

Withdrawn  
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SENATE FILE 2102  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3028)

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

**A BILL FOR**

1 An Act relating to statutory corrections which may adjust  
2 language to reflect current practices, insert earlier  
3 omissions, delete redundancies and inaccuracies, delete  
4 temporary language, resolve inconsistencies and conflicts,  
5 update ongoing provisions, or remove ambiguities, and  
6 including effective and retroactive applicability date  
7 provisions.

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

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SF 2102  
JUDICIARY

1 Section 1. Section 2A.8, Code Supplement 2003, is amended  
2 to read as follows:

3 2A.8 SALES ~~---~~TAX-EXEMPTION AUTHORIZED.

4 ~~1-~~ The legislative services agency and its legislative  
5 information office may sell mementos and other items relating  
6 to Iowa history and historic sites, the general assembly, and  
7 the state capitol, on the premises of property under the  
8 control of the legislative council, at the state capitol, and  
9 on other state property.

10 ~~2--The-legislative-services-agency-is-not-a-retailer-under~~  
11 ~~chapter-422-and-the-sale-of-items-or-provision-of-services-by~~  
12 ~~the-legislative-services-agency-is-not-a-retail-sale-under~~  
13 ~~chapter-422, division IV, and is exempt from the sales tax-~~

14 Sec. 2. Section 3.1, subsection 3, Code Supplement 2003,  
15 is amended to read as follows:

16 3. All references to statutes shall be expressed in  
17 numerals, ~~and-if-omitted-the-Code-editor-in-preparing-Acts-for~~  
18 ~~publication-in-the-session-laws-shall-supply-the-numerals.~~

19 Sec. 3. Section 8A.221, subsection 3, paragraph b, Code  
20 Supplement 2003, is amended to read as follows:

21 b. Members appointed by the governor are subject to  
22 confirmation by the senate and shall serve four-year staggered  
23 terms as designated by the governor. The advisory council  
24 shall annually elect its own chairperson from among the voting  
25 members of the ~~board~~ council. Members appointed by the  
26 governor are subject to the requirements of sections 69.16,  
27 69.16A, and 69.19. Members appointed by the governor shall be  
28 reimbursed for actual and necessary expenses incurred in  
29 performance of their duties. Such members may also be  
30 eligible to receive compensation as provided in section 7E.6.

31 Sec. 4. Section 8A.302, subsection 2, Code Supplement  
32 2003, is amended to read as follows:

33 2. Providing for the proper maintenance of the state  
34 laboratories facility in Ankeny and of the state capitol,  
35 grounds, and equipment, and all other state buildings, and

1 grounds, and equipment at the seat of government, ~~and-of-the~~  
2 ~~state-laboratories-facility-in-Ankeny~~, except those referred  
3 to in section 216B.3, subsection 6.

4 Sec. 5. Section 8A.311, subsection 17, Code Supplement  
5 2003, is amended by striking the subsection.

6 Sec. 6. Section 8A.315, subsection 1, paragraph c, Code  
7 Supplement 2003, is amended to read as follows:

8 c. A minimum of ~~ten-percent-of-the-purchases-of-garbage~~  
9 ~~can-liners-made-by-the-department-shall-be-plastic-garbage-can~~  
10 ~~liners-with-recycled-content.--The-percentage-shall-increase~~  
11 ~~by-ten-percent-annually-until~~ fifty percent of the purchases  
12 of garbage can liners are made by the department shall be  
13 plastic garbage can liners with recycled content.

14 Sec. 7. Section 8A.321, subsection 1, Code Supplement  
15 2003, is amended to read as follows:

16 1. Provide for supervision over the custodians and other  
17 employees of the department in and about the state  
18 laboratories facility in Ankeny and in and about the capitol  
19 and other state buildings, ~~and-the-state-laboratories-facility~~  
20 ~~in-Ankeny at the seat of government~~, except the buildings and  
21 grounds referred to in section 216B.3, subsection 6, ~~at-the~~  
22 ~~seat-of-government~~.

23 Sec. 8. Section 8A.322, subsection 1, Code Supplement  
24 2003, is amended to read as follows:

25 1. The director shall provide necessary lighting, fuel,  
26 and water services for the state laboratories facility in  
27 Ankeny and for the state buildings and grounds located at the  
28 seat of government, ~~and-for-the-state-laboratories-facility-in~~  
29 ~~Ankeny~~, except the buildings and grounds referred to in  
30 section 216B.3, subsection 6.

31 Sec. 9. Section 8A.412, subsection 5, Code Supplement  
32 2003, is amended to read as follows:

33 5. All presidents, deans, directors, teachers,  
34 professional and scientific personnel, and student employees  
35 under the jurisdiction of the state board of regents. The

1 state board of regents shall adopt rules not inconsistent with  
2 the objectives of this ~~chapter~~ subchapter for all of its  
3 employees not cited specifically in this subsection. The  
4 rules are subject to approval by the director. If at any time  
5 the director determines that the state board of regents merit  
6 system rules do not comply with the intent of this ~~chapter~~  
7 subchapter, the director may direct the board to correct the  
8 rules. The rules of the board are not in compliance until the  
9 corrections are made.

10 Sec. 10. Section 10C.1, subsections 2 and 8, Code  
11 Supplement 2003, are amended to read as follows:

12 2. "Agricultural commodity" ~~means the same as defined in~~  
13 section 190C-1 includes but is not limited to livestock,  
14 crops, fiber, or food, such as vegetables, nuts, seeds, honey,  
15 eggs, or milk existing in an unprocessed state, which is  
16 produced on a farm and marketed for human or livestock  
17 consumption.

18 8. "Life science by-product" means ~~a~~ an agricultural  
19 commodity, other than a life science product, if the  
20 agricultural commodity derives from the production of a life  
21 science product and the agricultural commodity is not intended  
22 or used for human consumption.

23 Sec. 11. Section 12B.3, Code Supplement 2003, is amended  
24 to read as follows:

25 12B.3 DISCOUNTING WARRANTS.

26 If the treasurer of state or any county treasurer,  
27 personally or through another, discounts the director of  
28 ~~revenue's~~ the department of administrative services' or  
29 auditor's warrants, either directly or indirectly, the  
30 treasurer shall be guilty of a serious misdemeanor.

31 Sec. 12. Section 15.313, subsection 1, paragraph b,  
32 unnumbered paragraph 1, Code Supplement 2003, is amended to  
33 read as follows:

34 All unencumbered and unobligated funds from the targeted  
35 small business financial assistance program, the

1 ~~microenterprise-development-revolving-fund~~, financing rural  
2 economic development or successor loan program, and the value-  
3 added agricultural products and processes financial assistance  
4 fund remaining on June 30, 1992, and all repayments of loans  
5 or other awards or recaptures of awards made under these  
6 programs.

7 Sec. 13. Section 23A.2, subsection 10, paragraph p, Code  
8 Supplement 2003, is amended by striking the paragraph.

9 Sec. 14. Section 68A.602, Code Supplement 2003, is amended  
10 to read as follows:

11 68A.602 FUND CREATED.

12 The "Iowa election campaign fund" is created within the  
13 office of the treasurer of state. The fund shall consist of  
14 funds paid by persons as provided in section 68A.601. The  
15 treasurer of state shall maintain within the fund a separate  
16 account for each political party as defined in section 43.2.  
17 The director of revenue shall remit funds collected as  
18 provided in section 68A.601 to the treasurer of state who  
19 shall deposit such funds in the appropriate account within the  
20 Iowa election campaign fund. All contributions directed to  
21 the Iowa election campaign fund by taxpayers who do not  
22 designate any one political party to receive their  
23 contributions shall be divided by the director of revenue  
24 equally among each account currently maintained in the fund.  
25 However, at any time when more than two accounts are being  
26 maintained within the fund contributions to the fund by  
27 taxpayers who do not designate any one political party to  
28 receive their contributions shall be divided among the  
29 accounts in the same proportion as the number of registered  
30 voters declaring affiliation with each political party for  
31 which an account is maintained bears to the total number of  
32 registered voters who have declared an affiliation with a  
33 political party. Any interest income received by the  
34 treasurer of state from investment of moneys deposited in the  
35 fund shall be deposited in the Iowa election campaign fund.

1 Such funds shall be subject to payment to the chairperson of  
2 the specified political party as authorized by the director of  
3 revenue on warrants issued by the director of revenue the  
4 department of administrative services in the manner provided  
5 by section 68A.605.

6 Sec. 15. Section 97A.8, subsection 1, paragraph i,  
7 subparagraph (1), Code Supplement 2003, is amended to read as  
8 follows:

9 (1) Notwithstanding paragraph "g" or other provisions of  
10 this chapter, beginning January 1, 1995, for federal income  
11 tax purposes, and beginning January 1, 1999, for state income  
12 tax purposes, member contributions required under paragraph  
13 "f" or "h" which are picked up by the department shall be  
14 considered employer contributions for federal and state income  
15 tax purposes, and the department shall pick up the member  
16 contributions to be made under paragraph "f" or "h" by its  
17 employees. The department shall pick up these contributions  
18 by reducing the salary of each of its employees covered by  
19 this chapter by the amount which each employee is required to  
20 contribute under paragraph "f" or "h" and shall certify the  
21 amount picked up in lieu of the member contributions to the  
22 department of revenue administrative services. The department  
23 of revenue administrative services shall forward the amount of  
24 the contributions picked up to the board of trustees for  
25 recording and deposit in the pension accumulation fund.

26 Sec. 16. Section 97B.50, subsection 2, paragraph c, Code  
27 Supplement 2003, is amended to read as follows:

28 c. A vested member who terminated service due to a  
29 disability, who has been issued payment for a refund pursuant  
30 to section 97B.53, and who subsequently commences receiving  
31 disability benefits as a result of that disability pursuant to  
32 the federal Social Security Act, 42 U.S.C. § 423 et seq. or  
33 the federal Railroad Retirement Act, 45 U.S.C. § 231 et seq.,  
34 may receive credit for membership service for the period  
35 covered by the refund payment, upon repayment to the system of

1 the actuarial cost of receiving service credit for the period  
2 covered by the refund payment, as determined by the system.  
3 For purposes of this paragraph, the actuarial cost of the  
4 service purchase shall be determined as provided in section  
5 97B.74. The payment to the system as provided in this  
6 paragraph shall be made within ninety days after July 1, 2000,  
7 or the date federal disability payments commenced, whichever  
8 occurs later. For purposes of this paragraph, the date  
9 federal disability payments commence shall be the date that  
10 the member actually receives the first such payment,  
11 regardless of any retroactive payments included in that  
12 payment. A member who repurchases service credit under this  
13 paragraph and applies for retirement benefits shall have the  
14 member's monthly allowance, including retroactive adjustment  
15 payments, determined in the same manner as provided in  
16 paragraph "a" or "b", as applicable. ~~This paragraph shall not~~  
17 ~~be implemented until the system has received a determination~~  
18 ~~letter from the federal internal revenue service approving the~~  
19 ~~system's plan's qualified status under Internal Revenue Code~~  
20 ~~section 401(a).~~

21 Sec. 17. Section 97B.50A, subsection 10, paragraph a,  
22 subparagraphs (1) and (2), Code Supplement 2003, are amended  
23 to read as follows:

24 (1) The system shall be indemnified out of the recovery of  
25 damages to the extent of benefit payments made by the  
26 retirement system, with legal interest, except that the  
27 plaintiff member's attorney fees may be first allowed by the  
28 district court.

29 (2) The system has a lien on the damage claim against the  
30 third party and on any judgment on the damage claim for  
31 benefits for which the retirement system is liable. In order  
32 to continue and preserve the lien, the system shall file a  
33 notice of the lien within thirty days after receiving a copy  
34 of the original notice in the office of the clerk of the  
35 district court in which the action is filed.

1 Sec. 18. Section 97B.50A, subsection 10, paragraph b,  
2 subparagraphs (1) and (2), Code Supplement 2003, are amended  
3 to read as follows:

4 (1) A sum sufficient to repay the system for the amount of  
5 such benefits actually paid by the retirement system up to the  
6 time of the entering of the judgment.

7 (2) A sum sufficient to pay the system the present worth,  
8 computed at the interest rate provided in section 535.3 for  
9 court judgments and decrees, of the future payments of such  
10 benefits for which the retirement system is liable, but the  
11 sum is not a final adjudication of the future payment which  
12 the member is entitled to receive.

13 Sec. 19. Section 99G.8, subsection 11, Code Supplement  
14 2003, is amended to read as follows:

15 11. The board shall meet at least quarterly and at such  
16 other times upon call of the chairperson or the president  
17 chief executive officer. Notice of the time and place of each  
18 board meeting shall be given to each member. The board shall  
19 also meet upon call of three or more of the board members.  
20 The board shall keep accurate and complete records of all its  
21 meetings.

22 Sec. 20. Section 99G.31, subsection 1, Code Supplement  
23 2003, is amended to read as follows:

24 1. The chief executive officer shall award the designated  
25 prize to the holder of the ticket or shareholder share upon  
26 presentation of the winning ticket or confirmation of a  
27 winning share. The prize shall be given to only one person as  
28 provided in this section; however, a prize shall be divided  
29 between holders of winning tickets if there is more than one  
30 winning ticket.

31 Sec. 21. Section 99G.34, subsection 8, Code Supplement  
32 2003, is amended to read as follows:

33 8. Information that is otherwise confidential obtained  
34 pursuant to investigations as provided in section 99G.35.

35 Sec. 22. Section 147.107, subsection 7, Code Supplement



1 2003, is amended by striking the subsection.

2 Sec. 23. Section 148C.1, subsection 4, Code Supplement  
3 2003, is amended to read as follows:

4 4. "Licensed physician assistant" means a person who is  
5 licensed by the board to practice as a physician assistant  
6 under the supervision of one or more physicians ~~specified in~~  
7 ~~the license~~. "Supervision" does not require the personal  
8 presence of the supervising physician at the place where  
9 medical services are rendered except insofar as the personal  
10 presence is expressly required by this chapter or required by  
11 rules of the board adopted pursuant to this chapter.

12 Sec. 24. Section 148C.3, subsection 2, Code Supplement  
13 2003, is amended to read as follows:

14 2. Rules shall be adopted by the board pursuant to this  
15 chapter requiring a licensed physician assistant to be  
16 supervised by physicians. The rules shall provide that not  
17 more than two physician assistants shall be supervised by a  
18 physician at one time. The rules shall also provide that a  
19 physician assistant shall notify the board of the identity of  
20 ~~their~~ the physician assistant's supervising physician, and of  
21 any change in the status of the supervisory relationship.

22 Sec. 25. Section 159.34, subsection 1, Code Supplement  
23 2003, is amended to read as follows:

24 1. A contract executed under this subchapter may require  
25 that a depositary provide for the receipt, acceptance, and  
26 storage of filing documents that are sent in an electronic  
27 format to the depositary by persons who would otherwise be  
28 required to submit filing documents to the department under  
29 other provisions of this title. The contract shall be  
30 governed under the same provisions as provided in section  
31 ~~4B-202~~ 8A.106.

32 Sec. 26. Section 161C.7, subsection 1, Code Supplement  
33 2003, is amended by striking the subsection.

34 Sec. 27. Section 163.30, subsection 2, paragraph a, Code  
35 Supplement 2003, is amended to read as follows:

1 a. "Dealer" means any person who is engaged in the  
2 business of buying for resale, or selling, or exchanging swine  
3 as a principal or agent or who claims to be so engaged, but  
4 does not include the owner or operator of a farm who does not  
5 claim to be so engaged, and who sells or exchanges only those  
6 swine which have been kept by the person solely for feeding or  
7 breeding purposes.

8 Sec. 28. Section 232.95, subsection 2, Code 2003, is  
9 amended by adding the following new paragraphs:

10 NEW PARAGRAPH. b. Release the child to the child's  
11 parent, guardian, or custodian pending a final order of  
12 disposition.

13 NEW PARAGRAPH. c. Authorize a physician or hospital to  
14 provide medical or surgical procedures if such procedures are  
15 necessary to safeguard the child's life or health.

16 Sec. 29. Section 232B.10, subsection 1, Code Supplement  
17 2003, is amended to read as follows:

18 1. For the purposes of this ~~section~~ chapter, unless the  
19 context otherwise requires, a "qualified expert witness" may  
20 include, but is not limited to, a social worker, sociologist,  
21 physician, psychologist, traditional tribal therapist and  
22 healer, spiritual leader, historian, or elder.

23 Sec. 30. Section 257.26, Code Supplement 2003, is amended  
24 to read as follows:

25 257.26 INSTRUCTIONAL SUPPORT INCOME SURTAX DISTRIBUTION.

26 The director of ~~revenue~~ the department of administrative  
27 services shall draw warrants in payment of the amount of  
28 instructional support surtax in the manner provided in section  
29 298.14.

30 Sec. 31. Section 260G.4B, subsection 1, Code Supplement  
31 2003, is amended to read as follows:

32 1. The total amount of program job credits from all  
33 employers which shall be allocated for all accelerated career  
34 education programs in the state in any one fiscal year shall  
35 not exceed the sum of three million dollars in the fiscal year

1 beginning July 1, 2000, three million dollars in the fiscal  
2 year beginning July 1, 2001, three million dollars in the  
3 fiscal year beginning July 1, 2002, four million dollars in  
4 the fiscal year beginning July 1, 2003, and six million  
5 dollars in the fiscal year beginning July 1, 2004, and every  
6 fiscal year thereafter. Any increase in program job credits  
7 above the six-million-dollar limitation per fiscal year shall  
8 be developed, based on recommendations in a study which shall  
9 be conducted by the department of economic development,  
10 pursuant to this section, Code Supplement 2003, of the needs  
11 and performance of approved programs in the fiscal years  
12 beginning July 1, 2000, and July 1, 2001. ~~The study's~~  
13 ~~findings and recommendations shall be submitted to the general~~  
14 ~~assembly by the department by December 31, 2002. The study~~  
15 ~~shall include but not be limited to an examination of the~~  
16 ~~quality of the programs, the number of program participant~~  
17 ~~placements, the wages and benefits in program jobs, the level~~  
18 ~~of employer contributions, the size of participating~~  
19 ~~employers, and employer locations.~~ A community college shall  
20 file a copy of each agreement with the department of economic  
21 development. The department shall maintain an annual record  
22 of the proposed program job credits under each agreement for  
23 each fiscal year. Upon receiving a copy of an agreement, the  
24 department shall allocate any available amount of program job  
25 credits to the community college according to the agreement  
26 sufficient for the fiscal year and for the term of the  
27 agreement. When the total available program job credits are  
28 allocated for a fiscal year, the department shall notify all  
29 community colleges that the maximum amount has been allocated  
30 and that further program job credits will not be available for  
31 the remainder of the fiscal year. Once program job credits  
32 have been allocated to a community college, the full  
33 allocation shall be received by the community college  
34 throughout the fiscal year and for the term of the agreement  
35 even if the statewide program job credit maximum amount is

1 subsequently allocated and used.

2 Sec. 32. Section 282.33, subsection 1, Code Supplement  
3 2003, is amended to read as follows:

4 1. A child who resides in an institution for children  
5 under the jurisdiction of the director of human services  
6 referred to in section 218.1, subsection 3, 5, 7, or 8, and  
7 who is not enrolled in the educational program of the district  
8 of residence of the child, shall receive appropriate  
9 educational services. The institution in which the child  
10 resides shall submit a proposed program and budget based on  
11 the average daily attendance of the children residing in the  
12 institution to the department of education and the department  
13 of human services by January 1 for the next succeeding school  
14 year. The department of education shall review and approve or  
15 modify the proposed program and budget and shall notify the  
16 department of revenue administrative services of its action by  
17 February 1. The department of revenue administrative services  
18 shall pay the approved budget amount to the department of  
19 human services in monthly installments beginning September 15  
20 and ending June 15 of the next succeeding school year. The  
21 installments shall be as nearly equal as possible as  
22 determined by the department of revenue administrative  
23 services, taking into consideration the relative budget and  
24 cash position of the state's resources. The department of  
25 revenue administrative services shall pay the approved budget  
26 amount for the department of human services from the moneys  
27 appropriated under section 257.16 and the department of human  
28 services shall distribute the payment to the institution. The  
29 institution shall submit an accounting for the actual cost of  
30 the program to the department of education by August 1 of the  
31 following school year. The department shall review and  
32 approve or modify all expenditures incurred in compliance with  
33 the guidelines adopted pursuant to section 256.7, subsection  
34 10, and shall notify the department of revenue administrative  
35 services of the approved accounting amount. The approved

1 accounting amount shall be compared with any amounts paid by  
2 the department of revenue administrative services to the  
3 department of human services and any differences added to or  
4 subtracted from the October payment made under this subsection  
5 for the next school year. Any amount paid by the department  
6 of revenue administrative services shall be deducted monthly  
7 from the state foundation aid paid under section 257.16 to all  
8 school districts in the state during the subsequent fiscal  
9 year. The portion of the total amount of the approved budget  
10 that shall be deducted from the state aid of a school district  
11 shall be the same as the ratio that the budget enrollment for  
12 the budget year of the school district bears to the total  
13 budget enrollment in the state for that budget year in which  
14 the deduction is made.

15 Sec. 33. Section 301.1, subsection 2, Code Supplement  
16 2003, is amended to read as follows:

17 2. Textbooks adopted and purchased by a school district  
18 shall, to the extent funds are appropriated by the general  
19 assembly, be made available to pupils attending accredited  
20 nonpublic schools upon request of the pupil or the pupil's  
21 parent under comparable terms as made available to pupils  
22 attending public schools. If the general assembly  
23 appropriates moneys for purposes of making textbooks available  
24 to accredited nonpublic school pupils, the department of  
25 education shall ascertain the amount available to a school  
26 district for the purchase of nonsectarian, nonreligious  
27 textbooks for pupils attending accredited nonpublic schools.  
28 The amount shall be in the proportion that the basic  
29 enrollment of a participating accredited nonpublic school  
30 bears to the sum of the basic enrollments of all participating  
31 accredited nonpublic schools in the state for the budget year.  
32 For purposes of this section, a "participating accredited  
33 nonpublic school" means an accredited nonpublic school that  
34 submits a written request on behalf of the school's pupils in  
35 accordance with this subsection, and that certifies its actual

1 enrollment to the department of education by October 1,  
2 annually. By October 15, annually, the department of  
3 education shall certify to the director of revenue the  
4 department of administrative services the annual amount to be  
5 paid to each school district, and the director of revenue the  
6 department of administrative services shall draw warrants  
7 payable to school districts in accordance with this  
8 subsection. For purposes of this subsection, an accredited  
9 nonpublic school's enrollment count shall include only  
10 students who are residents of Iowa. The costs of providing  
11 textbooks to accredited nonpublic school pupils as provided in  
12 this subsection shall not be included in the computation of  
13 district cost under chapter 257, but shall be shown in the  
14 budget as an expense from miscellaneous income. Textbook  
15 expenditures made in accordance with this subsection shall be  
16 kept on file in the school district.

17 Sec. 34. Section 304A.29, Code Supplement 2003, is amended  
18 to read as follows:

19 304A.29 CLAIMS.

20 1. Claims for losses covered by indemnity agreements under  
21 this division shall be submitted to the department of  
22 administrative services which shall review the claims. If the  
23 department determines that the loss is covered by the  
24 agreement, the department shall certify the validity of the  
25 claim, and authorize payment of the amount of loss, less any  
26 deductible portion, to the lender, and issue a warrant for  
27 payment of the claim from the state general fund out of any  
28 funds not otherwise appropriated.

29 2. The department shall prescribe rules providing for  
30 prompt adjustment of valid claims. The rules shall include  
31 provisions for the employment of consultants and for the  
32 arbitration of issues relating to the dollar value of damages  
33 involving less than total loss or destruction of covered  
34 items.

35 ~~3. The authorization for payment shall be forwarded to the~~

~~1 director-of-the-department-of-administrative-services, who  
2 shall-issue-a-warrant-for-payment-of-the-claim-from-the-state  
3 general-fund-out-of-any-funds-not-otherwise-appropriated-~~

4 Sec. 35. Section 321.91, subsection 2, Code 2003, is  
5 amended to read as follows:

6 2. A person ~~convicted-of-a-violation-of-this-section~~ who  
7 abandons a vehicle is guilty of a simple misdemeanor  
8 punishable as a scheduled violation under section 805.8A,  
9 subsection 14, paragraph "b".

10 Sec. 36. Section 321.210B, Code Supplement 2003, is  
11 amended to read as follows:

12 321.210B NONRENEWAL OR SUSPENSION FOR FAILURE TO PAY  
13 INDEBTEDNESS OWED TO THE STATE.

14 The department shall suspend or refuse to renew the  
15 driver's license of a person who has a delinquent account owed  
16 to the state according to records provided by the department  
17 of revenue pursuant to section 421.17. A license shall be  
18 suspended or shall not be renewed until such time as the  
19 department of ~~administrative-services~~ revenue notifies the  
20 state department of transportation that the licensee has made  
21 arrangements for payment of the debt with the agency which is  
22 owed or is collecting the debt. This section is only  
23 applicable to those persons residing in a county which is  
24 participating in the driver's license indebtedness clearance  
25 pilot project.

26 Sec. 37. Section 331.304, subsection 10, Code 2003, is  
27 amended to read as follows:

28 10. A county shall not adopt or enforce any ordinance  
29 imposing any registration or licensing system or registration  
30 or license fees for owner-occupied manufactured or mobile  
31 homes including the lots or lands upon which they are located.  
32 A county shall not adopt or enforce any ordinance imposing any  
33 registration or licensing system, or registration or license  
34 fees, or safety or sanitary standards for rental manufactured  
35 or mobile homes unless similar registration or licensing

1 system, or registration or license fees, or safety or sanitary  
2 standards are required for other rental properties intended  
3 for human habitation. This subsection does not preclude the  
4 investigation and abatement of a nuisance or the enforcement  
5 of a tiedown system, or the enforcement of any regulations of  
6 the state or local board of health if those regulations apply  
7 to other rental properties or to owner-occupied housing  
8 intended for human habitation.

9 Sec. 38. Section 331.559, subsection 1, Code Supplement  
10 2003, is amended to read as follows:

11 1. Determine and collect taxes on mobile homes and  
12 manufactured homes as provided in sections 435.22 to 435.26.

13 Sec. 39. Section 331.602, subsection 29, Code Supplement  
14 2003, is amended to read as follows:

15 29. Register Record the name and description of a farm as  
16 provided in sections 557.22 to 557.26.

17 Sec. 40. Section 331.756, subsection 63, Code Supplement  
18 2003, is amended to read as follows:

19 63. Present to the grand jury at its next session a copy  
20 of the report filed by the division department of corrections  
21 ~~of-the-department-of-human-services~~ of its inspection of the  
22 jails in the county as provided in section 356.43.

23 Sec. 41. Section 356.7, subsection 1, Code Supplement  
24 2003, is amended to read as follows:

25 1. The county sheriff, or a municipality operating a  
26 temporary municipal holding facility or jail, may charge a  
27 prisoner who is eighteen years of age or older and who has  
28 been convicted of a criminal offense or sentenced for contempt  
29 of court for violation of a domestic abuse order for the  
30 actual administrative costs relating to the arrest and booking  
31 of that prisoner, and for room and board provided to the  
32 prisoner while in the custody of the county sheriff or  
33 municipality. Moneys collected by the sheriff or municipality  
34 under this section shall be credited respectively to the  
35 county general fund or the city general fund and distributed



1 as provided in this section. If a prisoner who has been  
2 convicted of a criminal offense or sentenced for contempt of  
3 court for violation of a domestic abuse order fails to pay for  
4 the administrative costs and the room and board, the sheriff  
5 or municipality may file a ~~room-and-board~~ reimbursement claim  
6 with the district court as provided in subsection 2. The  
7 county attorney may file the reimbursement claim on behalf of  
8 the sheriff and the county or the municipality. The attorney  
9 for the municipality may also file a reimbursement claim on  
10 behalf of the municipality. This section does not apply to  
11 prisoners who are paying for their room and board by court  
12 order pursuant to sections 356.26 through 356.35.

13 Sec. 42. Section 368.4, Code Supplement 2003, is amended  
14 to read as follows:

15 368.4 ANNEXING MORATORIUM.

16 A city, following notice and hearing, may by resolution  
17 agree with another city or cities to refrain from annexing  
18 specifically described territory for a period not to exceed  
19 ten years and, following notice and hearing, may by resolution  
20 extend the agreement for subsequent periods not to exceed ten  
21 years each. Notice of a hearing shall be served by regular  
22 mail at least thirty days before the hearing on the city  
23 development board and on the board of supervisors of the  
24 county in which the territory is located and shall be  
25 published in an official county newspaper in each county  
26 containing a city conducting a hearing regarding the  
27 agreement, in an official county newspaper in any county  
28 within two miles of any such city, and in an official  
29 newspaper of each city conducting a hearing regarding the  
30 agreement. The notice shall include the time and place of the  
31 hearing, describe the territory subject to the proposed  
32 agreement, and the general terms of the agreement. After  
33 passage of a resolution by the cities approving the  
34 agreements, a copy of the agreement and a copy of any  
35 resolution extending an agreement shall be filed with the city

1 development board within ten days of enactment. If such an  
2 agreement is in force, the board shall dismiss a petition or  
3 plan which violates the terms of the agreement.

4 Sec. 43. Section 368.26, unnumbered paragraph 3, Code  
5 Supplement 2003, is amended to read as follows:

6 For the purposes of this section, "protected farmland"  
7 means land that is part of a century farm as that term is  
8 defined in section 403.17, subsection 10. "County For the  
9 purposes of this section, "county legislation" means any  
10 ordinance, motion, resolution, or amendment adopted by a  
11 county pursuant to section 331.302.

12 Sec. 44. Section 372.4, subsection 3, Code Supplement  
13 2003, is amended to read as follows:

14 3. In a city having a population of **between** five hundred  
15 **and or more, but not more than** five thousand, the city council  
16 may, or shall upon petition of the electorate meeting the  
17 numerical requirements of section 372.2, subsection 1, submit  
18 a proposal at the next regular or special city election to  
19 reduce the number of council members to three. If a majority  
20 of the voters voting on the proposal approves it, the proposal  
21 is adopted. If the proposal is adopted, the new council shall  
22 be elected at the next regular or special city election. The  
23 council shall determine by ordinance whether the three council  
24 members are elected at large or by ward.

25 Sec. 45. Section 422.12D, subsection 4, Code Supplement  
26 2003, is amended to read as follows:

27 4. The department shall adopt rules to implement this  
28 section. However, before a checkoff pursuant to this section  
29 shall be permitted, all liabilities on the books of the  
30 department of revenue administrative services and accounts  
31 identified as owing under section ~~421:17~~ 8A.504 and the  
32 political contribution allowed under section 68A.601 shall be  
33 satisfied.

34 Sec. 46. Section 422.16, subsection 9, Code Supplement  
35 2003, is amended to read as follows:

1 9. The amount of any overpayment of the individual income  
2 tax liability of the employee taxpayer, nonresident, or other  
3 person which may result from the withholding and payment of  
4 withheld tax by the employer or withholding agent to the  
5 department under subsections 1 and 12, as compared to the  
6 individual income tax liability of the employee taxpayer,  
7 nonresident, or other person properly and correctly determined  
8 under the provisions of section 422.4, to and including  
9 section 422.25, may be credited against any income tax or  
10 installment thereof then due the state of Iowa and any balance  
11 of one dollar or more shall be refunded to the employee  
12 taxpayer, nonresident or other person with interest at the  
13 rate in effect under section 421.7 for each month or fraction  
14 of a month, the interest to begin to accrue on the first day  
15 of the second calendar month following the date the return was  
16 due to be filed or was filed, whichever is the later date.  
17 Amounts less than one dollar shall be refunded to the  
18 taxpayer, nonresident, or other person only upon written  
19 application, in accordance with section 422.73, and only if  
20 the application is filed within twelve months after the due  
21 date of the return. Refunds in the amount of one dollar or  
22 more provided for by this subsection shall be paid by the  
23 treasurer of state by warrants drawn by the director of  
24 ~~revenue~~ the department of administrative services, or an  
25 authorized employee of the department, and the taxpayer's  
26 return of income shall constitute a claim for refund for this  
27 purpose, except in respect to amounts of less than one dollar.  
28 There is appropriated, out of any funds in the state treasury  
29 not otherwise appropriated, a sum sufficient to carry out the  
30 provisions of this subsection.

31 Sec. 47. Section 422.35, subsection 18, Code Supplement  
32 2003, is amended to read as follows:

33 18. Add, to the extent not already included, income from  
34 the sale of obligations of the state and its political  
35 ~~divisions~~ subdivisions. Income from the sale of these

1 obligations is exempt from the taxes imposed by this division  
2 only if the law authorizing these obligations specifically  
3 exempts the income from the sale from the state corporate  
4 income tax.

5 Sec. 48. Section 422.70, subsection 3, Code 2003, is  
6 amended to read as follows:

7 3. The fees and mileage to be paid witnesses and charged  
8 as costs shall be the same as prescribed by law in proceedings  
9 in the district court of this state in civil cases. All costs  
10 shall be charged in the manner provided by law in proceedings  
11 in civil cases. If the costs are charged to the taxpayer they  
12 shall be added to the taxes assessed against the taxpayer and  
13 shall be collected in the same manner. Costs charged to the  
14 state shall be certified by the director ~~who~~ and the  
15 department of administrative services shall issue warrants on  
16 the state treasurer for the amount of the costs, to be paid  
17 out of the proceeds of the taxes collected under this chapter.

18 Sec. 49. Section 425.23, subsection 3, paragraph a, Code  
19 Supplement 2003, is amended to read as follows:

20 a. A person who is eligible to file a claim for credit for  
21 property taxes due and who has a household income of eight  
22 thousand five hundred dollars or less and who has an unpaid  
23 special assessment levied against the homestead may file a  
24 claim for a special assessment credit with the county  
25 treasurer. The department shall provide to the respective  
26 treasurers the forms necessary for the administration of this  
27 subsection. The claim shall be filed not later than September  
28 30 of each year. Upon the filing of the claim, interest for  
29 late payment shall not accrue against the amount of the unpaid  
30 special assessment due and payable. The claim filed by the  
31 claimant constitutes a claim for credit of an amount equal to  
32 the actual amount due upon the unpaid special assessment, plus  
33 interest, payable during the fiscal year for which the claim  
34 is filed against the homestead of the claimant. However,  
35 where the claimant is an individual described in section

1 425.17, subsection 2, paragraph "b", and the tentative credit  
2 is determined according to the schedule in subsection 1,  
3 paragraph "b", subparagraph (2), of this section, the claim  
4 filed constitutes a claim for credit of an amount equal to  
5 one-half of the actual amount due and payable during the  
6 fiscal year. The treasurer shall certify to the director of  
7 revenue not later than October 15 of each year the total  
8 amount of dollars due for claims allowed. The amount of  
9 reimbursement due each county shall be certified by the  
10 director of revenue and paid by the director of revenue the  
11 department of administrative services by November 15 of each  
12 year, drawn upon warrants payable to the respective treasurer.  
13 There is appropriated annually from the general fund of the  
14 state to the department of revenue an amount sufficient to  
15 carry out the provisions of this subsection. The treasurer  
16 shall credit any moneys received from the department against  
17 the amount of the unpaid special assessment due and payable on  
18 the homestead of the claimant.

19 Sec. 50. Section 425A.6, Code Supplement 2003, is amended  
20 to read as follows:

21 425A.6 WARRANTS DRAWN AUTHORIZED BY DIRECTOR -- PRORATION.

22 After receiving from the county auditors the certifications  
23 provided for in section 425A.5, and during the following  
24 fiscal year, the director of revenue shall authorize the  
25 department of administrative services to draw warrants on the  
26 family farm tax credit fund created in section 425A.1, payable  
27 to the county treasurers in the amount certified by the county  
28 auditors of the respective counties and mail the warrants to  
29 the county auditors on June 1 of each year taking into  
30 consideration the relative budget and cash position of the  
31 state resources. However, if the family farm tax credit fund  
32 is insufficient to pay in full the total of the amounts  
33 certified to the director of revenue, the director shall  
34 prorate the fund to the county treasurers and shall notify the  
35 county auditors of the pro rata percentage on or before June

1 1.

2 Sec. 51. Section 425A.7, Code Supplement 2003, is amended  
3 to read as follows:

4 425A.7 APPORTIONMENT BY AUDITOR.

5 Upon receiving the pro rata percentage from the director of  
6 revenue, the county auditor shall determine the amount to be  
7 credited to each tract of agricultural land, and shall enter  
8 upon tax lists as a credit against the tax levied on each  
9 tract of agricultural land on which there has been made an  
10 allowance of credit before delivering the tax lists to the  
11 county treasurer. Upon receipt of the ~~director's~~ warrant by  
12 the county auditor, the auditor shall deliver the warrant to  
13 the county treasurer for apportionment. The county treasurer  
14 shall show on each tax receipt the amount of tax credit for  
15 each tract of agricultural land. In case of change of  
16 ownership the credit shall follow the title.

17 Sec. 52. Section 426.7, Code Supplement 2003, is amended  
18 to read as follows:

19 426.7 WARRANTS DRAWN AUTHORIZED BY DIRECTOR.

20 After receiving from the county auditors the certifications  
21 provided for in section 426.6, and during the following fiscal  
22 year, the director of revenue shall authorize the department  
23 of administrative services to draw warrants on the  
24 agricultural land credit fund created in section 426.1,  
25 payable to the county treasurers in the amount certified by  
26 the county auditors of the respective counties and mail the  
27 warrants to the county auditors on July 15 of each year taking  
28 into consideration the relative budget and cash position of  
29 the state resources. However, if the agricultural land credit  
30 fund is insufficient to pay in full the total of the amounts  
31 certified to the director of revenue, the director shall  
32 prorate the fund to the county treasurers and notify the  
33 county auditors of the pro rata percentage on or before June  
34 15.

35 Sec. 53. Section 426.8, Code Supplement 2003, is amended

1 to read as follows:

2 426.8 APPORTIONMENT BY AUDITOR.

3 Upon receiving the pro rata percentage from the director of  
4 revenue, the county auditor shall determine the amount to be  
5 credited to each tract of agricultural land, and shall enter  
6 upon tax lists as a credit against the tax levied on each  
7 tract of agricultural land on which there has been made an  
8 allowance of credit before delivering said tax lists to the  
9 county treasurer. Upon receipt of the ~~director's~~ warrant by  
10 the county auditor, the auditor shall deliver said warrant to  
11 the county treasurer for apportionment. The county treasurer  
12 shall show on each tax receipt the amount of tax credit for  
13 each tract of agricultural land. In case of change of  
14 ownership the credit shall follow the title.

15 Sec. 54. Section 426A.4, Code Supplement 2003, is amended  
16 to read as follows:

17 426A.4 CERTIFICATION BY DIRECTOR OF REVENUE.

18 Sums distributable from the general fund of the state shall  
19 be allocated annually to the counties of the state. On  
20 September 15 annually the director of revenue shall certify  
21 and the department of administrative services shall draw  
22 warrants to the treasurer of each county payable from the  
23 general fund of the state in the amount claimed. Payments  
24 shall be made to the treasurer of each county not later than  
25 September 30 of each year.

26 Sec. 55. Section 434.22, Code Supplement 2003, is amended  
27 to read as follows:

28 434.22 LEVY AND COLLECTION OF TAX.

29 At the first meeting of the board of supervisors held after  
30 said statement is received by the county auditor, ~~it~~ the board  
31 shall cause the same to be entered on its minute book, and  
32 make and enter ~~therein~~ in the minute book an order stating the  
33 length of the main track and the assessed value of each  
34 railway lying in each city, township, or lesser taxing  
35 district in its county, through or into which ~~said~~ the railway

1 extends, as fixed by the director of revenue, which shall  
2 constitute the taxable value of ~~said~~ the property for taxing  
3 purposes; and the taxes on ~~said~~ the property, when collected  
4 by the county treasurer, shall be disposed of as other taxes.  
5 The county auditor shall transmit a copy of ~~said~~ the order to  
6 the council or trustees of the city or township.

7 Sec. 56. Section 437.10, Code Supplement 2003, is amended  
8 to read as follows:

9 437.10 ENTRY OF CERTIFICATE.

10 At the first meeting of the board of supervisors held after  
11 said statements are received by the county auditor, ~~it~~ the  
12 board shall cause such statement to be entered in its minute  
13 book and make and enter ~~therein~~ in the minute book an order  
14 stating the length of the lines and the assessed value of the  
15 property of each of ~~said~~ the companies situated in each  
16 township or lesser taxing district in each county outside  
17 cities, as fixed by the director of revenue, which shall  
18 constitute the taxable value of ~~said~~ the property for taxing  
19 purposes. The county auditor shall transmit a copy of ~~said~~  
20 the order to the trustees of each township and to the proper  
21 taxing boards in lesser taxing districts into which the line  
22 or lines of ~~said~~ the company extend in the county. The taxes  
23 on ~~said~~ the property when collected by the county treasurer  
24 shall be disposed of as other taxes on real estate.

25 Sec. 57. Section 438.15, Code Supplement 2003, is amended  
26 to read as follows:

27 438.15 ASSESSED VALUE IN EACH TAXING DISTRICT -- RECORD.

28 At the first meeting of the board of supervisors held after  
29 said statement is received by the county auditor, ~~it~~ the board  
30 shall cause the same to be entered on its minute book, and  
31 make and enter ~~therein~~ in the minute book an order describing  
32 and stating the assessed value of each pipeline lying in each  
33 city, township, or lesser taxing district in its county,  
34 through or into which ~~said~~ the pipeline extends, as fixed by  
35 the director of revenue, which shall constitute the assessed



1 value of said the property for taxing purposes; and the taxes  
2 on said the property, when collected by the county treasurer,  
3 shall be disposed of as other taxes. The county auditor shall  
4 transmit a copy of said the order to the council of the city,  
5 or the trustees of the township, as the case may be.

6 Sec. 58. Section 441.26, unnumbered paragraph 4, Code  
7 Supplement 2003, is amended to read as follows:

8 The assessment rolls shall be used in listing the property  
9 and showing the values affixed to the property of all persons  
10 assessed. The rolls shall be made in duplicate. The  
11 duplicate roll shall be signed by the assessor, detached from  
12 the original and delivered to the person assessed if there has  
13 been an increase or decrease in the valuation of the property.  
14 If there has been no change in the ~~evaluation~~ valuation, the  
15 information on the roll may be printed on computer stock paper  
16 and preserved as required by this chapter. If the person  
17 assessed requests in writing a copy of the roll, the copy  
18 shall be provided to the person. The pages of the assessor's  
19 assessment book shall contain columns ruled and headed for the  
20 information required by this chapter and that which the  
21 director of revenue deems essential in the equalization work  
22 of the director. The assessor shall return all assessment  
23 rolls and schedules to the county auditor, along with the  
24 completed assessment book, as provided in this chapter, and  
25 the county auditor shall carefully keep and preserve the  
26 rolls, schedules and book for a period of five years from the  
27 time of its filing in the county auditor's office.

28 Sec. 59. Section 453A.3, subsection 1, paragraph c, Code  
29 2003, is amended by striking the paragraph.

30 Sec. 60. Section 453A.8, subsection 3, unnumbered  
31 paragraph 1, Code 2003, is amended to read as follows:

32 The department may make refunds on unused stamps to the  
33 person who purchased the stamps at a price equal to the amount  
34 paid for the stamps when proof satisfactory to the department  
35 is furnished that any stamps upon which a refund is requested

1 were properly purchased from the department and paid for by  
2 the person requesting the refund. In making the refund, the  
3 department shall prepare a voucher showing the amount of  
4 refund due and to whom payable and shall authorize the  
5 department of administrative services to issue a warrant upon  
6 order of the director to pay the refund out of any funds in  
7 the state treasury not otherwise appropriated.

8 Sec. 61. Section 455B.105, subsections 6 and 8, Code  
9 Supplement 2003, are amended to read as follows:

10 6. Approve all contracts and agreements under this chapter  
11 and chapter 459~~7-subchapters-I7-II7-III7-IV7-and-VI7~~ between  
12 the department and other public or private persons or  
13 agencies.

14 8. Hold public hearings, except when the evidence to be  
15 received is confidential pursuant to this chapter, chapter 22,  
16 or chapter 459~~7-subchapters-I7-II7-III7-IV7-and-VI7~~ necessary  
17 to carry out its powers and duties. The commission may issue  
18 subpoenas requiring the attendance of witnesses and the  
19 production of evidence pertinent to the hearings. A subpoena  
20 shall be issued and enforced in the same manner as provided in  
21 civil actions.

22 Sec. 62. Section 455B.107, Code Supplement 2003, is  
23 amended to read as follows:

24 455B.107 WARRANTS BY DIRECTOR OF DEPARTMENT OF  
25 ADMINISTRATIVE SERVICES.

26 The director of the department of administrative services  
27 shall draw warrants on the treasurer of state for all  
28 disbursements authorized by the provisions of this chapter and  
29 chapter 459, ~~subchapters-I7-II7-III7-IV7-and-VI7~~ upon itemized  
30 and verified vouchers bearing the approval of the director of  
31 the department of natural resources.

32 Sec. 63. Section 455E.11, subsection 2, paragraph e, Code  
33 Supplement 2003, is amended to read as follows:

34 e. An oil overcharge account. The oil overcharge moneys  
35 distributed by the United States department of energy, and

1 approved for the energy related components of the groundwater  
2 protection strategy available through the energy conservation  
3 trust created in section 473.11, shall be deposited in the oil  
4 overcharge account as appropriated by the general assembly.  
5 ~~The oil overcharge account shall be used for the following~~  
6 ~~purposes:~~

7 (1) ~~--The following amounts are appropriated to the~~  
8 ~~department of natural resources to implement its~~  
9 ~~responsibilities pursuant to section 455E.8:~~

10 (a) ~~--For the fiscal year beginning July 1, 1987 and ending~~  
11 ~~June 30, 1988, eight hundred sixty thousand dollars is~~  
12 ~~appropriated:~~

13 (b) ~~--For the fiscal year beginning July 1, 1988 and ending~~  
14 ~~June 30, 1989, six hundred fifty thousand dollars is~~  
15 ~~appropriated:~~

16 (c) ~~--For the fiscal year beginning July 1, 1989 and ending~~  
17 ~~June 30, 1990, six hundred thousand dollars is appropriated:~~

18 (d) ~~--For the fiscal year beginning July 1, 1990 and ending~~  
19 ~~June 30, 1991, five hundred thousand dollars is appropriated:~~

20 (e) ~~--For the fiscal year beginning July 1, 1991 and ending~~  
21 ~~June 30, 1992, five hundred thousand dollars is appropriated:~~

22 (2) ~~--For the fiscal year beginning July 1, 1987 and ending~~  
23 ~~June 30, 1988, five hundred sixty thousand dollars is~~  
24 ~~appropriated to the department of natural resources for~~  
25 ~~assessing rural, private water supply quality:~~

26 (3) ~~--For the fiscal period beginning July 1, 1987 and~~  
27 ~~ending June 30, 1989, one hundred thousand dollars is~~  
28 ~~appropriated annually to the department of natural resources~~  
29 ~~for the administration of a groundwater monitoring program at~~  
30 ~~sanitary landfills:~~

31 (4) ~~--The following amounts are appropriated to the Iowa~~  
32 ~~state water resources research institute to provide~~  
33 ~~competitive grants to colleges, universities, and private~~  
34 ~~institutions within the state for the development of research~~  
35 ~~and education programs regarding alternative disposal methods~~

1 and-groundwater-protection:

2 (a)--For-the-fiscal-year-beginning-July-17-1987-and-ending  
3 June-307-19887-one-hundred-twenty-thousand-dollars-is  
4 appropriated.

5 (b)--For-the-fiscal-year-beginning-July-17-1988-and-ending  
6 June-307-19897-one-hundred-thousand-dollars-is-appropriated.

7 (c)--For-the-fiscal-year-beginning-July-17-1989-and-ending  
8 June-307-19907-one-hundred-thousand-dollars-is-appropriated.

9 (5)--The-following-amounts-are-appropriated-to-the  
10 department-of-natural-resources-to-develop-and-implement  
11 demonstration-projects-for-landfill-alternatives-to-solid  
12 waste-disposal7-including-recycling-programs:

13 (a)--For-the-fiscal-year-beginning-July-17-1987-and-ending  
14 June-307-19887-seven-hundred-sixty-thousand-dollars-is  
15 appropriated.

16 (b)--For-the-fiscal-year-beginning-July-17-1988-and-ending  
17 June-307-19897-eight-hundred-fifty-thousand-dollars-is  
18 appropriated.

19 (6)--For-the-fiscal-period-beginning-July-17-1987-and  
20 ending-June-307-19887-eight-hundred-thousand-dollars-is  
21 appropriated-to-the-Leopold-center-for-sustainable  
22 agriculture.

23 (7)--Seven-million-five-hundred-thousand-dollars-is  
24 appropriated-to-the-agriculture-energy-management-fund-created  
25 under-chapter-161B-for-the-fiscal-period-beginning-July-17  
26 1987-and-ending-June-307-19927-to-develop-nonregulatory  
27 programs-to-implement-integrated-farm-management-of-farm  
28 chemicals-for-environmental-protection7-energy-conservation7  
29 and-farm-profitability7-interactive-public-and-farmer  
30 education7-and-applied-studies-on-best-management-practices  
31 and-best-appropriate-technology-for-chemical-use-efficiency  
32 and-reduction.

33 (8)--The-following-amounts-are-appropriated-to-the  
34 department-of-natural-resources-to-continue-the-Big-Spring  
35 demonstration-project-in-Clayton-county.

1 (a)--For the fiscal period beginning July 1, 1987 and  
2 ending June 30, 1990, seven hundred thousand dollars is  
3 appropriated annually.

4 (b)--For the fiscal period beginning July 1, 1990 and  
5 ending June 30, 1992, five hundred thousand dollars is  
6 appropriated annually.

7 (9)--For the fiscal period beginning July 1, 1987 and  
8 ending June 30, 1990, one hundred thousand dollars is  
9 appropriated annually to the department of agriculture and  
10 land stewardship to implement a targeted education program on  
11 best management practices and technologies for the mitigation  
12 of groundwater contamination from or closure of agricultural  
13 drainage wells, abandoned wells, and sinkholes.

14 Sec. 64. Section 455G.5, unnumbered paragraph 2, Code  
15 Supplement 2003, is amended to read as follows:

16 The board may enter into a contract or an agreement  
17 authorized under chapter 28E with a private agency or person,  
18 the department of natural resources, the Iowa finance  
19 authority, the department of administrative services, the  
20 department of revenue, other departments, agencies, or  
21 governmental subdivisions of this state, another state, or the  
22 United States, in connection with its administration and  
23 implementation of this chapter or chapter 424 or 455B.

24 Sec. 65. Section 456A.16, unnumbered paragraph 7, Code  
25 Supplement 2003, is amended to read as follows:

26 The department shall adopt rules to implement this section.  
27 However, before a checkoff pursuant to this section shall be  
28 permitted, all liabilities on the books of the department of  
29 revenue administrative services and accounts identified as  
30 owing under section ~~424.17~~ 8A.504 and the political  
31 contribution allowed under section 68A.601 shall be satisfied.

32 Sec. 66. Section 476.53, subsection 4, paragraph b, Code  
33 Supplement 2003, is amended to read as follows:

34 b. In determining the applicable ratemaking principles,  
35 the board shall not be limited to traditional ratemaking

1 principles or traditional cost recovery mechanisms. Among the  
2 principles and mechanisms the board may consider, the board  
3 has the authority to approve ratemaking principles proposed by  
4 a rate-regulated public utility that provide for reasonable  
5 restrictions upon the ability of the public utility to seek a  
6 general increase in electric rates under section 476.6 for at  
7 least three years after the generation generating facility  
8 begins providing service to Iowa customers.

9 Sec. 67. Section 483A.24A, subsection 2, paragraph c, Code  
10 Supplement 2003, is amended to read as follows:

11 c. "Public institution" means a state institution listed  
12 under section 904.102, ~~subsections 1 through 10~~, that is  
13 administered by the department of corrections.

14 Sec. 68. Section 501.407, subsection 2, paragraph b, Code  
15 Supplement 2003, is amended to read as follows:

16 b. An intentional infliction of harm on the corporation  
17 cooperative or its shareholders members.

18 Sec. 69. Section 508.38, subsection 11, Code Supplement  
19 2003, is amended to read as follows:

20 11. After July 1, 2003, a company may elect either to  
21 apply the provisions of this section as it existed prior to  
22 July 1, 2003, or to apply the provisions of this section as  
23 enacted amended by 2003 Acts, ch 91, § 8--10, to annuity  
24 contracts on a contract form-by-form basis before ~~the-second~~  
25 ~~anniversary-of-the-effective-date-of-2003-Acts,-ch-91,-§-8--10~~  
26 July 1, 2005. In all other instances, this section shall  
27 become operative with respect to annuity contracts issued by  
28 the company two years after July 1, 2003.

29 Sec. 70. Section 510.6, subsections 6 and 7, Code 2003,  
30 are amended to read as follows:

31 6. An insurer shall review its books and records each  
32 quarter and determine if any insurance producer, as defined by  
33 section 510A.2, has become, by operation of section 510.1B,  
34 subsection 4, a managing general agent as defined in that  
35 section. If the insurer determines that a an insurance

1 producer has become a managing general agent by operation of  
2 section 510.1B, subsection 4, the insurer shall promptly  
3 notify the insurance producer and the commissioner of such  
4 determination and the insurer and insurance producer shall  
5 fully comply with the provisions of this chapter within thirty  
6 days.

7 7. An insurer shall not appoint to its board of directors  
8 an officer, director, employee, insurance producer, or  
9 controlling shareholder of a managing general agent of the  
10 insurer. This subsection shall not apply to relationships  
11 governed by chapter 521A relating to the regulation of  
12 insurance company holding systems, or, if applicable, by  
13 chapter 510A relating to the regulation of insurance producer  
14 controlled property and casualty insurers.

15 Sec. 71. Section 510A.4, subsection 1, paragraph b,  
16 subparagraph (2), Code Supplement 2003, is amended to read as  
17 follows:

18 (2) The controlled insurer, except for insurance business  
19 written through a residual market facility, accepts insurance  
20 business only from the controlling producer, a an insurance  
21 producer controlled by the controlled insurer, or an insurance  
22 producer that is a subsidiary of the controlled insurer.

23 Sec. 72. Section 514B.12, unnumbered paragraph 1, Code  
24 Supplement 2003, is amended to read as follows:

25 A health maintenance organization shall annually on or  
26 before the first day of March file with the commissioner or a  
27 depository designated by the commissioner a report verified by  
28 at least two of its the principal officers of the health  
29 maintenance organization and covering the preceding calendar  
30 year. The report shall be on forms prescribed by the  
31 commissioner and shall include:

32 Sec. 73. Section 515F.32, subsection 3, Code Supplement  
33 2003, is amended to read as follows:

34 3. "Plan" "FAIR plan" means the FAIR plan to assure fair  
35 access to insurance requirements established pursuant to

1 section 515F.33.

2 Sec. 74. Section 515F.36, subsection 1, Code Supplement  
3 2003, is amended to read as follows:

4 1. A governing committee shall administer the FAIR plan,  
5 subject to the supervision of the commissioner, ~~and.~~ The FAIR  
6 plan shall be operated by a manager appointed by the  
7 committee.

8 Sec. 75. Section 533C.201, subsection 1, Code Supplement  
9 2003, is amended to read as follows:

10 1. A person shall not engage in the business of money  
11 transmission or advertise, solicit, or hold itself out as  
12 providing money transmission unless the person:

13 a. Is licensed under this article; or

14 b. Is an authorized delegate of a person licensed under  
15 this article.

16 Sec. 76. Section 533C.303, subsection 4, Code Supplement  
17 2003, is amended to read as follows:

18 4. An applicant ~~whose application~~ who is denied a license  
19 by the superintendent under this article may appeal, within  
20 thirty days after receipt of the notice of the denial, from  
21 the denial and request a hearing. The denial of a license  
22 shall not be deemed a contested case under chapter 17A.

23 Sec. 77. Section 533C.503, subsection 3, paragraphs e and  
24 f, Code Supplement 2003, are amended to read as follows:

25 e. A charge filed against or conviction of the licensee or  
26 of an executive officer, manager, or director of, or person in  
27 control of, the licensee for a felony.

28 f. A charge filed against or conviction of an authorized  
29 delegate for a felony.

30 Sec. 78. Section 533C.505, subsection 3, Code Supplement  
31 2003, is amended to read as follows:

32 3. Records may be maintained outside this state if they  
33 are made accessible to within seven business days of receipt  
34 of a written request from the superintendent on-seven  
35 ~~business-days<sup>1</sup>-notice-that-is-sent-in-a-record.~~



1     Sec. 79. Section 533C.703, subsection 3, Code Supplement  
2 2003, is amended to read as follows:

3     3. An Once the superintendent has commenced an  
4 administrative proceeding pursuant to section 533C.701 or  
5 533C.702, an order to cease and desist remains effective and  
6 enforceable pending the completion of an-administrative the  
7 proceeding pursuant-to-section-533C-701-or-533C-702.

8     Sec. 80. Section 562B.25, subsection 3, Code 2003, is  
9 amended to read as follows:

10    3. Except as otherwise provided in this chapter, the  
11 landlord may recover damages, obtain injunctive relief or  
12 recover possession of the mobile home space pursuant to an  
13 action in forcible entry and detainer under chapter 648 for  
14 any material noncompliance by the tenant with the rental  
15 agreement or with section 562B.18.

16    Sec. 81. Section 602.6305, subsection 1, Code Supplement  
17 2003, is amended to read as follows:

18    1. District associate judges shall serve initial terms and  
19 shall stand for retention in office within the judicial  
20 election districts of their residences at the judicial  
21 election ~~in-1982-and-every-six-years-thereafter,~~ under  
22 sections ~~46-17-to~~ 46.16 through 46.24.

23    Sec. 82. Section 602.8107, subsection 4, unnumbered  
24 paragraph 2, Code Supplement 2003, is amended to read as  
25 follows:

26    This subsection does not apply to amounts collected for  
27 victim restitution, the victim compensation fund, criminal  
28 penalty surcharge, law enforcement initiative surcharge,  
29 amounts collected as a result of procedures initiated under  
30 subsection 5 or under section 8A.504, or ~~sheriff's-room-and~~  
31 ~~board fees~~ charged pursuant to section 356.7.

32    Sec. 83. Section 631.4, subsection 2, paragraphs a and d,  
33 Code 2003, are amended to read as follows:

34    a. In an action for the forcible entry ~~or-detention-of~~  
35 ~~real-property~~ and detainer under chapter 648, the clerk shall

1 set a date, time and place for hearing, and shall cause  
2 service as provided in this subsection.

3 d. If personal service cannot be made upon each defendant  
4 in an action for forcible entry ~~or-detention-of-real-property~~  
5 and detainer joined with an action for rent or recovery  
6 pursuant to section 648.19, service may be made pursuant to  
7 paragraph "c".

8 Sec. 84. Section 631.5, unnumbered paragraph 1, Code  
9 Supplement 2003, is amended to read as follows:

10 This section applies to all small claims except actions for  
11 forcible entry ~~or-detention-of-real-property~~ and detainer  
12 pursuant to chapter 648 and actions for abandonment of mobile  
13 homes or personal property pursuant to chapter 555B.

14 Sec. 85. Section 648.1, unnumbered paragraph 1, Code 2003,  
15 is amended to read as follows:

16 A summary remedy for forcible entry ~~or-detention-of-real~~  
17 property and detainer is allowable:

18 Sec. 86. Section 648.5, Code 2003, is amended to read as  
19 follows:

20 648.5 JURISDICTION -- HEARING -- PERSONAL SERVICE.

21 The court within the county shall have jurisdiction of  
22 actions for the forcible entry ~~or-detention-of-real-property~~  
23 and detainer. They shall be tried as equitable actions.  
24 Unless commenced as a small claim, a petition shall be  
25 presented to a district court judge. Upon receipt of the  
26 petition, the court shall order a hearing which shall not be  
27 later than seven days from the date of the order. Personal  
28 service shall be made upon the defendant not less than three  
29 days prior to the hearing. In the event that personal service  
30 cannot be completed in time to give the defendant the minimum  
31 notice required by this section, the court may set a new  
32 hearing date. A default cannot be made upon a defendant  
33 unless the three days' notice has been given.

34 Sec. 87. Section 648.10, Code 2003, is amended to read as  
35 follows:

1 648.10 SERVICE BY PUBLICATION.

2 Notwithstanding the requirements of section 648.5, service  
3 may be made by publishing such notice for one week in a  
4 newspaper of general circulation published in the county where  
5 the petition is filed, provided the petitioner files with the  
6 court an affidavit stating that an attempt at personal service  
7 made by the sheriff was unsuccessful because the defendant is  
8 avoiding service by concealment or otherwise, and that a copy  
9 of the petition and notice of hearing has been mailed to the  
10 defendant at the defendant's last known address or that the  
11 defendant's last known address is not known to the petitioner.  
12 Service under this section is complete seven days after  
13 publication. The court shall set a new hearing date if  
14 necessary to allow the defendant the five-day three-day  
15 minimum notice required under section 648.5.

16 Sec. 88. Section 669.14, subsection 11, unnumbered  
17 paragraph 1, Code Supplement 2003, is amended to read as  
18 follows:

19 Any claim for financial loss based upon an act or omission  
20 in financial regulation, including but not limited to  
21 examinations, inspections, audits, or other financial  
22 oversight responsibilities, pursuant to chapter 486, Code  
23 1999, and chapters 87, 203, 203C, 203D, 421B, 486, 486A, 487,  
24 and 490 through 553, excluding chapters 540A, 542, 542B, 543B,  
25 543C, 543D, 544A, and 544B.

26 Sec. 89. Section 805.8A, subsection 12, paragraphs b and  
27 c, Code Supplement 2003, are amended to read as follows:

28 b. For ~~height, weight, length, width, load violations, and~~  
29 ~~towed-vehicle~~ violations under section 321.437, the scheduled  
30 fine is twenty-five dollars.

31 c. For height, length, width, and load violations under  
32 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the  
33 scheduled fine is one hundred dollars.

34 Sec. 90. Section 901.4, Code Supplement 2003, is amended  
35 to read as follows:

1 901.4 PRESENTENCE INVESTIGATION REPORT CONFIDENTIAL --  
2 DISTRIBUTION.

3 The presentence investigation report is confidential and  
4 the court shall provide safeguards to ensure its  
5 confidentiality, including but not limited to sealing the  
6 report, which may be opened only by further court order. At  
7 least three days prior to the date set for sentencing, the  
8 court shall serve all of the presentence investigation report  
9 upon the defendant's attorney and the attorney for the state,  
10 and the report shall remain confidential except upon court  
11 order. However, the court may conceal the identity of the  
12 person who provided confidential information. The report of a  
13 medical examination or psychological or psychiatric evaluation  
14 shall be made available to the attorney for the state and to  
15 the defendant upon request. The reports are part of the  
16 record but shall be sealed and opened only on order of the  
17 court. If the defendant is committed to the custody of the  
18 Iowa department of corrections and is not a class "A" felon, a  
19 copy of the presentence investigation report shall be  
20 forwarded to the director with the order of commitment by the  
21 clerk of the district court and to the board of parole at the  
22 time of commitment. Pursuant to section 904.602, the  
23 presentence investigation report may also be released by the  
24 department of corrections or a judicial district department of  
25 correctional services to another jurisdiction for the purpose  
26 of providing interstate probation and parole compact or  
27 interstate compact for adult offender supervision services or  
28 evaluations, or to a substance abuse or mental health services  
29 provider when referring a defendant for services. The  
30 defendant or the defendant's attorney may file with the  
31 presentence investigation report, a denial or refutation of  
32 the allegations, or both, contained in the report. The denial  
33 or refutation shall be included in the report. If the person  
34 is sentenced for an offense which requires registration under  
35 chapter 692A, the court shall release the report to the

1 department which is responsible under section 692A.13A for  
2 performing the assessment of risk.

3 Sec. 91. Section 901.5, subsection 7A, paragraph d, Code  
4 Supplement 2003, is amended to read as follows:

5 d. Violation of a no-contact order issued under this  
6 section subsection is punishable by summary contempt  
7 proceedings. A hearing in a contempt proceeding brought  
8 pursuant to this subsection shall be held not less than five  
9 days and not more than fifteen days after the issuance of a  
10 rule to show cause, as set by the court, unless the defendant  
11 is already in custody at the time of the alleged violation in  
12 which case the hearing shall be held not less than five days  
13 and not more than forty-five days after the issuance of the  
14 rule to show cause.

15 Sec. 92. Section 904.117, Code Supplement 2003, is amended  
16 to read as follows:

17 904.117 INTERSTATE COMPACT FUND.

18 An interstate compact fund is established under the control  
19 of the department. All interstate compact fees collected by  
20 the department pursuant to section ~~907B-5~~ 907B.4 shall be  
21 deposited into the fund and the moneys shall be used by the  
22 department to offset the costs of complying with the  
23 interstate compact for adult offender supervision in chapter  
24 907B. Notwithstanding section 8.33, moneys remaining in the  
25 fund at the end of a fiscal year shall not revert to the  
26 general fund of the state. Notwithstanding section 12C.7,  
27 interest and earnings deposited in the fund shall be credited  
28 to the fund.

29 Sec. 93. Sections 335.31, 414.29, and 455B.151, Code 2003,  
30 are repealed.

31 Sec. 94. 2003 Iowa Acts, chapter 180, section 24, enacting  
32 section 273.22, subsection 4A, is amended to read as follows:

33 4A. Not later than fifteen days after the state board  
34 notifies an area education agency of its approval of the area  
35 education agency's reorganization plan or dissolution

1 proposal, the area education agency shall notify, by certified  
2 mail, the school districts located within the area education  
3 agency boundaries, the school districts and area education  
4 agencies that are contiguous to its boundaries, and any other  
5 school district under contract with the area education agency,  
6 of the state board's approval of the plan or proposal, and  
7 shall provide the department of education with a copy of any  
8 notice sent in accordance with this subsection. A petition to  
9 join an area education agency or for release from a contract  
10 with an area education agency, in accordance with subsections  
11 4, 6 5, and 7 6, shall be filed not later than forty-five days  
12 after the state board approves a reorganization plan or  
13 dissolution proposal in accordance with this chapter.

14 Sec. 95. 2003 Iowa Acts, chapter 180, section 28, amending  
15 section 273.23, subsection 11, Code 2003, is amended to read  
16 as follows:

17 11. Unless the reorganization of an area education agency  
18 takes effect less than two years before the taking of the next  
19 federal decennial census, a newly formed area education agency  
20 shall, within one year of the effective date of the  
21 reorganization, redraw the boundary lines of director  
22 districts in the area education agency if a petition filed by  
23 a school district to join the newly formed area education  
24 agency, or for release from the newly formed area education  
25 agency, in accordance with section 273.22, subsections 4, 5,  
26 and 6, ~~and-77~~ was approved. Until the boundaries are redrawn,  
27 the boundaries for the newly formed area education agency  
28 shall be as provided in the reorganization plan approved by  
29 the state board in accordance with section 273.21.

30 Sec. 96. 2003 Iowa Acts, chapter 145, section 286,  
31 subsection 3, is amended by adding the following new  
32 paragraph:

33 NEW PARAGRAPH. c. Notwithstanding the provisions of this  
34 subsection to the contrary, section 12.8, Code 2003, is  
35 amended by striking from the section the words "division of

1 the department of personnel".

2 Sec. 97. 2003 Iowa Acts, chapter 151, section 65, is  
3 amended to read as follows:

4 SEC. 65. RETENTION OF JUDGES. The amendments in this Act  
5 to section 46.16, subsections 2 and 3, and section 602.6305,  
6 subsection 1, apply to elections for retaining a judge  
7 occurring after the effective date of this Act.

8 Sec. 98. 2003 Iowa Acts, chapter 179, is amended by adding  
9 the following new section:

10 NEW SECTION. SEC. 47A. DELAYED EFFECTIVE DATE. Section  
11 31 of this division of this Act takes effect July 1, 2004.

12 Sec. 99. 2003 Iowa Acts, First Extraordinary Session,  
13 chapter 1, section 114, is amended to read as follows:

14 SEC. 114. The divisions of this Act designated the grow  
15 Iowa values board and fund, the value-added agricultural  
16 products and processes financial assistance program, the endow  
17 Iowa grants, the ~~technology-transfer-advisors~~  
18 commercialization of research issues, the Iowa economic  
19 development loan and credit guarantee fund, the economic  
20 development assistance and data collection, the cultural and  
21 entertainment districts, ~~the-workforce-issues,~~ and the  
22 university-based research utilization program, are repealed  
23 effective June 30, 2010.

24 Sec. 100. EFFECTIVE DATES AND APPLICABILITY.

25 1. The sections of this Act amending sections 273.22 and  
26 273.23, as enacted by 2003 Iowa Acts, chapter 180, sections 24  
27 and 28, being deemed of immediate importance, take effect upon  
28 enactment and apply retroactively to July 1, 2003.

29 2. The section of this Act amending 2003 Iowa Acts,  
30 chapter 145, section 286, being deemed of immediate  
31 importance, takes effect upon enactment and is retroactively  
32 applicable to July 1, 2003, and is applicable on and after  
33 that date.

34 3. The section of this Act amending 2003 Iowa Acts,  
35 chapter 151, section 65, being deemed of immediate importance,

1 takes effect upon enactment.

2 4. The section of this Act adding a new section to 2003  
3 Iowa Acts, chapter 179, being deemed of immediate importance,  
4 takes effect upon enactment.

5 EXPLANATION

6 This bill contains statutory corrections that adjust  
7 language to reflect current practices, insert earlier  
8 omissions, delete redundancies and inaccuracies, delete  
9 temporary language, resolve inconsistencies and conflicts,  
10 update ongoing provisions, or remove ambiguities. The Code  
11 sections amended include all of the following:

12 Code section 2A.8: Eliminates language exempting sales of  
13 items and provision of services by the legislative services  
14 agency from the sales tax. Duplicative language was added to  
15 the list of exemptions from the sales tax in Code section  
16 423.3 by 2003 Iowa Acts, First Extraordinary Session, chapter  
17 2, section 96, effective July 1, 2004.

18 Code section 3.1: Deletes language requiring the Code  
19 editor to supply numerals in the Iowa Acts to statutory  
20 references in legislation if the numerals are omitted. 1984  
21 Acts, chapter 1067, struck references to the expression of  
22 statutory references in words but inadvertently failed to  
23 delete this reference to the numerals.

24 Code section 8A.221: Substitutes "council" for "board" to  
25 accurately refer to the IowAccess advisory council established  
26 in the Code section.

27 Code sections 8A.302, 8A.321, and 8A.322: In provisions  
28 relating to maintenance and management of, and provision of  
29 services for, certain state buildings and grounds, the bill  
30 clarifies that the state laboratories facility in Ankeny is  
31 not located at the seat of government.

32 Code sections 8A.311 and 23A.2: Strikes provisions  
33 relating to the Iowa technology center, which was dissolved on  
34 September 30, 2003.

35 Code section 8A.315: Eliminates the gradual increase in



1 the percentage of garbage can liners purchased by the  
2 department of administrative services required to contain  
3 recycled content. The provision was originally enacted in  
4 Code section 18.18 in 1998 and therefore the goal percentage  
5 of 50 percent for purchases of recycled content garbage can  
6 liners has already been achieved.

7 Code section 8A.412: Changes references from "this  
8 chapter" to "this subchapter" to agree with the enactment of  
9 former Code chapter 19A text in new Code chapter 8A,  
10 subchapter IV, in 2003 legislation.

11 Code section 10C.1: Replaces a reference to the definition  
12 of "agricultural commodity", which was eliminated from Code  
13 section 190C.1 in 2003, with the text of the definition prior  
14 to its elimination. The bill also substitutes "agricultural  
15 commodity" for "commodity" in several places as "agricultural  
16 commodity" is the defined term.

17 Code section 12B.3: Changes a reference from the  
18 department of revenue to the department of administrative  
19 services to reflect that the department of administrative  
20 services provides the warrants referenced in the section.

21 Code section 15.313: Strikes a reference to the  
22 microenterprise development revolving fund. The fund,  
23 contained in former Code section 15.240, was eliminated by  
24 2001 Acts, chapter 61, section 19.

25 Code section 68A.602: Provides that the director of the  
26 department of administrative services, and not revenue, is  
27 responsible for issuing payment of warrants from the Iowa  
28 election campaign fund.

29 Code section 97A.8: Changes the reference from the  
30 department of revenue to the department of administrative  
31 services to reflect that the department of administrative  
32 services is responsible for forwarding contributions made to  
33 the peace officers' retirement system.

34 Code section 97B.50: Eliminates unnecessary language as  
35 the contingency referenced in the deleted sentence, approval

1 by the federal Internal Revenue Service as to IPERS qualified  
2 status, has occurred.

3 Code section 97B.50A: Changes language from "system" to  
4 "retirement system" in the section to accurately reflect that  
5 the references are to the IPERS retirement plan, and not IPERS  
6 as an organization.

7 Code section 99G.8, subsection 11: Changes reference from  
8 "president" to "chief executive officer" to reflect that chief  
9 executive officer of the Iowa lottery authority is probably  
10 intended.

11 Code section 99G.31: Clarifies and corrects language to  
12 provide that the awarding of a prize by the lottery is to a  
13 holder of a ticket, not the ticket itself, and that the prize  
14 shall be awarded to a person as provided by the section.

15 Code section 99G.34: Adds an internal reference to the  
16 records provisions in Code section 99G.35.

17 Code section 147.107: Strikes language relating to the  
18 physician assistant rules review group to conform to the  
19 repeal of Code section 148C.7, establishing that rules review  
20 group, by 2003 Acts, chapter 93.

21 Code section 148C.1: Strikes language in a definition  
22 specifying that a physician assistant's supervising physician  
23 be listed in the physician assistant's license. This  
24 requirement was eliminated by the rewrite of the physician  
25 assistant licensure provisions in 2003 Acts, chapter 93.

26 Code section 148C.3: Substitutes "the physician  
27 assistant's" for "their" to clarify that a physician assistant  
28 is required to notify the board of physician assistant  
29 examiners of the identity of the physician assistant's  
30 supervisory physician.

31 Code section 159.34: Substitutes a reference to Code  
32 section 8A.106 for a reference to Code section 14B.202. Code  
33 chapter 14B was repealed in 2003 legislation. The provisions  
34 of former Code section 14B.202 were essentially reenacted in  
35 Code section 8A.106, except for a provision governing fees for

1 persons who contract to disseminate public records on behalf  
2 of a government agency.

3 Code section 161C.7: Strikes an outdated provision  
4 relating to the establishment of a watershed protection task  
5 force which was to submit recommendations to the department of  
6 agriculture and land stewardship by January 1 of each year  
7 through January 1, 2001.

8 Code section 163.30: Deletes a comma in the definition of  
9 swine "dealer" to clarify that the clause relating to selling  
10 or exchanging swine kept by the person solely for feeding or  
11 breeding purposes does not apply to the clause excluding  
12 certain owners and operators of farms from the definition.

13 Code section 232.95: Reenacts two lettered paragraphs that  
14 were inadvertently dropped from the Code base during  
15 implementation of changes from 2001 Acts, chapter 135.  
16 Language identical to these paragraphs was contained in  
17 subsection 2 of this section in the 2001 Code.

18 Code section 232B.10: Corrects a reference to "this  
19 section" to read "this chapter" in a provision defining  
20 "qualified expert witness" in the Indian child welfare Act.

21 Code section 257.26: Changes reference from the director  
22 of revenue to the director of the department of administrative  
23 services to reflect that the director of the department of  
24 administrative services draws warrants.

25 Code section 260G.4B: Eliminates language relating to the  
26 specifics of a study conducted by the department of economic  
27 development, which study's findings and recommendations were  
28 to be submitted to the general assembly by December 31, 2002.

29 Code sections 282.33 and 301.1: Changes a departmental  
30 reference from the department of revenue to the department of  
31 administrative services to reflect that the department of  
32 administrative services is responsible for the duties  
33 described in these Code sections.

34 Code section 304A.29: Rewrites the section to enhance  
35 readability and to reflect that only one department, the

1 department of administrative services, is responsible for both  
2 reviewing and paying claims.

3 Code section 321.91: Reverses part of a change made to  
4 subsection 2 of this Code section by 2001 Acts, chapter 137,  
5 and returns that portion of the text to the language found at  
6 this location in the 1999 Code. The 2001 legislation  
7 inadvertently deleted the language defining the crime when the  
8 language was changed to specify where the penalty for  
9 violating the section could be found.

10 Code section 321.210B: Changes a departmental reference  
11 from the department of administrative services to the  
12 department of revenue to reflect that the department of  
13 revenue remains responsible for the driver's license  
14 indebtedness clearance pilot project.

15 Code section 331.304: Adds manufactured homes to language  
16 relating to county legislation regulating mobile homes to  
17 conform the provision to otherwise identical language in Code  
18 section 364.3, subsection 5, relating to the power of cities  
19 to adopt the same kind of legislation.

20 Code section 331.559: Clarifies that the county treasurer  
21 is required to determine and collect taxes on manufactured  
22 homes, in addition to determining and collecting taxes on  
23 mobile homes.

24 Code section 331.602: Conforms language in Code subsection  
25 29 to the changes made in the procedures for documenting the  
26 name and descriptions of farms by 2003 Acts, chapter 5.

27 Code section 331.756: Substitutes "department of  
28 corrections" for "division of corrections of the department of  
29 human services" in a provision requiring the county attorney  
30 to present to the grand jury a copy of the county jail  
31 inspection report. Jail inspections were transferred to the  
32 department of corrections in 1983.

33 Code section 356.7: Substitutes "reimbursement claim" for  
34 "room and board reimbursement claim" to agree with the 2003  
35 addition of certain administrative costs to the list of items

1 for which certain prisoners may be charged.

2 Code section 368.4: Clarifies that publishing of a notice  
3 of hearing on an annexing moratorium agreement shall be in an  
4 official county newspaper in any county within two miles of a  
5 city conducting a hearing on an agreement.

6 Code section 368.26: Clarifies that the definition of  
7 "county legislation" applies only to the Code section.

8 Code section 372.4: Specifies that the provision relating  
9 to a city council's proposal to reduce the number of council  
10 members to three applies to a city having a population of  
11 "five hundred or more, but not more than five thousand",  
12 rather than "between five hundred and five thousand".

13 Code section 422.12D: Changes a departmental reference  
14 from the department of revenue to the department of  
15 administrative services, and a Code reference, to reflect that  
16 the department of administrative services is responsible for  
17 the set-off duties described in this section.

18 Code section 422.16: Changes a departmental reference from  
19 the department of revenue to the department of administrative  
20 services to reflect that the department of administrative  
21 services is responsible for the duties described in this  
22 section.

23 Code section 422.35: Substitutes "political subdivisions"  
24 for "political divisions" in a provision providing for the  
25 inclusion of income from the sale of obligations of the state  
26 and its political subdivisions in computing the net income of  
27 a corporation.

28 Code section 422.70: Provides that the department of  
29 administrative services, and not the director of revenue, is  
30 responsible for paying warrants for costs certified by the  
31 director of revenue.

32 Code section 425.23: Provides that the director of the  
33 department of administrative services, and not the director of  
34 revenue, is responsible for paying warrants as described in  
35 this section.

1 Code sections 425A.6 and 425A.7: Provides that the  
2 department of administrative services, and not the director of  
3 the department of revenue, is responsible for paying warrants  
4 on the family farm tax credit fund as authorized by the  
5 director of revenue.

6 Code sections 426.7 and 426.8: Provides that the  
7 department of administrative services, and not the director of  
8 revenue, is responsible for paying warrants on the  
9 agricultural land credit fund as authorized by the director of  
10 revenue.

11 Code section 426A.4: Provides that the department of  
12 administrative services, and not the director of revenue, is  
13 responsible for paying warrants on claims certified by the  
14 director of revenue.

15 Code sections 434.22, 437.10, and 438.15: Specifies that  
16 the county board of supervisors is required to cause the  
17 various items to be entered on its minute book. The bill also  
18 makes various grammatical corrections throughout the Code  
19 sections.

20 Code section 441.26: Substitutes the term "valuation" for  
21 "evaluation" to agree with other uses of the term in the Code  
22 section.

23 Code section 453A.3: Eliminates a provision providing a  
24 criminal penalty for violations of Code section 453A.39, which  
25 related to restrictions on tobacco product and cigarette  
26 samples and was repealed in 2000 legislation.

27 Code section 453A.8: Provides that the department of  
28 administrative services, and not the director of revenue, is  
29 responsible for paying warrants for refunds on unused  
30 cigarette tax stamps as authorized by the director of revenue.

31 Code section 455B.105: Corrects a reference to Code  
32 chapter 459. This change is identical to a reference change  
33 made in subsection 3 of this section by 2003 Acts, chapter 44,  
34 section 65, and similar changes to references to provisions  
35 transferred from Code chapter 455B to Code chapter 459

1 pursuant to a directive from 2002 Acts, chapter 1137.

2 Code section 455B.107: Corrects a reference to Code  
3 chapter 459. This change is identical to changes made  
4 throughout the Code to references to provisions transferred  
5 from Code chapter 455B to Code chapter 459 pursuant to a  
6 directive from 2002 Acts, chapter 1137.

7 Code section 455E.11: Strikes obsolete language  
8 appropriating funds for specified fiscal years from the oil  
9 overcharge account of the groundwater protection fund. All  
10 fiscal periods referred to in the language expired more than  
11 10 years ago.

12 Code section 455G.5: Adds a reference to the department of  
13 revenue as a department the underground storage tank board can  
14 contract with as the department remains responsible for the  
15 administration of Code chapter 424.

16 Code section 456A.16: Changes a departmental reference  
17 from the department of revenue to the department of  
18 administrative services, and a Code reference, to reflect that  
19 the department of administrative services is responsible for  
20 the set-off duties described in this section.

21 Code section 476.53: Substitutes the term "generating  
22 facility" for "generation facility" to agree with similar uses  
23 of the term throughout Code chapter 476.

24 Code section 483A.24A: In a provision requiring the  
25 issuance of additional deer hunting licenses and allowing  
26 harvested deer to be used by the department of corrections,  
27 defines "public institution" by substituting a broader  
28 reference to a state institution listed in Code section  
29 904.102 for the more specific reference to institutions listed  
30 in Code section 904.102, subsections 1 through 10.

31 Code section 501.407: In a provision relating to  
32 exceptions from indemnification of a director or officer of a  
33 cooperative, corrects the exception for an intentional  
34 infliction of harm to read "on the cooperative or its members"  
35 rather than "on the corporation or its shareholders".

1 Code section 508.38: Corrects a reference to the action  
2 taken regarding this Code section by 2003 Acts, chapter 91,  
3 sections 8 through 10 and substitutes the appropriate date for  
4 the words "the second anniversary of the effective date of  
5 2003 Acts, chapter 91, §8-10". Those particular provisions  
6 took effect July 1, 2003.

7 Code sections 510.6 and 510A.4: Substitutes the term  
8 "insurance producer" for "producer" in several places to  
9 correspond to the terminology change made in Code section  
10 510A.2 in 2003 legislation.

11 Code section 514B.12: Clarifies that at least two  
12 principal officers of a health maintenance organization,  
13 rather than of a depository, shall verify the organization's  
14 annual report.

15 Code section 515F.32: Changes a term used in a definition  
16 describing a plan to assure fair access to insurance  
17 requirements to conform to the use of the term throughout the  
18 chapter division.

19 Code section 515F.36: Specifies that the FAIR plan, rather  
20 than a governing committee, is to be operated by a manager  
21 appointed by the committee.

22 Code sections 533C.201, 533C.303, 533C.503, 533C.505, and  
23 533C.703: Makes several clarifications in the uniform money  
24 services Act, enacted by 2003 Acts, chapter 96. The first  
25 change clarifies that a person is not permitted to engage in  
26 the described activities unless the person is licensed to do  
27 so or is an authorized delegate of a licensee. The second  
28 change includes a grammatical change and the addition of a  
29 reference to the chapter in the Code which governs  
30 administrative contested cases. The third change clarifies  
31 that felony charges filed against a licensee or certain other  
32 designated individuals are items that must be included in  
33 reporting to the superintendent of banking within one business  
34 day of the occurrence. The fourth change clarifies the time  
35 frame within which records must be made accessible to the



1 superintendent of banking after a written request is made.  
2 The final change clarifies the duration of the effectiveness  
3 and the enforceability of an order to cease and desist pending  
4 the completion of an administrative proceeding.

5 Code sections 562B.25, 631.4, 631.5, 648.1, and 648.5:  
6 Conforms the use of the term "forcible entry and detention of  
7 property" actions to other Code and court rule references to  
8 the same type of action. Those other Code sections and court  
9 rules refer to the action as forcible entry and detainer  
10 actions. The change in terminology does not change the  
11 grounds for the action and obviates the need for changes to  
12 the Iowa rules of civil procedure that govern these actions in  
13 small claims court.

14 Code section 602.6305: Makes corrections relating to the  
15 change in term length for district associate court judges  
16 enacted in 2003 Acts, chapter 151. From 1982 and until last  
17 year, a district associate judge's term, after a service of an  
18 initial term, was four years. 2003 Acts, chapter 151, changed  
19 the length of term to six years and the provisions which  
20 govern the retention elections are contained in Code sections  
21 46.16 through 46.24.

22 Code section 602.8107: Substitutes "fees charged pursuant  
23 to section 356.7" for "sheriff's room and board fees" in a  
24 provision providing exceptions from the required deposit into  
25 the general fund of the county of a percentage of delinquent  
26 fines, penalties, and other costs and fees collected by the  
27 county attorney. Code section 356.7 was expanded in 2003 to  
28 allow not only sheriff's room and board fees to be charged to  
29 a prisoner, but also administrative costs incurred by counties  
30 and municipalities in the arrest and booking of certain  
31 prisoners.

32 Code section 648.10: Conforms language relating to a  
33 notice provision to a change made in the Code section  
34 referenced, Code section 648.5, by 1995 Acts, chapter 125,  
35 section 14. Both Code sections 648.5 and 648.10 were

1 originally amended in 1986 Acts, chapter 1130, to provide for  
2 a five-day notice, and remained that way until Code section  
3 648.5 was amended in 1995.

4 Code section 669.14: Substitutes a reference to Code  
5 chapter 486A for a reference to Code chapter 486 in a  
6 provision excepting claims for financial loss based upon an  
7 act or omission in financial regulation from the application  
8 of the Iowa tort claims Act. Code chapter 486, the uniform  
9 partnership law, was repealed effective January 1, 2001, and  
10 replaced by Code chapter 486A, the uniform partnership Act.

11 Code section 805.8A: Corrects the descriptions of the  
12 nature of the violations contained in the Code sections  
13 enumerated in subsection 12, paragraphs "b" and "c". Code  
14 section 321.437 pertains to a requirement for the equipment of  
15 various vehicles with mirrors and Code sections 321.454  
16 through 321.458 contain height, length, width, and load  
17 requirements for various vehicles.

18 Code section 901.4: Refers to both the "interstate compact  
19 for adult offender supervision" and the "interstate probation  
20 and parole compact" in a provision relating to the  
21 confidentiality and distribution of presentence investigation  
22 reports. The interstate compact for adult offender  
23 supervision replaced the interstate probation and parole  
24 compact in 2002.

25 Code section 901.5: Corrects a reference to "this section"  
26 to read "this subsection" in a provision relating to issuance  
27 of no-contact orders.

28 Code section 904.117: Corrects a reference to the  
29 provision establishing and providing for the collection of  
30 interstate compact fees. Code section 907B.5 does not exist  
31 and the fee language is contained in 907B.4.

32 Code sections 335.31 and 414.29: Repeals provisions  
33 relating to the zoning of elder family homes as Code chapter  
34 231A, governing elder family homes, was repealed in 2003  
35 legislation.

1 Code section 455B.151: Repeals a provision establishing a  
2 moratorium on the construction or operation of a commercial  
3 waste incinerator until such time as the department of natural  
4 resources or the United States environmental protection agency  
5 adopts rules which establish safe emission standards for  
6 releases of toxic air emissions from commercial waste  
7 incinerators. On December 1, 2000, the United States  
8 environmental protection agency published emission limits for  
9 commercial waste incinerators in the federal register,  
10 promulgated in rule form at 40 C.F.R., pt. 60, subpt. CCCC  
11 (§60.2000 et seq.). The Iowa department of natural resources  
12 instituted rulemaking proceedings on February 28, 2002, to  
13 adopt the federal standards. Those rule changes were adopted  
14 and filed on March 20, 2002, and may be found at 567 IAC  
15 23.1(2)(vvv).

16 2003 Iowa Acts, chapter 180: Corrects references to  
17 subsections of Code sections 273.22 and 273.23, as anticipated  
18 to be renumbered for publication in Code Supplement 2003, to  
19 refer to the subsections as amended by the Act. These  
20 provisions take effect upon enactment and apply retroactively  
21 to July 1, 2003.

22 2003 Iowa Acts, chapter 145: Eliminates an unnecessary  
23 reference to the division of the department of personnel.  
24 This change takes effect upon enactment and is retroactively  
25 applicable to July 1, 2003.

26 2003 Iowa Acts, chapter 151, section 65: Clarifies that  
27 the amendment to Code section 602.6305, subsection 1,  
28 providing that retention elections for district associate  
29 judges shall be held every six rather than every four years,  
30 applies to elections for retaining a judge occurring after the  
31 effective date of the Act. The provision takes effect upon  
32 enactment.

33 2003 Iowa Acts, chapter 179, section 47A: Adds a delayed  
34 effective date of July 1, 2004, for an amendment to Code  
35 section 8.57, to agree with the dates specified in the Code

1 section as amended. The provision takes effect upon  
2 enactment.

3 2003 Iowa Acts, First Extraordinary Session, chapter 1,  
4 section 114: Corrects references to division headings in the  
5 Act in a provision providing for the future repeal of the  
6 divisions. The bill substitutes "grow Iowa values board and  
7 fund" for "grow Iowa board and fund" and "commercialization of  
8 research issues" for "technology transfer advisors" to agree  
9 with the division headings used in the final version of the  
10 bill. The bill also eliminates a reference to a division  
11 entitled "workforce issues" as that division was not included  
12 in the final version of the bill.

13  
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**SENATE FILE 2102**

**S-5011**

1 Amend the amendment, S-5005, to Senate File 2102,  
2 as follows:

- 3 1. By striking page 1, line 2, through page 2,
- 4 line 48.
- 5 2. Page 3, by striking lines 35 through 41.
- 6 3. By renumbering as necessary.

**By BOB BRUNKHORST**

**S-5011 FILED FEBRUARY 17, 2004**

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S-5005

1 Amend Senate File 2102 as follows:

2 1. Page 11, by inserting after line 1, the  
3 following:

4 "Sec. \_\_\_\_\_. Section 262B.1, Code Supplement 2003,  
5 is amended by striking the section and inserting in  
6 lieu thereof the following:

7 262B.1 TITLE.

8 This chapter shall be known and may be cited as the  
9 "University-Based Research and Economic Development  
10 Act".

11 Sec. \_\_\_\_\_. Section 262B.2, Code Supplement 2003, is  
12 amended by striking the section and inserting in lieu  
13 thereof the following:

14 262B.2 LEGISLATIVE INTENT.

15 It is the intent of the general assembly to provide  
16 support for mechanisms for encouraging the  
17 coordination of pure and applied research at the state  
18 board of regents institutions. The purpose is to  
19 maximize and promote the economic benefit which may be  
20 derived from research. This is to be done by  
21 increased coordination with the Iowa department of  
22 economic development and encouragement of the transfer  
23 of research results to the private sector.

24 Sec. \_\_\_\_\_. Section 262B.3, Code Supplement 2003, is  
25 amended by striking the section and inserting in lieu  
26 thereof the following:

27 262B.3 ESTABLISHMENT OF CONSORTIUM.

28 The board of regents or the universities under its  
29 jurisdiction shall establish consortiums for the  
30 purpose of carrying out the intent of this chapter.  
31 The majority of consortium members shall be from the  
32 university community and the balance of members shall  
33 be from private industry. The members of the  
34 consortium shall be appointed by the president of the  
35 convening university and will serve at the pleasure of  
36 the president.

37 Sec. \_\_\_\_\_. NEW SECTION. 262B.4 DUTIES OF THE  
38 CONSORTIUM.

39 1. Each consortium shall assist the university in  
40 efforts to maximize the economic benefits outlined in  
41 section 262B.2. More specifically, it shall assist  
42 the university by making recommendations for:

43 a. The development of strategies and materials  
44 useful in marketing university resources to out-of-  
45 state firms interested in an Iowa site.

46 b. Matching university resources with the needs of  
47 existing Iowa firms.

48 c. Evaluation of university research for  
49 commercial potential.

50 d. The development of a plan that will improve

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Page 2

1 private sector access to the university and the  
2 transfer of technology from the university to the  
3 private sector.

4 2. In order to carry out its objectives, the  
5 consortium shall perform, but is not limited to, the  
6 following tasks:

7 a. Receive and review selected research synopses.

8 b. Disseminate information on research activities  
9 of the university.

10 c. Identify research needs of existing Iowa  
11 businesses and recommend ways in which the university  
12 can meet these needs.

13 d. On a case-by-case basis, suggest business and  
14 financial tactics useful in realizing the commercial  
15 potential of university research projects.

16 e. Provide applied technical referral services, if  
17 appropriate, including but not limited to the  
18 following duties:

19 (1) To determine and evaluate the research or  
20 applied technology needs of businesses and farms  
21 requesting assistance.

22 (2) To recommend technology transfer strategies to  
23 farms for more efficient production of agricultural  
24 commodities, or to businesses for developing and  
25 testing new products, adapting new technologies to  
26 manufacturing processes or methods, conducting  
27 marketing analyses of new products or processes, and  
28 identifying potential financing on new technology-  
29 based products or manufacturing processes.

30 (3) To refer businesses and farmers to  
31 universities, community colleges, small business  
32 development centers, other private businesses, and  
33 other research and technology transfer activities and  
34 programs which are beneficial to the development of  
35 new products and the application of technology.

36 Sec. \_\_\_\_ . Section 262B.5, Code Supplement 2003, is  
37 amended by striking the section and inserting in lieu  
38 thereof the following:

39 262B.5 REGENTS AND DEPARTMENT OF ECONOMIC  
40 DEVELOPMENT.

41 The state board of regents and the Iowa department  
42 of economic development shall enter into an agreement  
43 under chapter 28E to coordinate and facilitate the  
44 activities of the consortiums. The state board of  
45 regents and the Iowa department of economic  
46 development shall report annually to the governor and  
47 the general assembly concerning the activities of the  
48 consortiums."

49 2. Page 25, by inserting after line 31, the  
50 following:

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Page 3

1 "Sec. \_\_\_\_\_. Section 455B.423, subsection 1, Code  
2 2003, is amended to read as follows:

3 1. A hazardous substance remedial fund is created  
4 within the state treasury. Moneys received from fees,  
5 penalties, general revenue, federal funds, gifts,  
6 bequests, donations, or other moneys so designated  
7 shall be deposited in the state treasury to the credit  
8 of the fund. Any unexpended balance in the remedial  
9 fund at the end of each fiscal year shall be retained  
10 in the fund. ~~However, any unexpended balance shall be~~  
11 ~~transferred to the general fund to replace funds~~  
12 ~~appropriated from the general fund during fiscal year~~  
13 ~~1985 and fiscal year 1986 for the purposes for which~~  
14 ~~expenditures from the remedial fund are allowed."~~

15 3. Page 31, by inserting after line 7, the  
16 following:

17 "Sec. \_\_\_\_\_. Section 533C.103, subsection 4, Code  
18 Supplement 2003, is amended to read as follows:

19 4. A The following entities whether chartered or  
20 organized under the laws of a state or of the United  
21 States: a bank, bank holding company, savings and  
22 loan association, savings bank, credit union, office  
23 of an international banking corporation, branch of a  
24 foreign bank, corporation organized pursuant to the  
25 federal Bank Service Company Act, 12 U.S.C. §  
26 1861--1867, or corporation organized under the federal  
27 Edge Act, 12 U.S.C. § 611--633, under the laws of a  
28 state or the United States."

29 4. Page 32, line 34, by striking the word "the"  
30 and inserting the following: "the".

31 5. Page 38, line 17, by striking the word "the"  
32 and inserting the following: "the".

33 6. Page 38, by striking line 18, and inserting  
34 the following: "the Iowa economic".

35 7. Page 39, by inserting after line 4, the  
36 following:

37 "5. The sections of this Act striking and  
38 replacing sections 262B.1 through 262B.3, Code  
39 Supplement 2003, enacting new Code section 262B.4, and  
40 striking and replacing section 262B.5, Code Supplement  
41 2003, take effect June 30, 2010."

42 8. By numbering and renumbering as necessary.

By COMMITTEE ON JUDICIARY

DONALD B. REDFERN, Chairperson

**S-5005** FILED FEBRUARY 11, 2004

Brunkhorst  
Tinsman  
Kreiman

Succeeded By SSB# 3028  
(SF/HF 2102)  
SENATE FILE Judiciary  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON REDFERN)

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

**A BILL FOR**

1 An Act relating to statutory corrections which may adjust  
2 language to reflect current practices, insert earlier  
3 omissions, delete redundancies and inaccuracies, delete  
4 temporary language, resolve inconsistencies and conflicts,  
5 update ongoing provisions, or remove ambiguities, and  
6 including effective and retroactive applicability date  
7 provisions.

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

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1 Section 1. Section 2A.8, Code Supplement 2003, is amended  
2 to read as follows:

3 2A.8 SALES ~~---~~TAX-EXEMPTION AUTHORIZED.

4 ~~±~~ The legislative services agency and its legislative  
5 information office may sell mementos and other items relating  
6 to Iowa history and historic sites, the general assembly, and  
7 the state capitol, on the premises of property under the  
8 control of the legislative council, at the state capitol, and  
9 on other state property.

10 ~~2---The-legislative-services-agency-is-not-a-retailer-under~~  
11 ~~chapter-422-and-the-sale-of-items-or-provision-of-services-by~~  
12 ~~the-legislative-services-agency-is-not-a-retail-sale-under~~  
13 ~~chapter-422, division IV, and is exempt from the sales tax.~~

14 Sec. 2. Section 3.1, subsection 3, Code Supplement 2003,  
15 is amended to read as follows:

16 3. All references to statutes shall be expressed in  
17 numerals, ~~and if omitted the Code editor in preparing Acts for~~  
18 ~~publication in the session laws shall supply the numerals.~~

19 Sec. 3. Section 8A.221, subsection 3, paragraph b, Code  
20 Supplement 2003, is amended to read as follows:

21 b. Members appointed by the governor are subject to  
22 confirmation by the senate and shall serve four-year staggered  
23 terms as designated by the governor. The advisory council  
24 shall annually elect its own chairperson from among the voting  
25 members of the board council. Members appointed by the  
26 governor are subject to the requirements of sections 69.16,  
27 69.16A, and 69.19. Members appointed by the governor shall be  
28 reimbursed for actual and necessary expenses incurred in  
29 performance of their duties. Such members may also be  
30 eligible to receive compensation as provided in section 7E.6.

31 Sec. 4. Section 8A.302, subsection 2, Code Supplement  
32 2003, is amended to read as follows:

33 2. Providing for the proper maintenance of the state  
34 laboratories facility in Ankeny and of the state capitol,  
35 grounds, and equipment, and all other state buildings, and

1 grounds, and equipment at the seat of government, ~~and-of-the~~  
2 ~~state-laboratories-facility-in-Ankeny~~, except those referred  
3 to in section 216B.3, subsection 6.

4 Sec. 5. Section 8A.311, subsection 17, Code Supplement  
5 2003, is amended by striking the subsection.

6 Sec. 6. Section 8A.315, subsection 1, paragraph c, Code  
7 Supplement 2003, is amended to read as follows:

8 c. A minimum of ~~ten-percent-of-the-purchases-of-garbage~~  
9 ~~can-liners-made-by-the-department-shall-be-plastic-garbage-can~~  
10 ~~liners-with-recycled-content---~~The percentage shall increase  
11 ~~by-ten-percent-annually-until~~ fifty percent of the purchases  
12 of garbage can liners are made by the department shall be  
13 plastic garbage can liners with recycled content.

14 Sec. 7. Section 8A.321, subsection 1, Code Supplement  
15 2003, is amended to read as follows:

16 1. Provide for supervision over the custodians and other  
17 employees of the department in and about the state  
18 laboratories facility in Ankeny and in and about the capitol  
19 and other state buildings, ~~and-the-state-laboratories-facility~~  
20 ~~in-Ankeny~~ at the seat of government, except the buildings and  
21 grounds referred to in section 216B.3, subsection 6 ~~at-the~~  
22 ~~seat-of-government~~.

23 Sec. 8. Section 8A.322, subsection 1, Code Supplement  
24 2003, is amended to read as follows:

25 1. The director shall provide necessary lighting, fuel,  
26 and water services for the state laboratories facility in  
27 Ankeny and for the state buildings and grounds located at the  
28 seat of government, ~~and-for-the-state-laboratories-facility-in~~  
29 ~~Ankeny~~, except the buildings and grounds referred to in  
30 section 216B.3, subsection 6.

31 Sec. 9. Section 8A.412, subsection 5, Code Supplement  
32 2003, is amended to read as follows:

33 5. All presidents, deans, directors, teachers,  
34 professional and scientific personnel, and student employees  
35 under the jurisdiction of the state board of regents. The

1 state board of regents shall adopt rules not inconsistent with  
2 the objectives of this ~~chapter~~ subchapter for all of its  
3 employees not cited specifically in this subsection. The  
4 rules are subject to approval by the director. If at any time  
5 the director determines that the state board of regents merit  
6 system rules do not comply with the intent of this ~~chapter~~  
7 subchapter, the director may direct the board to correct the  
8 rules. The rules of the board are not in compliance until the  
9 corrections are made.

10 Sec. 10. Section 10C.1, subsections 2 and 8, Code  
11 Supplement 2003, are amended to read as follows:

12 2. "Agricultural commodity" ~~means the same as defined in~~  
13 ~~section 190C.1~~ includes but is not limited to livestock,  
14 crops, fiber, or food, such as vegetables, nuts, seeds, honey,  
15 eggs, or milk existing in an unprocessed state, which is  
16 produced on a farm and marketed for human or livestock  
17 consumption.

18 8. "Life science by-product" means a an agricultural  
19 commodity, other than a life science product, if the  
20 agricultural commodity derives from the production of a life  
21 science product and the agricultural commodity is not intended  
22 or used for human consumption.

23 Sec. 11. Section 12B.3, Code Supplement 2003, is amended  
24 to read as follows:

25 12B.3 DISCOUNTING WARRANTS.

26 If the treasurer of state or any county treasurer,  
27 personally or through another, discounts the director of  
28 ~~revenue's~~ the department of administrative services' or  
29 auditor's warrants, either directly or indirectly, the  
30 treasurer shall be guilty of a serious misdemeanor.

31 Sec. 12. Section 15.313, subsection 1, paragraph b,  
32 unnumbered paragraph 1, Code Supplement 2003, is amended to  
33 read as follows:

34 All unencumbered and unobligated funds from the targeted  
35 small business financial assistance program, the

1 ~~microenterprise-development-revolving-fund~~, financing rural  
 2 economic development or successor loan program, and the value-  
 3 added agricultural products and processes financial assistance  
 4 fund remaining on June 30, 1992, and all repayments of loans  
 5 or other awards or recaptures of awards made under these  
 6 programs.

7 Sec. 13. Section 23A.2, subsection 10, paragraph p, Code  
 8 Supplement 2003, is amended by striking the paragraph.

9 Sec. 14. Section 68A.602, Code Supplement 2003, is amended  
 10 to read as follows:

11 68A.602 FUND CREATED.

12 The "Iowa election campaign fund" is created within the  
 13 office of the treasurer of state. The fund shall consist of  
 14 funds paid by persons as provided in section 68A.601. The  
 15 treasurer of state shall maintain within the fund a separate  
 16 account for each political party as defined in section 43.2.  
 17 The director of revenue shall remit funds collected as  
 18 provided in section 68A.601 to the treasurer of state who  
 19 shall deposit such funds in the appropriate account within the  
 20 Iowa election campaign fund. All contributions directed to  
 21 the Iowa election campaign fund by taxpayers who do not  
 22 designate any one political party to receive their  
 23 contributions shall be divided by the director of revenue  
 24 equally among each account currently maintained in the fund.  
 25 However, at any time when more than two accounts are being  
 26 maintained within the fund contributions to the fund by  
 27 taxpayers who do not designate any one political party to  
 28 receive their contributions shall be divided among the  
 29 accounts in the same proportion as the number of registered  
 30 voters declaring affiliation with each political party for  
 31 which an account is maintained bears to the total number of  
 32 registered voters who have declared an affiliation with a  
 33 political party. Any interest income received by the  
 34 treasurer of state from investment of moneys deposited in the  
 35 fund shall be deposited in the Iowa election campaign fund.

1 Such funds shall be subject to payment to the chairperson of  
2 the specified political party as authorized by the director of  
3 revenue on warrants issued by the director of revenue the  
4 department of administrative services in the manner provided  
5 by section 68A.605.

6 Sec. 15. Section 97A.8, subsection 1, paragraph i,  
7 subparagraph (1), Code Supplement 2003, is amended to read as  
8 follows:

9 (1) Notwithstanding paragraph "g" or other provisions of  
10 this chapter, beginning January 1, 1995, for federal income  
11 tax purposes, and beginning January 1, 1999, for state income  
12 tax purposes, member contributions required under paragraph  
13 "f" or "h" which are picked up by the department shall be  
14 considered employer contributions for federal and state income  
15 tax purposes, and the department shall pick up the member  
16 contributions to be made under paragraph "f" or "h" by its  
17 employees. The department shall pick up these contributions  
18 by reducing the salary of each of its employees covered by  
19 this chapter by the amount which each employee is required to  
20 contribute under paragraph "f" or "h" and shall certify the  
21 amount picked up in lieu of the member contributions to the  
22 department of revenue administrative services. The department  
23 of revenue administrative services shall forward the amount of  
24 the contributions picked up to the board of trustees for  
25 recording and deposit in the pension accumulation fund.

26 Sec. 16. Section 97B.50, subsection 2, paragraph c, Code  
27 Supplement 2003, is amended to read as follows:

28 c. A vested member who terminated service due to a  
29 disability, who has been issued payment for a refund pursuant  
30 to section 97B.53, and who subsequently commences receiving  
31 disability benefits as a result of that disability pursuant to  
32 the federal Social Security Act, 42 U.S.C. § 423 et seq. or  
33 the federal Railroad Retirement Act, 45 U.S.C. § 231 et seq.,  
34 may receive credit for membership service for the period  
35 covered by the refund payment, upon repayment to the system of

1 the actuarial cost of receiving service credit for the period  
 2 covered by the refund payment, as determined by the system.  
 3 For purposes of this paragraph, the actuarial cost of the  
 4 service purchase shall be determined as provided in section  
 5 97B.74. The payment to the system as provided in this  
 6 paragraph shall be made within ninety days after July 1, 2000,  
 7 or the date federal disability payments commenced, whichever  
 8 occurs later. For purposes of this paragraph, the date  
 9 federal disability payments commence shall be the date that  
 10 the member actually receives the first such payment,  
 11 regardless of any retroactive payments included in that  
 12 payment. A member who repurchases service credit under this  
 13 paragraph and applies for retirement benefits shall have the  
 14 member's monthly allowance, including retroactive adjustment  
 15 payments, determined in the same manner as provided in  
 16 paragraph "a" or "b", as applicable. ~~This paragraph shall not~~  
 17 ~~be implemented until the system has received a determination~~  
 18 ~~letter from the federal internal revenue service approving the~~  
 19 ~~system's plan's qualified status under Internal Revenue Code~~  
 20 ~~section 401(a).~~

21 Sec. 17. Section 97B.50A, subsection 10, paragraph a,  
 22 subparagraphs (1) and (2), Code Supplement 2003, are amended  
 23 to read as follows:

24 (1) The system shall be indemnified out of the recovery of  
 25 damages to the extent of benefit payments made by the  
 26 retirement system, with legal interest, except that the  
 27 plaintiff member's attorney fees may be first allowed by the  
 28 district court.

29 (2) The system has a lien on the damage claim against the  
 30 third party and on any judgment on the damage claim for  
 31 benefits for which the retirement system is liable. In order  
 32 to continue and preserve the lien, the system shall file a  
 33 notice of the lien within thirty days after receiving a copy  
 34 of the original notice in the office of the clerk of the  
 35 district court in which the action is filed.

1 Sec. 18. Section 97B.50A, subsection 10, paragraph b,  
2 subparagraphs (1) and (2), Code Supplement 2003, are amended  
3 to read as follows:

4 (1) A sum sufficient to repay the system for the amount of  
5 such benefits actually paid by the retirement system up to the  
6 time of the entering of the judgment.

7 (2) A sum sufficient to pay the system the present worth,  
8 computed at the interest rate provided in section 535.3 for  
9 court judgments and decrees, of the future payments of such  
10 benefits for which the retirement system is liable, but the  
11 sum is not a final adjudication of the future payment which  
12 the member is entitled to receive.

13 Sec. 19. Section 99G.8, subsection 11, Code Supplement  
14 2003, is amended to read as follows:

15 11. The board shall meet at least quarterly and at such  
16 other times upon call of the chairperson or the president  
17 chief executive officer. Notice of the time and place of each  
18 board meeting shall be given to each member. The board shall  
19 also meet upon call of three or more of the board members.  
20 The board shall keep accurate and complete records of all its  
21 meetings.

22 Sec. 20. Section 99G.31, subsection 1, Code Supplement  
23 2003, is amended to read as follows:

24 1. The chief executive officer shall award the designated  
25 prize to the holder of the ticket or shareholder share upon  
26 presentation of the winning ticket or confirmation of a  
27 winning share. The prize shall be given to only one person as  
28 provided in this section; however, a prize shall be divided  
29 between holders of winning tickets if there is more than one  
30 winning ticket.

31 Sec. 21. Section 99G.34, subsection 8, Code Supplement  
32 2003, is amended to read as follows:

33 8. Information that is otherwise confidential obtained  
34 pursuant to investigations as provided in section 99G.35.

35 Sec. 22. Section 147.107, subsection 7, Code Supplement

1 2003, is amended by striking the subsection.

2 Sec. 23. Section 148C.1, subsection 4, Code Supplement  
3 2003, is amended to read as follows:

4 4. "Licensed physician assistant" means a person who is  
5 licensed by the board to practice as a physician assistant  
6 under the supervision of one or more physicians ~~specified in~~  
7 ~~the license~~. "Supervision" does not require the personal  
8 presence of the supervising physician at the place where  
9 medical services are rendered except insofar as the personal  
10 presence is expressly required by this chapter or required by  
11 rules of the board adopted pursuant to this chapter.

12 Sec. 24. Section 148C.3, subsection 2, Code Supplement  
13 2003, is amended to read as follows:

14 2. Rules shall be adopted by the board pursuant to this  
15 chapter requiring a licensed physician assistant to be  
16 supervised by physicians. The rules shall provide that not  
17 more than two physician assistants shall be supervised by a  
18 physician at one time. The rules shall also provide that a  
19 physician assistant shall notify the board of the identity of  
20 ~~their~~ the physician assistant's supervising physician, and of  
21 any change in the status of the supervisory relationship.

22 Sec. 25. Section 159.34, subsection 1, Code Supplement  
23 2003, is amended to read as follows:

24 1. A contract executed under this subchapter may require  
25 that a depositary provide for the receipt, acceptance, and  
26 storage of filing documents that are sent in an electronic  
27 format to the depositary by persons who would otherwise be  
28 required to submit filing documents to the department under  
29 other provisions of this title. The contract shall be  
30 governed under the same provisions as provided in section  
31 ~~14B-202~~ 8A.106.

32 Sec. 26. Section 161C.7, subsection 1, Code Supplement  
33 2003, is amended by striking the subsection.

34 Sec. 27. Section 163.30, subsection 2, paragraph a, Code  
35 Supplement 2003, is amended to read as follows:



1 a. "Dealer" means any person who is engaged in the  
2 business of buying for resale, or selling, or exchanging swine  
3 as a principal or agent or who claims to be so engaged, but  
4 does not include the owner or operator of a farm who does not  
5 claim to be so engaged, and who sells or exchanges only those  
6 swine which have been kept by the person solely for feeding or  
7 breeding purposes.

8 Sec. 28. Section 232.95, subsection 2, Code 2003, is  
9 amended by adding the following new paragraphs:

10 NEW PARAGRAPH. b. Release the child to the child's  
11 parent, guardian, or custodian pending a final order of  
12 disposition.

13 NEW PARAGRAPH. c. Authorize a physician or hospital to  
14 provide medical or surgical procedures if such procedures are  
15 necessary to safeguard the child's life or health.

16 Sec. 29. Section 232B.10, subsection 1, Code Supplement  
17 2003, is amended to read as follows:

18 1. For the purposes of this ~~section~~ chapter, unless the  
19 context otherwise requires, a "qualified expert witness" may  
20 include, but is not limited to, a social worker, sociologist,  
21 physician, psychologist, traditional tribal therapist and  
22 healer, spiritual leader, historian, or elder.

23 Sec. 30. Section 257.26, Code Supplement 2003, is amended  
24 to read as follows:

25 257.26 INSTRUCTIONAL SUPPORT INCOME SURTAX DISTRIBUTION.

26 The director of ~~revenue~~ the department of administrative  
27 services shall draw warrants in payment of the amount of  
28 instructional support surtax in the manner provided in section  
29 298.14.

30 Sec. 31. Section 260G.4B, subsection 1, Code Supplement  
31 2003, is amended to read as follows:

32 1. The total amount of program job credits from all  
33 employers which shall be allocated for all accelerated career  
34 education programs in the state in any one fiscal year shall  
35 not exceed the sum of three million dollars in the fiscal year

1 beginning July 1, 2000, three million dollars in the fiscal  
2 year beginning July 1, 2001, three million dollars in the  
3 fiscal year beginning July 1, 2002, four million dollars in  
4 the fiscal year beginning July 1, 2003, and six million  
5 dollars in the fiscal year beginning July 1, 2004, and every  
6 fiscal year thereafter. Any increase in program job credits  
7 above the six-million-dollar limitation per fiscal year shall  
8 be developed, based on recommendations in a study ~~which shall~~  
9 ~~be conducted by the department of economic development,~~  
10 pursuant to this section, Code Supplement 2003, of the needs  
11 and performance of approved programs in the fiscal years  
12 beginning July 1, 2000, and July 1, 2001. ~~The study's~~  
13 ~~findings and recommendations shall be submitted to the general~~  
14 ~~assembly by the department by December 31, 2002. The study~~  
15 ~~shall include but not be limited to an examination of the~~  
16 ~~quality of the programs, the number of program participant~~  
17 ~~placements, the wages and benefits in program jobs, the level~~  
18 ~~of employer contributions, the size of participating~~  
19 ~~employers, and employer locations.~~ A community college shall  
20 file a copy of each agreement with the department of economic  
21 development. The department shall maintain an annual record  
22 of the proposed program job credits under each agreement for  
23 each fiscal year. Upon receiving a copy of an agreement, the  
24 department shall allocate any available amount of program job  
25 credits to the community college according to the agreement  
26 sufficient for the fiscal year and for the term of the  
27 agreement. When the total available program job credits are  
28 allocated for a fiscal year, the department shall notify all  
29 community colleges that the maximum amount has been allocated  
30 and that further program job credits will not be available for  
31 the remainder of the fiscal year. Once program job credits  
32 have been allocated to a community college, the full  
33 allocation shall be received by the community college  
34 throughout the fiscal year and for the term of the agreement  
35 even if the statewide program job credit maximum amount is

1 subsequently allocated and used.

2 Sec. 32. Section 282.33, subsection 1, Code Supplement  
3 2003, is amended to read as follows:

4 1. A child who resides in an institution for children  
5 under the jurisdiction of the director of human services  
6 referred to in section 218.1, subsection 3, 5, 7, or 8, and  
7 who is not enrolled in the educational program of the district  
8 of residence of the child, shall receive appropriate  
9 educational services. The institution in which the child  
10 resides shall submit a proposed program and budget based on  
11 the average daily attendance of the children residing in the  
12 institution to the department of education and the department  
13 of human services by January 1 for the next succeeding school  
14 year. The department of education shall review and approve or  
15 modify the proposed program and budget and shall notify the  
16 department of revenue administrative services of its action by  
17 February 1. The department of revenue administrative services  
18 shall pay the approved budget amount to the department of  
19 human services in monthly installments beginning September 15  
20 and ending June 15 of the next succeeding school year. The  
21 installments shall be as nearly equal as possible as  
22 determined by the department of revenue administrative  
23 services, taking into consideration the relative budget and  
24 cash position of the state's resources. The department of  
25 revenue administrative services shall pay the approved budget  
26 amount for the department of human services from the moneys  
27 appropriated under section 257.16 and the department of human  
28 services shall distribute the payment to the institution. The  
29 institution shall submit an accounting for the actual cost of  
30 the program to the department of education by August 1 of the  
31 following school year. The department shall review and  
32 approve or modify all expenditures incurred in compliance with  
33 the guidelines adopted pursuant to section 256.7, subsection  
34 10, and shall notify the department of revenue administrative  
35 services of the approved accounting amount. The approved

1 accounting amount shall be compared with any amounts paid by  
 2 the department of revenue administrative services to the  
 3 department of human services and any differences added to or  
 4 subtracted from the October payment made under this subsection  
 5 for the next school year. Any amount paid by the department  
 6 of revenue administrative services shall be deducted monthly  
 7 from the state foundation aid paid under section 257.16 to all  
 8 school districts in the state during the subsequent fiscal  
 9 year. The portion of the total amount of the approved budget  
 10 that shall be deducted from the state aid of a school district  
 11 shall be the same as the ratio that the budget enrollment for  
 12 the budget year of the school district bears to the total  
 13 budget enrollment in the state for that budget year in which  
 14 the deduction is made.

15 Sec. 33. Section 301.1, subsection 2, Code Supplement  
 16 2003, is amended to read as follows:

17 2. Textbooks adopted and purchased by a school district  
 18 shall, to the extent funds are appropriated by the general  
 19 assembly, be made available to pupils attending accredited  
 20 nonpublic schools upon request of the pupil or the pupil's  
 21 parent under comparable terms as made available to pupils  
 22 attending public schools. If the general assembly  
 23 appropriates moneys for purposes of making textbooks available  
 24 to accredited nonpublic school pupils, the department of  
 25 education shall ascertain the amount available to a school  
 26 district for the purchase of nonsectarian, nonreligious  
 27 textbooks for pupils attending accredited nonpublic schools.  
 28 The amount shall be in the proportion that the basic  
 29 enrollment of a participating accredited nonpublic school  
 30 bears to the sum of the basic enrollments of all participating  
 31 accredited nonpublic schools in the state for the budget year.  
 32 For purposes of this section, a "participating accredited  
 33 nonpublic school" means an accredited nonpublic school that  
 34 submits a written request on behalf of the school's pupils in  
 35 accordance with this subsection, and that certifies its actual

1 enrollment to the department of education by October 1,  
2 annually. By October 15, annually, the department of  
3 education shall certify to the director of revenue the  
4 department of administrative services the annual amount to be  
5 paid to each school district, and the director of revenue the  
6 department of administrative services shall draw warrants  
7 payable to school districts in accordance with this  
8 subsection. For purposes of this subsection, an accredited  
9 nonpublic school's enrollment count shall include only  
10 students who are residents of Iowa. The costs of providing  
11 textbooks to accredited nonpublic school pupils as provided in  
12 this subsection shall not be included in the computation of  
13 district cost under chapter 257, but shall be shown in the  
14 budget as an expense from miscellaneous income. Textbook  
15 expenditures made in accordance with this subsection shall be  
16 kept on file in the school district.

17 Sec. 34. Section 304A.29, Code Supplement 2003, is amended  
18 to read as follows:

19 304A.29 CLAIMS.

20 1. Claims for losses covered by indemnity agreements under  
21 this division shall be submitted to the department of  
22 administrative services which shall review the claims. If the  
23 department determines that the loss is covered by the  
24 agreement, the department shall certify the validity of the  
25 claim, and authorize payment of the amount of loss, less any  
26 deductible portion, to the lender, and issue a warrant for  
27 payment of the claim from the state general fund out of any  
28 funds not otherwise appropriated.

29 2. The department shall prescribe rules providing for  
30 prompt adjustment of valid claims. The rules shall include  
31 provisions for the employment of consultants and for the  
32 arbitration of issues relating to the dollar value of damages  
33 involving less than total loss or destruction of covered  
34 items.

35 ~~3.--The authorization for payment shall be forwarded to the~~

1 ~~director-of-the-department-of-administrative-services, who~~  
2 ~~shall-issue-a-warrant-for-payment-of-the-claim-from-the-state~~  
3 ~~general-fund-out-of-any-funds-not-otherwise-appropriated.~~

4 Sec. 35. Section 321.91, subsection 2, Code 2003, is  
5 amended to read as follows:

6 2. A person ~~convicted-of-a-violation-of-this-section~~ who  
7 abandons a vehicle is guilty of a simple misdemeanor  
8 punishable as a scheduled violation under section 805.8A,  
9 subsection 14, paragraph "b".

10 Sec. 36. Section 321.210B, Code Supplement 2003, is  
11 amended to read as follows:

12 321.210B NONRENEWAL OR SUSPENSION FOR FAILURE TO PAY  
13 INDEBTEDNESS OWED TO THE STATE.

14 The department shall suspend or refuse to renew the  
15 driver's license of a person who has a delinquent account owed  
16 to the state according to records provided by the department  
17 of revenue pursuant to section 421.17. A license shall be  
18 suspended or shall not be renewed until such time as the  
19 department of ~~administrative-services~~ revenue notifies the  
20 state department of transportation that the licensee has made  
21 arrangements for payment of the debt with the agency which is  
22 owed or is collecting the debt. This section is only  
23 applicable to those persons residing in a county which is  
24 participating in the driver's license indebtedness clearance  
25 pilot project.

26 Sec. 37. Section 331.304, subsection 10, Code 2003, is  
27 amended to read as follows:

28 10. A county shall not adopt or enforce any ordinance  
29 imposing any registration or licensing system or registration  
30 or license fees for owner-occupied manufactured or mobile  
31 homes including the lots or lands upon which they are located.  
32 A county shall not adopt or enforce any ordinance imposing  
33 any registration or licensing system, or registration or  
34 license fees, or safety or sanitary standards for rental  
35 manufactured or mobile homes unless similar registration or

1 licensing system, or registration or license fees, or safety  
2 or sanitary standards are required for other rental properties  
3 intended for human habitation. This subsection does not  
4 preclude the investigation and abatement of a nuisance or the  
5 enforcement of a tiedown system, or the enforcement of any  
6 regulations of the state or local board of health if those  
7 regulations apply to other rental properties or to owner-  
8 occupied housing intended for human habitation.

9 Sec. 38. Section 331.559, subsection 1, Code Supplement  
10 2003, is amended to read as follows:

11 1. Determine and collect taxes on mobile homes and  
12 manufactured homes as provided in sections 435.22 to 435.26.

13 Sec. 39. Section 331.602, subsection 29, Code Supplement  
14 2003, is amended to read as follows:

15 29. ~~Register~~ Record the name and description of a farm as  
16 provided in sections 557.22 to 557.26.

17 Sec. 40. Section 331.756, subsection 63, Code Supplement  
18 2003, is amended to read as follows:

19 63. Present to the grand jury at its next session a copy  
20 of the report filed by the ~~division~~ department of corrections  
21 ~~of-the-department-of-human-services~~ of its inspection of the  
22 jails in the county as provided in section 356.43.

23 Sec. 41. Section 356.7, subsection 1, Code Supplement  
24 2003, is amended to read as follows:

25 1. The county sheriff, or a municipality operating a  
26 temporary municipal holding facility or jail, may charge a  
27 prisoner who is eighteen years of age or older and who has  
28 been convicted of a criminal offense or sentenced for contempt  
29 of court for violation of a domestic abuse order for the  
30 actual administrative costs relating to the arrest and booking  
31 of that prisoner, and for room and board provided to the  
32 prisoner while in the custody of the county sheriff or  
33 municipality. Moneys collected by the sheriff or municipality  
34 under this section shall be credited respectively to the  
35 county general fund or the city general fund and distributed

1 as provided in this section. If a prisoner who has been  
 2 convicted of a criminal offense or sentenced for contempt of  
 3 court for violation of a domestic abuse order fails to pay for  
 4 the administrative costs and the room and board, the sheriff  
 5 or municipality may file a ~~room-and-board~~ reimbursement claim  
 6 with the district court as provided in subsection 2. The  
 7 county attorney may file the reimbursement claim on behalf of  
 8 the sheriff and the county or the municipality. The attorney  
 9 for the municipality may also file a reimbursement claim on  
 10 behalf of the municipality. This section does not apply to  
 11 prisoners who are paying for their room and board by court  
 12 order pursuant to sections 356.26 through 356.35.

13 Sec. 42. Section 368.4, Code Supplement 2003, is amended  
 14 to read as follows:

15 368.4 ANNEXING MORATORIUM.

16 A city, following notice and hearing, may by resolution  
 17 agree with another city or cities to refrain from annexing  
 18 specifically described territory for a period not to exceed  
 19 ten years and, following notice and hearing, may by resolution  
 20 extend the agreement for subsequent periods not to exceed ten  
 21 years each. Notice of a hearing shall be served by regular  
 22 mail at least thirty days before the hearing on the city  
 23 development board and on the board of supervisors of the  
 24 county in which the territory is located and shall be  
 25 published in an official county newspaper in each county  
 26 containing a city conducting a hearing regarding the  
 27 agreement, in an official county newspaper in any county  
 28 within two miles of any such city, and in an official  
 29 newspaper of each city conducting a hearing regarding the  
 30 agreement. The notice shall include the time and place of the  
 31 hearing, describe the territory subject to the proposed  
 32 agreement, and the general terms of the agreement. After  
 33 passage of a resolution by the cities approving the  
 34 agreements, a copy of the agreement and a copy of any  
 35 resolution extending an agreement shall be filed with the city



1 development board within ten days of enactment. If such an  
2 agreement is in force, the board shall dismiss a petition or  
3 plan which violates the terms of the agreement.

4 Sec. 43. Section 368.26, unnumbered paragraph 3, Code  
5 Supplement 2003, is amended to read as follows:

6 For the purposes of this section, "protected farmland"  
7 means land that is part of a century farm as that term is  
8 defined in section 403.17, subsection 10. "County For the  
9 purposes of this section, "county legislation" means any  
10 ordinance, motion, resolution, or amendment adopted by a  
11 county pursuant to section 331.302.

12 Sec. 44. Section 372.4, subsection 3, Code Supplement  
13 2003, is amended to read as follows:

14 3. In a city having a population of **between** five hundred  
15 **and or more, but not more than** five thousand, the city council  
16 may, or shall upon petition of the electorate meeting the  
17 numerical requirements of section 372.2, subsection 1, submit  
18 a proposal at the next regular or special city election to  
19 reduce the number of council members to three. If a majority  
20 of the voters voting on the proposal approves it, the proposal  
21 is adopted. If the proposal is adopted, the new council shall  
22 be elected at the next regular or special city election. The  
23 council shall determine by ordinance whether the three council  
24 members are elected at large or by ward.

25 Sec. 45. Section 422.12D, subsection 4, Code Supplement  
26 2003, is amended to read as follows:

27 4. The department shall adopt rules to implement this  
28 section. However, before a checkoff pursuant to this section  
29 shall be permitted, all liabilities on the books of the  
30 department of revenue administrative services and accounts  
31 identified as owing under section ~~421-17~~ 8A.504 and the  
32 political contribution allowed under section 68A.601 shall be  
33 satisfied.

34 Sec. 46. Section 422.16, subsection 9, Code Supplement  
35 2003, is amended to read as follows:

1 9. The amount of any overpayment of the individual income  
2 tax liability of the employee taxpayer, nonresident, or other  
3 person which may result from the withholding and payment of  
4 withheld tax by the employer or withholding agent to the  
5 department under subsections 1 and 12, as compared to the  
6 individual income tax liability of the employee taxpayer,  
7 nonresident, or other person properly and correctly determined  
8 under the provisions of section 422.4, to and including  
9 section 422.25, may be credited against any income tax or  
10 installment thereof then due the state of Iowa and any balance  
11 of one dollar or more shall be refunded to the employee  
12 taxpayer, nonresident or other person with interest at the  
13 rate in effect under section 421.7 for each month or fraction  
14 of a month, the interest to begin to accrue on the first day  
15 of the second calendar month following the date the return was  
16 due to be filed or was filed, whichever is the later date.  
17 Amounts less than one dollar shall be refunded to the  
18 taxpayer, nonresident, or other person only upon written  
19 application, in accordance with section 422.73, and only if  
20 the application is filed within twelve months after the due  
21 date of the return. Refunds in the amount of one dollar or  
22 more provided for by this subsection shall be paid by the  
23 treasurer of state by warrants drawn by the director of  
24 revenue the department of administrative services, or an  
25 authorized employee of the department, and the taxpayer's  
26 return of income shall constitute a claim for refund for this  
27 purpose, except in respect to amounts of less than one dollar.  
28 There is appropriated, out of any funds in the state treasury  
29 not otherwise appropriated, a sum sufficient to carry out the  
30 provisions of this subsection.

31 Sec. 47. Section 422.35, subsection 18, Code Supplement  
32 2003, is amended to read as follows:

33 18. Add, to the extent not already included, income from  
34 the sale of obligations of the state and its political  
35 divisions subdivisions. Income from the sale of these

1 obligations is exempt from the taxes imposed by this division  
2 only if the law authorizing these obligations specifically  
3 exempts the income from the sale from the state corporate  
4 income tax.

5 Sec. 48. Section 422.70, subsection 3, Code 2003, is  
6 amended to read as follows:

7 3. The fees and mileage to be paid witnesses and charged  
8 as costs shall be the same as prescribed by law in proceedings  
9 in the district court of this state in civil cases. All costs  
10 shall be charged in the manner provided by law in proceedings  
11 in civil cases. If the costs are charged to the taxpayer they  
12 shall be added to the taxes assessed against the taxpayer and  
13 shall be collected in the same manner. Costs charged to the  
14 state shall be certified by the director who and the  
15 department of administrative services shall issue warrants on  
16 the state treasurer for the amount of the costs, to be paid  
17 out of the proceeds of the taxes collected under this chapter.

18 Sec. 49. Section 425.23, subsection 3, paragraph a, Code  
19 Supplement 2003, is amended to read as follows:

20 a. A person who is eligible to file a claim for credit for  
21 property taxes due and who has a household income of eight  
22 thousand five hundred dollars or less and who has an unpaid  
23 special assessment levied against the homestead may file a  
24 claim for a special assessment credit with the county  
25 treasurer. The department shall provide to the respective  
26 treasurers the forms necessary for the administration of this  
27 subsection. The claim shall be filed not later than September  
28 30 of each year. Upon the filing of the claim, interest for  
29 late payment shall not accrue against the amount of the unpaid  
30 special assessment due and payable. The claim filed by the  
31 claimant constitutes a claim for credit of an amount equal to  
32 the actual amount due upon the unpaid special assessment, plus  
33 interest, payable during the fiscal year for which the claim  
34 is filed against the homestead of the claimant. However,  
35 where the claimant is an individual described in section

1 425.17, subsection 2, paragraph "b", and the tentative credit  
 2 is determined according to the schedule in subsection 1,  
 3 paragraph "b", subparagraph (2), of this section, the claim  
 4 filed constitutes a claim for credit of an amount equal to  
 5 one-half of the actual amount due and payable during the  
 6 fiscal year. The treasurer shall certify to the director of  
 7 revenue not later than October 15 of each year the total  
 8 amount of dollars due for claims allowed. The amount of  
 9 reimbursement due each county shall be certified by the  
 10 director of revenue and paid by the director of revenue the  
 11 department of administrative services by November 15 of each  
 12 year, drawn upon warrants payable to the respective treasurer.  
 13 There is appropriated annually from the general fund of the  
 14 state to the department of revenue an amount sufficient to  
 15 carry out the provisions of this subsection. The treasurer  
 16 shall credit any moneys received from the department against  
 17 the amount of the unpaid special assessment due and payable on  
 18 the homestead of the claimant.

19 Sec. 50. Section 425A.6, Code Supplement 2003, is amended  
 20 to read as follows:

21 425A.6 WARRANTS DRAWN AUTHORIZED BY DIRECTOR -- PRORATION.

22 After receiving from the county auditors the certifications  
 23 provided for in section 425A.5, and during the following  
 24 fiscal year, the director of revenue shall authorize the  
 25 department of administrative services to draw warrants on the  
 26 family farm tax credit fund created in section 425A.1, payable  
 27 to the county treasurers in the amount certified by the county  
 28 auditors of the respective counties and mail the warrants to  
 29 the county auditors on June 1 of each year taking into  
 30 consideration the relative budget and cash position of the  
 31 state resources. However, if the family farm tax credit fund  
 32 is insufficient to pay in full the total of the amounts  
 33 certified to the director of revenue, the director shall  
 34 prorate the fund to the county treasurers and shall notify the  
 35 county auditors of the pro rata percentage on or before June

1 1.

2 Sec. 51. Section 425A.7, Code Supplement 2003, is amended  
3 to read as follows:

4 425A.7 APPORTIONMENT BY AUDITOR.

5 Upon receiving the pro rata percentage from the director of  
6 revenue, the county auditor shall determine the amount to be  
7 credited to each tract of agricultural land, and shall enter  
8 upon tax lists as a credit against the tax levied on each  
9 tract of agricultural land on which there has been made an  
10 allowance of credit before delivering the tax lists to the  
11 county treasurer. Upon receipt of the ~~director's~~ warrant by  
12 the county auditor, the auditor shall deliver the warrant to  
13 the county treasurer for apportionment. The county treasurer  
14 shall show on each tax receipt the amount of tax credit for  
15 each tract of agricultural land. In case of change of  
16 ownership the credit shall follow the title.

17 Sec. 52. Section 426.7, Code Supplement 2003, is amended  
18 to read as follows:

19 426.7 WARRANTS ~~DRAWN~~ AUTHORIZED BY DIRECTOR.

20 After receiving from the county auditors the certifications  
21 provided for in section 426.6, and during the following fiscal  
22 year, the director of revenue shall authorize the department  
23 of administrative services to draw warrants on the  
24 agricultural land credit fund created in section 426.1,  
25 payable to the county treasurers in the amount certified by  
26 the county auditors of the respective counties and mail the  
27 warrants to the county auditors on July 15 of each year taking  
28 into consideration the relative budget and cash position of  
29 the state resources. However, if the agricultural land credit  
30 fund is insufficient to pay in full the total of the amounts  
31 certified to the director of revenue, the director shall  
32 prorate the fund to the county treasurers and notify the  
33 county auditors of the pro rata percentage on or before June  
34 15.

35 Sec. 53. Section 426.8, Code Supplement 2003, is amended

1 to read as follows:

2 426.8 APPORTIONMENT BY AUDITOR.

3 Upon receiving the pro rata percentage from the director of  
4 revenue, the county auditor shall determine the amount to be  
5 credited to each tract of agricultural land, and shall enter  
6 upon tax lists as a credit against the tax levied on each  
7 tract of agricultural land on which there has been made an  
8 allowance of credit before delivering said tax lists to the  
9 county treasurer. Upon receipt of the ~~director's~~ warrant by  
10 the county auditor, the auditor shall deliver said warrant to  
11 the county treasurer for apportionment. The county treasurer  
12 shall show on each tax receipt the amount of tax credit for  
13 each tract of agricultural land. In case of change of  
14 ownership the credit shall follow the title.

15 Sec. 54. Section 426A.4, Code Supplement 2003, is amended  
16 to read as follows:

17 426A.4 CERTIFICATION BY DIRECTOR OF REVENUE.

18 Sums distributable from the general fund of the state shall  
19 be allocated annually to the counties of the state. On  
20 September 15 annually the director of revenue shall certify  
21 and the department of administrative services shall draw  
22 warrants to the treasurer of each county payable from the  
23 general fund of the state in the amount claimed. Payments  
24 shall be made to the treasurer of each county not later than  
25 September 30 of each year.

26 Sec. 55. Section 434.22, Code Supplement 2003, is amended  
27 to read as follows:

28 434.22 LEVY AND COLLECTION OF TAX.

29 At the first meeting of the board of supervisors held after  
30 said statement is received by the county auditor, ~~it~~ the board  
31 shall cause the same to be entered on its minute book, and  
32 make and enter ~~therein~~ in the minute book an order stating the  
33 length of the main track and the assessed value of each  
34 railway lying in each city, township, or lesser taxing  
35 district in its county, through or into which ~~said~~ the railway

1 extends, as fixed by the director of revenue, which shall  
2 constitute the taxable value of said the property for taxing  
3 purposes; and the taxes on said the property, when collected  
4 by the county treasurer, shall be disposed of as other taxes.  
5 The county auditor shall transmit a copy of said the order to  
6 the council or trustees of the city or township.

7 Sec. 56. Section 437.10, Code Supplement 2003, is amended  
8 to read as follows:

9 437.10 ENTRY OF CERTIFICATE.

10 At the first meeting of the board of supervisors held after  
11 said statements are received by the county auditor, ~~it~~ the  
12 board shall cause such statement to be entered in its minute  
13 book and make and enter ~~therein~~ in the minute book an order  
14 stating the length of the lines and the assessed value of the  
15 property of each of said the companies situated in each  
16 township or lesser taxing district in each county outside  
17 cities, as fixed by the director of revenue, which shall  
18 constitute the taxable value of said the property for taxing  
19 purposes. The county auditor shall transmit a copy of said  
20 the order to the trustees of each township and to the proper  
21 taxing boards in lesser taxing districts into which the line  
22 or lines of said the company extend in the county. The taxes  
23 on said the property when collected by the county treasurer  
24 shall be disposed of as other taxes on real estate.

25 Sec. 57. Section 438.15, Code Supplement 2003, is amended  
26 to read as follows:

27 438.15 ASSESSED VALUE IN EACH TAXING DISTRICT -- RECORD.

28 At the first meeting of the board of supervisors held after  
29 said statement is received by the county auditor, ~~it~~ the board  
30 shall cause the same to be entered on its minute book, and  
31 make and enter ~~therein~~ in the minute book an order describing  
32 and stating the assessed value of each pipeline lying in each  
33 city, township, or lesser taxing district in its county,  
34 through or into which said the pipeline extends, as fixed by  
35 the director of revenue, which shall constitute the assessed

1 value of said the property for taxing purposes; and the taxes  
2 on said the property, when collected by the county treasurer,  
3 shall be disposed of as other taxes. The county auditor shall  
4 transmit a copy of said the order to the council of the city,  
5 or the trustees of the township, as the case may be.

6 Sec. 58. Section 441.26, unnumbered paragraph 4, Code  
7 Supplement 2003, is amended to read as follows:

8 The assessment rolls shall be used in listing the property  
9 and showing the values affixed to the property of all persons  
10 assessed. The rolls shall be made in duplicate. The  
11 duplicate roll shall be signed by the assessor, detached from  
12 the original and delivered to the person assessed if there has  
13 been an increase or decrease in the valuation of the property.  
14 If there has been no change in the ~~evaluation~~ valuation, the  
15 information on the roll may be printed on computer stock paper  
16 and preserved as required by this chapter. If the person  
17 assessed requests in writing a copy of the roll, the copy  
18 shall be provided to the person. The pages of the assessor's  
19 assessment book shall contain columns ruled and headed for the  
20 information required by this chapter and that which the  
21 director of revenue deems essential in the equalization work  
22 of the director. The assessor shall return all assessment  
23 rolls and schedules to the county auditor, along with the  
24 completed assessment book, as provided in this chapter, and  
25 the county auditor shall carefully keep and preserve the  
26 rolls, schedules and book for a period of five years from the  
27 time of its filing in the county auditor's office.

28 Sec. 59. Section 453A.3, subsection 1, paragraph c, Code  
29 2003, is amended by striking the paragraph.

30 Sec. 60. Section 453A.8, subsection 3, unnumbered  
31 paragraph 1, Code 2003, is amended to read as follows:

32 The department may make refunds on unused stamps to the  
33 person who purchased the stamps at a price equal to the amount  
34 paid for the stamps when proof satisfactory to the department  
35 is furnished that any stamps upon which a refund is requested



1 were properly purchased from the department and paid for by  
2 the person requesting the refund. In making the refund, the  
3 department shall prepare a voucher showing the amount of  
4 refund due and to whom payable and shall authorize the  
5 department of administrative services to issue a warrant upon  
6 order of the director to pay the refund out of any funds in  
7 the state treasury not otherwise appropriated.

8 Sec. 61. Section 455B.105, subsections 6 and 8, Code  
9 Supplement 2003, are amended to read as follows:

10 6. Approve all contracts and agreements under this chapter  
11 and chapter 459~~7-subchapters-I7-II7-III7-IV7-and-VI7~~ between  
12 the department and other public or private persons or  
13 agencies.

14 8. Hold public hearings, except when the evidence to be  
15 received is confidential pursuant to this chapter, chapter 22,  
16 or chapter 459~~7-subchapters-I7-II7-III7-IV7-and-VI7~~ necessary  
17 to carry out its powers and duties. The commission may issue  
18 subpoenas requiring the attendance of witnesses and the  
19 production of evidence pertinent to the hearings. A subpoena  
20 shall be issued and enforced in the same manner as provided in  
21 civil actions.

22 Sec. 62. Section 455B.107, Code Supplement 2003, is  
23 amended to read as follows:

24 455B.107 WARRANTS BY DIRECTOR OF DEPARTMENT OF  
25 ADMINISTRATIVE SERVICES.

26 The director of the department of administrative services  
27 shall draw warrants on the treasurer of state for all  
28 disbursements authorized by the provisions of this chapter and  
29 chapter 459, ~~subchapters-I7-II7-III7-IV7-and-VI7~~ upon itemized  
30 and verified vouchers bearing the approval of the director of  
31 the department of natural resources.

32 Sec. 63. Section 455E.11, subsection 2, paragraph e, Code  
33 Supplement 2003, is amended to read as follows:

34 e. An oil overcharge account. The oil overcharge moneys  
35 distributed by the United States department of energy, and

1 approved for the energy related components of the groundwater  
2 protection strategy available through the energy conservation  
3 trust created in section 473.11, shall be deposited in the oil  
4 overcharge account as appropriated by the general assembly.

5 ~~The oil overcharge account shall be used for the following~~  
6 ~~purposes:~~

7 ~~(1) The following amounts are appropriated to the~~  
8 ~~department of natural resources to implement its~~  
9 ~~responsibilities pursuant to section 455E.8:~~

10 ~~(a) For the fiscal year beginning July 1, 1987 and ending~~  
11 ~~June 30, 1988, eight hundred sixty thousand dollars is~~  
12 ~~appropriated.~~

13 ~~(b) For the fiscal year beginning July 1, 1988 and ending~~  
14 ~~June 30, 1989, six hundred fifty thousand dollars is~~  
15 ~~appropriated.~~

16 ~~(c) For the fiscal year beginning July 1, 1989 and ending~~  
17 ~~June 30, 1990, six hundred thousand dollars is appropriated.~~

18 ~~(d) For the fiscal year beginning July 1, 1990 and ending~~  
19 ~~June 30, 1991, five hundred thousand dollars is appropriated.~~

20 ~~(e) For the fiscal year beginning July 1, 1991 and ending~~  
21 ~~June 30, 1992, five hundred thousand dollars is appropriated.~~

22 ~~(2) For the fiscal year beginning July 1, 1987 and ending~~  
23 ~~June 30, 1988, five hundred sixty thousand dollars is~~  
24 ~~appropriated to the department of natural resources for~~  
25 ~~assessing rural, private water supply quality.~~

26 ~~(3) For the fiscal period beginning July 1, 1987 and~~  
27 ~~ending June 30, 1989, one hundred thousand dollars is~~  
28 ~~appropriated annually to the department of natural resources~~  
29 ~~for the administration of a groundwater monitoring program at~~  
30 ~~sanitary landfills.~~

31 ~~(4) The following amounts are appropriated to the Iowa~~  
32 ~~state water resources research institute to provide~~  
33 ~~competitive grants to colleges, universities, and private~~  
34 ~~institutions within the state for the development of research~~  
35 ~~and education programs regarding alternative disposal methods~~

1 and-groundwater-protection:

2 (a)--For-the-fiscal-year-beginning-July-17-1987-and-ending  
3 June-307-19887-one-hundred-twenty-thousand-dollars-is  
4 appropriated:

5 (b)--For-the-fiscal-year-beginning-July-17-1988-and-ending  
6 June-307-19897-one-hundred-thousand-dollars-is-appropriated:

7 (c)--For-the-fiscal-year-beginning-July-17-1989-and-ending  
8 June-307-19907-one-hundred-thousand-dollars-is-appropriated:

9 (5)--The-following-amounts-are-appropriated-to-the  
10 department-of-natural-resources-to-develop-and-implement  
11 demonstration-projects-for-landfill-alternatives-to-solid  
12 waste-disposal7-including-recycling-programs:

13 (a)--For-the-fiscal-year-beginning-July-17-1987-and-ending  
14 June-307-19887-seven-hundred-sixty-thousand-dollars-is  
15 appropriated:

16 (b)--For-the-fiscal-year-beginning-July-17-1988-and-ending  
17 June-307-19897-eight-hundred-fifty-thousand-dollars-is  
18 appropriated:

19 (6)--For-the-fiscal-period-beginning-July-17-1987-and  
20 ending-June-307-19887-eight-hundred-thousand-dollars-is  
21 appropriated-to-the-Leopold-center-for-sustainable  
22 agriculture:

23 (7)--Seven-million-five-hundred-thousand-dollars-is  
24 appropriated-to-the-agriculture-energy-management-fund-created  
25 under-chapter-161B-for-the-fiscal-period-beginning-July-17  
26 1987-and-ending-June-307-19927-to-develop-nonregulatory  
27 programs-to-implement-integrated-farm-management-of-farm  
28 chemicals-for-environmental-protection7-energy-conservation7  
29 and-farm-profitability7-interactive-public-and-farmer  
30 education7-and-applied-studies-on-best-management-practices  
31 and-best-appropriate-technology-for-chemical-use-efficiency  
32 and-reduction:

33 (8)--The-following-amounts-are-appropriated-to-the  
34 department-of-natural-resources-to-continue-the-Big-Spring  
35 demonstration-project-in-Clayton-county:

1 (a)--For-the-fiscal-period-beginning-July-17-1987-and  
2 ending-June-307-19907-seven-hundred-thousand-dollars-is  
3 appropriated-annually7

4 (b)--For-the-fiscal-period-beginning-July-17-1990-and  
5 ending-June-307-19927-five-hundred-thousand-dollars-is  
6 appropriated-annually7

7 (9)--For-the-fiscal-period-beginning-July-17-1987-and  
8 ending-June-307-19907-one-hundred-thousand-dollars-is  
9 appropriated-annually-to-the-department-of-agriculture-and  
10 land-stewardship-to-implement-a-targeted-education-program-on  
11 best-management-practices-and-technologies-for-the-mitigation  
12 of-groundwater-contamination-from-or-closure-of-agricultural  
13 drainage-wells7-abandoned-wells7-and-sinkholes7

14 Sec. 64. Section 455G.5, unnumbered paragraph 2, Code  
15 Supplement 2003, is amended to read as follows:

16 The board may enter into a contract or an agreement  
17 authorized under chapter 28E with a private agency or person,  
18 the department of natural resources, the Iowa finance  
19 authority, the department of administrative services, the  
20 department of revenue, other departments, agencies, or  
21 governmental subdivisions of this state, another state, or the  
22 United States, in connection with its administration and  
23 implementation of this chapter or chapter 424 or 455B.

24 Sec. 65. Section 456A.16, unnumbered paragraph 7, Code  
25 Supplement 2003, is amended to read as follows:

26 The department shall adopt rules to implement this section.  
27 However, before a checkoff pursuant to this section shall be  
28 permitted, all liabilities on the books of the department of  
29 revenue administrative services and accounts identified as  
30 owing under section ~~421.17~~ 8A.504 and the political  
31 contribution allowed under section 68A.601 shall be satisfied.

32 Sec. 66. Section 476.53, subsection 4, paragraph b, Code  
33 Supplement 2003, is amended to read as follows:

34 b. In determining the applicable ratemaking principles,  
35 the board shall not be limited to traditional ratemaking

1 principles or traditional cost recovery mechanisms. Among the  
2 principles and mechanisms the board may consider, the board  
3 has the authority to approve ratemaking principles proposed by  
4 a rate-regulated public utility that provide for reasonable  
5 restrictions upon the ability of the public utility to seek a  
6 general increase in electric rates under section 476.6 for at  
7 least three years after the generation generating facility  
8 begins providing service to Iowa customers.

9 Sec. 67. Section 483A.24A, subsection 2, paragraph c, Code  
10 Supplement 2003, is amended to read as follows:

11 c. "Public institution" means a state institution listed  
12 under section 904.102, ~~subsections 1 through 10~~, that is  
13 administered by the department of corrections.

14 Sec. 68. Section 501.407, subsection 2, paragraph b, Code  
15 Supplement 2003, is amended to read as follows:

16 b. An intentional infliction of harm on the ~~corporation~~  
17 cooperative or its shareholders members.

18 Sec. 69. Section 508.38, subsection 11, Code Supplement  
19 2003, is amended to read as follows:

20 11. After July 1, 2003, a company may elect either to  
21 apply the provisions of this section as it existed prior to  
22 July 1, 2003, or to apply the provisions of this section as  
23 enacted amended by 2003 Acts, ch 91, § 8--10, to annuity  
24 contracts on a contract form-by-form basis before ~~the second~~  
25 ~~anniversary of the effective date of 2003 Acts, ch 91, § 8--10~~  
26 July 1, 2005. In all other instances, this section shall  
27 become operative with respect to annuity contracts issued by  
28 the company two years after July 1, 2003.

29 Sec. 70. Section 510.6, subsections 6 and 7, Code 2003,  
30 are amended to read as follows:

31 6. An insurer shall review its books and records each  
32 quarter and determine if any insurance producer, as defined by  
33 section 510A.2, has become, by operation of section 510.1B,  
34 subsection 4, a managing general agent as defined in that  
35 section. If the insurer determines that a an insurance

1 producer has become a managing general agent by operation of  
2 section 510.1B, subsection 4, the insurer shall promptly  
3 notify the insurance producer and the commissioner of such  
4 determination and the insurer and insurance producer shall  
5 fully comply with the provisions of this chapter within thirty  
6 days.

7 7. An insurer shall not appoint to its board of directors  
8 an officer, director, employee, insurance producer, or  
9 controlling shareholder of a managing general agent of the  
10 insurer. This subsection shall not apply to relationships  
11 governed by chapter 521A relating to the regulation of  
12 insurance company holding systems, or, if applicable, by  
13 chapter 510A relating to the regulation of insurance producer  
14 controlled property and casualty insurers.

15 Sec. 71. Section 510A.4, subsection 1, paragraph b,  
16 subparagraph (2), Code Supplement 2003, is amended to read as  
17 follows:

18 (2) The controlled insurer, except for insurance business  
19 written through a residual market facility, accepts insurance  
20 business only from the controlling producer, ~~a~~ an insurance  
21 producer controlled by the controlled insurer, or an insurance  
22 producer that is a subsidiary of the controlled insurer.

23 Sec. 72. Section 514B.12, unnumbered paragraph 1, Code  
24 Supplement 2003, is amended to read as follows:

25 A health maintenance organization shall annually on or  
26 before the first day of March file with the commissioner or a  
27 depository designated by the commissioner a report verified by  
28 at least two of ~~its~~ the principal officers of the health  
29 maintenance organization and covering the preceding calendar  
30 year. The report shall be on forms prescribed by the  
31 commissioner and shall include:

32 Sec. 73. Section 515F.32, subsection 3, Code Supplement  
33 2003, is amended to read as follows:

34 3. "Plan" "FAIR plan" means the FAIR plan to assure fair  
35 access to insurance requirements established pursuant to

1 section 515F.33.

2 Sec. 74. Section 515F.36, subsection 1, Code Supplement  
3 2003, is amended to read as follows:

4 1. A governing committee shall administer the FAIR plan,  
5 subject to the supervision of the commissioner, ~~and.~~ The FAIR  
6 plan shall be operated by a manager appointed by the  
7 committee.

8 Sec. 75. Section 533C.201, subsection 1, Code Supplement  
9 2003, is amended to read as follows:

10 1. A person shall not engage in the business of money  
11 transmission or advertise, solicit, or hold itself out as  
12 providing money transmission unless the person:

13 a. Is licensed under this article; or

14 b. Is an authorized delegate of a person licensed under  
15 this article.

16 Sec. 76. Section 533C.303, subsection 4, Code Supplement  
17 2003, is amended to read as follows:

18 4. An applicant ~~whose-application~~ who is denied a license  
19 by the superintendent under this article may appeal, within  
20 thirty days after receipt of the notice of the denial, from  
21 the denial and request a hearing. The denial of a license  
22 shall not be deemed a contested case under chapter 17A.

23 Sec. 77. Section 533C.503, subsection 3, paragraphs e and  
24 f, Code Supplement 2003, are amended to read as follows:

25 e. A charge filed against or conviction of the licensee or  
26 of an executive officer, manager, or director of, or person in  
27 control of, the licensee for a felony.

28 f. A charge filed against or conviction of an authorized  
29 delegate for a felony.

30 Sec. 78. Section 533C.505, subsection 3, Code Supplement  
31 2003, is amended to read as follows:

32 3. Records may be maintained outside this state if they  
33 are made accessible to within seven business days of receipt  
34 of a written request from the superintendent on-seven  
35 business-days-notice-that-is-sent-in-a-record.

1 Sec. 79. Section 533C.703, subsection 3, Code Supplement  
2 2003, is amended to read as follows:

3 3. An Once the superintendent has commenced an  
4 administrative proceeding pursuant to section 533C.701 or  
5 533C.702, an order to cease and desist remains effective and  
6 enforceable pending the completion of an-administrative the  
7 proceeding pursuant-to-section-533C-701-or-533C-702.

8 Sec. 80. Section 562B.25, subsection 3, Code 2003, is  
9 amended to read as follows:

10 3. Except as otherwise provided in this chapter, the  
11 landlord may recover damages, obtain injunctive relief or  
12 recover possession of the mobile home space pursuant to an  
13 action in forcible entry and detainer under chapter 648 for  
14 any material noncompliance by the tenant with the rental  
15 agreement or with section 562B.18.

16 Sec. 81. Section 602.6305, subsection 1, Code Supplement  
17 2003, is amended to read as follows:

18 1. District associate judges shall serve initial terms and  
19 shall stand for retention in office within the judicial  
20 election districts of their residences at the judicial  
21 election ~~in-1982-and-every-six-years-thereafter,~~ under  
22 sections ~~46-17-to~~ 46.16 through 46.24.

23 Sec. 82. Section 602.8107, subsection 4, unnumbered  
24 paragraph 2, Code Supplement 2003, is amended to read as  
25 follows:

26 This subsection does not apply to amounts collected for  
27 victim restitution, the victim compensation fund, criminal  
28 penalty surcharge, law enforcement initiative surcharge,  
29 amounts collected as a result of procedures initiated under  
30 subsection 5 or under section 8A.504, or ~~sheriff's-room-and~~  
31 ~~board~~ fees charged pursuant to section 356.7.

32 Sec. 83. Section 631.4, subsection 2, paragraphs a and d,  
33 Code 2003, are amended to read as follows:

34 a. In an action for the forcible entry ~~or-detention-of~~  
35 ~~real-property~~ and detainer under chapter 648, the clerk shall



1 set a date, time and place for hearing, and shall cause  
2 service as provided in this subsection.

3 d. If personal service cannot be made upon each defendant  
4 in an action for forcible entry ~~or-detention-of-real-property~~  
5 and detainer joined with an action for rent or recovery  
6 pursuant to section 648.19, service may be made pursuant to  
7 paragraph "c".

8 Sec. 84. Section 631.5, unnumbered paragraph 1, Code  
9 Supplement 2003, is amended to read as follows:

10 This section applies to all small claims except actions for  
11 forcible entry ~~or-detention-of-real-property~~ and detainer  
12 pursuant to chapter 648 and actions for abandonment of mobile  
13 homes or personal property pursuant to chapter 555B.

14 Sec. 85. Section 648.1, unnumbered paragraph 1, Code 2003,  
15 is amended to read as follows:

16 A summary remedy for forcible entry ~~or-detention-of-real~~  
17 property and detainer is allowable:

18 Sec. 86. Section 648.5, Code 2003, is amended to read as  
19 follows:

20 648.5 JURISDICTION -- HEARING -- PERSONAL SERVICE.

21 The court within the county shall have jurisdiction of  
22 actions for the forcible entry ~~or-detention-of-real-property~~  
23 and detainer. They shall be tried as equitable actions.  
24 Unless commenced as a small claim, a petition shall be  
25 presented to a district court judge. Upon receipt of the  
26 petition, the court shall order a hearing which shall not be  
27 later than seven days from the date of the order. Personal  
28 service shall be made upon the defendant not less than three  
29 days prior to the hearing. In the event that personal service  
30 cannot be completed in time to give the defendant the minimum  
31 notice required by this section, the court may set a new  
32 hearing date. A default cannot be made upon a defendant  
33 unless the three days' notice has been given.

34 Sec. 87. Section 648.10, Code 2003, is amended to read as  
35 follows:

1 648.10 SERVICE BY PUBLICATION.

2 Notwithstanding the requirements of section 648.5, service  
3 may be made by publishing such notice for one week in a  
4 newspaper of general circulation published in the county where  
5 the petition is filed, provided the petitioner files with the  
6 court an affidavit stating that an attempt at personal service  
7 made by the sheriff was unsuccessful because the defendant is  
8 avoiding service by concealment or otherwise, and that a copy  
9 of the petition and notice of hearing has been mailed to the  
10 defendant at the defendant's last known address or that the  
11 defendant's last known address is not known to the petitioner.  
12 Service under this section is complete seven days after  
13 publication. The court shall set a new hearing date if  
14 necessary to allow the defendant the ~~five-day~~ three-day  
15 minimum notice required under section 648.5.

16 Sec. 88. Section 669.14, subsection 11, unnumbered  
17 paragraph 1, Code Supplement 2003, is amended to read as  
18 follows:

19 Any claim for financial loss based upon an act or omission  
20 in financial regulation, including but not limited to  
21 examinations, inspections, audits, or other financial  
22 oversight responsibilities, pursuant to chapter 486, Code  
23 1999, and chapters 87, 203, 203C, 203D, 421B, 486, 486A, 487,  
24 and 490 through 553, excluding chapters 540A, 542, 542B, 543B,  
25 543C, 543D, 544A, and 544B.

26 Sec. 89. Section 805.8A, subsection 12, paragraphs b and  
27 c, Code Supplement 2003, are amended to read as follows:

28 b. For ~~height, weight, length, width, load violations, and~~  
29 ~~towed-vehicle~~ violations under section 321.437, the scheduled  
30 fine is twenty-five dollars.

31 c. For height, length, width, and load violations under  
32 sections 321.454, 321.455, 321.456, 321.457, and 321.458, the  
33 scheduled fine is one hundred dollars.

34 Sec. 90. Section 901.4, Code Supplement 2003, is amended  
35 to read as follows:

1 901.4 PRESENTENCE INVESTIGATION REPORT CONFIDENTIAL --  
2 DISTRIBUTION.

3 The presentence investigation report is confidential and  
4 the court shall provide safeguards to ensure its  
5 confidentiality, including but not limited to sealing the  
6 report, which may be opened only by further court order. At  
7 least three days prior to the date set for sentencing, the  
8 court shall serve all of the presentence investigation report  
9 upon the defendant's attorney and the attorney for the state,  
10 and the report shall remain confidential except upon court  
11 order. However, the court may conceal the identity of the  
12 person who provided confidential information. The report of a  
13 medical examination or psychological or psychiatric evaluation  
14 shall be made available to the attorney for the state and to  
15 the defendant upon request. The reports are part of the  
16 record but shall be sealed and opened only on order of the  
17 court. If the defendant is committed to the custody of the  
18 Iowa department of corrections and is not a class "A" felon, a  
19 copy of the presentence investigation report shall be  
20 forwarded to the director with the order of commitment by the  
21 clerk of the district court and to the board of parole at the  
22 time of commitment. Pursuant to section 904.602, the  
23 presentence investigation report may also be released by the  
24 department of corrections or a judicial district department of  
25 correctional services to another jurisdiction for the purpose  
26 of providing interstate probation and parole compact or  
27 interstate compact for adult offender supervision services or  
28 evaluations, or to a substance abuse or mental health services  
29 provider when referring a defendant for services. The  
30 defendant or the defendant's attorney may file with the  
31 presentence investigation report, a denial or refutation of  
32 the allegations, or both, contained in the report. The denial  
33 or refutation shall be included in the report. If the person  
34 is sentenced for an offense which requires registration under  
35 chapter 692A, the court shall release the report to the

1 department which is responsible under section 692A.13A for  
2 performing the assessment of risk.

3 Sec. 91. Section 901.5, subsection 7A, paragraph d, Code  
4 Supplement 2003, is amended to read as follows:

5 d. Violation of a no-contact order issued under this  
6 section subsection is punishable by summary contempt  
7 proceedings. A hearing in a contempt proceeding brought  
8 pursuant to this subsection shall be held not less than five  
9 days and not more than fifteen days after the issuance of a  
10 rule to show cause, as set by the court, unless the defendant  
11 is already in custody at the time of the alleged violation in  
12 which case the hearing shall be held not less than five days  
13 and not more than forty-five days after the issuance of the  
14 rule to show cause.

15 Sec. 92. Section 904.117, Code Supplement, 2003, is  
16 amended to read as follows:

17 904.117 INTERSTATE COMPACT FUND.

18 An interstate compact fund is established under the control  
19 of the department. All interstate compact fees collected by  
20 the department pursuant to section ~~907B-5~~ 907B.4 shall be  
21 deposited into the fund and the moneys shall be used by the  
22 department to offset the costs of complying with the  
23 interstate compact for adult offender supervision in chapter  
24 907B. Notwithstanding section 8.33, moneys remaining in the  
25 fund at the end of a fiscal year shall not revert to the  
26 general fund of the state. Notwithstanding section 12C.7,  
27 interest and earnings deposited in the fund shall be credited  
28 to the fund.

29 Sec. 93. Sections 335.31, 414.29, and 455B.151, Code 2003,  
30 are repealed.

31 Sec. 94. 2003 Iowa Acts, chapter 180, section 24, enacting  
32 section 273.22, subsection 4A, is amended to read as follows:

33 4A. Not later than fifteen days after the state board  
34 notifies an area education agency of its approval of the area  
35 education agency's reorganization plan or dissolution

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1 proposal, the area education agency shall notify, by certified  
 2 mail, the school districts located within the area education  
 3 agency boundaries, the school districts and area education  
 4 agencies that are contiguous to its boundaries, and any other  
 5 school district under contract with the area education agency,  
 6 of the state board's approval of the plan or proposal, and  
 7 shall provide the department of education with a copy of any  
 8 notice sent in accordance with this subsection. A petition to  
 9 join an area education agency or for release from a contract  
 10 with an area education agency, in accordance with subsections  
 11 4, 6 5, and 7 6, shall be filed not later than forty-five days  
 12 after the state board approves a reorganization plan or  
 13 dissolution proposal in accordance with this chapter.

14 Sec. 95. 2003 Iowa Acts, chapter 180, section 28, amending  
 15 section 273.23, subsection 11, Code 2003, is amended to read  
 16 as follows:

17 11. Unless the reorganization of an area education agency  
 18 takes effect less than two years before the taking of the next  
 19 federal decennial census, a newly formed area education agency  
 20 shall, within one year of the effective date of the  
 21 reorganization, redraw the boundary lines of director  
 22 districts in the area education agency if a petition filed by  
 23 a school district to join the newly formed area education  
 24 agency, or for release from the newly formed area education  
 25 agency, in accordance with section 273.22, subsections 4, 5,  
 26 and 6, ~~and-7~~ was approved. Until the boundaries are redrawn,  
 27 the boundaries for the newly formed area education agency  
 28 shall be as provided in the reorganization plan approved by  
 29 the state board in accordance with section 273.21.

30 Sec. 96. 2003 Iowa Acts, chapter 145, section 286,  
 31 subsection 3, is amended by adding the following new  
 32 paragraph:

33 NEW PARAGRAPH. c. Notwithstanding the provisions of this  
 34 subsection to the contrary, section 12.8, Code 2003, is  
 35 amended by striking from the section the words "division of

1 the department of personnel".

2 Sec. 97. 2003 Iowa Acts, chapter 151, section 65, is  
3 amended to read as follows:

4 SEC. 65. RETENTION OF JUDGES. The amendments in this Act  
5 to section 46.16, subsections 2 and 3, and section 602.6305,  
6 subsection 1, apply to elections for retaining a judge  
7 occurring after the effective date of this Act.

8 Sec. 98. 2003 Iowa Acts, chapter 179, is amended by adding  
9 the following new section:

10 NEW SECTION. SEC. 47A. DELAYED EFFECTIVE DATE. Section  
11 31 of this division of this Act takes effect July 1, 2004.

12 Sec. 99. 2003 Iowa Acts, First Extraordinary Session,  
13 chapter 1, section 114, is amended to read as follows:

14 SEC. 114. The divisions of this Act designated the grow  
15 Iowa values board and fund, the value-added agricultural  
16 products and processes financial assistance program, the endow  
17 Iowa grants, the ~~technology-transfer-advisors~~  
18 commercialization of research issues, the Iowa economic  
19 development loan and credit guarantee fund, the economic  
20 development assistance and data collection, the cultural and  
21 entertainment districts, ~~the-workforce-issues~~, and the  
22 university-based research utilization program, are repealed  
23 effective June 30, 2010.

24 Sec. 100. EFFECTIVE DATES AND APPLICABILITY.

25 1. The sections of this Act amending sections 273.22 and  
26 273.23, as enacted by 2003 Iowa Acts, chapter 180, sections 24  
27 and 28, being deemed of immediate importance, take effect upon  
28 enactment and apply retroactively to July 1, 2003.

29 2. The section of this Act amending 2003 Iowa Acts,  
30 chapter 145, section 286, being deemed of immediate  
31 importance, takes effect upon enactment and is retroactively  
32 applicable to July 1, 2003, and is applicable on and after  
33 that date.

34 3. The section of this Act amending 2003 Iowa Acts,  
35 chapter 151, section 65, being deemed of immediate importance,

1 takes effect upon enactment.

2 4. The section of this Act adding a new section to 2003  
3 Iowa Acts, chapter 179, being deemed of immediate importance,  
4 takes effect upon enactment.

5 EXPLANATION

6 This bill contains statutory corrections that adjust  
7 language to reflect current practices, insert earlier  
8 omissions, delete redundancies and inaccuracies, delete  
9 temporary language, resolve inconsistencies and conflicts,  
10 update ongoing provisions, or remove ambiguities. The Code  
11 sections amended include all of the following:

12 Code section 2A.8: Eliminates language exempting sales of  
13 items and provision of services by the legislative services  
14 agency from the sales tax. Duplicative language was added to  
15 the list of exemptions from the sales tax in Code section  
16 423.3 by 2003 Iowa Acts, First Extraordinary Session, chapter  
17 2, section 96, effective July 1, 2004.

18 Code section 3.1: Deletes language requiring the Code  
19 editor to supply numerals in the Iowa Acts to statutory  
20 references in legislation if the numerals are omitted. 1984  
21 Acts, chapter 1067, struck references to the expression of  
22 statutory references in words but inadvertently failed to  
23 delete this reference to the numerals.

24 Code section 8A.221: Substitutes "council" for "board" to  
25 accurately refer to the Iowa Access advisory council established  
26 in the Code section.

27 Code sections 8A.302, 8A.321, and 8A.322: In provisions  
28 relating to maintenance and management of, and provision of  
29 services for, certain state buildings and grounds, the bill  
30 clarifies that the state laboratories facility in Ankeny is  
31 not located at the seat of government.

32 Code sections 8A.311 and 23A.2: Strikes provisions  
33 relating to the Iowa technology center, which was dissolved on  
34 September 30, 2003.

35 Code section 8A.315: Eliminates the gradual increase in

1 the percentage of garbage can liners purchased by the  
2 department of administrative services required to contain  
3 recycled content. The provision was originally enacted in  
4 Code section 18.18 in 1998 and therefore the goal percentage  
5 of 50 percent for purchases of recycled content garbage can  
6 liners has already been achieved.

7 Code section 8A.412: Changes references from "this  
8 chapter" to "this subchapter" to agree with the enactment of  
9 former Code chapter 19A text in new Code chapter 8A,  
10 subchapter IV, in 2003 legislation.

11 Code section 10C.1: Replaces a reference to the definition  
12 of "agricultural commodity", which was eliminated from Code  
13 section 190C.1 in 2003, with the text of the definition prior  
14 to its elimination. The bill also substitutes "agricultural  
15 commodity" for "commodity" in several places as "agricultural  
16 commodity" is the defined term.

17 Code section 12B.3: Changes a reference from the  
18 department of revenue to the department of administrative  
19 services to reflect that the department of administrative  
20 services provides the warrants referenced in the section.

21 Code section 15.313: Strikes a reference to the  
22 microenterprise development revolving fund. The fund,  
23 contained in former Code section 15.240, was eliminated by  
24 2001 Acts, chapter 61, section 19.

25 Code section 68A.602: Provides that the director of the  
26 department of administrative services, and not revenue, is  
27 responsible for issuing payment of warrants from the Iowa  
28 election campaign fund.

29 Code section 97A.8: Changes the reference from the  
30 department of revenue to the department of administrative  
31 services to reflect that the department of administrative  
32 services is responsible for forwarding contributions made to  
33 the peace officers' retirement system.

34 Code section 97B.50: Eliminates unnecessary language as  
35 the contingency referenced in the deleted sentence, approval



1 by the federal Internal Revenue Service as to IPERS qualified  
2 status, has occurred.

3 Code section 97B.50A: Changes language from "system" to  
4 "retirement system" in the section to accurately reflect that  
5 the references are to the IPERS retirement plan, and not IPERS  
6 as an organization.

7 Code section 99G.8, subsection 11: Changes reference from  
8 "president" to "chief executive officer" to reflect that chief  
9 executive officer of the Iowa lottery authority is probably  
10 intended.

11 Code section 99G.31: Clarifies and corrects language to  
12 provide that the awarding of a prize by the lottery is to a  
13 holder of a ticket, not the ticket itself, and that the prize  
14 shall be awarded to a person as provided by the section.

15 Code section 99G.34: Adds an internal reference to the  
16 records provisions in Code section 99G.35.

17 Code section 147.107: Strikes language relating to the  
18 physician assistant rules review group to conform to the  
19 repeal of Code section 148C.7, establishing that rules review  
20 group, by 2003 Acts, chapter 93.

21 Code section 148C.1: Strikes language in a definition  
22 specifying that a physician assistant's supervising physician  
23 be listed in the physician assistant's license. This  
24 requirement was eliminated by the rewrite of the physician  
25 assistant licensure provisions in 2003 Acts, chapter 93.

26 Code section 148C.3: Substitutes "the physician  
27 assistant's" for "their" to clarify that a physician assistant  
28 is required to notify the board of physician assistant  
29 examiners of the identity of the physician assistant's  
30 supervisory physician.

31 Code section 159.34: Substitutes a reference to Code  
32 section 8A.106 for a reference to Code section 14B.202. Code  
33 chapter 14B was repealed in 2003 legislation. The provisions  
34 of former Code section 14B.202 were essentially reenacted in  
35 Code section 8A.106, except for a provision governing fees for

1 persons contract to disseminate public records on behalf of a  
2 government agency.

3 Code section 161C.7: Strikes an outdated provision  
4 relating to the establishment of a watershed protection task  
5 force which was to submit recommendations to the department of  
6 agriculture and land stewardship by January 1 of each year  
7 through January 1, 2001.

8 Code section 163.30: Deletes a comma in the definition of  
9 swine "dealer" to clarify that the clause relating to selling  
10 or exchanging swine kept by the person solely for feeding or  
11 breeding purposes does not apply to the clause excluding  
12 certain owners and operators of farms from the definition.

13 Code section 232.95: Reenacts two lettered paragraphs that  
14 were inadvertently dropped from the Code base during  
15 implementation of changes from 2001 Acts, chapter 135.  
16 Language identical to these paragraphs was contained in  
17 subsection 2 of this section in the 2001 Code.

18 Code section 232B.10: Corrects a reference to "this  
19 section" to read "this chapter" in a provision defining  
20 "qualified expert witness" in the Indian child welfare Act.

21 Code section 257.26: Changes reference from the director  
22 of revenue to the director of the department of administrative  
23 services to reflect that the director of the department of  
24 administrative services draws warrants.

25 Code section 260G.4B: Eliminates language relating to the  
26 specifics of a study conducted by the department of economic  
27 development, which study's findings and recommendations were  
28 to be submitted to the general assembly by December 31, 2002.

29 Code sections 282.33 and 301.1: Changes a departmental  
30 reference from the department of revenue to the department of  
31 administrative services to reflect that the department of  
32 administrative services is responsible for the duties  
33 described in these Code sections.

34 Code section 304A.29: Rewrites the section to enhance  
35 readability and to reflect that only one department, the

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1 department of administrative services, is responsible for both  
2 reviewing and paying claims.

3 Code section 321.91: Reverses part of a change made to  
4 subsection 2 of this Code section by 2001 Acts, chapter 137,  
5 and returns that portion of the text to the language found at  
6 this location in the 1999 Code. The 2001 legislation  
7 inadvertently deleted the language defining the crime when the  
8 language was changed to specify where the penalty for  
9 violating the section could be found.

10 Code section 321.210B: Changes a departmental reference  
11 from the department of administrative services to the  
12 department of revenue to reflect that the department of  
13 revenue remains responsible for the driver's license  
14 indebtedness clearance pilot project.

15 Code section 331.304: Adds manufactured homes to language  
16 relating to county legislation regulating mobile homes to  
17 conform the provision to otherwise identical language in Code  
18 section 364.3, subsection 5, relating to the power of cities  
19 to adopt the same kind of legislation.

20 Code section 331.559: Clarifies that the county treasurer  
21 is required to determine and collect taxes on manufactured  
22 homes, in addition to determining and collecting taxes on  
23 mobile homes.

24 Code section 331.602: Conforms language in Code subsection  
25 29 to the changes made in the procedures for documenting the  
26 name and descriptions of farms by 2003 Acts, chapter 5.

27 Code section 331.756: Substitutes "department of  
28 corrections" for "division of corrections of the department of  
29 human services" in a provision requiring the county attorney  
30 to present to the grand jury a copy of the county jail  
31 inspection report. Jail inspections were transferred to the  
32 department of corrections in 1983.

33 Code section 356.7: Substitutes "reimbursement claim" for  
34 "room and board reimbursement claim" to agree with the 2003  
35 addition of certain administrative costs to the list of items

1 for which certain prisoners may be charged.

2 Code section 368.4: Clarifies that publishing of a notice  
3 of hearing on an annexing moratorium agreement shall be in an  
4 official county newspaper in any county within two miles of a  
5 city conducting a hearing on an agreement.

6 Code section 368.26: Clarifies that the definition of  
7 "county legislation" applies only to the Code section.

8 Code section 372.4: Specifies that the provision relating  
9 to a city council's proposal to reduce the number of council  
10 members to three applies to a city having a population of  
11 "five hundred or more, but not more than five thousand",  
12 rather than "between five hundred and five thousand".

13 Code section 422.12D: Changes a departmental reference  
14 from the department of revenue to the department of  
15 administrative services, and a Code reference, to reflect that  
16 the department of administrative services is responsible for  
17 the set-off duties described in this section.

18 Code section 422.16: Changes a departmental reference from  
19 the department of revenue to the department of administrative  
20 services to reflect that the department of administrative  
21 services is responsible for the duties described in this  
22 section.

23 Code section 422.35: Substitutes "political subdivisions"  
24 for "political divisions" in a provision providing for the  
25 inclusion of income from the sale of obligations of the state  
26 and its political subdivisions in computing the net income of  
27 a corporation.

28 Code section 422.70: Provides that the department of  
29 administrative services, and not the director of revenue, is  
30 responsible for paying warrants for costs certified by the  
31 director of revenue.

32 Code section 425.23: Provides that the director of the  
33 department of administrative services, and not the director of  
34 revenue, is responsible for paying warrants as described in  
35 this section.

1 Code sections 425A.6 and 425A.7: Provides that the  
2 department of administrative services, and not the director of  
3 the department of revenue, is responsible for paying warrants  
4 on the family farm tax credit fund as authorized by the  
5 director of revenue.

6 Code sections 426.7 and 426.8: Provides that the  
7 department of administrative services, and not the director of  
8 revenue, is responsible for paying warrants on the  
9 agricultural land credit fund as authorized by the director of  
10 revenue.

11 Code section 426A.4: Provides that the department of  
12 administrative services, and not the director of revenue, is  
13 responsible for paying warrants on claims certified by the  
14 director of revenue.

15 Code sections 434.22, 437.10, and 438.15: Specifies that  
16 the county board of supervisors is required to cause the  
17 various items to be entered on its minute book. The bill also  
18 makes various grammatical corrections throughout the Code  
19 sections.

20 Code section 441.26: Substitutes the term "valuation" for  
21 "evaluation" to agree with other uses of the term in the Code  
22 section.

23 Code section 453A.3: Eliminates a provision providing a  
24 criminal penalty for violations of Code section 453A.39, which  
25 related to restrictions on tobacco product and cigarette  
26 samples and was repealed in 2000 legislation.

27 Code section 453A.8: Provides that the department of  
28 administrative services, and not the director of revenue, is  
29 responsible for paying warrants for refunds on unused  
30 cigarette tax stamps as authorized by the director of revenue.

31 Code section 455B.105: Corrects a reference to Code  
32 chapter 459. This change is identical to a reference change  
33 made in subsection 3 of this section by 2003 Acts, chapter 44,  
34 section 65, and similar changes to references to provisions  
35 transferred from Code chapter 455B to Code chapter 459

1 pursuant to a directive from 2002 Acts, chapter 1137.

2 Code section 455B.107: Corrects a reference to Code  
3 chapter 459. This change is identical to changes made  
4 throughout the Code to references to provisions transferred  
5 from Code chapter 455B to Code chapter 459 pursuant to a  
6 directive from 2002 Acts, chapter 1137.

7 Code section 455E.11: Strikes obsolete language  
8 appropriating funds for specified fiscal years from the oil  
9 overcharge account of the groundwater protection fund. All  
10 fiscal periods referred to in the language expired more than  
11 10 years ago.

12 Code section 455G.5: Adds a reference to the department of  
13 revenue as a department the underground storage tank board can  
14 contract with as the department remains responsible for the  
15 administration of Code chapter 424.

16 Code section 456A.16: Changes a departmental reference  
17 from the department of revenue to the department of  
18 administrative services, and a Code reference, to reflect that  
19 the department of administrative services is responsible for  
20 the set-off duties described in this section.

21 Code section 476.53: Substitutes the term "generating  
22 facility" for "generation facility" to agree with similar uses  
23 of the term throughout Code chapter 476.

24 Code section 483A.24A: In a provision requiring the  
25 issuance of additional deer hunting licenses and allowing  
26 harvested deer to be used by the department of corrections,  
27 defines "public institution" by substituting a broader  
28 reference to a state institution listed in Code section  
29 904.102 for the more specific reference to institutions listed  
30 in Code section 904.102, subsections 1 through 10.

31 Code section 501.407: In provision relating to exceptions  
32 from indemnification of a director or officer of a  
33 cooperative, corrects the exception for an intentional  
34 infliction of harm to read "on the cooperative or its members"  
35 rather than "on the corporation or its shareholders".

1 Code section 508.38: Corrects a reference to the action  
2 taken regarding this Code section by 2003 Acts, chapter 91,  
3 sections 8 through 10 and substitutes the appropriate date for  
4 the words "the second anniversary of the effective date of  
5 2003 Acts, chapter 91, §8-10". Those particular provisions  
6 took effect July 1, 2003.

7 Code sections 510.6 and 510A.4: Substitutes the term  
8 "insurance producer" for "producer" in several places to  
9 correspond to the terminology change made in Code section  
10 510A.2 in 2003 legislation.

11 Code section 514B.12: Clarifies that at least two  
12 principal officers of a health maintenance organization,  
13 rather than of a depository, shall verify the organization's  
14 annual report.

15 Code section 515F.32: Changes a term used in a definition  
16 describing a plan to assure fair access to insurance  
17 requirements to conform to the use of the term throughout the  
18 chapter division.

19 Code section 515F.36: Specifies that the FAIR plan, rather  
20 than a governing committee, is to be operated by a manager  
21 appointed by the committee.

22 Code sections 533C.201, 533C.303, 533C.503, 533C.505, and  
23 533C.703: Makes several clarifications in the uniform money  
24 services Act, enacted by 2003 Acts, chapter 96. The first  
25 change clarifies that a person is not permitted to engage in  
26 the described activities unless the person is licensed to do  
27 so or is an authorized delegate of a licensee. The second  
28 change includes a grammatical change and the addition of a  
29 reference to the chapter in the Code which governs  
30 administrative contested cases. The third change clarifies  
31 that felony charges filed against a licensee or certain other  
32 designated individuals are items that must be included in  
33 reporting to the superintendent of banking within one business  
34 day of the occurrence. The fourth change clarifies the time  
35 frame within which records must be made accessible to the

1 superintendent of banking after a written request is made.  
2 The final change clarifies the duration of the effectiveness  
3 and the enforceability of an order to cease and desist pending  
4 the completion of an administrative proceeding.

5 Code sections 562B.25, 631.4, 631.5, 648.1, and 648.5:  
6 Conforms the use of the term "forcible entry and detention of  
7 property" actions to other Code and court rule references to  
8 the same type of action. Those other Code sections and court  
9 rules refer to the action as forcible entry and detainer  
10 actions. The change in terminology does not change the  
11 grounds for the action and obviates the need for changes to  
12 the Iowa rules of civil procedure that govern these actions in  
13 small claims court.

14 Code section 602.6305: Makes corrections relating to the  
15 change in term length for district associate court judges  
16 enacted in 2003 Acts, chapter 151. From 1982 and until last  
17 year, a district associate judge's term, after a service of an  
18 initial term, was four years. 2003 Acts, chapter 151, changed  
19 the length of term to six years and the provisions which  
20 govern the retention elections are contained in Code sections  
21 46.16 through 46.24.

22 Code section 602.8107: Substitutes "fees charged pursuant  
23 to section 356.7" for "sheriff's room and board fees" in a  
24 provision providing exceptions from the required deposit into  
25 the general fund of the county of a percentage of delinquent  
26 fines, penalties, and other costs and fees collected by the  
27 county attorney. Code section 356.7 was expanded in 2003 to  
28 allow not only sheriff's room and board fees to be charged to  
29 a prisoner, but also administrative costs incurred by counties  
30 and municipalities in the arrest and booking of certain  
31 prisoners.

32 Code section 648.10: Conforms language relating to a  
33 notice provision to a change made in the Code section  
34 referenced, Code section 648.5, by 1995 Acts, chapter 125,  
35 section 14. Both Code sections 648.5 and 648.10 were



1 originally amended in 1986 Acts, chapter 1130, to provide for  
2 a five-day notice, and remained that way until Code section  
3 648.5 was amended in 1995.

4 Code section 669.14: Substitutes a reference to Code  
5 chapter 486A for a reference to Code chapter 486 in a  
6 provision excepting claims for financial loss based upon an  
7 act or omission in financial regulation from the application  
8 of the Iowa tort claims Act. Code chapter 486, the uniform  
9 partnership law, was repealed effective January 1, 2001, and  
10 replaced by Code chapter 486A, the uniform partnership Act.

11 Code section 805.8A: Corrects the descriptions of the  
12 nature of the violations contained in the Code sections  
13 enumerated in subsection 12, paragraphs "b" and "c". Code  
14 section 321.437 pertains to a requirement for the equipment of  
15 various vehicles with mirrors and Code sections 321.454  
16 through 321.458 contain height, length, width, and load  
17 requirements for various vehicles.

18 Code section 901.4: Refers to both the "interstate compact  
19 for adult offender supervision" and the "interstate probation  
20 and parole compact" in a provision relating to the  
21 confidentiality and distribution of presentence investigation  
22 reports. The interstate compact for adult offender  
23 supervision replaced the interstate probation and parole  
24 compact in 2002.

25 Code section 901.5: Corrects a reference to "this section"  
26 to read "this subsection" in a provision relating to issuance  
27 of no-contact orders.

28 Code section 904.117: Corrects a reference to the  
29 provision establishing and providing for the collection of  
30 interstate compact fees. Code section 907B.5 does not exist  
31 and the fee language is contained in 907B.4.

32 Code sections 335.31 and 414.29: Repeals provisions  
33 relating to the zoning of elder family homes as Code chapter  
34 231A, governing elder family homes, was repealed in 2003  
35 legislation.

1 Code section 455B.151: Repeals a provision establishing a  
 2 moratorium on the construction or operation of a commercial  
 3 waste incinerator until such time as the department of natural  
 4 resources or the United States environmental protection agency  
 5 adopts rules which establish safe emission standards for  
 6 releases of toxic air emissions from commercial waste  
 7 incinerators. On December 1, 2000, the United States  
 8 environmental protection agency published emission limits for  
 9 commercial waste incinerators in the federal register,  
 10 promulgated in rule form at 40 C.F.R., pt. 60, subpt. CCCC  
 11 (§60.2000 et seq.). The Iowa department of natural resources  
 12 instituted rulemaking proceedings on February 28, 2002, to  
 13 adopt the federal standards. Those rule changes were adopted  
 14 and filed on March 20, 2002, and may be found at 567 IAC  
 15 23.1(2)(vvv).

16 2003 Iowa Acts, chapter 180: Corrects references to  
 17 subsections of Code sections 273.22 and 273.23, as anticipated  
 18 to be renumbered for publication in Code Supplement 2003, to  
 19 refer to the subsections as amended by the Act. These  
 20 provisions take effect upon enactment and apply retroactively  
 21 to July 1, 2003.

22 2003 Iowa Acts, chapter 145: Eliminates an unnecessary  
 23 reference to the division of the department of personnel.  
 24 This change takes effect upon enactment and is retroactively  
 25 applicable to July 1, 2003.

26 2003 Iowa Acts, chapter 151, section 65: Clarifies that  
 27 the amendment to Code section 602.6305, subsection 1,  
 28 providing that retention elections for district associate  
 29 judges shall be held every six rather than every four years,  
 30 applies to elections for retaining a judge occurring after the  
 31 effective date of the Act. The provision takes effect upon  
 32 enactment.

33 2003 Iowa Acts, chapter 179, section 47A: Adds a delayed  
 34 effective date of July 1, 2004, for an amendment to Code  
 35 section 8.57, to agree with the dates specified in the Code

1 section as amended. The provision takes effect upon  
2 enactment.

3 2003 Iowa Acts, First Extraordinary Session, chapter 1,  
4 section 114: Corrects references to division headings in the  
5 Act in a provision providing for the future repeal of the  
6 divisions. The bill substitutes "grow Iowa values board and  
7 fund" for "grow Iowa board and fund" and "commercialization of  
8 research issues" for "technology transfer advisors" to agree  
9 with the division headings used in the final version of the  
10 bill. The bill also eliminates a reference to a division  
11 entitled "workforce issues" as that division was not included  
12 in the final version of the bill.

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