery, continued, or renewed in this state on or after  
31 ~~April 17, 2005~~ October 1, 2004.

32 Sec. 63. 2003 Iowa Acts, chapter 145, section 290,  
33 subsection 2, paragraph c, is amended to read as follows:

34 c. By ~~September~~ December 1, 2004, the department of  
35 administrative services, with the assistance of the department

1 of management, shall conduct a comprehensive study of the  
2 impact of transferring all state agency employees delivering  
3 information technology services to the department of  
4 administrative services and of the impact of physically  
5 merging the data centers of the department, the state  
6 department of transportation, and the department of workforce  
7 development, into one data center. The study shall include an  
8 assessment of advantages and disadvantages, economies of  
9 scale, cost, and space availability, and shall solicit input  
10 from outside vendors, both public and private. The department  
11 shall report to the legislative ~~fiscal-bureau~~ services agency  
12 and the committees on government oversight of the senate and  
13 house of representatives on the department's findings and  
14 recommendations by ~~November-17~~ December 15, 2004.

15 Sec. 64. MENTAL HEALTH INSTITUTE AT CHEROKEE. If building  
16 space located at the state mental health institute at Cherokee  
17 being used by an organization other than the state will be  
18 vacated by the organization, the department of human services  
19 shall reserve the space to be available for the purposes  
20 described in this section. The department shall develop a  
21 plan for using vacant building space at the institute for a  
22 program to address the treatment needs of persons with a  
23 developmental disability who exhibit sexually violent behavior  
24 and are residents at state resource centers or other  
25 residential settings.

26 [Sec. 65. INTERPRETER STANDARDS AND REGULATIONS. There is  
27 appropriated from the general fund of the state to the Iowa  
28 department of public health, for the fiscal year beginning  
29 July 1, 2004, and ending June 30, 2005, the following amount,  
30 or so much thereof as is necessary, for the purpose  
31 designated:

32 For protecting the health and safety of the public through  
33 establishing standards and enforcing regulations of  
34 interpreters for the deaf, hard-of-hearing, and hearing, and  
35 for not more than the following full-time equivalent

1 positions:

2 .....\$ 60,390

3 ..... FTEs 1.00

4 Sec. 66. 2004 Iowa Acts, Senate File 2298, section 2,  
5 subsection 1, if enacted, is amended by striking the  
6 subsection and inserting in lieu thereof the following:

7 1. There is appropriated from the general fund of the  
8 state to the department of administrative services for the  
9 fiscal year beginning July 1, 2004, and ending June 30, 2005,  
10 the following amount, or so much thereof as is necessary, to  
11 be used for the purposes designated:

12 For start-up funding for revolving funds under the control  
13 of the department of administrative services and for salaries,  
14 support, maintenance, and miscellaneous purposes:

15 ..... \$ 1,889,610

16 Notwithstanding any provision of this section to the  
17 contrary, the department of administrative services shall  
18 deposit \$1,889,610 in the general fund of the state from  
19 moneys in departmental revolving funds and internal service  
20 funds at the end of the fiscal year.

21 Sec. 67. TRANSITION PROVISIONS.

22 1. The board of interpreter for the hearing impaired  
23 examiners shall be provisionally established as provided in  
24 section 147.14, as amended in this Act, effective July 1,  
25 2004, for the sole purpose of appointment of members and  
26 organizing, planning, and adopting rules, as described in  
27 section 9 of this Act, which rules shall be effective July 1,  
28 2005. The board shall become fully operational July 1, 2007,  
29 as provided in this Act.

30 2. Applicants for licensure under chapter 154E who have  
31 not passed a licensure examination approved by the board by  
32 July 1, 2005, shall be issued a temporary license to practice  
33 interpreting for a period of two years, commencing on July 1,  
34 2005.

35 3. Applicants issued a temporary license pursuant to this

1 section shall pass a licensure examination approved by the  
2 board on or before July 1, 2007, in order to remain licensed  
3 as an interpreter.

4 Sec. 68. EFFECTIVE DATE. The sections of this division of  
5 this Act providing for the licensing of interpreters by  
6 amending chapters 147 and 272C and enacting chapter 154E take  
7 effect July 1, 2005.

8 Sec. 69. EFFECTIVE DATE. The sections of this division of  
9 this Act amending section 260C.18A, Code Supplement 2003,  
10 being deemed of immediate importance, take effect upon  
11 enactment.

12 Sec. 70. EFFECTIVE DATE. The section of this division of  
13 this Act amending section 306.46, being deemed of immediate  
14 importance, takes effect upon enactment.

15 DIVISION VII

16 CORRECTIVE PROVISIONS

17 Sec. 71. Section 9E.6A, unnumbered paragraph 1, Code 2003,  
18 as amended by 2004 Iowa Acts, House File 2516, section 1, if  
19 enacted, is amended to read as follows:

20 Each person performing a notarial act pursuant to section  
21 9E.10 must acquire and use a stamp or seal as provided in this  
22 chapter. However, this section shall not apply to a notarial  
23 act performed by a judicial officer as defined in section  
24 602.1101, if the notarial act is performed in accordance with  
25 state or federal statutory authority, ~~or-is~~ and shall not  
26 apply to a certification by a chief officer or a chief  
27 officer's designee of a peace officer's verification of a  
28 uniform citation and complaint pursuant to section 805.6,  
29 subsection 5.

30 Sec. 72. Section 9H.1, subsection 17, Code Supplement  
31 2003, is amended to read as follows:

32 17. "Limited partnership" means a limited partnership as  
33 defined in section 487.101~~-subsection-77-and~~ or 488.102, or a  
34 limited liability limited partnership under section 487.1301  
35 or chapter 488, which owns or leases agricultural land or is

1 engaged in farming.

2 Sec. 73. Section 9H.1, subsection 17, Code Supplement  
3 2003, as amended by this division of this Act to take effect  
4 January 1, 2005, is amended to read as follows:

5 17. "Limited partnership" means a limited partnership as  
6 defined in section ~~487.101~~ or 488.102, or a limited liability  
7 limited partnership under ~~section-487.1301~~ or chapter 488,  
8 which owns or leases agricultural land or is engaged in  
9 farming.

10 Sec. 74. Section 10B.1, subsection 8, Code Supplement  
11 2003, is amended to read as follows:

12 8. "Limited partnership" means a foreign or domestic  
13 limited partnership, including a limited partnership as  
14 defined in section 487.101, ~~subsection-7~~ or 488.102, and a  
15 domestic or foreign limited liability limited partnership  
16 under section 487.1301 or 487.1303, or chapter 488.

17 Sec. 75. Section 10B.1, subsection 8, Code Supplement  
18 2003, as amended by this division of this Act to take effect  
19 January 1, 2005, is amended to read as follows:

20 8. "Limited partnership" means a foreign or domestic  
21 limited partnership, including a limited partnership as  
22 defined in section ~~487.101~~ or 488.102, and a domestic or  
23 foreign limited liability limited partnership under ~~section~~  
24 ~~487.1301~~ or ~~487.1303~~, or chapter 488.

25 [Sec. 76. Section 34A.7A, subsection 2, paragraph f, if  
26 enacted by 2004 Iowa Acts, House File 2434, is amended by  
27 striking the paragraph and inserting in lieu thereof the  
28 following:

29 f. (1) The program manager shall allocate an amount up to  
30 one hundred twenty-seven thousand dollars per calendar quarter  
31 equally to the joint E911 service boards and the department of  
32 public safety that have submitted an annual written request to  
33 the program manager in a form approved by the program manager  
34 by May 15 of each year.

35 (2) Upon retirement of outstanding obligations referred to

1 in paragraph "e", the amount allocated under this paragraph  
2 "f" shall be an amount up to four hundred thousand dollars per  
3 calendar quarter allocated as follows:

4 (a) Sixty-five percent of the total dollars available for  
5 allocation shall be allocated in proportion to the square  
6 miles of the service area to the total square miles in this  
7 state.

8 (b) Thirty-five percent of the total dollars available for  
9 allocation shall be allocated in proportion to the wireless  
10 E911 calls taken at the public safety answering point in the  
11 service area to the total number of wireless E911 calls  
12 originating in this state.

13 (c) Notwithstanding subparagraph subdivisions (a) and (b),  
14 the minimum amount allocated to each joint E911 service board  
15 and to the department of public safety shall be no less than  
16 one thousand dollars for each public safety answering point  
17 within the service area of the department of public safety or  
18 joint E911 service board.

19 (3) The funds allocated in this paragraph "f" shall be  
20 used for communication equipment located inside the public  
21 safety answering points for the implementation and maintenance  
22 of wireless E911 phase 2. The joint E911 service boards and  
23 the department of public safety shall provide an estimate of  
24 phase 2 implementation costs to the program manager by January  
25 1, 2005.

26 Sec. 77. Section 48A.11, subsection 1, paragraph e, Code  
27 2003, as amended by 2004 Iowa Acts, Senate File 2269, section  
28 8, if enacted, is amended to read as follows:

29 e. Iowa driver's license number if the registrant has a  
30 current and valid Iowa driver's license, Iowa nonoperator's  
31 identification card if the registrant has a current and valid  
32 Iowa nonoperator's identification card, or the last four  
33 numerals of the registrant's social security number. If the  
34 registrant does not have an Iowa driver's license number, an  
35 Iowa nonoperator's identification card number, or a social

1 security number, the form shall provide space for a number to  
2 be assigned as provided in subsection 7.

3 Sec. 78. Section 48A.25A, unnumbered paragraph 1, if  
4 enacted by 2004 Iowa Acts, Senate File 2269, section 13, is  
5 amended to read as follows:.

6 Upon receipt of an application for voter registration by  
7 mail, the state registrar of voters shall compare the driver's  
8 license number, the Iowa nonoperator's identification card  
9 number, or the last four numerals of the social security  
10 number provided by the registrant with the records of the  
11 state department of transportation. To be verified, the voter  
12 registration record shall contain the same name, date of  
13 birth, and driver's license number or Iowa nonoperator's  
14 identification card number or whole or partial social security  
15 number as the records of the department of transportation. If  
16 the information cannot be verified, the application shall be  
17 rejected and the registrant shall be notified of the reason  
18 for the rejection. If the information can be verified, a  
19 record shall be made of the verification and the application  
20 shall be accepted.

21 Sec. 79. Section 48A.37, subsection 2, Code 2003, as  
22 amended by 2004 Iowa Acts, Senate File 2269, section 18, if  
23 enacted, is amended to read as follows:

24 2. Electronic records shall include a status code  
25 designating whether the records are active, inactive, local,  
26 or pending. Inactive records are records of registered voters  
27 to whom notices have been sent pursuant to section 48A.28,  
28 subsection 3, and who have not returned the card or otherwise  
29 responded to the notice, and those records have been  
30 designated inactive pursuant to section 48A.29. Local records  
31 are records of applicants who did not answer either "yes" or  
32 "no" to the question in section 48A.11, subsection 2A,  
33 paragraph "a". Pending records are records of applicants  
34 whose applications have not been verified pursuant to section  
35 48A.25A. All other records are active records. An inactive

1 record shall be made active when the registered voter votes at  
2 an election, registers again, or reports a change of name,  
3 address, telephone number, or political party affiliation. A  
4 pending record shall be made active upon verification. A  
5 local record shall be valid for any election for which no  
6 candidates for federal office appear on the ballot, ~~but the~~.  
7 A registrant may with only a local record shall not vote in a  
8 federal election unless the registrant submits a new voter  
9 registration application before election day indicating that  
10 the applicant is a citizen of the United States.

11 Sec. 80. Section 49.81, subsection 2, unnumbered paragraph  
12 3, if enacted by 2004 Iowa Acts, Senate File 2269, section 20,  
13 is amended to read as follows:

14 You must show identification before your ballot can be  
15 counted. Please bring or mail a copy of a current and valid  
16 photo identification card to the county ~~commissioners~~  
17 commissioner's office or bring or mail a copy of one of the  
18 following current documents that show your name and address:

19 Sec. 81. Section 52.7, unnumbered paragraph 4, Code 2003,  
20 as amended by 2004 Iowa Acts, Senate File 2269, section 27, if  
21 enacted, is amended to read as follows:

22 Such machine shall be so constructed as to accurately  
23 account for every vote cast upon it. The machine shall be so  
24 constructed as to remove information from the ballot  
25 identifying the voter before the ballot is recorded and  
26 counted. If the machine is a direct ~~electronic~~ recording  
27 electronic device, the machine shall be so constructed as to  
28 store each ballot cast separate from the ballot tabulation  
29 function, which ballot may be reproduced on paper in the case  
30 of a recount, manual audit, or machine malfunction.

31 Sec. 82. Section 53.3, subsection 7, if enacted by 2004  
32 Iowa Acts, Senate File 2269, section 30, is amended to read as  
33 follows:

34 7. A statement that an absentee ballot will by be mailed  
35 to the applicant within twenty-four hours after the ballot for

1 the election is available.

2 Sec. 83. Section 53.17, subsection 1, paragraph a, if  
3 enacted by 2004 Iowa Acts, Senate File 2269, section 33, is  
4 amended to read as follows:

5 a. The sealed carrier envelope may be delivered by the  
6 registered voter, by the special precinct election officials  
7 designated pursuant to section 53.22, subsection 1, or by the  
8 voter's designee if the absentee ballot is voted by a voter  
9 described in section 53.22, subsection 5, to the  
10 commissioner's office no later than the time the polls are  
11 closed on election day, ~~except as otherwise provided in~~  
12 ~~subsection 4.~~

13 Sec. 84. Section 53.17, subsection 4, paragraph d,  
14 subparagraph (2), if enacted by 2004 Iowa Acts, Senate File  
15 2269, section 33, is amended to read as follows:

16 (2) The date and time the ~~voted~~ completed absentee ballot  
17 was received from the voter. ]

18 Sec. 85. Section 68A.402, subsection 7, paragraph b, as  
19 amended by 2004 Iowa Acts, House File 2319, section 1, if  
20 enacted, is amended to read as follows:

21 b. COUNTY ELECTIONS. A political committee expressly  
22 advocating the nomination, election, or defeat of candidates  
23 for county office shall file reports on the same dates as a  
24 candidate's committee is required to file reports under  
25 subsection 2, paragraph "a" and subsection 5, paragraph "b".

26 Sec. 86. Section 68A.503, subsection 4, unnumbered  
27 paragraph 1, as amended by 2004 Iowa Acts, House File 2318,  
28 section 7, if enacted, is amended to read as follows:

29 The prohibitions in ~~sections~~ subsections 1 and 2 shall not  
30 apply to an insurance company, savings and loan association,  
31 bank, credit union, or corporation engaged in any of the  
32 following activities:

33 Sec. 87. Section 99B.11, subsection 2, paragraph c, Code  
34 2003, as amended by 2004 Iowa Acts, Senate File 2249, section  
35 1, is amended to read as follows:

1 c. Contests or exhibitions of cooking, horticulture,  
2 livestock, poultry, fish or other animals, artwork, hobbywork  
3 or craftwork, except those prohibited by chapter 717A or  
4 ~~section-725-11~~.

5 Sec. 88. Section 174.1, subsection 0B, paragraph a, as  
6 enacted by House File 2403, section 8, is amended to read as  
7 follows:

8 a. The organization owns or leases at least ten acres of  
9 fairgrounds. ~~A-society~~ An organization may meet the  
10 requirement of owning or leasing land, buildings, and  
11 improvements through ownership by a joint entity under chapter  
12 28E.

13 Sec. 89. Section 174.12, subsection 2, unnumbered  
14 paragraph 1, Code 2003, as amended by 2004 Iowa Acts, House  
15 File 2403, section 16, is amended to read as follows:

16 A district director of the association representing the  
17 district in which the county is located, and the director of  
18 the Iowa state fair board representing the state fair board  
19 district in which the county is located, certify to the  
20 association that the fair had an accredited delegate in  
21 attendance at at least one of the district meetings, and at  
22 the association's annual meeting.

23 Sec. 90. Section 229.27, subsection 1, Code 2003, is  
24 amended to read as follows:

25 1. Hospitalization of a person under this chapter, either  
26 voluntarily or involuntarily, does not constitute a finding of  
27 nor equate with nor raise a presumption of incompetency, nor  
28 cause the person so hospitalized to be deemed a person of  
29 unsound mind nor a person under legal disability for any  
30 purpose, including but not limited to any circumstances to  
31 which sections 6B.15, 447.7, 487.402, subsection 5, paragraph  
32 "b", section 488.603, subsection 6, paragraph "c", sections  
33 487.705, 488.704, 597.6, 600B.21, 614.8, 614.19, 614.22,  
34 614.24, 614.27, and 633.244 are applicable.

35 Sec. 91. Section 229.27, subsection 1, Code 2003, as

1 amended by this division of this Act to take effect January 1,  
2 2005, is amended to read as follows:

3 1. Hospitalization of a person under this chapter, either  
4 voluntarily or involuntarily, does not constitute a finding of  
5 nor equate with nor raise a presumption of incompetency, nor  
6 cause the person so hospitalized to be deemed a person of  
7 unsound mind nor a person under legal disability for any  
8 purpose, including but not limited to any circumstances to  
9 which sections 6B.15, 447.7, ~~487.4027-subsection-57-paragraph~~  
10 ~~"b"~~, section 488.603, subsection 6, paragraph "c", sections  
11 487.705, 488.704, 597.6, 600B.21, 614.8, 614.19, 614.22,  
12 614.24, 614.27, and 633.244 are applicable.

13 Sec. 92. Section 260C.18A, subsection 2, unnumbered  
14 paragraph 1, Code Supplement 2003, is amended to read as  
15 follows:

16 On July 1 of each year for the fiscal year beginning July  
17 1, 2003, and for every fiscal year thereafter, moneys from the  
18 grow Iowa values fund created in section 15G.108 are  
19 appropriated to the department of economic development for  
20 deposit in the workforce training and economic development  
21 funds in amounts determined pursuant to subsection 3 4.  
22 Moneys deposited in the funds and disbursed to community  
23 colleges for a fiscal year shall be expended for the following  
24 purposes, provided seventy percent of the moneys shall be used  
25 on projects in the areas of advanced manufacturing,  
26 information technology and insurance, and life sciences which  
27 include the areas of biotechnology, health care technology,  
28 and nursing care technology:

29 Sec. 93. Section 280A.5, if enacted by 2004 Iowa Acts,  
30 Senate File 2298, is amended to read as follows:

31 SEC. \_\_\_\_ . 280A.5 REPEAL.

32 This ~~section~~ chapter is repealed effective July 1, 2009.

33 Sec. 94. Section 321I.2, unnumbered paragraph 2, if  
34 enacted by 2004 Iowa Acts, Senate File 297, section 45, is  
35 amended to read as follows:

1 The director of transportation may adopt rules not  
2 inconsistent with this chapter regulating the use of all-  
3 terrain vehicles on streets and highways. ~~Cities may~~  
4 ~~designate streets under the jurisdiction of cities within~~  
5 ~~their respective corporate limits which may be used for the~~  
6 ~~sport of driving all-terrain vehicles.~~

7 Sec. 95. Section 321I.10, if enacted by 2004 Iowa Acts,  
8 Senate File 297, section 53, is amended by adding the  
9 following new subsection:

10 NEW SUBSECTION. 2A. Cities may designate streets under  
11 the jurisdiction of cities within their respective corporate  
12 limits which may be used for the sport of driving all-terrain  
13 vehicles.

14 Sec. 96. Section 331.606B, subsection 4, paragraph a, if  
15 enacted by 2004 Iowa Acts, Senate File 371, section 3, is  
16 amended to read as follows:

17 a. A document or instrument that was signed before July 1,  
18 ~~2004~~ 2005.

19 Sec. 97. Section 488.102, subsection 10, paragraph a,  
20 subparagraph (2), as enacted by 2004 Iowa Acts, House File  
21 2347, section 2, is amended to read as follows:

22 (2) A person that was a general partner in a limited  
23 partnership when the limited partnership became subject to  
24 this chapter under section ~~488.1206~~ 488.1204, subsection 1 or  
25 2.

26 Sec. 98. Section 488.102, subsection 12, paragraph a,  
27 subparagraph (2), as enacted by 2004 Iowa Acts, House File  
28 2347, section 2, is amended to read as follows:

29 (2) A person that was a limited partner in a limited  
30 partnership when the limited partnership became subject to  
31 this chapter under section ~~488.1206~~ 488.1204, subsection 1 or  
32 2.

33 Sec. 99. Section 488.102, subsection 13, as enacted by  
34 2004 Iowa Acts, House File 2347, section 2, is amended to read  
35 as follows:

1 13. "Limited partnership", except in the phrases "foreign  
2 limited partnership" and "foreign limited liability limited  
3 partnership", means an entity, having one or more general  
4 partners and one or more limited partners, which is formed  
5 under this chapter by two or more persons or becomes subject  
6 to this chapter under article 11 or section ~~488.1206~~ 488.1204,  
7 subsection 1 or 2. The term includes a limited liability  
8 limited partnership.

9 Sec. 100. Section 488.202, subsection 3, unnumbered  
10 paragraph 1, as enacted by 2004 Iowa Acts, House File 2347,  
11 section 20, is amended to read as follows:

12 A general partner that knows that any information in a  
13 filed certificate of limited partnership was false when the  
14 certificate was filed or has become false due to changed  
15 circumstances shall promptly do at least one of the following:

16 Sec. 101. Section 488.209, subsection 1, paragraph c, as  
17 enacted by 2004 Iowa Acts, House File 2347, section 27, is  
18 amended to read as follows:

19 c. Whether all fees, taxes, and penalties under this  
20 chapter or other law due to the secretary of state have been  
21 paid.

22 Sec. 102. Section 488.209, subsection 2, paragraph c, as  
23 enacted by 2004 Iowa Acts, House File 2347, section 27, is  
24 amended to read as follows:

25 c. Whether all fees, taxes, and penalties under this  
26 chapter or other law due to the secretary of state have been  
27 paid.

28 Sec. 103. Section 488.508, subsection 6, as enacted by  
29 2004 Iowa Acts, House File 2347, section 50, is amended to  
30 read as follows:

31 6. A limited partnership's indebtedness, including  
32 indebtedness issued in connection with or as part of a  
33 distribution, is not considered a liability for purposes of  
34 subsection 2 if the terms of the indebtedness provide that  
35 payment of principal and interest ~~are~~ is made only to the

1 extent that a distribution could then be made to partners  
2 under this section.

3 Sec. 104. Section 488.703, subsection 1, as enacted by  
4 2004 Iowa Acts, House File 2347, section 61, is amended to  
5 read as follows:

6 1. On application to a court of competent jurisdiction by  
7 any judgment creditor of a partner or transferee, the court  
8 may charge the transferable interest of the judgment debtor  
9 with payment of the unsatisfied amount of the judgment with  
10 interest. To the extent so charged, the judgment creditor has  
11 only the rights of a transferee. The court may appoint a  
12 receiver of the share of the distributions due or to become  
13 due to the judgment debtor in respect of the partnership and  
14 make all other orders, directions, accounts, and inquiries the  
15 judgment debtor might have made or which the circumstances of  
16 the case may require to give effect to the charging order.

17 Sec. 105. Section 488.809, subsection 1, paragraph a, as  
18 enacted by 2004 Iowa Acts, House File 2347, section 72, is  
19 amended to read as follows:

20 a. Pay any fee, tax, or penalty under this chapter or  
21 other law due to the secretary of state.

22 Sec. 106. Section 488.906, subsection 1, paragraph a, as  
23 enacted by 2004 Iowa Acts, House File 2347, section 81, is  
24 amended to read as follows:

25 a. Pay, within sixty days after the due date, any fee, tax  
26 or penalty under this chapter or other law due to the  
27 secretary of state.

28 Sec. 107. Section 488.1106, subsection 1, paragraph a, as  
29 enacted by 2004 Iowa Acts, House File 2347, section 94, is  
30 amended to read as follows:

31 a. The governing statute of each of the other  
32 organizations authorizes the merger.

33 Sec. 108. Section 504.304, subsection 1, if enacted by  
34 2004 Iowa Acts, Senate File 2274, section 27, is amended to  
35 read as follows:

1 1. Except as provided in subsection 2, the validity of  
2 corporate action may shall not be challenged on the ground  
3 that the corporation lacks or lacked power to act.

4 Sec. 109. Section 504.854, subsection 3, paragraph b, if  
5 enacted by 2004 Iowa Acts, Senate File 2274, section 104, is  
6 amended to read as follows:

7 b. By the members, but the director who, at the time does  
8 not qualify as a disinterested director, may shall not vote as  
9 a member or on behalf of a member.

10 Sec. 110. Section 504.1422, subsection 3, if enacted by  
11 2004 Iowa Acts, Senate File 2274, section 145, is amended to  
12 read as follows:

13 3. A corporation that is administratively dissolved  
14 continues its corporate existence but may shall not carry on  
15 any activities except those necessary to wind up and liquidate  
16 its affairs pursuant to section 504.1406 and notify its  
17 claimants pursuant to sections 504.1407 and 504.1408.

18 Sec. 111. Section 614.37, Code 2003, as amended by 2004  
19 Iowa Acts, House File 2450, section 8, if enacted, is amended  
20 to read as follows:

21 614.37 LIMITATION STATUTES NOT EXTENDED.

22 Nothing contained in this chapter shall be construed to  
23 extend the period for the bringing of an action or for the  
24 doing of any other required act under any statutes of  
25 limitations, nor, except as herein specifically provided, to  
26 effect the operation of any statutes governing the effect of  
27 the recording or the failure to record any instrument  
28 affecting land. It is intended that nothing contained in this  
29 ~~division~~ chapter be interpreted to revive or extend the period  
30 of filing a claim or bringing an action that may be limited or  
31 barred by any other statute.

32 Sec. 112. Section 669.14, subsection 11, unnumbered  
33 paragraph 1, Code Supplement 2003, as amended by 2004 Iowa  
34 Acts, House File 2347, section 116, is amended to read as  
35 follows:

1 Any claim for financial loss based upon an act or omission  
2 in financial regulation, including but not limited to  
3 examinations, inspections, audits, or other financial  
4 oversight responsibilities, pursuant to chapters 87, 203,  
5 203C, 203D, 421B, 486, ~~or the figure "487"~~ 487, 488, and 490  
6 through 553, excluding chapters 540A, 542, 542B, 543B, 543C,  
7 543D, 544A, and 544B.

8 Sec. 113. Section 709A.1, subsection 2, paragraph c, Code  
9 2003, as amended by 2004 Iowa Acts, Senate File 2249, section  
10 2, is amended to read as follows:

11 c. Any premises the use of which constitutes a violation  
12 of chapter 717A, or section 725.5~~7~~ or 725.10~~7~~ ~~or 725.11~~.

13 Sec. 114. Section 714.26, subsection 1, paragraph c, if  
14 enacted by 2004 Iowa Acts, House File 2395, is amended to read  
15 as follows:

16 c. "Retail value" means the highest value of an item  
17 determined by any reasonable standard at the time the item  
18 bearing or identified by a counterfeit mark is seized. If a  
19 seized item bearing or identified by a counterfeit mark is a  
20 component of a finished product, "retail value" also means the  
21 highest value, determined by any reasonable standard, of the  
22 finished product on which the component would have been  
23 utilized. The retail value shall be the retail value of the  
24 aggregate quantity of all items seized which bear or are  
25 identified by a counterfeit mark. For purposes of this  
26 paragraph, reasonable standard includes but is not limited the  
27 to the market value within the community, actual value,  
28 replacement value, or the counterfeiter's regular selling  
29 price for the item bearing or identified by a counterfeit  
30 mark, or the intellectual property owner's regular selling  
31 price for an item similar to the item bearing or identified by  
32 a counterfeit mark.

33 Sec. 115. Section 717E.1, subsection 3, paragraph a, if  
34 enacted by 2004 Iowa Acts, House File 2480, section 1, is  
35 amended to read as follows:

1 a. The annual fair and exposition held by the Iowa state  
2 fair board pursuant to chapter 173 or any fair held event  
3 conducted by a ~~county-or-district~~ fair or ~~agricultural-society~~  
4 under the provisions of chapter 174.

5 Sec. 116. Section 812.6, subsection 2, unnumbered  
6 paragraph 1, if enacted by 2004 Iowa Acts, Senate File 2272,  
7 section 8, is amended to read as follows:

8 If the court finds by clear and convincing evidence that  
9 the defendant poses a danger to the public peace or safety, or  
10 that the defendant is otherwise not qualified for pretrial  
11 release, or the defendant refuses to cooperate with treatment,  
12 the court shall commit the defendant to an appropriate  
13 inpatient treatment facility as provided in paragraphs  
14 paragraph "a" and or "b". The defendant shall receive mental  
15 health treatment designed to restore the defendant to  
16 competency.

17 Sec. 117. Sections 7D.15, 10D.1, 15.114, 15.221, 15E.64,  
18 18A.11, 84A.1C, 225C.13, 303.3, 331.441, 357A.2, 357A.11,  
19 357A.20, 357A.21, 357A.22A, 357A.23, 357A.24, 425.11, 476.1,  
20 476.27, 480.3, 499.5, 499.5A, 500.3, 504C.1, 514.19, 514.23,  
21 and 515.1, Code 2003, are amended by inserting before the  
22 figure "504A" the following: "504 or", if 2004 Iowa Acts,  
23 Senate File 2274 is enacted.

24 Sec. 118. Sections 9H.1, 9H.4, 10B.1, 190C.6, 304A.21,  
25 331.427, 357A.15, 422.45, 490.1701, 504B.1, 504B.6, 513C.10,  
26 514.1, 514.2, 514.5, 616.10, 633.63, and 716.6B, Code  
27 Supplement 2003, are amended by inserting before the figure  
28 "504A" the following: "504 or", if 2004 Iowa Acts, Senate  
29 File 2274 is enacted.

30 Sec. 119. 2004 Iowa Acts, House File 401, section 1, is  
31 amended by striking the section and inserting in lieu thereof  
32 the following:

33 SECTION 1. Section 404A.4, subsection 4, Code Supplement  
34 2003, is amended to read as follows:

35 4. The total amount of tax credits that may be approved

1 for a fiscal year under this chapter shall not exceed two  
2 million four hundred thousand dollars. For the fiscal years  
3 beginning July 1, 2005, and July 1, 2006, an additional five  
4 hundred thousand dollars of tax credits may be approved each  
5 fiscal year for purposes of projects located in cultural and  
6 entertainment districts certified pursuant to section 303.3B.  
7 Any of the additional tax credits allocated for projects  
8 located in certified cultural and entertainment districts that  
9 are not approved during a fiscal year may be carried over to  
10 the succeeding fiscal year. ~~Tax-credit-certificates-shall-be~~  
11 ~~issued-on-the-basis-of-the-earliest-awarding~~ The department of  
12 cultural affairs shall establish by rule the procedures for  
13 the application, review, selection, and awarding of  
14 certifications of completion as-provided-in-subsection-1. The  
15 departments of economic development, cultural affairs, and  
16 revenue shall each adopt rules to jointly administer this  
17 subsection and shall provide by rule for the method to be used  
18 to determine for which fiscal year the tax credits are  
19 approved available.

20 [Sec. 120. 2004 Iowa Acts, House File 2562, section 10,  
21 subsection 2, if enacted, is amended to read as follows:

22 2. On and after July 1, 2005, an owner of an electrical  
23 and mechanical amusement device as described in subsection 1  
24 shall not offer the device for use by the public. However,  
25 the owner of a device shall be permitted to sell the device to  
26 a distributor, as defined in section 99B.1, as amended by this  
27 Act, or to a person authorized to offer the device to the  
28 public pursuant to section 99B.10, subsection 4, as amended by  
29 this Act for which a class "A", class "B", class "C", or class  
30 "D" liquor control license ~~or-class-"B"-or-class-"C"-beer~~  
31 permit has been issued pursuant to chapter 123.]

32 Sec. 121. 2004 Iowa Acts, Senate File 2070, section 35,  
33 subsection 1, is amended to read as follows:

34 1. Except as provided in subsections 2 through 4 6, this  
35 Act takes effect January 1, 2005.

1     Sec. 122. The section of 2004 Iowa Acts, House File 2489,  
2 amending section 523A.502, subsection 7, is repealed if 2004  
3 Iowa Acts, House File 2269, is enacted.

4     [Sec. 123. 2004 Iowa Acts, Senate File 2282, section 1, if  
5 enacted, is amended to read as follows:

6     SECTION 1. LOESS HILLS STUDY AND REPORT. The loess hills  
7 development and conservation authority, in consultation with  
8 the state advisory board for preserves, shall conduct a  
9 comprehensive study to determine the archaeological and  
10 paleontological significance and the significance of the flora  
11 and fauna of the loess hills and to determine the feasibility  
12 of designating land in the loess hills for dedication as a  
13 state native prairie preserve and of other various uses of the  
14 loess hills. The ~~natural-resource-commission~~ loess hills  
15 development and conservation authority may accept gifts,  
16 grants, bequests, and other private contributions, as well as  
17 federal, state, or local funds for the purposes of conducting  
18 the study. The loess hills development and conservation  
19 authority and the state advisory board for preserves shall  
20 file a joint report containing their findings and  
21 recommendations with the legislative services agency by  
22 December 15, 2006, for distribution to the general assembly.]

23     Sec. 124. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

24     1. The sections of this division of this Act amending  
25 sections 9H.1 and 10B.1, Code Supplement 2003, and 229.27,  
26 Code 2003, take effect January 1, 2005. The sections of this  
27 division of this Act further amending sections 9H.1 and 10B.1,  
28 Code Supplement 2003, and 229.27, Code 2003, as amended by  
29 this division of this Act to take effect January 1, 2005, take  
30 effect January 1, 2006.

31     2. The section of this division of this Act amending  
32 section 260C.18A, being deemed of immediate importance, takes  
33 effect upon enactment and applies retroactively to July 1,  
34 2003.

35     3. The section of this division of this Act amending 2004

1 Iowa Acts, Senate File 2070, being deemed of immediate  
2 importance, takes effect upon enactment and applies  
3 retroactively to the date of enactment of Senate File 2070.

4 DIVISION VIII

5 VISION IOWA AND COMMUNITY ATTRACTION AND TOURISM

6 PROGRAMS

7 [Sec. 125. Section 8.57, subsection 5, paragraph e,  
8 unnumbered paragraph 1, Code Supplement 2003, is amended to  
9 read as follows:

10 Notwithstanding provisions to the contrary in sections  
11 99D.17 and 99F.11, for the fiscal year beginning July 1, 2000,  
12 and for each fiscal year thereafter, not more than a total of  
13 sixty million dollars shall be deposited in the general fund  
14 of the state in any fiscal year pursuant to sections 99D.17  
15 and 99F.11. The next fifteen million dollars of the moneys  
16 directed to be deposited in the general fund of the state in a  
17 fiscal year pursuant to sections 99D.17 and 99F.11 shall be  
18 deposited in the vision Iowa fund created in section 12.72 for  
19 the fiscal year beginning July 1, 2000, and for each fiscal  
20 year through the fiscal year beginning July 1, ~~2019~~ 2029. The  
21 next five million dollars of the moneys directed to be  
22 deposited in the general fund of the state in a fiscal year  
23 pursuant to sections 99D.17 and 99F.11 shall be deposited in  
24 the school infrastructure fund created in section 12.82 for  
25 the fiscal year beginning July 1, 2000, and for each fiscal  
26 year thereafter until the principal and interest on all bonds  
27 issued by the treasurer of state pursuant to section 12.81 are  
28 paid, as determined by the treasurer of state. The total  
29 moneys in excess of the moneys deposited in the general fund  
30 of the state, the vision Iowa fund, and the school  
31 infrastructure fund in a fiscal year shall be deposited in the  
32 rebuild Iowa infrastructure fund and shall be used as provided  
33 in this section, notwithstanding section 8.60.

34 Sec. 126. COMMUNITY ATTRACTION AND TOURISM FUND. There is  
35 appropriated from the rebuild Iowa infrastructure fund to the

1 office of the treasurer of state for the fiscal period  
2 beginning July 1, 2005, and ending June 30, 2009, the  
3 following amounts, or so much thereof as is necessary, to be  
4 used for the purposes designated:

5 For deposit in the community attraction and tourism fund:

6 FY 2005-2006 .....	\$ 12,000,000
7 FY 2006-2007 .....	\$ 12,000,000
8 FY 2007-2008 .....	\$ 12,000,000
9 FY 2008-2009 .....	\$ 12,000,000

10 DIVISION IX

11 REGULATORY EFFICIENCY COMMISSION

12 Sec. 127. REGULATORY EFFICIENCY COMMISSION.

13 1. A regulatory efficiency commission is established for  
14 purposes of identifying unneeded regulations, fines, and fees  
15 that hinder business development. The commission shall also  
16 identify methods for streamlining access to regulatory  
17 information.

18 2. The commission shall consist of eight voting members  
19 appointed by the governor and four ex officio members.

20 a. The eight voting members appointed by the governor are  
21 subject to the requirements of sections 69.16, 69.16A, and  
22 69.19. The eight members shall consist of the following:

23 (1) Two members shall be economic development  
24 representatives from two different chambers of commerce. One  
25 shall be from a metropolitan area with more than fifty  
26 thousand people and one shall be from a metropolitan area with  
27 fifty thousand people or less.

28 (2) Two members representing agricultural interests.

29 (3) One member representing the Iowa association of  
30 business and industry.

31 (4) Two members representing commercial-based and  
32 manufacturing-based businesses.

33 (5) One member representing the Iowa environmental  
34 council.

35 b. The four ex officio members shall be members of the

1 general assembly. Two members shall be from the senate and  
2 two members shall be from the house of representatives, with  
3 not more than one member from each chamber being from the same  
4 political party. The two senators shall be designated by the  
5 president of the senate after consultation with the majority  
6 and minority leaders of the senate. The two representatives  
7 shall be designated by the speaker of the house of  
8 representatives after consultation with the majority and  
9 minority leaders of the house of representatives. Legislative  
10 members shall serve in an ex officio, nonvoting capacity.

11 3. Meetings of the commission are subject to the  
12 provisions of chapter 21.

13 4. By January 10, 2005, the commission shall submit a  
14 written report to the governor and the general assembly. The  
15 report shall include the findings and legislative  
16 recommendations of the commission. The report shall be  
17 distributed by the secretary of the senate and the chief clerk  
18 of the house of representatives to the chairpersons and  
19 members of the administrative rules review committee and the  
20 economic growth committees in the senate and the house of  
21 representatives.]

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APPROPRIATIONS

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL  
BY CHAIRPERSON DIX)

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

**A BILL FOR**

1 An Act relating to and making appropriations to state departments  
2 and agencies from the rebuild Iowa infrastructure fund,  
3 environment first fund, tobacco settlement trust fund, state  
4 general fund, and primary road fund, and making related and  
5 corrective changes and providing effective dates.

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

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DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the designated fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For routine maintenance of state buildings and facilities, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2004-2005..... \$ 1,500,000

b. For relocation costs directly associated with remodeling projects on the capitol complex and for facility lease payments for the department of corrections, the Iowa department of public health, and the department of public safety, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2004-2005..... \$ 2,271,617

c. For technology improvement projects, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2004-2005..... \$ 361,496

Of the amount appropriated in this lettered paragraph, \$288,496 is allocated to maintain and operate the enterprise warehouse technology project and \$73,000 is allocated to the division of criminal and juvenile justice planning of the department of human rights for 1.00 full-time equivalent position to provide support for the justice data warehouse technology project.

d. For major renovation and major repair needs, including health, life, and fire safety needs, and for compliance with the federal Americans With Disabilities Act, for state buildings and facilities under the purview of the department:

FY 2004-2005..... \$ 2,500,000

(1) Of the amount appropriated in this lettered paragraph,

1 up to \$375,000 may be used for costs associated with project  
2 management services in the division of design and construction  
3 within the general services enterprise of the department,  
4 notwithstanding section 8.57, subsection 5, paragraph "c".

5 (2) Of the amount appropriated in this lettered paragraph,  
6 \$200,000 may be used for costs associated with the vertical  
7 infrastructure program, notwithstanding section 8.57,  
8 subsection 5, paragraph "c".

9 e. For costs associated with the remodeling of the records  
10 and property center:

11	FY 2004-2005.....	\$	5,000,000
12	FY 2005-2006.....	\$	4,700,000

13 f. For accent lighting systems for the soldiers and  
14 sailors monument and the Allison monument on the capitol  
15 complex, notwithstanding section 8.57, subsection 5, paragraph  
16 "c":

17	FY 2004-2005.....	\$	35,000
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18 2. DEPARTMENT FOR THE BLIND

19 For the remodeling of the orientation center:

20	FY 2004-2005.....	\$	67,000
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21 3. STATE BOARD OF REGENTS

22 For maintenance at the Iowa school for the deaf and the  
23 Iowa braille and sight saving school:

24	FY 2004-2005.....	\$	500,000
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25 4. DEPARTMENT OF CORRECTIONS

26 For costs of entering into a lease-purchase agreement to  
27 connect the electrical system supporting the special needs  
28 unit at Fort Madison:

29	FY 2004-2005.....	\$	333,168
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30 5. DEPARTMENT OF ECONOMIC DEVELOPMENT

31 For accelerated career education program capital projects  
32 at community colleges that are authorized under chapter 260G  
33 and that meet the definition of "vertical infrastructure" in  
34 section 8.57, subsection 5, paragraph "c":

35	FY 2004-2005.....	\$	5,500,000
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1 The moneys appropriated in this subsection shall be  
2 allocated equally among the community colleges in the state.  
3 If any portion of the equal allocation to a community college  
4 is not obligated or encumbered by April 1, 2005, the  
5 unobligated and unencumbered portions shall be available for  
6 use by other community colleges.

7 6. DEPARTMENT OF EDUCATION

8 a. To provide resources for structural and technological  
9 improvements to local libraries and for the enrich Iowa  
10 program, notwithstanding section 8.57, subsection 5, paragraph  
11 "c":

12 FY 2004-2005..... \$ 600,000

13 Funds allocated for purposes of the enrich Iowa program as  
14 provided in this lettered paragraph shall be distributed by  
15 the division of libraries and information services to provide  
16 support for Iowa's libraries.

17 b. For maintenance and lease costs associated with part  
18 III connections, notwithstanding section 8.57, subsection 5,  
19 paragraph "c":

20 FY 2004-2005..... \$ 2,727,000

21 c. For costs associated with the remodeling of the Jessie  
22 Parker building:

23 FY 2004-2005..... \$ 303,632

24 7. DEPARTMENT OF HUMAN SERVICES

25 To provide a grant for the planning, design, and  
26 construction of a residential treatment facility for youth  
27 with emotional and behavioral disorders:

28 FY 2004-2005..... \$ 250,000

29 8. IOWA STATE FAIR AUTHORITY

30 For vertical infrastructure projects on the state  
31 fairgrounds:

32 FY 2004-2005..... \$ 250,000

33 For purposes of this subsection, "vertical infrastructure"  
34 means the same as defined in section 8.57, subsection 5,  
35 paragraph "c".

1 9. DEPARTMENT OF PUBLIC DEFENSE

2 a. For planning, design, and construction of a national  
3 guard readiness center in or near Iowa City:

4 FY 2004-2005..... \$ 2,150,000

5 b. For maintenance and repair of national guard armories  
6 and facilities:

7 FY 2004-2005..... \$ 1,269,636

8 c. For construction of a new national guard armory at  
9 Boone:

10 FY 2004-2005..... \$ 1,096,000

11 10. IOWA DEPARTMENT OF PUBLIC HEALTH

12 For treatment of addictive disorders, to be utilized for  
13 the benefit of persons with addictions, notwithstanding  
14 section 8.57, subsection 5, paragraph "c":

15 FY 2004-2005..... \$ 1,690,000

16 It is the intent of the general assembly that from the  
17 moneys appropriated in this subsection, persons with a dual  
18 diagnosis of substance abuse and gambling addictions shall be  
19 given priority in treatment services.

20 11. DEPARTMENT OF PUBLIC SAFETY

21 a. For capitol building and judicial building security,  
22 notwithstanding section 8.57, subsection 5, paragraph "c":

23 FY 2004-2005..... \$ 800,000

24 b. To expand the current capitol building card access  
25 system to additional buildings and controlled-access parking  
26 lots on the capitol complex, notwithstanding section 8.57,  
27 subsection 5, paragraph "c":

28 FY 2004-2005..... \$ 650,000

29 c. For costs of entering into a lease-purchase agreement  
30 to upgrade the automated fingerprint identification system,  
31 notwithstanding section 8.57, subsection 5, paragraph "c":

32 FY 2004-2005..... \$ 550,000

33 d. For costs associated with improvements to Iowa's  
34 electronic criminal information records system to comply with  
35 national crime information center standards, notwithstanding

1 section 8.57, subsection 5, paragraph "c":

2 FY 2004-2005..... \$ 500,000

3 12. STATE DEPARTMENT OF TRANSPORTATION

4 a. For operation and maintenance of the network of  
5 automated weather observation and data transfer systems  
6 associated with the Iowa aviation weather system, the runway  
7 marking program for public airports, the windsock program for  
8 public airports, and the aviation improvement program,  
9 notwithstanding section 8.57, subsection 5, paragraph "c":

10 FY 2004-2005..... \$ 500,000

11 b. For vertical infrastructure improvements at the  
12 commercial air service airports within the state:

13 FY 2004-2005..... \$ 1,100,000

14 One-half of the funds appropriated in this lettered  
15 paragraph shall be allocated equally between each commercial  
16 service airport, 40 percent of the funds shall be allocated  
17 based on the percentage that the number of enplaned passengers  
18 at each commercial service airport bears to the total number  
19 of enplaned passengers in the state during the previous fiscal  
20 year, and 10 percent of the funds shall be allocated based on  
21 the percentage that the air cargo tonnage at each commercial  
22 service airport bears to the total air cargo tonnage in the  
23 state during the previous fiscal year. In order for a  
24 commercial service airport to receive funding under this  
25 lettered paragraph, the airport shall be required to submit  
26 applications for funding of specific projects to the  
27 department for approval by the state transportation  
28 commission.

29 c. For a vertical infrastructure improvement grant program  
30 for improvements at general aviation airports within the  
31 state:

32 FY 2004-2005..... \$ 581,400

33 13. OFFICE OF TREASURER OF STATE

34 For county fair infrastructure improvements for  
35 distribution in accordance with chapter 174 to qualified fairs

1 which belong to the association of Iowa fairs:

2 FY 2004-2005..... \$ 1,060,000

3 14. COMMISSION OF VETERANS AFFAIRS

4 For deposit in the veterans trust fund established in  
5 section 35A.13, notwithstanding section 8.57, subsection 5,  
6 paragraph "c":

7 FY 2004-2005..... \$ 1,000,000

8 Sec. 2. PAYMENTS IN LIEU OF TUITION. There is  
9 appropriated from the rebuild Iowa infrastructure fund to the  
10 state board of regents for the fiscal year beginning July 1,  
11 2004, and ending June 30, 2005, the following amount, or so  
12 much thereof as may be necessary, to be used for the purpose  
13 designated:

14 For allocation by the state board of regents to the state  
15 university of Iowa, the Iowa state university of science and  
16 technology, and the university of northern Iowa to reimburse  
17 the institutions for deficiencies in their operating funds  
18 resulting from the pledging of tuitions, student fees and  
19 charges, and institutional income to finance the cost of  
20 providing academic and administrative buildings and facilities  
21 and utility services at the institutions, notwithstanding  
22 section 8.57, subsection 5, paragraph "c":

23 ..... \$ 391,804

24 Sec. 3. REVERSION. Notwithstanding section 8.33, moneys  
25 appropriated in sections 1 and 2 of this division of this Act  
26 shall not revert at the close of the fiscal year for which  
27 they were appropriated but shall remain available for the  
28 purposes designated until the close of the fiscal year that  
29 begins July 1, 2007, or until the project for which the  
30 appropriation was made is completed, whichever is earlier.

31 Sec. 4. 2003 Iowa Acts, chapter 177, section 6, subsection  
32 2, is amended to read as follows:

33 2. For costs associated with the ~~planning-for-the-vacation~~  
34 ~~and-demolition~~ disposition of the Wallace building:

35 ..... \$ 50,000

1 The amount appropriated in this subsection shall be used to  
2 conduct a complete evaluation and analysis regarding the  
3 condition of the Wallace building and to make a recommendation  
4 to the general assembly no later than January 31, 2005, as to  
5 whether the Wallace building should be renovated for future  
6 use or vacated and demolished. The recommendation shall  
7 include cost estimates for renovation of the building and for  
8 its demolition.

9 Sec. 5. 2003 Iowa Acts, chapter 177, section 14, is  
10 amended to read as follows:

11 SEC. 14. REVERSION. Notwithstanding section 8.33, moneys  
12 appropriated in this division of this Act shall not revert at  
13 the close of the fiscal year for which they were appropriated  
14 but shall remain available for the purposes designated until  
15 the close of the fiscal year that begins July 1, ~~2006~~ 2007, or  
16 until the project for which the appropriation was made is  
17 completed, whichever is earlier.

18 Sec. 6. 2003 Iowa Acts, chapter 179, section 140, is  
19 amended to read as follows:

20 SEC. 140. Notwithstanding section 8.33, unencumbered and  
21 unobligated funds remaining from the appropriation made in  
22 1996 Iowa Acts, chapter 1218, section 13, subsection 2,  
23 paragraph "a", subparagraph (2), as amended by 1997 Iowa Acts,  
24 chapter 215, section 3, and from the appropriation made in  
25 1997 Iowa Acts, chapter 215, section 4, subsection 1, shall  
26 not revert but shall be available for the purposes designated  
27 in those provisions until the close of the fiscal year  
28 beginning July 1, ~~2003~~ 2004.

29 Of the amount of unencumbered and unobligated funds  
30 identified in this section, \$180,000 shall be used for the  
31 purposes described in 2003 Iowa Acts, chapter 177, section 6,  
32 subsection 2, as amended by this 2004 Act.

33 Sec. 7. 2002 Iowa Acts, chapter 1173, section 18, as  
34 amended by 2003 Iowa Acts, chapter 179, section 39, is amended  
35 to read as follows:

1 SEC. 18. POOLED TECHNOLOGY FUNDING -- PRIOR ALLOCATIONS --  
 2 NONREVERSION. Notwithstanding section 8.33, moneys  
 3 appropriated and allocated in 2001 Iowa Acts, chapter 189,  
 4 section 5, subsection 1, which remain unobligated or  
 5 unexpended at the close of the fiscal year for which they were  
 6 appropriated shall not revert, but shall remain available for  
 7 expenditure for the purposes for which they were appropriated  
 8 and allocated, for the fiscal period beginning July 1, 2002,  
 9 and ending June 30, ~~2004~~ 2005. Notwithstanding the  
 10 expenditure limitation in this section, the information  
 11 technology enterprise within the department of administrative  
 12 services may expend available moneys in the pooled technology  
 13 account established in the office of the treasurer of state to  
 14 complete the comprehensive study required under 2003 Iowa  
 15 Acts, chapter 145, section 290, subsection 2, paragraph "c".

16 Sec. 8. 2000 Iowa Acts, chapter 1225, section 2, as  
 17 amended by 2001 Iowa Acts, chapter 185, section 2, is amended  
 18 to read as follows:

19 SEC. 2. There is appropriated from the rebuild Iowa  
 20 infrastructure fund to the department of corrections for the  
 21 fiscal year beginning July 1, 2000, and ending June 30, 2001,  
 22 the following amounts, or so much thereof as is necessary, to  
 23 be used for the purposes designated:

24 1. To supplement funds appropriated in 1998 Iowa Acts,  
 25 chapter 1219, section 2, subsection 3, for construction of a  
 26 200-bed facility at the Iowa state penitentiary at Fort  
 27 Madison:

28 ..... \$ 3,000,000

29 2. For community-based corrections projects:

30 ..... \$ 900,000

31 The first \$300,000 of the amount appropriated in this  
 32 subsection shall be allocated for community-based corrections  
 33 projects in Council Bluffs. The next \$600,000 of the amount  
 34 appropriated in this subsection shall be allocated for  
 35 community-based corrections projects in the judicial district

1 in which the city of Davenport is located. These moneys may  
2 be used by the department to enter into lease-purchasing  
3 agreements or the payment of rent for such projects.

4 Notwithstanding section 8.33 and section 20 of this Act,  
5 moneys appropriated in subsection 2 that remain unencumbered  
6 or unobligated at the close of the fiscal year that begins  
7 July 1, 2003, shall revert at the close of the fiscal year  
8 that begins July 1, 2006. However, if the projects for which  
9 the moneys are appropriated are completed in an earlier fiscal  
10 year, unencumbered or unobligated moneys shall revert at the  
11 close of that fiscal year.

12 Sec. 9. 2000 Iowa Acts, chapter 1225, section 19,  
13 unnumbered paragraph 2, is amended to read as follows:

14 To supplement moneys appropriated in prior fiscal years for  
15 construction of a new dining hall and food services facility  
16 and renovation of the former Sheeler food preparation area:

17 ..... \$ 992,000

18 Sec. 10. 2000 Iowa Acts, chapter 1225, section 20, is  
19 amended to read as follows:

20 SEC. 20. REVERSION. Notwithstanding section 8.33, moneys  
21 appropriated in this division of this Act that remain  
22 unencumbered or unobligated at the close of the fiscal year  
23 that begins July 1, ~~2003~~ 2004, shall revert at the close of  
24 that fiscal year. However, if the projects for which the  
25 moneys are appropriated are completed in an earlier fiscal  
26 year, unencumbered or unobligated moneys shall revert at the  
27 close of that fiscal year.

28 Sec. 11. GAMBLING TREATMENT FUND APPROPRIATION -- REPEAL.  
29 The section of 2004 Iowa Acts, Senate File 2298, appropriating  
30 moneys from the gambling treatment fund to the Iowa department  
31 of public health, if enacted, is repealed.

32 Sec. 12. Sections 4, 6, 7, 8, 9, and 10 of this division  
33 of this Act, being deemed of immediate importance, take effect  
34 upon enactment.

35

DIVISION II

1 ENVIRONMENT FIRST FUND

2 Sec. 13. There is appropriated from the environment first  
3 fund to the following departments and agencies for the fiscal  
4 year beginning July 1, 2004, and ending June 30, 2005, the  
5 following amounts, or so much thereof as is necessary, to be  
6 used for the purposes designated:

7 1. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

8 a. For the conservation reserve enhancement program to  
9 restore and construct wetlands for the purposes of  
10 intercepting tile line runoff, reducing nutrient loss,  
11 improving water quality, and enhancing agricultural production  
12 practices:

13 ..... \$ 1,500,000

14 Not more than 5 percent of the moneys appropriated in this  
15 lettered paragraph may be used for costs of administration and  
16 implementation of soil and water conservation practices.

17 b. For continuation of a program that provides  
18 multiobjective resource protections for flood control, water  
19 quality, erosion control, and natural resource conservation:

20 ..... \$ 2,700,000

21 Not more than 5 percent of the moneys appropriated in this  
22 lettered paragraph may be used for costs of administration and  
23 implementation of soil and water conservation practices.

24 c. For continuation of a statewide voluntary farm  
25 management demonstration program to demonstrate the  
26 effectiveness and adaptability of emerging practices in  
27 agronomy that protect water resources and provide other  
28 environmental benefits:

29 ..... \$ 850,000

30 Not more than 5 percent of the moneys appropriated in this  
31 lettered paragraph may be used for costs of administration and  
32 implementation of soil and water conservation practices.

33 Of the amount appropriated in this lettered paragraph,  
34 \$400,000 shall be allocated to the Iowa soybean association's  
35 agriculture and environment performance program.

1 d. For deposit in the alternative drainage system  
2 assistance fund created in section 460.303 to be used for  
3 purposes of supporting the alternative drainage system  
4 assistance program as provided in section 460.304:

5 ..... \$ 500,000

6 Not more than 5 percent of the moneys appropriated in this  
7 lettered paragraph may be used for costs of administration and  
8 implementation of soil and water conservation practices.

9 e. To provide financial assistance for the establishment  
10 of permanent soil and water conservation practices:

11 ..... \$ 5,500,000

12 (1) Not more than 5 percent of the moneys appropriated in  
13 this lettered paragraph may be allocated for cost-sharing to  
14 abate complaints filed under section 161A.47.

15 (2) Of the moneys appropriated in this lettered paragraph,  
16 5 percent shall be allocated for financial incentives to  
17 establish practices to protect watersheds above publicly owned  
18 lakes of the state from soil erosion and sediment as provided  
19 in section 161A.73.

20 (3) Not more than 30 percent of a district's allocation of  
21 moneys as financial incentives may be provided for the purpose  
22 of establishing management practices to control soil erosion  
23 on land that is row-cropped, including but not limited to no-  
24 till planting, ridge-till planting, contouring, and contour  
25 strip-cropping as provided in section 161A.73.

26 (4) The state soil conservation committee created in  
27 section 161A.4 may allocate moneys appropriated in this  
28 lettered paragraph to conduct research and demonstration  
29 projects to promote conservation tillage and nonpoint source  
30 pollution control practices.

31 (5) The financial incentive payments may be used in  
32 combination with department of natural resources moneys.

33 (6) Not more than 10 percent of the moneys appropriated in  
34 this lettered paragraph may be used for costs of  
35 administration and implementation of soil and water

1 conservation practices.

2 (7) A minimum of 50 percent of state conservation cost-  
3 share and state-controlled federal funds shall be used to make  
4 improvements in watersheds of impaired waters as identified by  
5 the 303d list.

6 f. To encourage and assist farmers in enrolling in and the  
7 implementation of federal conservation programs and work with  
8 them to enhance their revegetation efforts to improve water  
9 quality and habitat:

10 ..... \$ 2,000,000

11 g. For deposit in the loess hills development and  
12 conservation fund created in section 161D.2:

13 ..... \$ 600,000

14 Of the amount appropriated in this lettered paragraph,  
15 \$400,000 shall be allocated to the hungry canyons account and  
16 \$200,000 shall be allocated to the loess hills alliance  
17 account, to be used for the purposes for which the moneys in  
18 those accounts are authorized to be used under chapter 161D.  
19 No more than 5 percent of the moneys allocated to each account  
20 in this lettered paragraph may be used for administrative  
21 costs.

22 h. For deposit in the southern Iowa development and  
23 conservation fund created in section 161D.12:

24 ..... \$ 300,000

25 No more than 5 percent of the moneys appropriated in this  
26 lettered paragraph may be used for administrative costs.

27 2. DEPARTMENT OF ECONOMIC DEVELOPMENT

28 For deposit in the brownfield redevelopment fund created in  
29 section 15.293 to provide assistance under the brownfield  
30 redevelopment program:

31 ..... \$ 500,000

32 3. DEPARTMENT OF NATURAL RESOURCES

33 a. To provide local watershed managers with geographic  
34 information system data for their use in developing,  
35 monitoring, and displaying results of their watershed work:

1 ..... \$ 195,000  
2 b. For statewide coordination of volunteer efforts under  
3 the water quality and keepers of the land programs:  
4 ..... \$ 100,000  
5 c. For continuing the establishment and operation of water  
6 quality monitoring stations:  
7 ..... \$ 2,955,000  
8 d. For deposit in the administration account of the water  
9 quality protection fund, to carry out the purposes of that  
10 account:  
11 ..... \$ 500,000  
12 e. For air quality monitoring equipment:  
13 ..... \$ 500,000  
14 f. For the dredging of lakes, including necessary  
15 preparation for dredging, in accordance with the department's  
16 classification of Iowa lakes restoration report:  
17 ..... \$ 1,000,000  
18 The department shall consider the following criteria for  
19 funding lake dredging projects as provided in this lettered  
20 paragraph, and shall prioritize projects based on the  
21 following:  
22 (1) Documented efforts to address watershed protection,  
23 considering testing, conservation efforts, and amount of time  
24 devoted to watershed protection.  
25 (2) Protection of a natural resource and natural habitat.  
26 (3) Percentage of public access and undeveloped lakefront  
27 property.  
28 (4) Continuation of current projects partially funded by  
29 state resources to achieve department recommendations.  
30 g. For purposes of funding capital projects for the  
31 purposes specified in section 452A.79, and for expenditures  
32 for the local cost share grants to be used for capital  
33 expenditures to local governmental units for boating  
34 accessibility:  
35 ..... \$ 2,300,000

1 h. For regular maintenance of state parks and staff time  
 2 associated with these activities:  
 3 ..... \$ 2,000,000

4 RESOURCES ENHANCEMENT AND PROTECTION FUND

5 Sec. 14. Notwithstanding the amount of the standing  
 6 appropriation from the general fund of the state under section  
 7 455A.18, subsection 3, there is appropriated from the  
 8 environment first fund to the Iowa resources enhancement and  
 9 protection fund, in lieu of the appropriation made in section  
 10 455A.18, for the fiscal year beginning July 1, 2004, and  
 11 ending June 30, 2005, the following amount, to be allocated as  
 12 provided in section 455A.19:

13 ..... \$ 11,000,000

14 Sec. 15. REVERSION.

15 1. Except as provided in subsection 2, and notwithstanding  
 16 section 8.33, moneys appropriated in this division of this Act  
 17 that remain unencumbered or unobligated shall not revert at  
 18 the close of the fiscal year for which they were appropriated  
 19 but shall remain available for the purposes designated until  
 20 the close of the fiscal year beginning July 1, 2005, or until  
 21 the project for which the appropriation was made is completed,  
 22 whichever is earlier.

23 2. Notwithstanding section 8.33, moneys appropriated in  
 24 this division of this Act to the department of agriculture and  
 25 land stewardship to provide financial assistance for the  
 26 establishment of permanent soil and water conservation  
 27 practices that remain unencumbered or unobligated at the close  
 28 of the fiscal year shall not revert but shall remain available  
 29 for expenditure for the purposes designated until the close of  
 30 the fiscal year that begins July 1, 2007.

31 DIVISION III

32 TOBACCO SETTLEMENT TRUST FUND

33 Sec. 16. There is appropriated from the tax-exempt bond  
 34 proceeds restricted capital funds account of the tobacco  
 35 settlement trust fund to the following departments and

1 agencies for the fiscal year beginning July 1, 2004, and  
2 ending June 30, 2005, the following amounts, or so much  
3 thereof as is necessary, to be used for the purposes  
4 designated:

5 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

6 a. For the payment of claims relating to the purchase and  
7 implementation of an integrated information for Iowa system,  
8 notwithstanding section 12E.12, subsection 1, paragraph "b",  
9 subparagraph (1):

10 ..... \$ 6,049,284

11 b. For capitol interior restoration:

12 ..... \$ 3,000,000

13 2. TAX-EXEMPT STATUS -- USE OF APPROPRIATIONS. Payment of  
14 moneys from the appropriations in this section shall be made  
15 in a manner that does not adversely affect the tax-exempt  
16 status of any outstanding bonds issued by the tobacco  
17 settlement authority.

18 3. REVERSION. Notwithstanding section 8.33, moneys  
19 appropriated in this section shall not revert at the close of  
20 the fiscal year for which they were appropriated but shall  
21 remain available for the purposes designated until the close  
22 of the fiscal year that begins July 1, 2006, or until the  
23 project for which the appropriation was made is completed,  
24 whichever is earlier.

25 Sec. 17. PAYMENTS IN LIEU OF TUITION. There is  
26 appropriated from the tax-exempt bond proceeds restricted  
27 capital funds account of the tobacco settlement trust fund of  
28 the state to the state board of regents for the fiscal year  
29 beginning July 1, 2004, and ending June 30, 2005, the  
30 following amount, or so much thereof as is necessary, to be  
31 used for the purpose designated:

32 For allocation by the state board of regents to the state  
33 university of Iowa, the Iowa state university of science and  
34 technology, and the university of northern Iowa to reimburse  
35 the institutions for deficiencies in their operating funds

1 resulting from the pledging of tuitions, student fees and  
 2 charges, and institutional income to finance the cost of  
 3 providing academic and administrative buildings and facilities  
 4 and utility services at the institutions, notwithstanding  
 5 section 12E.12, subsection 1, paragraph "b", subparagraph (1):  
 6 ..... \$ 10,437,174

7     Sec. 18. IOWA COMMUNICATIONS NETWORK DEBT SERVICE. There  
 8 is appropriated from the tax-exempt bond proceeds restricted  
 9 capital funds account of the tobacco settlement trust fund to  
 10 the office of the treasurer of state for the fiscal year  
 11 beginning July 1, 2004, and ending June 30, 2005, the  
 12 following amount, or so much thereof as is necessary, to be  
 13 used for the purpose designated:

14     For debt service for the Iowa communications network,  
 15 notwithstanding section 12E.12, subsection 1, paragraph "b",  
 16 subparagraph (1):  
 17 ..... \$ 13,039,778

18     Funds appropriated in this section shall be deposited in a  
 19 separate fund established in the office of the treasurer of  
 20 state to be used solely for debt service for the Iowa  
 21 communications network. The Iowa telecommunications and  
 22 technology commission shall certify to the treasurer of state  
 23 when a debt service payment is due, and upon receipt of the  
 24 certification, the treasurer shall make the payment. The  
 25 commission shall pay any additional amount due from funds  
 26 deposited in the Iowa communications network fund.

27     Sec. 19. PRISON DEBT SERVICE. There is appropriated from  
 28 the tax-exempt bond proceeds restricted capital funds account  
 29 of the tobacco settlement trust fund to the office of the  
 30 treasurer of state for the fiscal year beginning July 1, 2004,  
 31 and ending June 30, 2005, the following amount, or so much  
 32 thereof as is necessary, to be used for the purpose  
 33 designated:

34     For repayment of prison infrastructure bonds under section  
 35 16.177, notwithstanding section 12E.12, subsection 1,

1 paragraph "b", subparagraph (1):

2 ..... \$ 5,413,324

3 Sec. 20. 2003 Iowa Acts, chapter 177, section 23,  
4 subsection 3, is amended to read as follows:

5 3. Notwithstanding section 8.33, moneys appropriated in  
6 this section shall not revert at the close of the fiscal year  
7 for which they were appropriated, but shall remain available  
8 for the purpose designated until the close of the fiscal year  
9 that begins July 1, 2006, or until the project for which  
10 the appropriation was made is completed, whichever is earlier.

11 Sec. 21. 2003 Iowa Acts, chapter 177, section 22,  
12 subsection 8, is amended to read as follows:

13 8. DEPARTMENT OF PUBLIC SAFETY

14 For improvements to the capitol complex security system,  
15 notwithstanding section 12E.12, subsection 1, paragraph "b",  
16 subparagraph (1):

17 ..... \$ 1,000,000

18 The moneys appropriated in this subsection may be used to  
19 expand the current capitol building card access system to  
20 additional buildings and controlled-access parking lots on the  
21 capitol complex.

22 Sec. 22. 2002 Iowa Acts, chapter 1173, section 1,  
23 subsection 7, paragraph a, is amended to read as follows:

24 a. For parking improvements and provision of street access  
25 for the judicial building:

26	FY 2002-2003 .....	\$	700,000
27	FY 2003-2004 .....	\$	0
28	FY 2004-2005 .....	\$	0
29	FY 2005-2006 .....	\$	0

30 Of the amount appropriated in this subsection for FY 2002-  
31 2003, up to \$330,000 may be used for costs associated with  
32 operation of the judicial building, notwithstanding section  
33 12E.12, subsection 1, paragraph "b", subparagraph (1).

34 DIVISION IV  
35 MISCELLANEOUS FUNDS

1     Sec. 23. GENERAL FUND APPROPRIATIONS. There is  
 2 appropriated from the general fund of the state to the state  
 3 department of transportation for the fiscal year beginning  
 4 July 1, 2004, and ending June 30, 2005, the following amounts,  
 5 or so much thereof as is necessary, to be used for the  
 6 purposes designated:

7     a. For operation and maintenance of the network of  
 8 automated weather observation and data transfer systems  
 9 associated with the Iowa aviation weather system, the runway  
 10 marking program for public airports, the windsock program for  
 11 public airports, and the aviation improvement program:  
 12 ..... \$           64,792

13    b. For the rail assistance program and to provide economic  
 14 development project funding:  
 15 ..... \$           35,959

16     Sec. 24. PRIMARY ROAD FUND APPROPRIATION. There is  
 17 appropriated from the primary road fund to the department of  
 18 administrative services for the fiscal year beginning July 1,  
 19 2004, and ending June 30, 2005, the following amount, or so  
 20 much thereof as is necessary, to be used for distribution to  
 21 the state department of transportation:  
 22 ..... \$           440,369

23     Moneys appropriated in this section shall be separately  
 24 accounted for in a distribution account and shall be  
 25 distributed to the state department of transportation to pay  
 26 for services provided the state department of transportation  
 27 by the department of administrative services as described in  
 28 chapter 8A.

29     Sec. 25. ROAD USE TAX FUND APPROPRIATION. There is  
 30 appropriated from the road use tax fund to the department of  
 31 administrative services for the fiscal year beginning July 1,  
 32 2004, and ending June 30, 2005, the following amount, or so  
 33 much thereof as is necessary, to be used for distribution to  
 34 the state department of transportation:  
 35 ..... \$           71,969

1 Moneys appropriated in this section shall be separately  
2 accounted for in a distribution account and shall be  
3 distributed to the state department of transportation to pay  
4 for services provided the state department of transportation  
5 by the department of administrative services as described in  
6 chapter 8A.

7 Sec. 26. 2003 Iowa Acts, chapter 171, section 2, is  
8 amended by inserting the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,  
10 moneys appropriated in subsection 1 that remain unencumbered  
11 or unobligated at the close of the fiscal year shall not  
12 revert but shall remain available for expenditure until the  
13 close of the fiscal year that begins July 1, 2004, for the  
14 purpose of restocking the department's salt storage.

15 Sec. 27. DEPARTMENT OF TRANSPORTATION -- PERSONNEL  
16 SERVICES PAYMENT -- REPEAL. The portion of 2004 Iowa Acts,  
17 Senate File 2298, relating to payments by the state department  
18 of transportation to the department of administrative services  
19 for personnel services provided, if enacted, is repealed.

20 Sec. 28. EFFECTIVE DATE. Section 26 of this division of  
21 this Act, amending 2003 Iowa Acts, chapter 171, section 2,  
22 being deemed of immediate importance, takes effect upon  
23 enactment.

24 DIVISION V

25 CODE CHANGES

26 Sec. 29. Section 80.9, subsection 2, paragraph f, Code  
27 2003, is amended to read as follows:

28 f. Provide protection and security for persons and  
29 property on the grounds of the state capitol complex.  
30 Notwithstanding chapter 8A or any other provision of law, the  
31 department shall be solely responsible for the purchase,  
32 installation, and maintenance of, including making any  
33 improvements or additions to, executive branch capitol complex  
34 security systems or equipment, including the changing of locks  
35 and issuance of keys, access cards, and identification badges.

1 The department of administrative services shall cooperate with  
2 the department of public safety in executing the department's  
3 duties under this paragraph.

4 DIVISION VI

5 MISCELLANEOUS PROVISIONS

6 Sec. 30. Section 15E.208, subsection 3, paragraph b,  
7 subparagraph (2), Code Supplement 2003, is amended by adding  
8 the following new subparagraph subdivision:

9 NEW SUBPARAGRAPH SUBDIVISION. (c) Notwithstanding any  
10 provision of this section or this division to the contrary,  
11 the department shall forgive all interest on the principal  
12 balance of the loan granted to an Iowa agricultural industry  
13 finance corporation and assigned to an eligible person  
14 pursuant to this section during calendar year 2003, whether  
15 such interest has accrued prior to the effective date of this  
16 Act or will accrue on or after the effective date of this Act.  
17 In addition, each principal payment due under the assigned  
18 loan shall be deferred for three years from its respective  
19 payment date.

20 Sec. 31. Section 28M.1, subsection 2, if enacted by 2004  
21 Iowa Acts, Senate File 2284, section 1, is amended to read as  
22 follows:

23 2. "Regional transit district" means a public transit  
24 district created by agreement pursuant to chapter 28E by one  
25 or more counties and participating cities to provide support  
26 for transportation of passengers by one or more public transit  
27 systems ~~which may be designated as a public transit system~~  
28 ~~under chapter 324A.~~

29 Sec. 32. Section 28M.1, if enacted by 2004 Iowa Acts,  
30 Senate File 2284, section 1, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 3. "Transportation" means the movement of  
33 individuals in a four or more wheeled motorized vehicle  
34 designed to carry passengers, including a car, van, or bus, or  
35 the carrying of individuals upon cars operated upon stationary

1 rails, between one geographic point and another geographic  
2 point. "Transportation" does not include emergency or  
3 incidental transportation or transportation conducted by the  
4 department of human services at its institutions.

5 Sec. 33. Section 28M.2, subsections 1 and 3, if enacted by  
6 2004 Iowa Acts, Senate File 2284, section 2, is amended to  
7 read as follows:

8 1. A county with a population in excess of three one  
9 hundred seventy-five thousand and participating cities may  
10 create, by chapter 28E agreement, a regional transit district  
11 in the county pursuant to this chapter. Two or more  
12 contiguous counties and participating cities may create, by  
13 chapter 28E agreement, a regional transit district pursuant to  
14 this chapter if one of the counties has a population in excess  
15 of three one hundred seventy-five thousand. A district shall  
16 consist of the unincorporated area of any participating county  
17 and the incorporated area of any city in the county that does  
18 not have an urban transit system. However, a city without an  
19 urban transit system may decline, by resolution forwarded to  
20 the board of supervisors, to participate in a regional transit  
21 district.

22 3. A city that is located in a nonparticipating county  
23 that is contiguous to a county with a population in excess of  
24 three one hundred seventy-five thousand that is creating a  
25 regional transit district may notify that county, by  
26 resolution forwarded to the board of supervisors of that  
27 county, that the city wishes to participate.

28 Sec. 34. Section 28M.2, if enacted by 2004 Iowa Acts,  
29 Senate File 2284, section 2, is amended by adding the  
30 following new subsection:

31 NEW SUBPARAGRAPH. 5. A regional transit district created  
32 pursuant to this chapter may be designated as a public transit  
33 system under chapter 324A if it is providing transportation as  
34 that term is defined in section 324A.1.

35 Sec. 35. 2004 Iowa Acts, Senate File 2257, section 1,

1 subsection 10, if enacted, is amended to read as follows:

2 10. APPLICABILITY DATE. This section applies to personal  
3 insurance contracts or policies delivered, issued for  
4 delivery, continued, or renewed in this state on or after  
5 ~~April 17, 2005~~ October 1, 2004.

6 Sec. 36. 2003 Iowa Acts, chapter 145, section 290,  
7 subsection 2, paragraph c, is amended to read as follows:

8 c. By ~~September~~ December 1, 2004, the department of  
9 administrative services, with the assistance of the department  
10 of management, shall conduct a comprehensive study of the  
11 impact of transferring all state agency employees delivering  
12 information technology services to the department of  
13 administrative services and of the impact of physically  
14 merging the data centers of the department, the state  
15 department of transportation, and the department of workforce  
16 development, into one data center. The study shall include an  
17 assessment of advantages and disadvantages, economies of  
18 scale, cost, and space availability, and shall solicit input  
19 from outside vendors, both public and private. The department  
20 shall report to the legislative ~~fiscal-bureau~~ services agency  
21 and the committees on government oversight of the senate and  
22 house of representatives on the department's findings and  
23 recommendations by ~~November 17~~ December 15, 2004.

24 Sec. 37. MENTAL HEALTH INSTITUTE AT CHEROKEE. If building  
25 space located at the state mental health institute at Cherokee  
26 being used by an organization other than the state will be  
27 vacated by the organization, the department of human services  
28 shall reserve the space to be available for the purposes  
29 described in this section. The department shall develop a  
30 plan for using vacant building space at the institute for a  
31 program to address the treatment needs of persons with a  
32 developmental disability who exhibit sexually violent behavior  
33 and are residents at state resource centers or other  
34 residential settings.

35

DIVISION VII

CORRECTIVE PROVISIONS

1  
2 Sec. 38. Section 9E.6A, unnumbered paragraph 1, Code 2003,  
3 as amended by 2004 Iowa Acts, House File 2516, section 1, if  
4 enacted, is amended to read as follows:

5 Each person performing a notarial act pursuant to section  
6 9E.10 must acquire and use a stamp or seal as provided in this  
7 chapter. However, this section shall not apply to a notarial  
8 act performed by a judicial officer as defined in section  
9 602.1101, if the notarial act is performed in accordance with  
10 state or federal statutory authority, ~~or-is~~ and shall not  
11 apply to a certification by a chief officer or a chief  
12 officer's designee of a peace officer's verification of a  
13 uniform citation and complaint pursuant to section 805.6,  
14 subsection 5.

15 Sec. 39. Section 9H.1, subsection 17, Code Supplement  
16 2003, is amended to read as follows:

17 17. "Limited partnership" means a limited partnership as  
18 defined in section 487.101~~7-subsection-77-and~~ or 488.102, or a  
19 limited liability limited partnership under section 487.1301  
20 or chapter 488, which owns or leases agricultural land or is  
21 engaged in farming.

22 Sec. 40. Section 9H.1, subsection 17, Code Supplement  
23 2003, as amended by this division of this Act to take effect  
24 January 1, 2005, is amended to read as follows:

25 17. "Limited partnership" means a limited partnership as  
26 defined in section ~~487-101-or~~ 488.102, or a limited liability  
27 limited partnership under ~~section-487-1301-or~~ chapter 488,  
28 which owns or leases agricultural land or is engaged in  
29 farming.

30 Sec. 41. Section 10B.1, subsection 8, Code Supplement  
31 2003, is amended to read as follows:

32 8. "Limited partnership" means a foreign or domestic  
33 limited partnership, including a limited partnership as  
34 defined in section 487.101~~7-subsection-7~~ or 488.102, and a  
35 domestic or foreign limited liability limited partnership

1 under section 487.1301 or 487.1303, or chapter 488.

2 Sec. 42. Section 10B.1, subsection 8, Code Supplement  
3 2003, as amended by this division of this Act to take effect  
4 January 1, 2005, is amended to read as follows:

5 8. "Limited partnership" means a foreign or domestic  
6 limited partnership, including a limited partnership as  
7 defined in section ~~487.101~~ or 488.102, and a domestic or  
8 foreign limited liability limited partnership under section  
9 ~~487.1301~~ or ~~487.1303~~, or chapter 488.

10 Sec. 43. Section 68A.402, subsection 7, paragraph b, as  
11 amended by 2004 Iowa Acts, House File 2319, section 1, if  
12 enacted, is amended to read as follows:

13 b. COUNTY ELECTIONS. A political committee expressly  
14 advocating the nomination, election, or defeat of candidates  
15 for county office shall file reports on the same dates as a  
16 candidate's committee is required to file reports under  
17 subsection 2, paragraph "a" and subsection 5, paragraph "b".

18 Sec. 44. Section 174.1, subsection 0B, paragraph a, as  
19 enacted by House File 2403, section 8, is amended to read as  
20 follows:

21 a. The organization owns or leases at least ten acres of  
22 fairgrounds. ~~A society~~ An organization may meet the  
23 requirement of owning or leasing land, buildings, and  
24 improvements through ownership by a joint entity under chapter  
25 28E.

26 Sec. 45. Section 174.12, subsection 2, unnumbered  
27 paragraph 1, Code 2003, as amended by 2004 Iowa Acts, House  
28 File 2403, section 16, is amended to read as follows:

29 A district director of the association representing the  
30 district in which the county is located, and the director of  
31 the Iowa state fair board representing the state fair board  
32 district in which the county is located, certify to the  
33 association that the fair had an accredited delegate in  
34 attendance at at least one of the district meetings, and at  
35 the association's annual meeting.

1 Sec. 46. Section 229.27, subsection 1, Code 2003, is  
2 amended to read as follows:

3 1. Hospitalization of a person under this chapter, either  
4 voluntarily or involuntarily, does not constitute a finding of  
5 nor equate with nor raise a presumption of incompetency, nor  
6 cause the person so hospitalized to be deemed a person of  
7 unsound mind nor a person under legal disability for any  
8 purpose, including but not limited to any circumstances to  
9 which sections 6B.15, 447.7, 487.402, subsection 5, paragraph  
10 "b", section 488.603, subsection 6, paragraph "c", sections  
11 487.705, 488.704, 597.6, 600B.21, 614.8, 614.19, 614.22,  
12 614.24, 614.27, and 633.244 are applicable.

13 Sec. 47. Section 229.27, subsection 1, Code 2003, as  
14 amended by this division of this Act to take effect January 1,  
15 2005, is amended to read as follows:

16 1. Hospitalization of a person under this chapter, either  
17 voluntarily or involuntarily, does not constitute a finding of  
18 nor equate with nor raise a presumption of incompetency, nor  
19 cause the person so hospitalized to be deemed a person of  
20 unsound mind nor a person under legal disability for any  
21 purpose, including but not limited to any circumstances to  
22 which sections 6B.15, 447.7, ~~487.402~~~~-subsection-5~~~~-paragraph~~  
23 ~~"b"~~<sup>4</sup>, section 488.603, subsection 6, paragraph "c", sections  
24 487.705, 488.704, 597.6, 600B.21, 614.8, 614.19, 614.22,  
25 614.24, 614.27, and 633.244 are applicable.

26 Sec. 48. Section 260C.18A, subsection 2, unnumbered  
27 paragraph 1, Code Supplement 2003, is amended to read as  
28 follows:

29 On July 1 of each year for the fiscal year beginning July  
30 1, 2003, and for every fiscal year thereafter, moneys from the  
31 grow Iowa values fund created in section 15G.108 are  
32 appropriated to the department of economic development for  
33 deposit in the workforce training and economic development  
34 funds in amounts determined pursuant to subsection 3 4.  
35 Moneys deposited in the funds and disbursed to community

1 colleges for a fiscal year shall be expended for the following  
2 purposes, provided seventy percent of the moneys shall be used  
3 on projects in the areas of advanced manufacturing,  
4 information technology and insurance, and life sciences which  
5 include the areas of biotechnology, health care technology,  
6 and nursing care technology:

7 Sec. 49. Section 321I.2, unnumbered paragraph 2, if  
8 enacted by 2004 Iowa Acts, Senate File 297, section 45, is  
9 amended to read as follows:

10 The director of transportation may adopt rules not  
11 inconsistent with this chapter regulating the use of all-  
12 terrain vehicles on streets and highways. ~~Cities may~~  
13 ~~designate streets under the jurisdiction of cities within~~  
14 ~~their respective corporate limits which may be used for the~~  
15 ~~sport of driving all-terrain vehicles.~~

16 Sec. 50. Section 321I.10, if enacted by 2004 Iowa Acts,  
17 Senate File 297, section 53, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 2A. Cities may designate streets under  
20 the jurisdiction of cities within their respective corporate  
21 limits which may be used for the sport of driving all-terrain  
22 vehicles.

23 Sec. 51. Section 331.606B, subsection 4, paragraph a, if  
24 enacted by 2004 Iowa Acts, Senate File 371, section 3, is  
25 amended to read as follows:

26 a. A document or instrument that was signed before July 1,  
27 ~~2004~~ 2005.

28 Sec. 52. Section 488.102, subsection 10, paragraph a,  
29 subparagraph (2), as enacted by 2004 Iowa Acts, House File  
30 2347, section 2, is amended to read as follows:

31 (2) A person that was a general partner in a limited  
32 partnership when the limited partnership became subject to  
33 this chapter under section ~~488.1206~~ 488.1204, subsection 1 or  
34 2.

35 Sec. 53. Section 488.102, subsection 12, paragraph a,

1 subparagraph (2), as enacted by 2004 Iowa Acts, House File  
2 2347, section 2, is amended to read as follows:

3 (2) A person that was a limited partner in a limited  
4 partnership when the limited partnership became subject to  
5 this chapter under section ~~488.1206~~ 488.1204, subsection 1 or  
6 2.

7 Sec. 54. Section 488.102, subsection 13, as enacted by  
8 2004 Iowa Acts, House File 2347, section 2, is amended to read  
9 as follows:

10 13. "Limited partnership", except in the phrases "foreign  
11 limited partnership" and "foreign limited liability limited  
12 partnership", means an entity, having one or more general  
13 partners and one or more limited partners, which is formed  
14 under this chapter by two or more persons or becomes subject  
15 to this chapter under article 11 or section ~~488.1206~~ 488.1204,  
16 subsection 1 or 2. The term includes a limited liability  
17 limited partnership.

18 Sec. 55. Section 488.202, subsection 3, unnumbered  
19 paragraph 1, as enacted by 2004 Iowa Acts, House File 2347,  
20 section 20, is amended to read as follows:

21 A general partner that knows that any information in a  
22 filed certificate of limited partnership was false when the  
23 certificate was filed or has become false due to changed  
24 circumstances shall promptly do at least one of the following:

25 Sec. 56. Section 488.209, subsection 1, paragraph c, as  
26 enacted by 2004 Iowa Acts, House File 2347, section 27, is  
27 amended to read as follows:

28 c. Whether all fees, taxes, and penalties under this  
29 chapter or other law due to the secretary of state have been  
30 paid.

31 Sec. 57. Section 488.209, subsection 2, paragraph c, as  
32 enacted by 2004 Iowa Acts, House File 2347, section 27, is  
33 amended to read as follows:

34 c. Whether all fees, taxes, and penalties under this  
35 chapter or other law due to the secretary of state have been

1 paid.

2 Sec. 58. Section 488.508, subsection 6, as enacted by 2004  
3 Iowa Acts, House File 2347, section 50, is amended to read as  
4 follows:

5 6. A limited partnership's indebtedness, including  
6 indebtedness issued in connection with or as part of a  
7 distribution, is not considered a liability for purposes of  
8 subsection 2 if the terms of the indebtedness provide that  
9 payment of principal and interest ~~are~~ is made only to the  
10 extent that a distribution could then be made to partners  
11 under this section.

12 Sec. 59. Section 488.703, subsection 1, as enacted by 2004  
13 Iowa Acts, House File 2347, section 61, is amended to read as  
14 follows:

15 1. On application to a court of competent jurisdiction by  
16 any judgment creditor of a partner or transferee, the court  
17 may charge the transferable interest of the judgment debtor  
18 with payment of the unsatisfied amount of the judgment with  
19 interest. To the extent so charged, the judgment creditor has  
20 only the rights of a transferee. The court may appoint a  
21 receiver of the share of the distributions due or to become  
22 due ~~to~~ the judgment debtor in respect of the partnership and  
23 make all other orders, directions, accounts, and inquiries the  
24 judgment debtor might have made or which the circumstances of  
25 the case may require to give effect to the charging order.

26 Sec. 60. Section 488.809, subsection 1, paragraph a, as  
27 enacted by 2004 Iowa Acts, House File 2347, section 72, is  
28 amended to read as follows:

29 a. Pay any fee, tax, or penalty under this chapter or  
30 other law due ~~to~~ the secretary of state.

31 Sec. 61. Section 488.906, subsection 1, paragraph a, as  
32 enacted by 2004 Iowa Acts, House File 2347, section 81, is  
33 amended to read as follows:

34 a. Pay, within sixty days after the due date, any fee, tax  
35 or penalty under this chapter or other law due ~~to~~ the

1 secretary of state.

2 Sec. 62. Section 488.1106, subsection 1, paragraph a, as  
3 enacted by 2004 Iowa Acts, House File 2347, section 94, is  
4 amended to read as follows:

5 a. The governing statute of each of the other  
6 organizations authorizes the merger.

7 Sec. 63. Section 504.304, subsection 1, if enacted by 2004  
8 Iowa Acts, Senate File 2274, section 27, is amended to read as  
9 follows:

10 1. Except as provided in subsection 2, the validity of  
11 corporate action ~~may~~ shall not be challenged on the ground  
12 that the corporation lacks or lacked power to act.

13 Sec. 64. Section 504.854, subsection 3, paragraph b, if  
14 enacted by 2004 Iowa Acts, Senate File 2274, section 104, is  
15 amended to read as follows:

16 b. By the members, but the director who, at the time does  
17 not qualify as a disinterested director, ~~may~~ shall not vote as  
18 a member or on behalf of a member.

19 Sec. 65. Section 504.1422, subsection 3, if enacted by  
20 2004 Iowa Acts, Senate File 2274, section 145, is amended to  
21 read as follows:

22 3. A corporation that is administratively dissolved  
23 continues its corporate existence but ~~may~~ shall not carry on  
24 any activities except those necessary to wind up and liquidate  
25 its affairs pursuant to section 504.1406 and notify its  
26 claimants pursuant to sections 504.1407 and 504.1408.

27 Sec. 66. Section 669.14, subsection 11, unnumbered  
28 paragraph 1, Code Supplement 2003, as amended by 2004 Iowa  
29 Acts, House File 2347, section 116, is amended to read as  
30 follows:

31 Any claim for financial loss based upon an act or omission  
32 in financial regulation, including but not limited to  
33 examinations, inspections, audits, or other financial  
34 oversight responsibilities, pursuant to chapters 87, 203,  
35 203C, 203D, 421B, 486, ~~or-the-figure-487~~ 487, 488, and 490

1 through 553, excluding chapters 540A, 542, 542B, 543B, 543C,  
2 543D, 544A, and 544B.

3 Sec. 67. Section 714.26, subsection 1, paragraph c, if  
4 enacted by 2004 Iowa Acts, House File 2395, is amended to read  
5 as follows:

6 c. "Retail value" means the highest value of an item  
7 determined by any reasonable standard at the time the item  
8 bearing or identified by a counterfeit mark is seized. If a  
9 seized item bearing or identified by a counterfeit mark is a  
10 component of a finished product, "retail value" also means the  
11 highest value, determined by any reasonable standard, of the  
12 finished product on which the component would have been  
13 utilized. The retail value shall be the retail value of the  
14 aggregate quantity of all items seized which bear or are  
15 identified by a counterfeit mark. For purposes of this  
16 paragraph, reasonable standard includes but is not limited the  
17 to the market value within the community, actual value,  
18 replacement value, or the counterfeiter's regular selling  
19 price for the item bearing or identified by a counterfeit  
20 mark, or the intellectual property owner's regular selling  
21 price for an item similar to the item bearing or identified by  
22 a counterfeit mark.

23 Sec. 68. Section 717E.1, subsection 3, paragraph a, if  
24 enacted by 2004 Iowa Acts, House File 2480, section 1, is  
25 amended to read as follows:

26 a. The annual fair and exposition held by the Iowa state  
27 fair board pursuant to chapter 173 or any fair held event  
28 conducted by a county-or-district fair or-agricultural-society  
29 under the provisions of chapter 174.

30 Sec. 69. Section 812.6, subsection 2, unnumbered paragraph  
31 1, if enacted by 2004 Iowa Acts, Senate File 2272, section 8,  
32 is amended to read as follows:

33 If the court finds by clear and convincing evidence that  
34 the defendant poses a danger to the public peace or safety, or  
35 that the defendant is otherwise not qualified for pretrial

1 release, or the defendant refuses to cooperate with treatment,  
2 the court shall commit the defendant to an appropriate  
3 inpatient treatment facility as provided in paragraphs  
4 paragraph "a" and or "b". The defendant shall receive mental  
5 health treatment designed to restore the defendant to  
6 competency.

7 Sec. 70. Sections 7D.15, 10D.1, 15.114, 15.221, 15E.64,  
8 18A.11, 84A.1C, 225C.13, 303.3, 331.441, 357A.2, 357A.11,  
9 357A.20, 357A.21, 357A.22A, 357A.23, 357A.24, 425.11, 476.1,  
10 476.27, 480.3, 499.5, 499.5A, 500.3, 504C.1, 514.19, 514.23,  
11 and 515.1, Code 2003, are amended by inserting before the  
12 figure "504A" the following: "504 or", if 2004 Iowa Acts,  
13 Senate File 2274 is enacted.

14 Sec. 71. Sections 9H.1, 9H.4, 10B.1, 190C.6, 304A.21,  
15 331.427, 357A.15, 422.45, 490.1701, 504B.1, 504B.6, 513C.10,  
16 514.1, 514.2, 514.5, 616.10, 633.63, and 716.6B, Code  
17 Supplement 2003, are amended by inserting before the figure  
18 "504A" the following: "504 or", if 2004 Iowa Acts, Senate  
19 File 2274 is enacted.

20 Sec. 72. 2004 Iowa Acts, House File 401, section 1, is  
21 amended by striking the section and inserting in lieu thereof  
22 the following:

23 SECTION 1. Section 404A.4, subsection 4, Code Supplement  
24 2003, is amended to read as follows:

25 4. The total amount of tax credits that may be approved  
26 for a fiscal year under this chapter shall not exceed two  
27 million four hundred thousand dollars. For the fiscal years  
28 beginning July 1, 2005, and July 1, 2006, an additional five  
29 hundred thousand dollars of tax credits may be approved each  
30 fiscal year for purposes of projects located in cultural and  
31 entertainment districts certified pursuant to section 303.3B.  
32 Any of the additional tax credits allocated for projects  
33 located in certified cultural and entertainment districts that  
34 are not approved during a fiscal year may be carried over to  
35 the succeeding fiscal year. ~~Tax-credit-certificates-shall-be~~

1 ~~issued-on-the-basis-of-the-earliest-awarding~~ The department of  
 2 cultural affairs shall establish by rule the procedures for  
 3 the application, review, selection, and awarding of  
 4 ~~certifications of completion as-provided-in-subsection-1.~~ The  
 5 departments of economic development, cultural affairs, and  
 6 revenue shall each adopt rules to jointly administer this  
 7 subsection and shall provide by rule for the method to be used  
 8 to determine for which fiscal year the tax credits are  
 9 approved available.

10 Sec. 73. 2004 Iowa Acts, Senate File 2070, section 35,  
 11 subsection 1, is amended to read as follows:

12 1. Except as provided in subsections 2 through 4 6, this  
 13 Act takes effect January 1, 2005.

14 Sec. 74. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

15 1. The sections of this division of this Act amending  
 16 sections 9H.1 and 10B.1, Code Supplement 2003, and 229.27,  
 17 Code 2003, take effect January 1, 2005. The sections of this  
 18 division of this Act further amending sections 9H.1 and 10B.1,  
 19 Code Supplement 2003, and 229.27, Code 2003, as amended by  
 20 this division of this Act to take effect January 1, 2005, take  
 21 effect January 1, 2006.

22 2. The section of this division of this Act amending  
 23 section 260C.18A, being deemed of immediate importance, takes  
 24 effect upon enactment and applies retroactively to July 1,  
 25 2003.

26 3. The section of this division of this Act amending 2004  
 27 Iowa Acts, Senate File 2070, being deemed of immediate  
 28 importance, takes effect upon enactment and applies  
 29 retroactively to the date of enactment of Senate File 2070.

30 EXPLANATION

31 This bill makes appropriations for FY 2004-2005 and  
 32 modifies prior appropriations from the rebuild Iowa  
 33 infrastructure fund, environment first fund, the tax-exempt  
 34 bond proceeds restricted capital funds account of the tobacco  
 35 settlement trust fund, the state general fund, primary road

1 fund, road use tax fund, and gambling treatment fund for  
2 various capital and other projects. The bill also makes  
3 related Code changes and miscellaneous and corrective changes  
4 to legislation passed during the 2004 regular session.

5 REBUILD IOWA INFRASTRUCTURE FUND. Appropriations from the  
6 rebuild Iowa infrastructure fund include projects for the  
7 departments of administrative services, the blind,  
8 corrections, economic development, education, human services,  
9 public defense, public health, public safety, and  
10 transportation, and for the board of regents, Iowa state fair  
11 authority, treasurer of state, and the commission of veterans  
12 affairs, and to the state board of regents for tuition  
13 replacement.

14 ENVIRONMENT FIRST FUND. The bill appropriates funds from  
15 the environment first fund to the departments of agriculture  
16 and land stewardship, economic development, and natural  
17 resources. The bill appropriates \$11 million from the  
18 environment first fund to the resources enhancement and  
19 protection fund in lieu of the \$20 million appropriated by  
20 statute from the general fund of the state.

21 TOBACCO SETTLEMENT TRUST FUND. The bill makes  
22 appropriations and modifies prior appropriations from the tax-  
23 exempt bond proceeds restricted capital funds account of the  
24 tobacco settlement trust fund for projects for the department  
25 of administrative services and other agencies.

26 The bill also appropriates funds from the tax-exempt bond  
27 proceeds restricted capital funds account of the tobacco  
28 settlement trust fund to the state board of regents for  
29 tuition replacement and to the office of the treasurer of  
30 state for debt service for the Iowa communications network,  
31 and repayment of prison infrastructure bonds.

32 MISCELLANEOUS FUNDS. The bill makes appropriations from  
33 the general fund to the state department of transportation for  
34 aviation improvement programs and for the rail assistance  
35 program and to provide economic development project funding.

1 The bill makes appropriations from the primary road fund and  
2 the road use tax fund to the state department of  
3 transportation to pay for services provided by the department  
4 of administrative services.

5 CODE CHANGES. The bill amends Code section 80.9 to provide  
6 that the department of public safety is solely responsible for  
7 certain executive branch capitol complex security system and  
8 equipment activities. The bill directs the department of  
9 administrative services to cooperate with the department of  
10 public safety in its execution of such activities.

11 MISCELLANEOUS PROVISIONS. The bill amends Code section  
12 15E.208 to direct the department of economic development to  
13 forgive any interest on a loan to an Iowa agricultural  
14 industry finance corporation which was assigned to an eligible  
15 person during calendar year 2003. The bill also provides that  
16 each principal payment due under the assigned loan shall be  
17 deferred for three years from its respective payment date.

18 The bill also amends Senate File 2284, passed in the 2004  
19 Session of the general assembly, to define transportation as  
20 the movement or carrying of individuals in a wheeled motorized  
21 vehicle or upon cars operated upon stationary rails. Senate  
22 File 2284 is also amended to change the population threshold  
23 for creation of regional transit districts from counties with  
24 a population in excess of 300,000 to counties with a  
25 population in excess of 175,000. The division also provides  
26 that a regional transit district may be designated as a public  
27 transit system under chapter 324A, relating to transportation  
28 programs, if such district is providing transportation as that  
29 term is defined in chapter 324A.

30 The bill revises an applicability date provision for 2004  
31 Iowa Acts, Senate File 2257, relating to the use of credit  
32 information for certain insurance underwriting and rating  
33 risks activities. The bill moves the date from April 1, 2005,  
34 to October 1, 2004.

35 The bill extends the time periods within which the

1 department of administrative services must conduct a study of  
2 the impact of transferring all information technology related  
3 state employees to the department and of physically merging  
4 the data centers of the department, the state department of  
5 transportation, and the department of workforce development,  
6 and within which the department must report its findings and  
7 recommendations to the legislative services agency and certain  
8 legislative standing committees.

9 The bill provides that if building space at the state  
10 mental health institute at Cherokee that is being used by an  
11 outside organization is going to be vacated, the department of  
12 human services is directed to reserve the space. The  
13 department is also directed to develop a plan for using vacant  
14 building space at Cherokee for a program to address the  
15 treatment needs of persons with a developmental disability who  
16 exhibit sexually violent behavior and are residents at state  
17 resource centers or other residential settings.

18 CORRECTIVE PROVISIONS. Code section 9E.6A, as amended by  
19 2004 Iowa Acts, House File 2516, relating to notarial acts, is  
20 amended to specify that the requirement to use a stamp or seal  
21 does not apply to a law enforcement officer's certification of  
22 a uniform citation and complaint and that such an act is not  
23 an act of a judicial officer.

24 Code sections 9H.1, 10B.1, and 229.27 are amended to  
25 include conforming amendments to the uniform limited  
26 partnership Act enacted by House File 2347 in the 2004 Regular  
27 Session. The amendments are necessary to refer to sections of  
28 Code chapter 487 for 2005 and to refer to sections of new Code  
29 chapter 488 for 2006 and beyond, and special effective dates  
30 are included to accomplish this necessary result.

31 Code section 68A.402 is amended to make grammatical  
32 corrections in House File 2319, which relates to the filing of  
33 campaign finance reports.

34 Code section 174.1, as amended in 2004 Iowa Acts, House  
35 File 2403, relating to fairs, is amended to correct the

1 definition of a fair in order to recognize that an  
2 organization rather than a society is incorporated to operate  
3 a fair.

4 Code section 174.12, relating to the certification process  
5 for local fairs, is amended to correct a grammatical  
6 construction.

7 Code section 260C.18A, relating to grow Iowa values fund  
8 appropriations to community college workforce training and  
9 economic development funds, is amended to correct an internal  
10 reference to a subsection. The amendment is made effective  
11 upon enactment and retroactively applicable to July 1, 2003,  
12 the effective date of the original enactment of Code section  
13 260C.18A.

14 Code sections 321I.2 and 321I.10, if enacted by 2004 Iowa  
15 Acts, Senate File 297, relating to the regulation of all-  
16 terrain vehicles, are amended by codifying a provision that  
17 allows cities to designate streets under their jurisdiction  
18 for the sport of driving all-terrain vehicles in the more  
19 appropriate Code section that regulates the operation of all-  
20 terrain vehicles on roadways and highways.

21 Code section 331.606B, if enacted by 2004 Iowa Acts, Senate  
22 File 371, is amended to change the date that documents or  
23 instruments recorded with the county recorder are exempt from  
24 the new formatting requirements. The date is changed from  
25 July 1, 2004, to July 1, 2005, to conform with other  
26 provisions of the bill.

27 Code section 488.102 is amended to correct three internal  
28 references to another section of new Code chapter 488, which  
29 contains the uniform limited partnership Act enacted in House  
30 File 2347. Code sections 488.202, 488.209, 488.508, 488.703,  
31 488.809, 488.906, 488.1106, and 669.14, all contained in House  
32 File 2347, are amended to make grammatical corrections, most  
33 of which relate to the use of prepositions, articles, and  
34 verbs.

35 Code sections 504.304, 504.854, and 504.1422, if enacted in

1 2004 Iowa Acts, Senate File 2274, relating to the revised Iowa  
2 nonprofit corporation Act provide that certain actions "shall"  
3 not be taken instead of "may" not be taken, in order to be  
4 consistent with existing Code style.

5 Code section 714.26, subsection 1, paragraph "c", if  
6 enacted by 2004 Iowa Acts, House File 2395, defining retail  
7 value for purposes of the crime of intellectual property  
8 counterfeiting, is amended to correct a grammatical  
9 construction.

10 Code section 717E.1, if enacted by 2004 Iowa Acts, House  
11 File 2480, relating to the prohibition of awarding pets as  
12 prizes, is amended to use the term "fair event" as newly  
13 defined for purposes of Code chapter 174 by 2004 Iowa Acts,  
14 House File 2403.

15 Code section 812.6, subsection 2, if enacted by 2004 Iowa  
16 Acts, Senate File 2272, which relates to mentally incompetent  
17 criminal defendants, is amended to use the disjunctive "or" to  
18 correctly indicate that treatment may be ordered in the  
19 alternative, depending upon the danger the defendant poses.

20 Numerous sections of the 2003 Code and 2003 Code Supplement  
21 are amended to refer to new Code chapter 504, the revised Iowa  
22 nonprofit corporation Act in addition to referring to the  
23 existing nonprofit corporation Act contained in Code chapter  
24 504A, which will be repealed on July 1, 2005.

25 2004 Iowa Acts, House File 401, relating to property  
26 rehabilitation tax credits and certificates, is amended to  
27 display the correct Code Supplement 2003 version of the Code  
28 section being amended, since the House File was drafted prior  
29 to publication of the Code Supplement 2003. The amendment  
30 does not make substantive changes to House File 401 as  
31 enacted.

32 2004 Iowa Acts, Senate File 2070, relating to motor vehicle  
33 security interests and certain electric personal assistive  
34 mobility devices, is amended to correct an internal reference  
35 to make certain that these provisions take effect upon

1 enactment. The amendment is made effective upon enactment and  
2 retroactively applicable to the date of enactment of Senate  
3 File 2070.

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