



2003 SUMMARY OF LEGISLATION

IOWA GENERAL ASSEMBLY
LEGISLATIVE SERVICES AGENCY
REGULAR AND EXTRAORDINARY SESSIONS

SUMMARY OF LEGISLATION ENACTED IN THE YEAR 2003 BY THE FIRST REGULAR SESSION AND THE EXTRAORDINARY SESSION OF THE EIGHTIETH GENERAL ASSEMBLY AND SIGNED BY THE GOVERNOR

Prepared by the Legislative Services Agency

PURPOSE

This summary of legislation enacted by the 2003 General Assembly has been prepared for the use of legislators and other interested parties. The summary of each legislative enactment has been assigned to a major subject category. This compilation provides interested persons with quick reference to legislation enacted in specific areas and generally informs persons of the contents and effective date of the legislation.

HOW TO FIND A SUMMARY

If you know the original file number of a particular bill, you may refer to the chart on pages v and vii to locate the category in which the summary will be found. Otherwise, each subject category begins with a table of contents listing the file number and the chapter title from the 2003 Iowa Acts and a listing of related legislation directing the reader to the category in which the summary is located and briefly explaining how the category at hand is related.

EFFECTIVE DATE

The effective date of the legislative enactments is July 1, 2003, unless otherwise specified in an individual summary.

FISCAL YEAR

For purposes of this summary of legislation, "fiscal year 2003-2004," and "FY 2003-2004," for example, both describe the fiscal year beginning July 1, 2003, and ending June 30, 2004.

VETOED BILLS

Bills vetoed by the Governor are included and noted in this summary. Item vetoes by the Governor are specified in their particular summary.

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TABLE OF CONTENTS

Location of Summaries by File Number:

Senate Files	v
House Files	vii

Subject Areas:

Agriculture	1
Alcohol Regulation & Substance Abuse	11
Appropriations	15
Business, Banking & Insurance	45
Children & Youth	55
Civil Law, Procedure & Court Administration	61
Criminal Law, Procedure & Corrections	71
Economic Development	75
Education	81
Elections, Ethics & Campaign Finance	89
Energy & Public Utilities	95
Environmental Protection	99
Gaming	103
Health & Safety	107
Human Services	117
Labor & Employment	123
Local Government	127
Natural Resources & Outdoor Recreation	137
State Government	141
Taxation	151
Transportation	165

Appendices:

Chapter Numbers of the 2003 Iowa Acts	171
Sections Amended, Added or Repealed	173
Iowa Acts Amended	224
2003 Senate Committees	229
2003 House of Representatives Committees	231

LOCATION OF SUMMARIES BY FILE NUMBER

Senate Files

<u>Number</u>	<u>Major Subject</u>	<u>Number</u>	<u>Major Subject</u>
SF 3	Health & Safety	SF 372	Business, Banking & Insurance
SF 36	Appropriations	SF 375	Business, Banking & Insurance
SF 94	Local Government	SF 376	Business, Banking & Insurance
SF 97	Transportation	SF 379	Business, Banking & Insurance
SF 102	State Government	SF 386	Education
SF 119	Business, Banking & Insurance	SF 390	Local Government
SF 127	Transportation	SF 392	Agriculture
SF 134	Local Government	SF 393	Agriculture
SF 155	State Government	SF 394	Agriculture
SF 172	Education	SF 395	Agriculture
SF 173	Education	SF 396	Agriculture
SF 180	Business, Banking & Insurance	SF 397	Natural Resources & Outdoor Recreation
SF 201	Education	SF 401	Business, Banking & Insurance
SF 211	Education	SF 402	Criminal Law, Procedure & Corrections
SF 221	Criminal Law, Procedure & Corrections	SF 405	Energy, & Public Utilities
SF 224	Civil Law, Procedure & Court Administration	SF 416	Human Services
SF 230	Local Government	SF 417	Criminal Law, Procedure & Corrections
SF 236	Business, Banking & Insurance	SF 422	Criminal Law, Procedure & Corrections
SF 237	Environmental Protection	SF 424	Taxation
SF 272	Local Government	SF 425	Appropriations
SF 275	Energy & Public Utilities	SF 433	Appropriations
SF 303	Children & Youth	SF 435	Appropriations
SF 340	Business, Banking & Insurance	SF 436	Appropriations
SF 341	Agriculture	SF 438	State Government
SF 343	Environmental Protection	SF 439	Appropriations
SF 348	Natural Resources & Outdoor Recreation	SF 441	Taxation
SF 351	Children & Youth	SF 442	Taxation
SF 352	Local Government	SF 444	Taxation
SF 353	Children & Youth	SF 445	Education
SF 354	Children & Youth	SF 451	Transportation
SF 357	Elections, Ethics & Campaign Finance	SF 452	Appropriations
SF 359	Civil Law, Procedure & Court Administration	SF 453	Appropriations
SF 361	Civil Law, Procedure & Court Administration	SF 458	Appropriations
SF 366	Civil Law, Procedure & Court Administration	SF 459	Economic Development
SF 368	Energy & Public Utilities		

Senate Joint Resolutions

<u>Number</u>	<u>Major Subject</u>
SJR 1	Alcohol Regulation & Substance Abuse
SJR 5	Environmental Protection

LOCATION OF SUMMARIES BY FILE NUMBER

House Files

<u>Number</u>	<u>Major Subject</u>	<u>Number</u>	<u>Major Subject</u>
HF 65	Criminal Law, Procedure & Corrections	HF 516	Environmental Protection
HF 66	Transportation	HF 529	Human Services
HF 85	Natural Resources & Outdoor Recreation	HF 534	State Government
HF 170	Criminal Law, Procedure & Corrections	HF 541	Health & Safety
HF 171	State Government	HF 543	Business, Banking & Insurance
HF 175	Education	HF 545	State Government
HF 180	Education	HF 547	Agriculture
HF 204	State Government	HF 548	State Government
HF 206	Children & Youth	HF 549	Education
HF 215	Business, Banking & Insurance	HF 551	Criminal Law, Procedure & Corrections
HF 216	Criminal Law, Procedure & Corrections	HF 557	Health & Safety
HF 225	Labor & Employment	HF 558	Human Services
HF 240	Agriculture	HF 560	Human Services
HF 249	Criminal Law, Procedure & Corrections	HF 565	Health & Safety
HF 254	Natural Resources & Outdoor Recreation	HF 576	Economic Development
HF 289	Local Government	HF 577	Education
HF 290	Transportation	HF 583	Elections, Ethics & Campaign Finance
HF 304	Taxation	HF 584	Civil Law, Procedure & Court Administration
HF 311	Local Government	HF 594	Gaming
HF 319	Business, Banking & Insurance	HF 595	Local Government
HF 329	Economic Development	HF 599	Business, Banking & Insurance
HF 339	Business, Banking & Insurance	HF 600	Agriculture
HF 341	Education	HF 601	Elections, Ethics & Campaign Finance
HF 342	State Government	HF 603	Gaming
HF 343	Transportation	HF 604	State Government
HF 344	Taxation	HF 612	Economic Development
HF 349	Criminal Law, Procedure & Corrections	HF 614	Elections, Ethics & Campaign Finance*
HF 380	Agriculture	HF 615	Local Government
HF 381	Labor & Employment	HF 616	State Government
HF 386	Human Services	HF 617	Agriculture
HF 387	Human Services	HF 619	Health & Safety
HF 389	Health & Safety	HF 623	Transportation
HF 390	Economic Development	HF 624	Agriculture
HF 391	Energy & Public Utilities	HF 628	Human Services
HF 392	Economic Development	HF 634	Business, Banking & Insurance
HF 394	Economic Development	HF 636	State Government
HF 395	Business, Banking & Insurance	HF 641	Health & Safety
HF 396	Health & Safety	HF 644	Agriculture
HF 397	Economic Development	HF 647	Business, Banking & Insurance
HF 404	Criminal Law, Procedure & Corrections	HF 648	State Government
HF 411	Natural Resources & Outdoor Recreation	HF 650	Local Government
HF 412	Natural Resources & Outdoor Recreation	HF 652	Appropriations
HF 446	Business, Banking & Insurance	HF 654	Taxation
HF 450	Civil Law, Procedure & Court Administration	HF 655	Appropriations
HF 454	Health & Safety	HF 656	Transportation
HF 455	Criminal Law, Procedure & Corrections	HF 659	Energy & Public Utilities
HF 456	Business, Banking & Insurance	HF 662	Appropriations
HF 457	Children & Youth	HF 665	Taxation
HF 472	Appropriations	HF 667	Human Services
HF 479	Human Services	HF 671	Taxation
HF 480	Economic Development	HF 672	Human Services
HF 489	Human Services	HF 674	Taxation
HF 492	Agriculture	HF 675	Human Services
HF 493	Agriculture	HF 676	State Government
HF 502	Business, Banking & Insurance	HF 677	Economic Development
HF 503	Health & Safety	HF 680	Natural Resources & Outdoor Recreation
HF 504	Criminal Law, Procedure & Corrections	HF 681	Agriculture
HF 505	Criminal Law, Procedure & Corrections	HF 682	Alcohol Regulation & Substance Abuse
HF 509	Agriculture	HF 683	Appropriations*

<u>Number</u>	<u>Major Subject</u>
HF 685	Appropriations
HF 689	Taxation

<u>Number</u>	<u>Major Subject</u>
HF 692	Taxation*
HF 694	Civil Law, Procedure & Court Administration

House Joint Resolutions

<u>Number</u>	<u>Major Subject</u>
HJR 3	Elections, Ethics & Campaign Finance
HJR 5	Natural Resources & Outdoor Recreation

AGRICULTURE

- SENATE FILE 341 - Regulation of Farming and Beef and Pork Production
- SENATE FILE 392 - Animal Feeding Operations — Construction Standards
- SENATE FILE 393 - Agricultural Development Authority
- SENATE FILE 394 - Regulation of Agricultural Products — Grain Dealers and Bargaining Agents — Warehouses
- SENATE FILE 395 - Department of Agriculture and Land Stewardship — Third-Party Receipt of Funds and Documents
- SENATE FILE 396 - Animal Feeding Operations Animal Unit Capacity — Turkeys and Chickens
- HOUSE FILE 240 - Iowa Egg Council — Composition
- HOUSE FILE 380 - Manure Storage Indemnity Fund — Fees and Charges
- HOUSE FILE 492 - Soil and Water Conservation Districts
- HOUSE FILE 493 - Department of Agriculture and Land Stewardship — Administrative Duties
- HOUSE FILE 509 - Deer and Elk Chronic Wasting Disease
- HOUSE FILE 547 - Commercial Pesticide Applicators — Financial Responsibility
- HOUSE FILE 600 - Organic Agricultural Products
- HOUSE FILE 617 - Swine Dealers — Financial Responsibility
- HOUSE FILE 624 - Regulation of Farm Deer
- HOUSE FILE 634 - Regulation of Cooperative Associations
- HOUSE FILE 644 - Manure Application Requirements
- HOUSE FILE 681 - Cooperatives — Tax Credits and Credit Refunds

RELATED LEGISLATION

- SENATE FILE 97 - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act creates an exemption from state motor carrier safety rules for certain drivers operating intrastate for farm operations or agricultural interests. The Act subjects farmers transporting Class 2 agricultural hazardous materials to rules implementing federal regulations for transportation of hazardous materials.
- SENATE FILE 134 - Treasurers — Funds, Records, and Other Responsibilities — Miscellaneous Provisions
SEE LOCAL GOVERNMENT. This Act amends provisions relating to various duties of county treasurers. The Act allows the payment of installments of special assessments for a public improvement against property assessed as agricultural property to be deferred for as long as the assessor continues to classify the property as agricultural land on January 1 of each assessment year and for six months following any January 1 assessment date in which property is no longer classified as agricultural land.
- SENATE FILE 155 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to filing requirements for foreign agricultural landholders, regulation of farmers markets, county agricultural extension references, the Office of Renewable Fuels and Coproducts, grade “A” milk inspection, animal feeding operations, cooperatives, and the killing of animals.
- SENATE FILE 340 - Business Entities — Miscellaneous Provisions
SEE BUSINESS, BANKING & INSURANCE. This Act applies changes made to provisions in Code Chapter 490, the Iowa Business Corporation Act, regarding director and officer duties, liability and indemnification during the 2002 Legislative Session to similar provisions in Code Chapter 491, which is the older corporation law in Iowa under which Iowa mutual insurance companies and mutual insurance holding companies are organized; Code Chapter 490A, Limited Liability Companies; Code Chapter 496C, Professional Corporations; and Code Chapters 497, 498, 499, and 501, regarding various types of cooperatives. For a cooperative organized under Code Chap-

ter 501, the Act provides that a cooperative may indemnify a director against liability if such indemnification is provided in the articles of organization. The Act also amends provisions allowing the board of directors to advance expenses to a director.

- SENATE FILE 379** - Agricultural Liens
SEE BUSINESS, BANKING & INSURANCE. This Act amends provisions relating to agricultural liens by providing that they must be perfected under Revised Article 9 of the Uniform Commercial Code (Code Chapter 554).
- SENATE FILE 444** - Open Prairie or Wildlife Habitat Restoration Property Tax Credits — Inspection and Certification
SEE TAXATION. This Act specifies requirements to be met before restored and reestablished prairies or wildlife habitats may receive a property tax exemption. The Act applies to assessment years beginning on or after January 1, 2004.
- SENATE FILE 459** - Iowa Agricultural Industry Finance Loans — Assignment
SEE ECONOMIC DEVELOPMENT. This Act provides that the Iowa Department of Economic Development may accept an assignment of a loan made by a corporation providing financing to an eligible person under the Iowa Agricultural Industry Finance Act in Code Chapter 15E.
- S.J.R. 5** - Nullification of Administrative Rule — Ammonia and Hydrogen Sulfide Ambient Air Standards
SEE ENVIRONMENTAL PROTECTION. This Joint Resolution nullifies the amendments to an administrative rule and nullifies a new administrative rule adopted by the Environmental Protection Commission of the Department of Natural Resources on April 21, 2003, to prevent the adoption of certain new ambient air quality standards that regulate ammonia and hydrogen sulfide levels in the air. The Joint Resolution takes effect April 30, 2003.
- HOUSE FILE 304** - Agricultural Land Tax Credits
SEE TAXATION. This Act provides for the reimbursement of a county, from the appropriation made to the Agricultural Land Credit Fund to pay for credits during FY 2003-2004, for the amount paid by a county to those qualifying for the agricultural land tax credit payable during FY 2002-2003 who, due to an error in the certification of the total amount of agricultural land tax credits, received a reduced amount. The Act takes effect April 15, 2003.
- HOUSE FILE 446** - Equipment Dealership Agreements
SEE BUSINESS, BANKING & INSURANCE. This Act expands the scope of Code Chapter 322F, providing for agricultural equipment dealership agreements, to cover construction, industrial and utility equipment.
- HOUSE FILE 472** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act includes funding for various programs involving agriculture.
- HOUSE FILE 612** - New Jobs and Income Program — Agricultural Land Ownership by Nonresident Aliens
SEE ECONOMIC DEVELOPMENT. This Act relates to the exemption from land ownership restrictions for nonresident aliens under the New Jobs and Income Program.
- HOUSE FILE 682** - Wine Manufacturing, Sale, and Distribution
SEE ALCOHOL REGULATION & SUBSTANCE ABUSE. This Act is concerned with the funding of grape and wine development programs in the state, and with the establishment of new wine permit classifications and fees for native wines.
- HOUSE FILE 689** - Ethanol Blended Gasoline Tax Credits
SEE TAXATION. This Act amends provisions providing a tax credit for retail dealers of gasoline who sell ethanol blended gasoline by allowing retail dealers whose fiscal years begin after January 1, 2002, to qualify for the tax credit.

AGRICULTURE

SENATE FILE 341 - Regulation of Farming and Beef and Pork Production

BY COMMITTEE ON AGRICULTURE. This Act amends provisions in Code Chapter 9H (Corporate or Partnership Farming), which in part provides for the regulation of beef and pork processors that exercise control over cattle or swine operations.

During the 2002 Legislative Session, the General Assembly enacted S.F. 2309 (2002 Iowa Acts, Chapter 1095), which amended a number of Code provisions, including Code Section 9H.2. The stated purpose of that section is to preserve free and private enterprise, prevent monopoly, and protect consumers. The 2002 legislation expanded the section's provisions which, with some exceptions, prohibit a processor from owning, controlling or operating cattle and swine operations, and from contracting for the care and feeding of swine.

The Act defines "person" to specifically include business associations. In other respects the definition is similar to the definition found in Code Section 4.1, which provides for general definitions of words used throughout the Code.

The Act amends a number of provisions created in S.F. 2309 that refer to retailers and swine producers engaged in business operations. The Act strikes references to business being carried out "in this state." The Act amends the purposes language of Code Section 9H.2. The Act strikes a provision that allows cooperative associations to directly and indirectly contract for the care and feeding of swine in this state.

The Act amends a provision enacted in S.F. 2309 creating a definition of a "qualified processor." Senate File 2309 provides a special exception for swine producers who hold a threshold interest in a qualified processor, as long as the swine producer's threshold interest is not more than 10 percent and the swine producer is not engaged in processing. One requirement for a processor to be qualified is that not less than 25 percent of the swine slaughtered by the processor each day must be purchased through cash or spot market purchases. The Act reduces the percentage of required cash or spot market purchases to 10 percent. The Act provides that cash or spot market purchases must be made, under the same terms and conditions, from both sellers of swine who hold a direct or indirect interest in the processor and sellers of swine who do not hold a direct or indirect interest in the processor. The Act provides that the qualified processor cannot provide sellers of swine who hold a direct or indirect interest in the processor with a preference over sellers of swine who do not hold a direct or indirect interest in the processor.

The Act extends a period that a processor has to comply with requirements adopted in 2000 (2000 Iowa Acts, Chapter 1048) from 2004 to 2006. It provides that a processor also has until June 30, 2006, to comply with the requirements of S.F. 2309. A cooperative association that has executed a contract for the care and feeding of swine has until June 30, 2007, to comply with the Act.

The Act directs the Code Editor to transfer provisions of the Act, along with other provisions of Code Chapter 9H, into a new Code chapter. As part of this process, the Act creates new sections that repeat current provisions providing for penalties and injunctive relief, which will be transferred to the new chapter.

The Act repeals Code Section 9H.5A, which has been replaced by Code Section 10B.4, enacted in 1998. Code Section 9H.5A has been suspended since that time.

The Act includes a severability clause that is redundant to Code Section 4.12.

The Act takes effect May 9, 2003.

SENATE FILE 392 - Animal Feeding Operations — Construction Standards

BY COMMITTEE ON AGRICULTURE. This Act amends provisions established under the Animal Agriculture Compliance Act (Code Chapter 459), which provides for the regulation of animal feeding operations by the Department of Natural Resources. The Act generally amends provisions regulating where confinement feeding operation structures may be constructed.

Code Section 459.307 prohibits the construction of an unformed manure storage structure on karst terrain or an area that drains into a known sinkhole. The Act provides that a person may construct such a structure if there is a 25-foot separation distance between the bottom of the structure and soluble rock.

Code Section 459.310 prohibits manure storage structures being constructed on land that is part of a 100-year floodplain. The Act creates an exception for the replacement of a structure originally constructed prior to March 1, 2003, if the capacity of the structure is not increased and it is not located closer than the old structure was to a source for surface water or

groundwater. The Act also allows the department to grant a variance for the construction of such a structure which replaces existing manure storage and handling facilities. In any case, a formed manure storage structure must meet construction design standards established under statute and associated rules. Any existing structure which is replaced must be closed.

The Act takes effect April 28, 2003.

SENATE FILE 393 - Agricultural Development Authority

BY COMMITTEE ON AGRICULTURE. This Act amends provisions affecting the Agricultural Development Authority, which is organized as an independent self-funding agency charged to provide economic assistance to farmers. The Act provides that the authority is to be housed in the Office of Treasurer of State rather than the Department of Agriculture and Land Stewardship.

SENATE FILE 394 - Regulation of Agricultural Products — Grain Dealers and Bargaining Agents — Warehouses

BY COMMITTEE ON AGRICULTURE. This Act relates to provisions regulating the grain industry, including grain dealers (Code Chapter 203), grain bargaining agents (Code Chapter 203A), and warehouse operators (Code Chapter 203C), by the Department of Agriculture and Land Stewardship.

Division I — Regulation of Grain Dealers and Warehouse Operators

Division I provides a definition of “person” in Code Section 203.1, governing grain dealers, and rewrites a definition of the term in Code Section 203C.1, governing warehouse operators. The Act amends the section by referencing Code Section 4.1, which provides a general definition of the term throughout the Code. The Act also provides definitions for the terms “check” and “electronic funds transfer.”

The Act makes a number of changes to the structure and terminology that do not affect legal requirements in order to enhance their readability. For example, the Act strikes references to books and accounts in provisions which refer generally to a grain dealer’s records. The Act amends provisions in Code Section 203.8, which provides for payment by grain dealers to owners of grain. The Act provides that a grain dealer must deliver a check for the purchase of grain to the seller by a date certain. The Act authorizes the department to regulate payment by check or electronic funds transfer.

The Act amends Code Section 203.9, providing for inspections of grain dealers. It also allows the department to reconstruct a grain dealer’s records in order to determine whether the grain dealer is in compliance with legal requirements and may charge the grain dealer the actual cost for reconstructing the records. Similarly, the Act amends Code Section 203C.2, which provides for the powers and duties of the department. It provides that the department may charge the licensed warehouse operator the actual cost for reconstructing the warehouse operator’s records and keep various payments made to the department.

The Act rewrites Code Sections 203.10 and 203C.10, relating to the suspension or revocation of licenses. It removes a number of departmental procedural requirements, including the filing of information with the department by the administrator of the warehouse bureau prior to taking an administrative action.

The Act amends Code Sections 203.11 and 203C.36, referring to penalties by making language uniform, and enhances the readability of the provisions.

The Act amends Code Section 203.15, which provides for credit sale contracts. Under current law, contracts must be signed by both parties. The Act also requires the contracts to be dated.

The Act amends Code Section 203C.39 by allowing a licensed warehouse operator to accept grain for storage from another licensed warehouse operator while the accepting warehouse operator has grain stored elsewhere.

The Act repeals Code Section 203.13, authorizing the department to designate an employee as an enforcement officer.

Division II — Elimination of Grain Bargaining Agent Regulations

Division II repeals Code Chapter 203A, which regulates grain bargaining agents. A grain bargaining agent bargains with buyers for the sale of grain for agricultural producers. Code Chapter 203A provides requirements for permits, bonds, recordkeeping, inspections, and disciplinary proceedings. The Act makes conforming amendments.

SENATE FILE 395 - Department of Agriculture and Land Stewardship — Third-Party Receipt of Funds and Documents

BY COMMITTEE ON AGRICULTURE. This Act amends Code Chapter 159, which provides for the general administrative and regulatory authority of the Department of Agriculture and Land Stewardship. Generally, provisions relating to the

powers and duties of the department are contained in Title V of the Code. Many Code chapters in this title provide for regulation, including the application for and the approval of licenses, permits and certifications. Some Code chapters contain registration requirements. Code chapters of note include those regulating the care of animals in commercial establishments; infectious and contagious diseases among animals; the disposal of dead animals; veterinary practice; the marking and branding of livestock; slaughterhouse operations; meat and poultry inspection; organic food production; dairy food production; the labeling and sale of regulation of commercial feed, agricultural seeds, fertilizers and soil conditioners, and agricultural lime; the regulation of grain dealers and grain warehouse operators; the regulation of pesticides and their use; and the inspection of weights and measures, including gas pumps.

The Act provides that the department may execute a contract with a person qualified to provide assistance services. The person is referred to as a depository. The services are limited to the receipt, acceptance and storage of applications for licenses, permits and certifications and for registrations (referred to as filing documents). According to the Act, the depository must send filing documents that it receives to the department for processing, including for the approval or disapproval of an application or the acknowledgement of a registration.

The Act also provides that the department may execute a contract with a depository to collect moneys owed to the department by a person in order to satisfy a liability arising from the operation of law which is limited to filing document fees and civil penalties. The Act authorizes the depository to commit its assets to lines of credit and may accept forms of payment, including credit cards, debit cards, or electronic funds transfer. Moneys collected by the depository must be transmitted to the department for deposit into the General Fund of the State. The Act provides for audits of the system by the Auditor of State.

SENATE FILE 396 - Animal Feeding Operations Animal Unit Capacity — Turkeys and Chickens

BY COMMITTEE ON AGRICULTURE. This Act relates to provisions under the Animal Agriculture Compliance Act, relating to the regulation of confinement feeding operations by the Department of Natural Resources.

Under the chapter, regulations affecting confinement feeding operations are often based on size and specifically animal unit capacity. An animal unit is a number based upon the product of multiplying the number of animals of a designated category by a special equivalency factor. Categories are established based on species (e.g., slaughter or feeder cattle equal one animal unit). However, the section sometimes divides categories for a single species based on maturity or weight. This Act eliminates the current equivalency factor for poultry and creates new distinctions for turkeys and chickens based on weight. The new equivalency factor for turkeys weighing 112 ounces or more is 0.018, for turkeys weighing less than 112 ounces is 0.0085, for chickens weighing 48 ounces or more is 0.010, and for chickens weighing less than 48 ounces is 0.0025.

The Act takes effect May 21, 2003.

HOUSE FILE 240 - Iowa Egg Council — Composition

BY COMMITTEE ON AGRICULTURE. This Act changes the composition of the Iowa Egg Council established under Code Chapter 184, which is charged to promote the increased utilization of eggs and egg products, and which administers an assessment (or "checkoff") on producers of chickens kept as layers. Currently, Code Section 184.6 provides that voting members of the council include persons representing producers. However, a producer cannot be represented more than once on the council. The Act changes that requirement by providing that a single producer can be represented by up to two members of the council.

HOUSE FILE 380 - Manure Storage Indemnity Fund — Fees and Charges

BY COMMITTEE ON AGRICULTURE. This Act amends provisions in Code Chapter 459 regulating confinement feeding operations, including provisions establishing a Manure Storage Indemnity Fund administered by the Department of Natural Resources. The Act eliminates the department's authority to transfer moneys from the fund for placement in the Animal Agriculture Compliance Fund and provides for the waiver of fees deposited into the fund. The Animal Agriculture Compliance Fund provides a funding source for the administration and enforcement of provisions regulating animal feeding operations under Code Chapter 459.

Under Code Section 459.506, moneys in the Manure Storage Indemnity Fund are dedicated for the purpose of reimbursing expenses incurred by a county or the department in cleaning up contamination which originates from a confinement feeding operation. Moneys in the fund originate from indemnity fees paid by owners of confinement feeding operations.

The Act eliminates a provision in Code Section 459.501 that requires that moneys in the Manure Storage Indemnity Fund in excess of \$3 million be deposited in the Organic Nutrient Management Fund created in Code Section 161C.5 for purposes of supporting the Organic Nutrient Management Program. The Act also provides that if moneys in the fund exceed \$3

million, the indemnity fees are waived. The department must reinstate the fees if the balance of the fund is \$2 million or less.

The Act takes effect on April 21, 2003.

HOUSE FILE 492 - Soil and Water Conservation Districts

BY COMMITTEE ON AGRICULTURE. This Act amends Code Section 457A.1, which provides that a number of governmental entities may acquire conservation easements, other than by eminent domain, in land for purposes of preservation. The Act adds soil and water conservation districts to the governmental entities that are entitled to acquire land under a conservation easement.

The Act also repeals Code Section 161A.11, which requires the Soil Conservation Division to report information to the Governor relating to the acreage of soil and water conservation districts.

HOUSE FILE 493 - Department of Agriculture and Land Stewardship — Administrative Duties

BY COMMITTEE ON AGRICULTURE. This Act eliminates certain administrative requirements performed by the Department of Agriculture and Land Stewardship under Code Chapters 159 and 161A.

Code Section 159.5 establishes the department's general powers and duties. The Act strikes a provision that requires the department to establish and maintain a Sheep Promotion Bureau. The Act also strikes a provision authorizing the department to administer a program regulating the sale of water sold in sealed containers.

The Act also repeals Code Section 161A.11, which requires that the department's Soil and Water Conservation Division submit a report to the Governor, by January 1 of each legislative biennium, containing information about the existence or organization of soil and water conservation districts, including information regarding their acreage and finances.

HOUSE FILE 509 - Deer and Elk Chronic Wasting Disease

BY MERTZ. This Act relates to chronic wasting disease which affects deer and elk populations. The disease is a form of transmissible spongiform encephalopathy similar to mad cow disease.

The Act establishes a Chronic Wasting Disease Task Force to develop a chronic wasting disease administrative strategy. The members of the task force include the Secretary of Agriculture or a designee, the Director of the Department of Natural Resources (DNR) or a designee, the State Veterinarian, and four members appointed by the Governor representing interested organizations. The task force is responsible for studying risks and responses associated with chronic wasting disease in deer and elk populations.

The Act also requires that the Secretary of Agriculture, in consultation with the State Veterinarian and the Director of DNR, act jointly to examine approaches to most effectively implement a chronic wasting disease administrative strategy.

The Department of Agriculture and Land Stewardship, in cooperation with DNR, must submit a report to the Governor and General Assembly that includes findings and recommendations resulting from the work of the task force and the heads of the two departments.

The Act takes effect April 24, 2003.

HOUSE FILE 547 - Commercial Pesticide Applicators — Financial Responsibility

BY COMMITTEE ON AGRICULTURE. This Act amends Code Chapter 206, which provides for the regulation of pesticides by the Department of Agriculture and Land Stewardship. Code Section 206.6 provides that a person engaged in the business of applying pesticides must be licensed. The Act, in part, amends Code Section 206.13, which currently requires that a licensee furnish the department with evidence of financial responsibility consisting of either a surety bond or a liability insurance policy. The Act provides that the licensee may also file an irrevocable letter of credit with the department.

The Act takes effect April 28, 2003.

HOUSE FILE 600 - Organic Agricultural Products

BY COMMITTEE ON AGRICULTURE. This Act substantially revises Code Chapter 190C, providing for organic agricultural products as administered by the Department of Agriculture and Land Stewardship. The Code chapter was enacted in S.F. 2332 during the 1998 Legislative Session in response to a federal Act referred to as the federal Organic Food Production Act of 1990. Late in 2000, the U.S. Department of Agriculture (USDA) adopted final rules governing requirements for agricultural products which are sold, labeled or represented as organic, known as the National Organic Program (NOP). This Act amends Code Chapter 190C to conform to federal regulations.

Current Code Chapter 190C is administered jointly by the department and an Organic Standards Board composed of members appointed by the Governor and the Secretary of Agriculture. The board approves applications for certification, establishes procedures governing appeals of decisions made by the department or board, and establishes a fee structure for certification. The Act provides that the department performs these duties. The name of the board is changed to the Organic Advisory Council and its functions are made advisory. The Act does not substantially modify the role of regional organic associations responsible for assisting in certification. The department retains its existing authority to administer the Code chapter, including by providing for inspections, the examination of agricultural products, and the issuance of stop orders. The Attorney General retains authority to enforce the Code chapter's provisions in court. The Act does not significantly amend provisions providing for a private right of attorney general.

The Act uses language contained in the NOP, provides more prominence to the department rather than the Attorney General, and repeats that provisions which supplement the NOP apply only to the extent allowed by federal law.

The Act eliminates statutory provisions establishing standards for agricultural products to be considered organic. The NOP contains extensive standards for the production and handling of agricultural products which are to be labeled, sold or represented as organic. Specific Code sections repealed include Code Sections 190C.12 (providing standards), 190C.13 (providing for certification), 190C.14 (providing for labeling), and 190C.15 (providing for records).

Under federal regulation, the USDA accredits private or governmental entities as certifying agents responsible for certifying producers and handlers. The Act authorizes the department to become a state certifying agent. The NOP also provides that a state official may assume the role of the state organic program's governing state official, largely responsible for enforcing the state organic program. The Act provides that the Secretary of Agriculture may serve in that position upon approval by the USDA.

The Act increases the civil penalty for violations of the Code chapter from \$5,000 to \$10,000 in conformance with the NOP.

The Act takes effect May 1, 2003.

HOUSE FILE 617 - Swine Dealers — Financial Responsibility

BY COMMITTEE ON AGRICULTURE. This Act provides that a dealer of feeder pigs must file evidence of financial security with the Department of Agriculture and Land Stewardship. The evidence of financial security may be a bond or irrevocable letter of credit. The dealer must file the evidence of financial security before being licensed by the department to conduct a feeder pig dealer business under Code Section 163.30. The Act establishes and limits the amount of the evidence of financial security based on the volume of sales conducted by the dealer with minimum and maximum amounts established under the Act. It provides for the maintenance and cancellation of the evidence of financial security. The Act provides that the purchaser of feeder pigs who brings a legal action arising from a breach of a sales agreement for the purchase of feeder pigs may collect a judgment on the surety bond or irrevocable letter of credit.

HOUSE FILE 624 - Regulation of Farm Deer

BY COMMITTEE ON AGRICULTURE. This Act relates to farm deer, which are animals belonging to the cervidae family commonly referred to as fallow deer, red deer, elk, or sika. A farm deer does not include any unmarked free-ranging elk. These types of cervidae are considered livestock under a number of provisions throughout the Code, including branding regulations under Code Chapter 169A, trespassing livestock under Code Chapter 169C, meat and poultry inspection under Code Chapter 189A, exemptions from sales tax for inputs under Code Section 422.45, and livestock neglect and abuse under Code Chapter 717.

Farm deer are generally excluded from provisions referring to game in chapters administered by the Department of Natural Resources (DNR) and providing for wildlife conservation and hunting regulations (see Code Section 481A.1).

The Act adds whitetail and mule deer to the definition of "farm deer," but excludes such deer that are free-ranging.

The Act amends a number of provisions referring to the definition of "farm deer" that currently exist in the Code in order to provide for uniformity. The Act establishes a new Code Chapter 170 under the jurisdiction of the Iowa Department of Agriculture and Land Stewardship (IDALS) and also administered by DNR. The Act establishes a Farm Deer Council to advise IDALS relating to farm deer, including issues involving health and regulations. The council consists of members actively engaged in the production of farm deer. The Act prohibits a landowner from keeping whitetail as farm deer, unless the whitetail are kept on land which is enclosed by a fence certified and prescribed by rules adopted by IDALS. After the fence is constructed and certified, DNR and IDALS have 30 days to remove any whitetail from the enclosed land and after the 30th day, any remaining whitetail and their progeny become the property of the landowner.

The Act provides that a person keeping farm deer who is licensed to maintain a hunting preserve or as a game breeder by DNR on the effective date of the Act is automatically certified and that IDALS may suspend or revoke a certification for cause.

The Act provides that DNR may conduct an investigation of a violation of fish and game laws and may obtain a warrant to search the enclosed land.

If a person lures whitetail that are the property of the state into the enclosure or keeps them in the enclosure, the person is guilty of taking deer out of season as prohibited in Code Section 481A.48 as enforced by DNR.

The Act takes effect May 23, 2003.

HOUSE FILE 634 - Regulation of Cooperative Associations

BY COMMITTEE ON AGRICULTURE. This Act provides optional procedures for a cooperative association organized under Code Chapter 490 or 491 to be governed under Code Chapter 499, which is a process commonly referred to as conversion. Code Chapter 490 and its successor Code Chapter 491 provide generally for regulations regarding the organization and administration of business corporations. Code Chapter 499 provides other provisions for the organization and administration of cooperative associations. Generally, an entity is organized on a cooperative basis if it is organized for the purpose of providing economic services to its members, but without gain to itself, and its members own and control the entity in a manner similar to the way in which shareholders own and control a corporation.

Under the Act, the cooperative association's board of directors and shareholders must adopt a resolution providing that the cooperative association elects to be governed by and to comply with Code Chapter 499. Upon the adoption of the resolution, the cooperative association must execute an instrument that is filed with the Secretary of State. The cooperative association must amend its articles of incorporation and bylaws to comply with Code Chapter 499. The Act provides that the conversion does not affect a right accrued or established, or liability or penalty incurred prior to conversion.

HOUSE FILE 644 - Manure Application Requirements

BY COMMITTEE ON AGRICULTURE. This Act amends Code Chapter 459 (the Animal Agriculture Compliance Act). Currently, a person is certified as a commercial manure applicator after completing an educational program that consists of an examination or continuing instructional courses. The Department of Natural Resources may charge a certification fee based on the costs of administering and enforcing the program.

The Act changes the term "commercial manure applicator" to "commercial manure service." It provides that a commercial manure service is a business engaged in transporting, handling, storing, or applying manure for a fee. It also provides for a commercial manure service representative who is a manager, employee or contractor of the service. The Act provides that a commercial manure service must be licensed. It also provides that the department may take disciplinary action against a commercial manure service for a violation of Code Chapter 459, including the suspension or revocation of the license. The provision requiring a commercial manure service license takes effect January 1, 2004.

The Act requires that a commercial manure service representative be certified by passing an examination or taking instructional courses. It also provides that the department may take disciplinary action against a commercial manure service representative, including the suspension or revocation of the certification. The Act provides that a commercial manure service must pay an annual license fee of \$200 and a commercial manure service representative must pay an annual certification fee of \$75. The Act provides that a commercial manure service is not required to pay the fee for a new employee who is replacing a former employee who has left the service. The manager of a commercial manure service is also not required to pay a fee for certification. Division III of H.F. 683 (see Appropriations) restores an exemption from certification requirements for noncommercial applicators who apply manure originating from small animal feeding operations.

Moneys collected in fees are to be deposited into a special account within the Animal Agriculture Fund. The department is required to annually adjust the amount of the fees based on the ending balance of the account.

The Act takes effect May 30, 2003, except as specified.

HOUSE FILE 681 - Cooperatives — Tax Credits and Credit Refunds

BY COMMITTEE ON WAYS AND MEANS. This Act eliminates a requirement that a cooperative must be engaged in ethanol production to be eligible to claim a special tax credit or refund available to an eligible business involved in the production of value-added agricultural products.

The Act amends provisions in Code Section 15.333, which provides that an eligible business under the New Jobs and Income Program may claim a tax credit of up to 10 percent of a new investment that involves the creation of new jobs. The Code section provides that an eligible business involved in the production of value-added agricultural products may elect to receive a refund of all or a portion of the unused tax credit. The business must receive a certificate issued by the Department of Economic Development in order to receive the tax credit or refund.

ALCOHOL REGULATION AND SUBSTANCE ABUSE

- S.J.R. 1 - World Food Prize Ceremony
 HOUSE FILE 682 - Wine Manufacturing, Sale, and Distribution

RELATED LEGISLATION

- SENATE FILE 351 - Child Care — Miscellaneous Provisions
SEE CHILDREN & YOUTH. This Act revises child care requirements and includes a five-year prohibition against individuals who have been convicted of a controlled substance offense from having involvement with child care for a period of five years.
- SENATE FILE 422 - Crimes, Sentencing, and Procedure — Miscellaneous Revisions
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act relates to criminal sentencing and procedure and changes the penalties for certain offenses involving controlled substances.
- HOUSE FILE 65 - Operating While Intoxicated Revisions
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act relates to motor vehicle operating while intoxicated offenses. The Act reduces the blood alcohol concentration allowable limit while operating a motor vehicle from .10 to .08. The Act applies to criminal as well as administrative violations of the law. The Act further places certain driving restrictions on a first-time violator of the operating while intoxicated law based upon the circumstances of the violation.
- HOUSE FILE 389 - Controlled and Precursor Substances — Miscellaneous Changes
SEE HEALTH & SAFETY. This Act provides for several technical changes to Code chapters regarding controlled substances and precursor substances and provides for the suspension, revocation or restriction of a registrant's authority to handle or prescribe controlled substances if the registrant is a licensed health care professional and has been the subject of disciplinary action by the applicable health professional licensing board.
- HOUSE FILE 472 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act includes funding for various substance abuse and drug enforcement programs.
- HOUSE FILE 667 - Appropriations — Health and Human Services
SEE HUMAN SERVICES. This Act appropriates funds from the General Fund of the State to the Iowa Department of Public Health for programs and services including those addressing addictive disorders relating to reducing the use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors. The Act provides for transfer of a portion of the moneys appropriated to the Iowa Department of Public Health for substance abuse grants to the Department of Human Services for an integrated substance abuse managed care system.
- HOUSE FILE 683 - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes
SEE APPROPRIATIONS. This Act relates to economic development, financial, and taxation matters, revises previously enacted appropriations, and includes provisions affecting sentences for operating-while-intoxicated offenses and allowing the Department of Corrections to operate a substance abuse treatment facility.

ALCOHOL REGULATION AND SUBSTANCE ABUSE

SENATE JOINT RESOLUTION 1 - World Food Prize Ceremony

BY KRAMER AND IVERSON. This Joint Resolution authorizes the consumption of wine at an awards ceremony to be held by the World Food Prize Foundation at the State Capitol on or around October 16, 2003.

HOUSE FILE 682 - Wine Manufacturing, Sale, and Distribution

BY COMMITTEE ON APPROPRIATIONS. This Act is concerned with the funding of grape and wine development programs in the state, and with the establishment of new wine permit classifications and fees for native wines.

The Act contains provisions relating to the allocation of wholesale wine gallonage taxes for grape and wine development programs. Previously, any annual excess of actual wine gallonage tax revenue collected over the amount of revenue estimated to be collected by the Revenue Estimating Conference was available to support grape and wine development programs, subject to an annual maximum of \$75,000. The Act eliminates the "estimate" aspect, such that any annual increase in the amount collected over the amount collected in the previous year, subject to the \$75,000 maximum, will be the amount allocated for grape and wine development program support. Provisions relating to the allocation of revenue collected from the wine gallonage tax in the Grape and Wine Development Fund are retroactively applicable to July 1, 2002.

The Act also provides for the creation of two new wine permit classifications relating to native wine. A "native wine" is defined in the Act as a wine manufactured in this state. The Act provides that the holder of a class "B" native wine permit may sell native wine at retail for off-premises consumption, and the holder of a class "C" native wine permit may sell native wine at retail for either off-premises or on-premises consumption, with both new permit holders able to purchase wine for resale only from a native winery holding a class "A" wine permit. The Act provides that if a person holding a class "A" wine permit is a manufacturer of native wine, the person may sell only native wine to a person holding a permit to sell wine at retail, and that the native wine manufacturer may sell native wine at retail for consumption on the premises of the manufacturing facility by applying for a class "C" native wine permit. The Act provides that the annual permit fee for either new native wine permit classification shall be \$25. The Act deletes a provision that allows the sale of native wines at retail for off-premises consumption on the premises of the manufacturer or in a retail establishment operated by the manufacturer which is no closer than five miles from an existing winery.

The Act directs the Alcoholic Beverages Division of the Department of Commerce to submit proposed legislation during the 2004 Legislative Session making necessary conforming changes to Code Chapter 123.

The Act takes effect May 21, 2003.

APPROPRIATIONS

- SENATE FILE 36 - Miscellaneous Supplemental and Other Appropriations
- SENATE FILE 425 - Appropriations — Agriculture and Natural Resources
- SENATE FILE 433 - Appropriations — Economic Development
- SENATE FILE 435 - Appropriations — Judicial Branch
- SENATE FILE 436 - Supplemental Appropriations — Environment First Fund
- SENATE FILE 439 - Appropriations — Justice System
- SENATE FILE 452 - Appropriations — Infrastructure and Capital Projects
- SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
- SENATE FILE 458 - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
- HOUSE FILE 472 - Federal Block Grant Appropriations
- HOUSE FILE 652 - Appropriations — Transportation
- HOUSE FILE 655 - Appropriations — Administration and Regulation
- HOUSE FILE 662 - Appropriations — Education
- HOUSE FILE 667 - Appropriations — Health and Human Services
- HOUSE FILE 683 - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes — EXTRAORDINARY SESSION
- HOUSE FILE 685 - Healthy Iowans Tobacco Trust and Tobacco Settlement Trust Fund — Appropriations

RELATED LEGISLATION

- SENATE FILE 97 - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act establishes a funding mechanism for updating the driver's license issuance and records system by establishing a one-time \$3 surcharge to be charged to driver's license applicants between July 1, 2003, and June 30, 2008. Moneys collected from the surcharge in excess of the amount needed to rewrite the system are to be deposited in the Road Use Tax Fund.
- SENATE FILE 127 - Breast Cancer Awareness Motor Vehicle License Plates — Fees — Appropriation
SEE TRANSPORTATION. This Act creates a special breast cancer awareness motor vehicle registration plate and appropriates fees from the plate to the Iowa Department of Public Health to provide free mammograms through qualifying organizations.
- SENATE FILE 237 - Water Quality Protection Fund — Private Water Supply Systems — Deposit and Use of Permit Fees
SEE ENVIRONMENTAL PROTECTION. This Act allows the Department of Natural Resources to collect permit fees from private water supply well contractors and appropriates the moneys collected to be used for the purpose of supporting programs established to protect private drinking water supplies.
- SENATE FILE 375 - Tobacco Products Regulation — Miscellaneous Provisions — Appropriations
SEE BUSINESS, BANKING & INSURANCE. This Act relates to requirements of tobacco product manufacturers under the Tobacco Master Settlement Agreement. The Act provides an appropriation from the General Fund of the State to the Department of Revenue and Finance for FY 2003-2004 to implement the Act and provides for an annual appropriation to the department to enforce the Act. The Act also appropriates funds to be used for payment of litigation fees incurred pursuant to the Master Settlement Agreement.
- SENATE FILE 438 - Office of Grants Enterprise Management
SEE STATE GOVERNMENT. This Act provides funding of up to \$125,000 for the newly created Office of Grants Enterprise Management in the Department of Management from the increase in the amount of state indirect cost reimbursements.

- SENATE FILE 451** - Jurisdiction and Funding of Streets and Roads
SEE TRANSPORTATION. This Act provides for the transfer of jurisdiction of certain primary and farm-to-market roads and for the transfer of funds associated with those roads, and establishes a study committee to evaluate the distribution of moneys in the street construction fund of the cities.
- SENATE FILE 459** - Iowa Agricultural Industry Finance Loans — Assignment
SEE ECONOMIC DEVELOPMENT. This Act provides that the Department of Economic Development may accept an assignment of a loan made by a corporation providing financing to an eligible person under the Iowa Agricultural Industry Finance Act in Code Chapter 15E.
- HOUSE FILE 304** - Agricultural Land Tax Credits
SEE TAXATION. This Act provides for the reimbursement of a county, from the appropriation made to the Agricultural Land Credit Fund to pay for credits during FY 2003-2003, for the amount paid by a county to those qualifying for the agricultural land tax credit payable during FY 2002-2003 who, due to an error in the certification of the total amount of agricultural land tax credits, received a reduced amount. The Act takes effect April 15, 2003.
- HOUSE FILE 656** - Fire Fighter Motor Vehicle Registration Plates — Fees
SEE TRANSPORTATION. This Act directs that special fire fighter motor vehicle license plate fees are to be transferred to a special fund to be used for fire fighter training by the Fire Service Training Bureau.
- HOUSE FILE 682** - Wine Manufacturing, Sale, and Distribution
SEE ALCOHOL REGULATION & SUBSTANCE ABUSE. This Act is concerned with the funding of grape and wine development programs in the state, and with the establishment of new wine permit classifications and fees for native wines.

APPROPRIATIONS

SENATE FILE 36 - Miscellaneous Supplemental and Other Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act supplements appropriations made for FY 2002-2003.

The Act includes supplemental appropriations to the Department of Human Services for purposes of child and family services, the State Mental Health Institute at Mt. Pleasant, and the state resource centers. The Act also narrows language relating to an infrastructure appropriation made for construction of an alternative services girls treatment center.

The Act makes supplemental appropriations to the Department of Corrections. Existing law requiring per diem reimbursements from the U.S. Marshal's Service to be deposited into the General Fund of the State is amended to allow the department to utilize moneys received above a certain amount. Supplemental appropriations are provided for each correctional facility, general administration, and certain community-based corrections districts.

The Act includes a supplemental appropriation to the State Public Defender and allocates the appropriation to be used for court-appointed attorneys for indigent adults and juveniles.

The Act includes supplemental appropriations for these divisions of the Department of Public Safety: Administration, Criminal Investigation, Narcotics Enforcement, State Fire Marshal, and Iowa State Patrol.

The Act takes effect February 17, 2003.

SENATE FILE 425 - Appropriations — Agriculture and Natural Resources

BY COMMITTEE ON APPROPRIATIONS. This Act provides funding for the Iowa Department of Agriculture and Land Stewardship (IDALS) and the Department of Natural Resources (DNR) from a number of sources.

For IDALS, moneys are appropriated from the General Fund of the State and full-time equivalent employee positions (FTEs) are authorized in order to support its Administrative Division, Regulatory Division, Laboratory Division, and Conservation Division. The Act also appropriates moneys to support animal industry programs, including a program to regulate horse and dog racing by the department. The Act specifically provides support to the Senior Farmers' Market Nutrition Program and to the department for membership in a Missouri River association.

For DNR, moneys are appropriated from the General Fund of the State and FTEs are authorized in order to support its Administrative and Support Services Division, Parks and Preserves Division, Forests and Forestry Division, Energy and Geological Resources Division, and Environmental Protection Division. The Act also appropriates moneys from the State Fish and Game Protection Fund for support of the Division of Fish and Wildlife. Moneys are transferred to the State Fish and Game Protection Fund to support snowmobile programs and enforce state navigation laws administered by DNR.

An appropriation is made from the Unassigned Revenue Fund administered by the Iowa Comprehensive Underground Storage Tank Fund Board to DNR for administration and expenses of the Underground Storage Tank Section.

The Act permits DNR to use additional funds for staffing to reduce the department's floodplain permit backlog and to use additional funds available from stormwater discharge permit fees for staffing required to implement the Federal Total Maximum Daily Load Program.

SENATE FILE 433 - Appropriations — Economic Development

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations and transfers from the General Fund of the State to the Iowa Department of Economic Development (IDED), the State University of Iowa, the University of Northern Iowa, Iowa State University of Science and Technology, the Iowa Department of Workforce Development (IWD), and the Public Employment Relations Board for the 2003-2004 fiscal year.

The Act provides that the goals for IDED shall be to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state.

The Act appropriates from loan repayments on loans under the former Rural Community 2000 Program to IDED moneys for providing financial assistance to Iowa's councils of governments that provide technical and planning assistance to local governments and for the Rural Development Program for the purposes of the program, including the Rural Enterprise Fund and collaborative skills development training.

The Act appropriates moneys collected by the Division of Insurance in excess of the anticipated gross revenues to IDED for purposes of insurance economic development and international insurance economic development.

The Act appropriates moneys from the Iowa Community Development Loan Fund to IDED for purposes of the Community Development Program.

The Act appropriates moneys from the Workforce Development Fund Account to the Workforce Development Fund.

The Act provides that moneys appropriated or transferred to or receipts credited to the Workforce Development Fund may be used for administration of workforce development activities.

The Act provides that all moneys remaining in the Job Training Fund on July 1, 2003, and any moneys appropriated or credited to the fund during the fiscal year beginning July 1, 2003, shall be transferred to the Workforce Development Fund.

The Act appropriates moneys from the Administrative Contribution Surcharge Fund to IWD for salaries, support, maintenance, conducting labor market surveys, miscellaneous purposes, and for workforce development regional advisory board member expenses.

The Act appropriates moneys from the Special Employment Security Contingency Fund to IWD for the Division of Workers' Compensation and immigration service centers.

The Act allows the Office of Renewable Fuels and Coproducts to apply to IDED for moneys in the Value-Added Agricultural Products and Processes Financial Assistance Fund for deposit in the Renewable Fuels and Coproducts Fund.

The Act requests that the Auditor of State review the audit of the Iowa Finance Authority performed by the auditor hired by the authority. The Auditor of State is also requested to conduct a performance audit of the authority to determine the effectiveness of the authority and the programs of the authority.

The Act provides that, for the fiscal year beginning July 1, 2003, any entity that was specifically identified in 2001 Iowa Acts, Chapter 188, to receive funding from IDED, excluding any entity identified to receive a direct appropriation beginning July 1, 2003, may apply to the department for assistance through the appropriate program.

The Act provides that, in providing moneys from the Shelter Assistance Fund to homeless shelter programs, IDED shall explore the potential of allocating moneys to programs based in part on their ability to move their clients toward self-sufficiency.

The Act provides that all federal grants to, and the federal receipts of, agencies appropriated funds under this Act, not otherwise appropriated, are appropriated for the purposes set forth in the federal grants or receipts unless otherwise provided.

The Act appropriates moneys credited to the state by the U.S. Secretary of the Treasury pursuant to the Social Security Act to IWD for the administration of the Unemployment Compensation Program only.

The Act reduces the standing limited appropriation for the School-to-Career Program employer refunds.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision requiring the department to demonstrate accountability by using performance measures appropriate to show the attainment of the goals for the state and by measuring the effectiveness and results of the department's programs and activities.
2. A provision allocating certain appropriated moneys to Iowa State University for the purpose of funding small business development centers throughout the state.
3. Provisions requiring the University of Iowa, the University of Northern Iowa, and Iowa State University to emphasize that a business and an individual that create a business and receive benefits from a program funded, in part, through moneys appropriated in the Act have a commercially viable product or service.
4. A provision allowing the Department of Workforce Development to use certain additional penalty and interest revenue to accomplish the mission of the department upon notification to the General Assembly.

SENATE FILE 435 - Appropriations — Judicial Branch

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates \$113.35 million from the General Fund of the State to the judicial branch for FY 2003-2004, reduces the percentage of the state's contribution to the Judicial Retirement Fund for FY

2003-2004, and provides that the appointment of a clerk of the district court shall not occur unless the State Court Administrator approves such an appointment.

SENATE FILE 436 - Supplemental Appropriations — Environment First Fund

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates \$16,555,000 from the Cash Reserve Fund to the Environment First Fund for FY 2002-2003. The Act provides that any moneys that are not obligated in the Environment First Fund at the end of FY 2002-2003 are to be transferred to the Cash Reserve Fund, except for unobligated moneys for soil conservation practices. In addition, if the U.S. Supreme Court rules on or after July 1, 2003, in favor of the legality of Iowa's tax on the gross receipts from slot machines at racetracks, any additional tax revenues deposited into the Rebuild Iowa Infrastructure Fund are to be transferred to the Cash Reserve Fund in an amount equal to \$16,555,000, less the amount transferred from the Environment First Fund. The U.S. Supreme Court did so rule but the ruling was handed down on June 9, 2003.

The Act takes effect April 11, 2003.

SENATE FILE 439 - Appropriations — Justice System

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations for FY 2003-2004 to the departments of Justice, Corrections, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, the Office of the State Public Defender, the Iowa Telecommunications and Technology Commission, the Board of Parole, and the Iowa Civil Rights Commission.

DEPARTMENT OF JUSTICE. The Act appropriates \$10.02 million to the Department of Justice, which represents an increase of \$166,000 compared to the FY 2002-2003 appropriations.

DEPARTMENT OF CORRECTIONS. The Act appropriates \$251.24 million to the Department of Corrections for institutions, administration, and community-based corrections, which represents an increase of \$8.45 million from the FY 2002-2003 appropriations.

DEPARTMENT OF PUBLIC DEFENSE. The Act appropriates \$6.14 million to the Department of Public Defense, which represents an increase of \$100,700 from the FY 2002-2003 appropriations.

DEPARTMENT OF PUBLIC SAFETY. The Act appropriates \$60.7 million to the Department of Public Safety, which represents an increase of \$1.1 million from the FY 2002-2003 appropriations.

IOWA LAW ENFORCEMENT ACADEMY. The Act appropriates \$1.05 million to the Iowa Law Enforcement Academy, which represents an increase of \$72,000 from the FY 2002-2003 appropriations.

OFFICE OF THE STATE PUBLIC DEFENDER/INDIGENT DEFENSE. The Act appropriates \$36.18 million to the State Public Defender for indigent defense, which represents an increase of \$360,000 from the FY 2002-2003 appropriations.

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION. The Act appropriates \$500,000 to the Iowa Telecommunications and Technology Commission, which represents a decrease of \$502,000 from the FY 2002-2003 appropriations.

BOARD OF PAROLE. The Act appropriates \$1.02 million to the Board of Parole, which represents an increase of \$53,300 from the FY 2002-2003 appropriations.

IOWA CIVIL RIGHTS COMMISSION. The Act appropriates \$806,894 to the Iowa Civil Rights Commission, which represents a decrease of \$79,130 from the FY 2002-2003 appropriations. The appropriation to the Iowa Civil Rights Commission was added to the Act due to the elimination of the health and human rights appropriations bill.

The Act extends the lease of the Fire Service Institute at Iowa State University to the Department of Public Safety until July 1, 2010.

The Act extends the standing limited appropriation from the E911 Emergency Communications Fund to the E911 administrator for an additional year through FY 2003-2004. This provision takes effect May 23, 2003.

SENATE FILE 452 - Appropriations — Infrastructure and Capital Projects

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations for FY 2003-2004 from the Rebuild Iowa Infrastructure Fund, Environment First Fund, and the Tax-Exempt Bond Proceeds Restricted Capital Funds Account of the Tobacco Settlement Trust Fund for various capital and other projects. Appropriations from the Rebuild Iowa Infrastructure Fund include projects for the departments of Corrections, Cultural Affairs, Economic Development, Education, General Services,

Information Technology, Public Defense, Public Safety, and Transportation, and for the State Board of Regents, the Iowa Telecommunications and Technology Commission, and the National Program for Playground Safety at the University of Northern Iowa, and to the State Board of Regents for tuition replacement.

The Act also strikes an appropriation from the Rebuild Iowa Infrastructure Fund to the State Board of Regents for FY 2003-2004 for repayment of the bonding authorized in that Act for the Phase II construction of the engineering teaching and research complex at Iowa State University of Science and Technology.

The Act amends an FY 2000-2001 appropriation from the Rebuild Iowa Infrastructure Fund to the judicial branch for construction of the judicial building to allow up to \$400,000 to be used for costs associated with operation of the building.

The Act appropriates funds from the Environment First Fund to the departments of Agriculture and Land Stewardship, Economic Development, and Natural Resources. The Act appropriates \$11 million from the Environment First Fund to the Resources Enhancement and Protection Fund in lieu of the \$20 million appropriated by statute from the General Fund of the State.

The Act makes appropriations from the Tax-Exempt Bond Proceeds Restricted Capital Funds Account of the Tobacco Settlement Trust Fund for projects for the departments of Corrections, Economic Development, Education, General Services, Information Technology, Natural Resources, Public Defense, Public Safety, and Transportation, and for the State Board of Regents, the Iowa State Fair Authority, and the Office of Treasurer of State.

The Act also appropriates funds from the Tax-Exempt Bond Proceeds Restricted Capital Funds Account of the Tobacco Settlement Trust Fund to the State Board of Regents for tuition replacement and to the Treasurer of State for Tobacco Master Settlement Agreement litigation fees, debt service for the Iowa Communications Network, and repayment of prison infrastructure bonds.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Provisions creating a Capitol Complex Parking Structure Revolving Fund to be administered by the Department of General Services and directing the department to establish parking fees for public and state employee use of the parking structure.
2. A directive to the Department of General Services to issue a request for proposals for the management, operation and maintenance of the parking structure.

SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions

BY COMMITTEE ON APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the "Government Reinvention Bill" during debate and discussion, noting that many of the ideas contained in the Act were developed working with the Public Strategies Group, a consultant retained by the Governor. The Act is organized into divisions identified by particular topics.

Division I — Property Tax Replacement

Effective July 1, 2003, Division I repeals the statutory requirements for state payment of personal property tax replacement moneys to local governments, and accelerates the phaseout and reduces the amount of state payment of replacement moneys for the property tax on machinery, equipment and computers (M & E). In addition, the division repeals the state payment of franchise tax revenues to local governments. Authority for a local government to levy in FY 2003-2004 to recoup an insufficiency in state funding for M & E in FY 2002-2003 is removed and this provision takes effect May 30, 2003. The division states that the repeals will result in appropriation reductions totaling \$70 million and provides that if the Governor vetoes any provisions in the division resulting in increased appropriations, the Governor shall order uniform reductions in State General Fund appropriations to the executive branch. Senate File 458 eliminates a \$10 million appropriation made in this Act for local government innovations and for FY 2003-2004 increases state payment to local governments to replace M & E tax revenues and continues the franchise tax revenue payment.

Division II — Parking Tickets

Division II provides that a local government may establish the parking violation fine for each violation that occurs. Current law establishes the maximum parking fine at \$5. The division provides that if a parking violation is not paid within 30 days, the fine amount increases by \$5. Under current law, the fine amount increases up to \$10.

Division III — Iowa Law Enforcement Academy

Division III provides that an individual who is not a certified law enforcement officer may apply for attendance at the Iowa Law Enforcement Academy at their own expense on the condition that the individual meets certain eligibility requirements as established by academy rules. However, an individual shall not be granted permission to attend the academy training program if the acceptance would result in the nonacceptance of another qualifying applicant who is a law enforcement officer.

Division IV — Budget Appeals

Division IV relates to local government budget appeal requirements. Under the Act, the number of people necessary to file an appeal of a proposed county budget must be equal to one-fourth of 1 percent of those voting for the Office of Governor at the last general election of the county, but not less than 100 people. Under current law, a protest of a county budget can be made by a number of people equal to one-fourth of 1 percent of those voting for the Office of Governor at the last general election of the county, but not less than 10 people.

Division V — Urban Renewal Reporting

Division V changes the annual reporting requirements of municipalities that have established urban renewal areas. In lieu of the annual reporting, the reporting is to be submitted on or before December 1 of each odd-numbered year. And in lieu of various specific information, the municipality need only report the total amount of loans, bonds, and other indebtedness of the most recently ended fiscal year.

Division VI — City and County Infractions

Division VI increases the maximum civil penalty that may be imposed by a city or county for an infraction of its ordinances from \$500 to \$750 and from \$750 to \$1,000 for each repeat offense.

Division VII — Recording Transaction Fee

Division VII requires the county recorder to collect for FY 2003-2004 an electronic transaction fee of \$5 for each recorded transaction for which a fee is already paid pursuant to the general recording and filing fee requirements. The purpose of the electronic transaction fee is to fund the planning and implementation of electronic recording and electronic transactions in each county and development of county and statewide Internet web sites. The division requires the county treasurer to establish and maintain an interest-bearing account into which all electronic transaction fees collected are deposited. Beginning in FY 2004-2005, the recorder is required to collect a fee of \$1 to pay the ongoing costs of the electronic access. See S.F. 458 for a clarification that the fee is applied to whole transactions, rather than on a per-page basis, and for other clarifications.

Division VIII — Local Government Leases

Division VIII provides that a city or county may enter into a lease with a joint city-county authority when the city or county and the authority determine that such a lease is necessary and convenient to effectuate their purposes. The power to enter into leases with a joint authority is in addition to other powers granted to cities and counties to enter into leases, and the provisions of law which require a city or county entering into a lease to follow the authorization procedure which requires an affirmative vote of 60 percent of the votes cast on the question are not applicable and instead only a majority vote is required for authorization of such leases.

Division IX — Local Government Innovation Fund

Division IX creates the Local Government Innovation Fund under the control of the Department of Management. The purpose of the fund is to provide loans to cities and counties for purposes of stimulating and encouraging city and county innovation and savings in expenditures. The Director of the Department of Management is directed to appoint a seven-member committee to implement forms, loan requirements, and loan repayment schedules, and to perform other administrative functions. The loan provisions are required to be outlined in a Code Chapter 28E agreement between the state and the city or county receiving the loan. Moneys appropriated to the fund do not revert and the fund retains interest and earnings. The division provides an initial \$10 million appropriation to the fund; however, this appropriation was repealed by S.F. 458, section 42, and the moneys are instead appropriated to continue for FY 2003-2004 state payments to local governments of state franchise tax revenues and a larger portion of state machinery and equipment property tax replacement payments. An appropriation of \$1 million to the fund is included in H.F. 683.

Division X — DNR Regulation Study

Division X requires the Legislative Council to establish a study committee for the 2003 Interim to review the Department of Natural Resources' enforcement and penalty policies relating to regulation of cities and counties.

Division XI — Charge for Capital Assets

Division XI directs the Department of Management, for FY 2003-2004, to levy charges against certain executive branch departments and agencies for the indirect costs associated with the capital assets controlled by the departments and agencies. Proceeds from the charges are required to be credited to the fund from which the moneys used to pay the charges were appropriated and are limited in amount. The division provides for a reduction in State Board of Regents appropriations in lieu of the capital asset charges.

Division XII — Charter Agencies

Division XII establishes new Code Chapter 7J and provides the Governor with the authority to designate, by July 1, 2003, up to five state agencies as charter agencies. However, S.F. 458 removes the five-agency ceiling and H.F. 683 allows the Lottery Authority to be designated as a charter agency. The Department of Administrative Services (created by H.F. 534, see State Government) and the Department of Management cannot be designated as charter agencies. The designation of a charter agency is for a period of five years and terminates June 30, 2008. The division takes effect May 30, 2003.

Division XII establishes the additional authority and requirements applicable to charter agencies. The division provides that the pay for a director of a charter agency is set by the Governor within the pay plan for exempt positions in state government with a possible bonus of up to 50 percent of that amount. Each director is also required to enter into an annual performance agreement with the Governor. The division further provides that the total appropriations to charter agencies for FY 2003-2004 shall be reduced by \$15 million, with an annual target of a 10 percent reduction for each charter agency. However, S.F. 458 eliminates the 10 percent annual target and allows the Department of Management to offset the amount of the FY 2003-2004 reduction by the amount of additional revenue brought in by a charter agency. The division indicates similar reductions are contemplated for the five years this division is in effect. In addition, each charter agency is allowed to retain 50 percent of any unobligated or unexpended appropriations at the end of each fiscal year.

Division XII also provides that a charter agency is not subject to any limitations relating to the number or grade of its employees. In addition, a charter agency is granted the authority to waive any personnel requirement, subject to any restriction contained within a collective bargaining agreement.

The division also allows a charter agency to waive any rule or regulation regarding procurement, fleet management, printing and copying, maintenance of buildings, and information technology.

The division also permits a charter agency to waive any administrative rule if strict compliance with the rule impacts the ability of the agency to perform its duties in the most cost-efficient manner. The charter agency may propose the granting of the waiver if it finds, by clear and convincing evidence, that the provision to be waived poses an undue financial hardship, that the waiver would not prejudice the rights of any person, that the public health and welfare can be protected by other means, and that the waiver would not violate federal or state law or the federal or state constitution. If the agency proposes a waiver, the agency must submit the waiver to the Administrative Rules Review Committee, which must review the waiver at its next meeting. The committee can either approve the waiver affirmatively or by not taking action, or it can delay the effective date of the waiver in the same manner as the committee can delay the effective date of an administrative rule.

The division further requires each charter agency to submit annual reports to the General Assembly concerning its actions as a charter agency and requires the Governor to submit a report to the General Assembly concerning the implementation of the division by January 15, 2008. The division also requires each proposed waiver or suspension of a rule by a charter agency to be submitted to the Department of Management for review and the director of the department may disapprove the waiver or suspension if it would result in an adverse financial impact on the state.

The division creates a Charter Agency Loan Fund under the authority of the Department of Management to be used for loans to support innovation by charter agencies. For FY 2003-2004, \$3 million is appropriated. Senate File 458 changes the loan fund to a grant fund and eliminates the payback requirements.

Division XIII — Health Insurance Incentive

Division XIII provides that the Department of Administrative Services may establish an incentive program for state employees to encourage employees to reduce health insurance costs for FY 2003-2004. Fifty percent of any savings realized are

required to be distributed to affected state employees in a manner established by the program. The department is required to obtain approval of the program from the Executive Council and to submit a copy of the proposed program, and an update on the program, by December 31, 2003, to the Legislative Government Oversight Committee.

Division XIV — Area Education Agencies

Division XIV provides for reductions in specified area education agency (AEA) funding levels and carryover balances. The division provides that for FY 2003-2004, AEA special education support services fund balances shall be reduced. Specific reduction amounts are provided for each AEA. With respect to this reduction, an AEA may use the funds determined to be for AEA payments, and unreserved fund balances for media services or education services, in a manner which it believes is appropriate to best maintain the level of required AEA special education services.

A temporary reduction in state aid for AEAs paid through school districts is made. For FY 2003-2004, there is an additional reduction in state aid for AEAs and the portion of the combined district cost calculated for the agencies of \$10 million. The division allows an AEA, within the limits of the total of the funds provided, to expend for special education support services an amount that exceeds the payment for special education support services in order to maintain the level of required special education support services in the AEA.

Division XIV takes effect May 30, 2003.

Division XV — Child Welfare Services

Division XV requires the Department of Human Services to implement a service system redesign for child welfare services applicable to those children who are subject to the jurisdiction of the juvenile court or juvenile court services or who have been found to be a victim of child abuse by the department. The division states the purpose of the system redesign, identifies the children involved, identifies design principles and considerations, provides for use of a stakeholder panel, establishes a legislative monitoring committee, requires implementation of the redesign to begin by January 1, 2004, provides emergency rulemaking authority, and authorizes the Director of Human Services to seek federal waivers and plan amendments.

The statutory requirements, relating to competitive bidding and penalties for divulging the contents of sealed bids, and the administrative rules relating to requirements for service contracts, are not applicable to the services procurement process used to implement the service system redesign. The department is authorized to enter into competitive negotiations and proposal modifications with service contractors as necessary to implement the outcomes-based approach.

The FY 2003-2004 General Fund moneys appropriated to the department in H.F. 667 are reduced by \$10 million and the Governor is required to apply the reductions by January 1, 2004, after consulting with the legislative monitoring committee, the Director of Human Services, and the Council on Human Services. If the judicial branch reports a reduction to the judicial branch budget as a result of the redesign, the amount of the reductions made by the Governor shall be reduced accordingly. Appropriations are made to the department for costs to implement the service system redesign.

Division XVI — Department of Human Services Reinvention

Division XVI reduces and supplements various appropriations made to the Department of Human Services (DHS) for FY 2003-2004 and transfers moneys from the Hospital Trust Fund at the end of FY 2002-2003, changes the funding for educational services provided to children at DHS institutions, and addresses the Medical Assistance (Medicaid) Program.

DHS is required to develop plans for making electronic payments to Medicaid Program and child care services providers. Various FY 2003-2004 appropriations are reduced to reflect the anticipated savings from this change. The Governor is directed to apply the reductions by January 1, 2004. The appropriation made for FY 2003-2004 for the Medicaid Program from the Hospital Trust Fund is supplemented. In addition, effective May 30, 2003, a planned transfer of the Hospital Trust Fund balance at the end of FY 2002-2003 is eliminated.

The division modifies the procedures for authorizing and funding educational programs provided to children residing in DHS institutions, specifically the State Mental Health Institutes at Cherokee and Independence, the State Training School at Eldora, and the Iowa Juvenile Home at Toledo. The institution in which a child resides is required to submit to the Department of Education a proposed program and budget for approval or modification. Once a proposed program and budget are approved, monthly installments are made through the state aid to schools appropriation to DHS, which will distribute the payments to the appropriate institutions.

Under current law, the funding for the educational programs is derived from an appropriation made to DHS, though the AEAs provided the Iowa Juvenile Home and the State Training School with services. Reductions are applied to FY 2003-2004 DHS appropriations to reflect the change in the funding source. Appropriations for the State Training School, Iowa Juvenile Home, and State Mental Health Institute at Independence are affected.

DHS is directed to establish a work group to work on a plan for redesign of the Medicaid Program. The work group membership is to include representatives of the insurance industry and the policy options considered are required to include health care spending accounts, acuity-based reimbursement for services provided to certain seniors, and an evidence-based pharmaceutical program.

Division XVII — Reinvention Investment

Division XVII adds \$1.35 million to the \$5 million H.F. 655 appropriates to the Department of Management for reinvention initiatives intended to produce ongoing savings.

Division XVIII — Iowa Lottery Authority

Division XVIII transfers authority over the operation of the Iowa Lottery from the Lottery Division of the Department of Revenue and Finance to a newly created Iowa Lottery Authority by eliminating Code Chapter 99E, which provided the statutory basis for the operation of the Iowa Lottery, and creating new Code Chapter 99G, which provides for the operation of the Iowa Lottery under the newly created Iowa Lottery Authority. The newly created authority is deemed an instrumentality of the state but not a state agency; however, the Administrative Procedure Act, and provisions governing open records and open meetings, are made applicable to the newly created authority. The division provides for a chief executive officer (CEO) of the authority who shall be appointed by the Governor and confirmed by the Senate and who shall serve for a four-year term. However, the division provides that the new CEO can only be removed from office prior to the end of the CEO's term for improper conduct. The existing five-member Lottery Board providing oversight of the lottery is maintained, but the board is given the additional responsibility for approving the budget of the authority. The CEO and the new board are also given the exclusive power to determine the number of full-time equivalent positions needed to carry out the provision of the new Code chapter. The division also eliminates the sales tax on gross receipts from the sale of Iowa lottery tickets. Provisions governing the transition from the current organizational structure to the new structure are also included in the division. The division was originally to take effect September 1, 2003, but S.F. 458 moved the effective date up to July 1, 2003.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Language in Division XI (Charge for Capital Assets) that provided that the reduction in the appropriations made to the State Board of Regents for the three state universities would be applied in a particular percentage amount at each of the universities.
2. Language in Division XI (Charge for Capital Assets) that required the Legislative Council to authorize a study for the 2003 Legislative Interim of the issues surrounding the capital asset charges.
3. Language in Division XIV (Area Education Agencies) requiring the Department of Education to establish a task force to study the delivery and funding of media services, educational services, and special education support services by the area education agencies. The 18-member task force included various education system interests and 10 members of the General Assembly. The department was required to submit its findings and recommendations to the chairpersons and ranking members of the Senate and House of Representatives Standing Committees on Education and the Joint Appropriations Subcommittee on Education by December 15, 2003.

SENATE FILE 458 - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters

BY COMMITTEE ON APPROPRIATIONS. This Act relates to various state appropriations, compensation of public employees, tax provisions, and regulatory matters.

Note: Some provisions of this Act may have been amended by H.F. 683.

Division I — MH/MR/DD — Allowed Growth

This division appropriates funding for county mental health, mental retardation, and developmental disabilities (MH/MR/DD) services allowed growth for FY 2004-2005.

This division amends Code Section 426B.5, relating to the risk pool established for counties with unanticipated expenditures for MH/MR/DD services. The application date by which a county must apply for assistance from the pool is moved

back from April 1 to January 25. The Risk Pool Board must make its final decision on applications on or before February 25. If the board's decisions on providing assistance do not utilize all the moneys available in the risk pool for that fiscal year, the remainder is to be distributed to eligible counties based upon the methodology used to distribute allowed growth funding to counties.

The methodology for distribution of allowed growth funding for FY 2003-2004 is revised so that counties with an ending balance in the previous fiscal year that is less than 10 percent of the gross expenditures for that fiscal year are allowed an inflation adjustment. Counties with an ending balance percentage of 35 through 44 would have had 85 percent of their allowed growth payment withheld, but under the Act all of the allowed growth payment is withheld. Finally, the Department of Human Services (DHS) is prohibited from changing the inflation adjustment authorized by the division.

Division II — Standing Appropriations — Reductions

This division applies reductions to standing appropriations for the General Assembly, at-risk children programs, public transit assistance, and the Educational Excellence Program. The transit assistance appropriation is further reduced in H.F. 683.

The division includes an appropriation from the Cash Reserve Fund to the Rebuild Iowa Infrastructure Fund and law is made inapplicable that would otherwise require that the reason for the appropriation be stated, that the appropriation be the only subject of the bill, and that the bill receive a supermajority vote if the appropriation caused the fund balance to drop below a certain level. This appropriation takes effect May 30, 2003. In addition, the division reduces a standing appropriation from the Rebuild Iowa Infrastructure Fund to the Environment First Fund for FY 2002-2003, and this reduction takes effect May 30, 2003.

Division III — Standing Appropriations — Limitations

This division applies limitations to standing appropriations for compensation of military personnel, nonpublic school transportation, printing of cigarette tax stamps, state share of peace officers' retirement benefits, livestock production credit refunds, reimbursement of homestead property tax credits, reimbursement of agricultural land and family farm tax credits, reimbursement of military service tax credits, state unemployment compensation expenses, interest costs under the federal Cash Management and Improvement Act, the state's Deferred Administration Compensation Program, and elderly and disabled credits.

Division IV — Revenue Adjustments — Appropriations

This division provides the following revenue adjustments and appropriations, which, except as otherwise indicated, are applicable for FY 2003-2004:

1. Interest and earnings from the Iowa Economic Emergency Fund and the Cash Reserve Fund will be credited to the General Fund of the State instead of the Rebuild Iowa Infrastructure Fund as provided in Code Sections 8.55 and 8.56.
2. The unexpended balances of state general fund operational appropriations will revert to the General Fund of the State instead of remaining with agencies for use for training and technology purposes as provided in Code Section 8.62.
3. Moneys collected from the income tax checkoff for the Keep Iowa Beautiful Fund in FY 2002-2003 and 2003-2004 are appropriated to the Iowa Department of Transportation for the purposes provided in Code Section 314.28 of education for litter prevention, improving waste management and recycling efforts, and beautification projects.
4. Of the \$70 million in gambling revenues that the law provides will be deposited in the Endowment for Iowa's Health Account of the Tobacco Settlement Trust Fund, \$20 million will instead be deposited in the General Fund of the State.
5. Provides an appropriation to the Iowa Department of Economic Development for assistance to a city or organization hosting the National Junior Olympics.
6. Code Section 8.55, relating to the Iowa Economic Emergency Fund, includes provisions making transfers when the fund has reached its maximum balance. The standing limited transfer to the Senior Living Trust Fund is increased to \$118 million and the standing limited transfer to the Endowment for Iowa's Health Account is increased to \$102 million.
7. Delays until July 1, 2004, the effective date of a change in the maximum balances of the Cash Reserve and Iowa Economic Emergency Funds.

8. The maximum amount of job credits for the Accelerated Career Education Program under Code Section 260G.4B is decreased from \$6 million to \$4 million.
9. Eliminates a standing appropriation from the General Fund of the State to the Endowment for Iowa's Health Account for FY 2003-2004.
10. The FY 2002-2003 appropriation to the State Racing and Gaming Commission for purposes of racetrack regulation is increased.
11. Appropriates from the Rebuild Iowa Infrastructure Fund \$10 million to the General Fund of the State.
12. Increases the appropriation made for salaries and support to the Iowa Law Enforcement Academy in S.F. 439.
13. Appropriates from the Cash Reserve Fund for purpose of a Military Pay Differential Program and Health Insurance Retention Program for individuals activated for the United States armed services. This provision applies retroactively to March 19, 2003.
14. Directs that fees remaining in the Assisted Living Program Fund on June 30, 2003, be used for purposes of the fund by the Department of Inspections and Appeals instead of the Department of Elder Affairs.
15. Makes appropriations to the Department of Workforce Development for OSHA inspectors and a workers' compensation compliance officer. However, this appropriation was contingent upon the enactment of S.F. 344, which was not enacted.
16. Appropriates to the Department of Workforce Development moneys transferred to the state from the federal government under the federal Social Security Act (referred to as "Reed Act" funding in legislative debate). The moneys are to be used for payment of unemployment compensation benefits, for establishing the Unemployment Compensation Reserve Fund created by the division in Code Section 96.9, for purposes of automation and technology for the unemployment tax and claims system, and for infrastructure improvements and other costs associated with enhanced services to unemployment benefit claimants for workforce and labor exchange services. The provisions creating the reserve fund also provide for receipt of reserve contributions if the fund balance falls below a certain level. This provision takes effect May 30, 2003.
17. Extends the \$30 million standing appropriation for the Iowa Early Intervention Block Grant Program for FY 2003-2004.
18. Provides a standing appropriation from Phase III moneys under the Educational Excellence Program for the Iowa Mathematics and Science Coalition.
19. Increases the amount of state property tax replacement payments for machinery, equipment and computers as set in S.F. 453 by \$1.2 million; appropriates the \$8.8 million in franchise tax revenues to be allocated to local jurisdictions (S.F. 453 repeals Code Section 405A.10, which provided for an annual appropriation of \$8.8 million); and repeals the \$10 million appropriation in S.F. 453 to the Local Government Innovation Fund.
20. The nonreversion of the appropriation for pooled technology funding is extended through FY 2003-2004. This provision takes effect May 30, 2003.
21. Changes the appropriation made in H.F. 655 for the Ready to Work Program and coordinator from the Long-term Disability Reserve Fund and the Workers' Compensation Trust Fund to the Workers' Compensation Trust Fund only.
22. Appropriates up to \$50 million from the Cash Reserve Fund to the General Fund of the State to prevent any overdraft or deficit. The appropriation is contingent upon certain events, including the reduction in estimates of General Fund receipts and the insufficiency of the Governor's across-the-board cuts or the Governor's inability to make such cuts. This provision takes effect May 30, 2003.

Division V — Compensation and Benefits

This division relates to compensation and benefits paid to state employees. The division appropriates moneys for the fiscal year beginning July 1, 2003, to fund salary adjustments for certain contract and noncontract employees.

The State Board of Regents is specifically allocated appropriations to fund increases to employees at the State School for the Deaf and the Iowa Braille and Sight Saving School and is directed to use other sources to fund other employee increases.

The division also provides supplemental authorization to fund salaries from trust, revolving and special funds for which the 80th General Assembly has established a budget.

State trooper meal allowances are provided for and a salary model coordinator is funded to maintain the state's salary model in conjunction with the Legislative Fiscal Bureau.

Division VI — Corrective Provisions

This division provides corrective amendments to legislation passed in the 80th General Assembly, 2003 Regular Session, and to Code sections affected by such legislation.

Division VII — Miscellaneous Provisions

This division makes statutory changes to the Code and to Session Laws and makes other miscellaneous provisions as follows:

- ? New Code Sections 7J.1(1), 7J.1(3) and 7J.2, enacted by S.F. 453, are amended to strike the limit of five state departments or agencies that may be designated charter agencies, changing the Charter Agency Loan Fund to the Charter Agency Grant Fund to provide grants instead of loans to charter agencies to provide funding to support innovation by the charter agencies, and providing that a reduction of \$15 million in the operating appropriations to a charter agency from the amount which would otherwise be appropriated along with additional generated revenue from the reinvention process is intended. Senate File 453 is also amended to accomplish the above.
- ? Code Section 8.23, relating to the annual departmental budget estimates required to be submitted to the Director of the Department of Management, is amended by striking the requirement for agencies that pay for energy directly to include an energy line item itemized by type of energy and location. Code Section 8.31 is amended to require that an executive branch agency must submit the requisition of an appropriation annually by June 1 in advance of the fiscal year, or by another date identified by the director. The requisition is required to identify the dates and amounts during the fiscal year for allotment of the appropriation. These changes take effect June 1, 2003, and the revised allotment requirements are first applicable to the appropriations made for the fiscal year beginning July 1, 2003.
- ? Code Sections 12B.10 and 12B.10A, relating to public funds investment standards and public funds investment maturity and procedural limitations, are amended to provide that the short-term investments of the State Board of Regents and its institutions cannot have an effective maturity in excess of 63 months.
- ? Code Section 12C.27 is rewritten to provide that if the Treasurer of State determines that a bank fails to comply with the collateral pledged requirements of Code Section 12C.22, the treasurer may restrict the bank from accepting uninsured public funds.
- ? Code Section 12E.12(8) is amended to allow the issuing agency of refunding bonds for Tobacco Settlement Authority bonds, which cannot be used for such refunding, to use the proceeds from the previously issued refunding bonds for capital infrastructure improvements at the issuing agency. This provision takes effect May 30, 2003.
- ? Code Chapter 15E provisions relating to investment tax credits for certain venture capital investments are amended. Code Sections 15E.42 and 15E.43(1), paragraph "a," are amended to add individuals receiving income from a revocable trust which invests in a qualified business to qualify for a tax credit for an equity investment in a qualifying business. Code Section 15E.43(1) is amended to provide that an individual who dies before redeeming the entire investment tax credit for an equity investment in a qualifying business or community-based seed capital fund can claim the remaining credit on the decedent's final income tax return. Code Section 15E.45 is amended to provide that since investors in a community-based seed capital fund are not restricted to individual taxpayers, the reference to individual investors should be stricken. Code Section 15E.51 is amended to provide that an investor who makes separate investments into a community-based seed capital fund and a venture capital fund should be entitled to claim a tax credit for both investments. These amendments apply retroactively to January 1, 2002.
- ? Code Section 15E.193B(4) is amended to allow the Department of Economic Development to extend the two-year completion period for tax credits for housing projects in enterprise zones if completion of the project is impossible because of substantial loss due to a catastrophe. "Substantial loss" means at least 30 percent of the project's eligible basis. This amendment takes effect May 30, 2003.
- ? Enacts new Code Section 16.181 to establish a Housing Trust Fund to be administered by the Iowa Finance Authority. The fund shall be used for the development and preservation of affordable housing for low-income people in the state. Assets in the Housing Trust Fund shall consist of all of the following:
 - ? Any assets received by the authority from the Iowa Housing Corporation.
 - ? Any moneys transferred by the authority for deposit in the fund.
 - ? Any other moneys appropriated by the General Assembly and any other moneys available to and obtained or accepted by the authority for placement in the fund.

The new Code section also creates a Local Housing Trust Fund Program and a Project-Based Housing Program within the Housing Trust Fund. The new Code section provides that 60 percent of the assets in the Housing Trust Fund shall be allocated to the Local Housing Trust Fund Program and 40 percent of the assets are allocated to the Project-Based Housing Program. Any assets remaining in the Local Housing Trust Fund Program on April 1 of each fiscal year which have not been awarded to a Local Housing Trust Fund may be transferred to the Project-Based Housing Program at any time prior to the end of the fiscal year.

- ? Code Section 25.1 is amended to provide that the State Appeal Board shall no longer consider claims for vehicle registration fee refunds. Such refunds are obtained by application to the Iowa Department of Transportation in certain circumstances when a vehicle is sold, transferred or junked.
- ? Code section 29C.8 is amended by requiring the Administrator of the Emergency Management Division of the Department of Public Defense, effective July 1, 2004, to approve and support the development and ongoing operations of an urban search and rescue team within the state. Members of the team when acting under the direction of the administrator or pursuant to a Governor's Disaster Proclamation are considered employees of the state and shall be compensated for disability, workers' compensation, and death benefits as appropriate. The Administrator of the Emergency Management Division of the Department of Public Defense must also develop, implement and support a uniform incident command system to be used by state agencies responding to emergencies and disasters beginning July 1, 2003. A related change is made to Code Section 29C.20, pertaining to a contingent fund governed by the Executive Council for use in responding to disasters and other emergencies, to authorize payment of expenses and claims from the fund beginning July 1, 2004, for authorized urban search and rescue team activities and disaster medical assistance team activities.
- ? New Code Sections 99G.9(3) and 99G.40(5), enacted by S.F. 453, are amended to specify that the Auditor of State or the Auditor of State's designee is to perform audits on the records and papers of the Iowa Lottery Authority which is created in S.F. 453.
- ? Code Section 257.11(5) is amended to specify a minimum of 10 additional pupils are to be awarded a school district as additional weighting if a regional academy provides both advanced-level courses and vocational-technical courses. The amendment also provides that if additional funding to school districts operating regional academies exceeds \$1 million, the funding shall be prorated to each school district.
- ? Code Sections 260C.14, 261.9 and 262.9 are amended to require community colleges, private colleges, or universities under Iowa's Tuition Grant Program and the Board of Regents universities to offer options to students who are members of the National Guard or military reserves and are called to active state or federal duty. These options include the withdrawal from registration with a full refund of tuition and fees, course grades be given or incomplete grades be given to be made up later for all of the courses, or course grades be given or incomplete grades be given to be made up later for only some of the courses.
- ? Code Section 284.13(1) is amended to revive the allocation for the Team-Based Variable Pay Program administered by the Department of Education during the 2001-2002 fiscal year by providing a \$500,000 allocation from the appropriation for the Student Achievement and Teacher Quality Program for each fiscal year of the fiscal period beginning July 1, 2003, and ending June 30, 2005. The Code section is also amended to provide that any moneys remaining shall be allocated to school districts for salaries and career development.
- ? Code Section 294A.25(6)-(9) is amended by striking references to Phase III in standing Code language that provides for the allocation of educational excellence moneys to the Department of Education; and striking the subsection used to allocate moneys in prior years for the Ambassador to Education Program, which in FY 2003-2004 is funded from a Student Achievement and Teacher Quality Program allocation. The amendments provide that the allocations for the K-12 management information system and for the Iowa Braille and Sight Saving School and the Iowa State School for the Deaf will be made prior to the allocations provided to meet the minimum teacher salary requirements and salary improvement requirements of Code Chapter 294A.
- ? Code Sections 321J.2, 321J.4 and 321J.12, as amended by 2003 Iowa Acts, H.F. 65 (see Criminal Law, Procedure & Corrections), are amended to provide that a defendant who has been convicted of a first offense operating while intoxicated offense whose driver's license or nonresident operating privileges have been revoked and who seeks a temporary restricted license must install an approved ignition interlock device on all vehicles owned or operated by the defendant. This requirement also applies to a defendant whose driver's license or nonresident operating privileges have been revoked administratively due to chemical test failure.
- ? Code Section 331.605C(1), (2) and (4), as enacted by S.F. 453, is amended to specify that the fees collected for each electronically recorded transaction is the enumerated amount regardless of the number of pages and to change the name of the fund to which locally collected electronic transaction fees are deposited for purposes of providing electronic access to local records from the "State Government Electronic Transaction" Fund to the "Local Electronic Government Transaction" Fund.
- ? Code Section 422.45 is amended to add a new subsection 64 that exempts from the sales and use taxes the access or service charges assessed by financial institutions on noncustomer point of sale or noncustomer use of automated teller machines.
- ? Code Section 423.4 is amended to exempt from the use tax the transfer of vehicles subject to registration from one leasing corporation to another if both corporations are part of a controlled group for federal income tax purposes.
- ? Code Section 435.26A, as enacted by S.F. 134 (see Local Government), is amended to require certain information be provided when the certificate of title for a manufactured home has been surrendered. The amendment also

provides for the procedure for the reissuance of a previously surrendered certificate of title for a manufactured home. The amendments take effect May 30, 2003.

- ? Code Section 452A.2 is amended to add a definition for "nonterminal storage facility" in the motor fuel tax statute.
- ? Code Sections 453C.1 and 453C.2 are amended to allow cigarette manufacturers that are not members of the Master Settlement Agreement and that are required to place moneys into escrow on account for cigarettes to be sold in the state to receive a refund of any excess escrow amounts remitted because of fewer cigarettes sold than anticipated. The amendments take effect May 30, 2003. If the amendment to Code Section 453C.2 is unconstitutional, the remaining portions of Code Section 453C.2 and the amendment to Code Section 453C.1 shall remain effective.
- ? Code Section 476.33 is amended to require the Utilities Board to consider for inclusion in the rates for public utilities the capital infrastructure investments that will not produce significant revenues and will be in service within the test year and the cost of capital charges that will occur within nine months following the test year which are associated with a new generating plant. The Utilities Board is also directed to initiate and coordinate a review of current ratemaking procedures.
- ? A Tobacco Compliance Employee Training Fund is created in Code Section 453A.2 consisting of the civil penalties charged for violations of the law for sales to underage purchasers. Moneys in the fund are appropriated to the Alcoholic Beverages Division of the Department of Commerce for the Tobacco Compliance Employee Training Program created in S.F. 401 (see Business, Banking & Insurance). This provision takes effect May 30, 2003.
- ? Code Section 505.7 is amended to allow the Commissioner of Insurance to retain funds collected during FY 2003-2004 pursuant to a legal action authorized by state or federal law to be used for reimbursement of costs and expenses.
- ? Code Sections 518.18 and 518A.35 are amended to reduce the premiums tax from 2 percent to 1 percent over four years and increase the prepayment of such tax for county and state mutual insurance associations. These amendments take effect May 30, 2003.
- ? Transfers, for FY 2003-2004, \$900,000 from the Rent Fund established in H.F. 534 (see State Government) to the General Fund of the State.
- ? Provides for nonreversion of appropriations made for FY 1996-1997 and FY 1997-1998 for exterior state capitol restoration.
- ? Senate File 453, Section 49, which directs DHS to create a work group for the redesign of the Medical Assistance (Medicaid) Program, is amended. The amendment adds members of the Medical Assistance Advisory Council to the work group.
- ? Moves the effective date of the creation of the Iowa Lottery Authority in S.F. 453 up from September 1, 2003, to July 1, 2003.
- ? Repeals the following Code sections, involving programs at Iowa State University: Code Section 266.8, relating to the Hazardous Waste Technical Research and Assistance Program, and Code Sections 266.24, 266.25 and 266.26, relating to the laboratory for the manufacture and distribution of hog-cholera serum, toxins, vaccines, and biological products.
- ? Directs the state committee, if one is formed, to implement the federal Help America Vote Act and the Commissioner of Elections to report quarterly to the Government Oversight Committees on the status of implementation of the federal Act.
- ? Directs the Iowa Department of Transportation to conduct a study pertaining to administrative efficiencies to be gained in coordination of school and public transportation. A report must be filed by the end of the 2003 calendar year.
- ? Includes language providing that if supplemental payment adjustments are implemented for physician services provided to Medical Assistance (Medicaid) Program recipients at publicly owned acute care teaching hospitals, DHS cannot recoup the adjustments unless an amount is transferred by the department to the qualifying physicians that is equivalent to the amount transferred by the State University of Iowa to the department.
- ? Provides for coordination of federal moneys with the projects of the Housing Trust Fund created in this Act.
- ? Requires the Iowa Code Editor to change the name of the Emergency Management Division of the Department of Public Defense to the Homeland Security and Emergency Management Division.
- ? Directs the departments of Natural Resources and Transportation to work with interested groups to develop a plan for creating a registration program for full-size off-highway vehicles for the purpose of regulating the recreational use of such vehicles and for establishing recreational areas for such vehicles.
- ? Requires the Treasurer of State to submit a report to the Governor and the General Assembly on the amount of county recording fees collected for FY 2000-2001, FY 2001-2002, and FY 2002-2003 and the amount of electronic transaction fees collected for the first three months of FY 2003-2004.

- ? Requires that public safety workers, smallpox response teams, and others required to be vaccinated under the federal Homeland Security Act are to be protected from both health-related and other results for the federally required smallpox vaccination. The Department of Public Safety and appropriate local government agencies are to achieve the following:
 - ? Vaccinations should be voluntary.
 - ? Extensive screening should be employed, regarding risks of vaccination.
 - ? Reprisals or discrimination should be prohibited, regarding those not vaccinated.
 - ? Reactions to vaccination shall be considered work-related injury.
 - ? Prudent staggering of vaccination time should be scheduled.

Division VIII — Medical Assistance (Medicaid) Program

This division amends H.F. 619 (see Health & Safety) as follows:

- ? Directs health care facilities to assist the Iowa Commission of Veterans Affairs in identifying residents that may be eligible for, rather than actually determining a resident's eligibility for, benefits through the federal Department of Veterans Affairs.
- ? Directs DHS to adopt rules for disclosure of certain information under the Medical Assistance Preferred Drug List Program to be developed by the department.
- ? Amends Code Section 249A.20B to provide that under the nursing facility quality assurance assessment, DHS is to provide a reimbursement to nursing facilities and is to calculate the amount of the reimbursement as a per patient-day amount and pay this amount in addition to the existing reimbursement amount under the case-mix reimbursement rate.
- ? Replaces language relating to the Case Management Program for the Frail Elders to provide that it is the intent of the General Assembly that the Department of Elder Affairs (DEA) in collaboration with DHS, area agencies on aging, advocacy groups, industry representatives, and consumers to submit recommendations regarding the redesign of the program to the General Assembly by October 1, 2003. The new language also provides that it is the intent of the General Assembly that DEA and DHS coordinate efforts to resolve issues relating to level of care determinations no later than October 1, 2003.
- ? Provides that information to be provided by pharmacies and providers under the Medical Assistance Program relating to pharmaceuticals may be provided by alternative means if DHS is ensured of the validity and accuracy of the information and of the timely submission of the information. The amendment also provides that the information is subject to Code Chapter 550, relating to trade secrets.
- ? Provides that with regard to the nursing facility reimbursement, DHS, in consultation with nursing facility representatives, is to review projections of State General Fund expenditures for nursing facility reimbursement on a quarterly basis and is to consider savings from other nursing facility payment policy changes in the review.
- ? Relates to chronic care management, corrects references, and provides for contracting for provision of chronic disease management.
- ? Provides for use of a portion of the federal Temporary Assistance for Needy Families moneys carried forward from FY 2002-2003, and directs the Commission of Veterans Affairs to work with the Commandant of the Iowa Veterans Home, DHS, and the Department of Inspections and Appeals to identify residents of health care facilities who may be eligible for benefits through the federal Department of Veterans Affairs.

The division also directs certain persons to work cooperatively in identifying residents of health care facilities who may be eligible for benefits through the federal Department of Veterans Affairs.

Division IX — ICN Sale — VETOED BY THE GOVERNOR

Division X — Government Organization Review Committee — VETOED BY THE GOVERNOR

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. The nonapplicability of the provision in Code Section 25B.7 that allows local governments to prorate the amount of homestead, military service, and elderly and disabled tax credits that are not reimbursed due to reductions made in the Act to the state appropriations for the credits.
2. The appropriation to county hospitals located in counties with a population of 250,000 or more.
3. The amendment to the School Ready Children Grants Account of the Iowa Empowerment Fund in Code Section 28.9 that requires the distribution formula for the grants to incorporate certain performance components.

4. The language that would have changed the merit status of the Iowa Law Enforcement Academy's Director to one requiring the appointment by the Governor subject to Senate confirmation.
5. The provision making a county fair society immune from liability for any damages occurring at a county fair sponsored by such society.
6. The amendment to Code Section 455D.9 that provided an exception to the prohibition on the land disposal of yard waste if the sanitary landfill operates an active methane collection system that produces electricity.
7. A directive for the Department of Corrections to develop a plan to sell to a municipality a 20-acre tract of undeveloped land located adjacent to the Iowa Correctional Institution for Women. Net proceeds of the sale would have been retained by the department to be used for correctional facilities.
8. A provision allowing a city meeting certain population criteria to make application for refund of sales or use tax paid relative to street and sewer construction projects and for the application to be considered to be timely filed, notwithstanding the one-year application period, if it is filed by August 1, 2003. Any refund paid could not exceed \$15,000.
9. A provision allowing a school district located in a county with a certain population to refile for state reimbursement for costs for providing vocational education programs at the secondary level in its district. The amount of reimbursement was limited to 6.5 percent of the costs and to \$6,000 minus any amount previously received from a prior claim for reimbursement of those costs.
10. An allocation of funding from the Team-Based Variable Pay Program for the Reading Instruction Pilot Program.
11. With regard to the administering of smallpox vaccinations pursuant to the federal Homeland Security Act, the following:
 - ? The protection from the loss of public employee's income and seniority resulting from reactions and the use of federal moneys to purchase insurance to cover reactions not otherwise covered.
 - ? The requirement for vaccinations to be administered according to the federal Needlestick Safety and Prevention Act of 2000.
 - ? The requirement for the Department of Public Defense to coordinate efforts to ensure that appropriate medical care and drugs are available to protect against adverse reactions.
12. Division IX of the Act, which would have established a process for the gradual transition of ownership and responsibility for the Iowa Communications Network from the state to private enterprise. The division would provide that while it is recognized that the network is a valuable state asset, it is also recognized that it requires significant ongoing financial support from the state, and that it is in the state's best interest that the network be sold to a qualified private business enterprise that will commit to provide the same low-cost and high-quality service to state and federal agencies and military installations as is now provided under state ownership. The division would provide for the creation of a State Network Privatization Board, with responsibility for selecting a manager to oversee and operate the network on behalf of the state, issuing a request for proposals from qualified private entities for the purchase of the network, and selection of a purchaser and entering into a sales contract with that purchaser. The division would specify dates by which these responsibilities would be carried out. The division would provide that upon execution of a management contract and a sales contract by the board, the executed contracts would be transmitted to the General Assembly and the Governor, which would have the authority to disapprove the board's action within specified time frames. The division would provide for the obtaining by the state of necessary third-party approvals during the time period between the execution and closing of the sales contract, specify minimum qualifications and criteria regarding purchaser selection, and provide for the repeal of Iowa Code Chapter 8D as of the date of the closing of the sale of the network.
13. Division X of the Act, which would have amended S.F. 390 (see Local Government), which was vetoed by the Governor. Senate File 390 would have authorized establishment of local government for the county. This division would provide that a local government organization review committee may be created in counties having a population over 100,000. The division would also provide that the legislative appointee to the local government organization review committee be a resident of the unincorporated area of the county if more than one-half of the population of the legislative district resides in the unincorporated area.

HOUSE FILE 472 - Federal Block Grant Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys to various state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004, from the following federal block grants: Substance Abuse Prevention and Treatment, Community Mental Health Services, Maternal and Child Health Services, Preventive Health and Health Services, Drug Control and System Improvement, Stop Violence Against Women, Local Law Enforcement, Residential Substance Abuse Treatment for State Prisoners, Community Services, Community Development, Low-Income Home Energy Assistance, Social Services, Mental Health Services for the Homeless, and Child Care and Development. See H.F. 667 for appropriations of the federal Temporary Assistance for Needy Families (TANF) Block Grant.

The Act requires that moneys be distributed in accordance with the applicable federal requirements. The Act establishes a procedure if more or less federal funding is received than predicted. In addition, the Act appropriates other federal grants, receipts and funds, including specific categorical grants, and other nonstate grants, receipts and funds available in whole and in part for the state fiscal year beginning July 1, 2003, and ending June 30, 2004.

HOUSE FILE 652 - Appropriations — Transportation

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations for FY 2003-2004 from the Road Use Tax Fund and the Primary Road Fund to the Iowa Department of Transportation.

Appropriations from the Road Use Tax Fund include appropriations for driver's license production costs, salaries, operations, administrative services, planning, motor vehicles, the merit system, unemployment and workers' compensation, audit expenses, county issuance of driver's licenses, a system providing toll-free telephone road and weather reports, membership in the North America's Superhighway Corridor Coalition, rewriting the vehicle registration system, indirect cost recoveries, participation in the Mississippi River Parkway Commission, and scale facilities improvements.

Appropriations from the Primary Road Fund include appropriations for salaries, operations, planning, highways, motor vehicles, the merit system, unemployment and workers' compensation, disposal of hazardous wastes at field locations, indirect cost recoveries, audit expenses, producing transportation maps, and roof replacement and other improvements at field facilities.

The Act also expands the purposes for which two prior appropriations for scale facilities improvements may be used.

HOUSE FILE 655 - Appropriations — Administration and Regulation

BY COMMITTEE ON APPROPRIATIONS. This Act relates to, and appropriates around \$86.7 million from the General Fund of the State to, various administrative and regulatory state departments, agencies and funds for FY 2003-2004. The Act also appropriates a total of around \$23.7 million in other funds.

The state departments and agencies include the Auditor of State, Iowa Ethics and Campaign Disclosure Board, Department of Commerce, Office of Governor including the Lieutenant Governor, Terrace Hill Quarters and Drug Control Policy Office, Department of Inspections and Appeals (including racing and gaming regulation), Department of Management, Iowa Public Employees' Retirement System, Secretary of State, and Treasurer of State. In addition, for the 2003 Legislative Session, the Health and Human Rights Joint Appropriations Subcommittee was eliminated and the appropriations made for the Department of Human Rights were incorporated in this Act. In addition, the Act appropriates moneys to the Department of Administrative Services and the Department of Revenue created by the enactment of H.F. 534 (see State Government).

The Act also appropriates funding for the state's membership in the National Governors Association and for the Ready to Work Program Coordinator. The Act includes an appropriation to the Department of Management for government reinvention activities and this appropriation was supplemented in S.F. 458.

HOUSE FILE 662 - Appropriations — Education

BY COMMITTEE ON APPROPRIATIONS. This Act appropriates moneys for FY 2003-2004 from the General Fund of the State to the College Student Aid Commission, the Department for the Blind, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions.

COLLEGE STUDENT AID COMMISSION. The Act includes appropriations to the College Student Aid Commission for general administrative purposes, student aid programs, an initiative directing primary care physicians to areas of the state experiencing physician shortages, the Accelerated Career Education Grant Program, the National Guard Educational Assistance Program, and the Teacher Shortage Forgivable Loan Program. The Act provides for the nonreversion of National Guard Educational Assistance Program moneys during the period ending one year after the date on which the U.S. President declares a cessation of hostilities ending Operation Iraqi Freedom. The Act also nullifies, for the second straight year, the \$2.75 million standing appropriation for the Iowa Work-Study Program for FY 2003-2004.

DEPARTMENT FOR THE BLIND. The Act appropriates to the Department for the Blind for its administration.

DEPARTMENT OF CULTURAL AFFAIRS. The Act appropriates to the Department of Cultural Affairs for its Arts, Historical and Administration Divisions, for historic sites, and for community cultural grants.

DEPARTMENT OF EDUCATION. The Act appropriates moneys to the Department of Education for purposes of the department's general administration, vocational education administration, Board of Educational Examiners, Division of Vocational Rehabilitation Services, independent living, State Library for general administration and the Enrich Iowa Pro-

gram, library service area system, Public Broadcasting Division, regional telecommunications councils, vocational education to secondary schools, school food service, Iowa Empowerment Fund, textbooks for nonpublic school pupils, Student Achievement and Teacher Quality Program, and community colleges. The Act also directs the department to spend as supplemental aid to the community colleges any moneys remaining unexpended or unencumbered by the end of FY 2002-2003 from the moneys appropriated for the Team-Based Variable Pay Pilot Program established in 2001. The Act also provides for the nonreversion of moneys allocated for the Career Development Program under the Student Achievement and Teacher Quality Program. House File 685 provides additional FY 2003-2004 funding to the Iowa Empowerment Fund for deposit in the School Ready Children Grants Account from the Healthy Iowans Tobacco Trust.

In statutory provisions, the Act modifies and updates Code language related to the Student Achievement and Teacher Quality Program and to allocations provided for the program. The Act allocates moneys to administer the Ambassador to Education position from moneys appropriated to the program, and provides for the nonreversion of moneys allocated for purposes of the issuance of national board certification awards and the beginning teacher mentoring and induction programs.

The Act also amends the standing Code language that provides for the allocation of Educational Excellence Program moneys to the department for FY 2002-2003 for purposes of the National Assessment of Education Progress and the Ambassador to Education position. These provisions take effect May 30, 2003.

STATE BOARD OF REGENTS. The Act appropriates moneys to the State Board of Regents for the board office, tuition replacement, the Southwest Iowa Graduate Studies Center, the Tristate Graduate Center, the Quad-Cities Graduate Studies Center, the State University of Iowa (SUI), Iowa State University of Science and Technology (ISU), the University of Northern Iowa (UNI), the Iowa School for the Deaf, the Iowa Braille and Sight Saving School, and for tuition and transportation costs for students residing in the Iowa Braille and Sight Saving School and the Iowa School for the Deaf. Senate File 453 reduces the general university appropriations by a total of \$17.9 million to be applied as follows: SUI - 46.7 percent, ISU - 36.8 percent, and UNI - 16.5 percent.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision requiring the State Board of Regents, Department of Management, and the Legislative Fiscal Bureau to cooperate to determine and agree upon the amount of tuition replacement that needs to be appropriated for FY 2004-2005.
2. A provision stating the intent of the General Assembly that the University of Iowa continue progress on the School of Public Health and the Public Health Initiative; and providing that from the funds appropriated to the University of Iowa, up to \$2.1 million may be used for the School of Public Health and the Public Health Initiative, which is the same amount used for the school and initiative in FY 2002-2003.
3. A provision stating the intent of the General Assembly that Iowa State University continue progress on the Center for Excellence in Fundamental Plant Sciences; and providing that from the funds appropriated to Iowa State University, up to \$4.67 million may be used for the Center for Excellence in Fundamental Plant Sciences, which is the same amount used for the center in FY 2002-2003.
4. A provision stating the intent of the General Assembly that the University of Northern Iowa continue progress on the implementation of a Master in Social Work program; and providing that from the funds appropriated to the University of Northern Iowa, the university may use up to \$450,000 for the program, up to \$100,000 may be used for the Roadside Vegetation Project, and up to \$200,000 may be used for the Iowa Office for Staff Development. The amounts specified are the same amounts used for those purposes in FY 2002-2003.
5. A technical correction to Code Section 284.13 that conflicts with a provision in S.F. 458, which makes a related technical correction to the same Code section.

HOUSE FILE 667 - Appropriations — Health and Human Services

BY COMMITTEE ON APPROPRIATIONS. This Act makes appropriations for purposes of health and human services to the Department of Elder Affairs, Iowa Department of Public Health, Department of Inspections and Appeals, Department of Human Services, and Commission of Veterans Affairs. The 80th General Assembly eliminated the Joint Appropriations Subcommittee on Health and Human Rights. The human rights appropriations addressed in that subcommittee were transferred to the Joint Appropriations Subcommittee on Administration and Regulation. The health appropriations addressed by that subcommittee were transferred to a new Joint Appropriations Subcommittee on Health and Human Services. The Act is organized into divisions addressing various topics.

Division I — Department of Elder Affairs

The Act appropriates funds to the Department of Elder Affairs for aging programs and area agencies on aging to provide lowans 60 years of age and older with case management for the frail elderly, retired and senior volunteer programs, resident advocate committee coordination, employment, and other services that may include, but are not limited to, adult day services, respite care, chore services, telephone reassurance, information and assistance, and home repair services, including the winterizing of homes and the construction of entrance ramps that make residences accessible to the physically handicapped.

Division II — Iowa Department of Public Health

The Act appropriates funds to the Iowa Department of Public Health (IDPH), including funds for addictive disorders related to reducing the use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors, including gambling; for adult wellness, relating to maintaining or improving the health status of adults with target populations between the ages of 18 and 60; for child and adolescent wellness, relating to promoting the optimum health status for children and adolescents from birth through 21 years of age; for chronic conditions, relating to serving individuals identified as having chronic conditions or special health care needs; for community capacity, relating to strengthening the health care delivery system at the local level, including funding for a child vision screening program; for elderly wellness, for optimizing the health of persons over 60 years of age; for environmental hazards; and for infectious diseases.

The Act also appropriates funds for public protection, relating to protecting the health and safety of the public through the establishment of standards and the enforcement of regulations. The department may expend funds received from licensing fees if those additional expenditures are directly the result of unanticipated litigation costs approved by the Director of the Department of Management in an amount not to exceed 5 percent of the average annual fees collected for the previous two fiscal years.

The Act further authorizes IDPH to retain fees collected for various health regulation and professional licensing boards to be used for those purposes.

Division II appropriates funds from the Gambling Treatment Fund to IDPH for treatment of addictive disorders, including gambling, and provides for the use of the moneys remaining in the fund. The division also extends the Vital Records Modernization Project, which provides for an enhanced fee that is earmarked for technology improvements, to June 30, 2004.

Division II also extends the Scope of Practice Review Committee project to July 1, 2004.

Division II requires the Director of Public Health to establish a Health Care Access Partnership Pilot Project in a county with a population of more than 250,000. The purpose of the pilot project is to implement systems of health care services for persons with low income or without health insurance by enhancing collaboration between persons and agencies providing charity care or Medicaid Program services.

Division III — Department of Human Services

Division III makes appropriations for the Department of Human Services (DHS) and includes other appropriations and provisions involving human services and health care.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT (TANF). Division III appropriates moneys from the federal TANF Block Grant Fund for a number of purposes, including the Family Investment Program; field operations; general administration; local administrative costs; child care assistance, including funding for provision of educational opportunities to registered child care home providers; mental health and developmental disabilities community services; child and family services; child abuse prevention grants; pregnancy prevention grants; technology needs and other resources to meet federal welfare reform requirements; volunteers; the Healthy Opportunities for Parents to Experience Success (HOPES) Program; and for transfer to the federal Social Services Block Grant. An appropriation is made to the Iowa Marriage Initiative Grant Fund.

Division III increases by \$1 million the appropriation of federal TANF Block Grant moneys to be used for funding of community-based programs targeted to children from birth through five years of age and developed by community empowerment areas.

The TANF Block Grant is subject to federal reauthorization during FY 2003-2004 and legislative intent is stated that the General Assembly will reallocate funding if the federal government reduces the amount of the block grant.

FAMILY INVESTMENT PROGRAM (FIP). Under federal TANF welfare reform provisions, federal funding is provided for FIP in the form of an annual block grant to the state. Consequently, the Act includes FIP and FIP-related program appropriations from the General Fund of the State and from the fund created for receipt of federal funds. These appropriations are directed to the Food Stamp Employment and Training Program, the Family Development and Self-Sufficiency Grant Program, income maintenance reengineering, and for the diversion program and incentive grants.

EMERGENCY ASSISTANCE. Funding for the Emergency Assistance Program used to assist low-income families with utility costs is eliminated for FY 2003-2004.

CHILD SUPPORT RECOVERY. Division III requires the Child Support Recovery Unit (CSRU) to continue to work with the judicial branch to determine the feasibility of a pilot project using a court-appointed referee for determination of child support awards, if initiated by the judicial branch; continues the Child Support Public Awareness Campaign located in the Office of the Attorney General; and provides that surcharges paid by obligors and received by CSRU, as a result of referral of support delinquencies by CSRU to any private collection agency, are appropriated to DHS to pay the costs of any contracts with the collection agencies. The Act also directs DHS to issue federal access and visitation grant moneys directly to private not-for-profit agencies that provide services designed to increase compliance with the child access provisions of court orders, including but not limited to neutral visitation site and mediation services.

MEDICAL ASSISTANCE (Medicaid). Division III continues Medicaid Program provisions required in previous years. A new provision directs DHS to eliminate hospital crossover claims for persons dually eligible for Medicaid and Medicare, provided federal approval is received and other requirements are met. In addition, appropriations affecting reimbursements to various Medicaid services providers are made from Tobacco Settlement Funds (see H.F. 685) and the Senior Living Trust Fund.

HEALTH INSURANCE PREMIUM PAYMENT PROGRAM. Division III appropriates funds to continue the Health Insurance Premium Payment Program, which provides for payment for private health insurance in lieu of Medicaid Program coverage.

MEDICAL CONTRACTS. Division III provides funding for contracted services associated with the Medicaid Program and authorizes DHS to either continue or reprocure the department's contract with the department's fiscal agent. House File 683 includes an allocation of funding for use with a reprocurement.

STATE SUPPLEMENTARY ASSISTANCE (SSA). Division III appropriates funding for SSA and the Medicare Program home and community-based services waiver rent subsidy.

CHILDREN'S HEALTH INSURANCE PROGRAM. Division III appropriates funds for the state children's health insurance program known as the healthy and well kids in Iowa (hawk-i) Program.

CHILD CARE ASSISTANCE. The appropriation provides funding for the State Child Care Assistance Program and child day care resource and referral services. Division III requires DHS to use moneys deposited in the Child Care Credit Fund for the State Child Care Assistance Program. DHS is required to develop consumer information to assist parents in selecting child care providers.

JUVENILE INSTITUTIONS. Division III makes appropriations to the Iowa Juvenile Home at Toledo and the State Training School at Eldora. See S.F. 453, which provides for educational funding through the school aid formula for children placed in DHS institutions.

CHILD AND FAMILY SERVICES. See S.F. 453 for requirements for DHS to redesign the child welfare and juvenile justice services system and applying a reduction in this and other DHS appropriations in the amount of \$10 million.

Division III decreases this appropriation compared with the previous fiscal year. Division III provides for continuation of the funding cap for group foster care and provides that if annualization of a service area's current expenditures indicates that the area is at risk of exceeding its overall expenditure target by more than 5 percent, DHS and Juvenile Court Services are to examine current group foster care placements to identify children for whom termination from the program is appropriate. Dispositional hearings are to be set for those so identified. Division III limits the amount that may be expended under the appropriation for psychiatric medical institutions for children (PMICs) and provides that all or a portion of the moneys allocated for PMICs may be transferred to the appropriation for the Medicaid Program.

Division III allocates funding for 50 highly structured juvenile program beds (informally known as “boot camp” beds). The statutory requirements relating to the funding cap for group foster care, which apply to the juvenile court, are to continue to apply instead to the Juvenile Court Services staff.

Division III authorizes DHS to continue decategorization of child welfare services funding; limits funding for shelter care services; provides funding for protective child care assistance; provides funding for court-ordered services provided to juveniles; provides funding for school-based supervision of children adjudicated delinquent; permits DHS to operate a subsidized guardianship program if the program can be operated under a waiver from the federal government without loss of federal Title IV-E funds; provides legislative intent that DHS continue strong support of the initiative for decategorization of child welfare funding; and provides that a foster parent who is unable to complete training requirements due to active duty in the military service is deemed to be in compliance with the training requirement (this provision takes effect May 23, 2003).

JUVENILE DETENTION HOME FUND. Division III addresses the Juvenile Detention Home Fund consisting of funds collected by the Iowa Department of Transportation (IDOT) at the time IDOT suspends, revokes or bars a person’s motor vehicle license or nonresident operating privileges. Moneys in the fund are to be used for the costs of the establishment, improvement, operation, and maintenance of county or multicounty juvenile detention homes for continuation of the community partnership for child protection sites, and remaining treatment plan grants.

FAMILY SUPPORT SUBSIDY PROGRAM. Division III maintains the program funding relative to the revised amount for the previous fiscal year.

MENTAL HEALTH INSTITUTES. Division III provides appropriations to institutes at Cherokee, Clarinda, Independence, and Mount Pleasant. Division III directs the institute at Independence to continue the 30-bed PMIC facility and the Mount Pleasant institute to continue the dual diagnosis unit to provide psychiatric treatment and substance abuse treatment simultaneously on a net budgeting basis.

STATE RESOURCE CENTERS. Division III makes appropriations for the State Resource Center at Glenwood and the State Resource Center at Woodward utilizing a net State General Fund appropriation. The centers are authorized to carry forward unexpended balances from FY 2002-2003.

SPECIAL NEEDS GRANTS AND STATE CASES. Division III eliminates the appropriation for special needs grants and decreases the appropriation for MH/DD state cases compared with the previous year’s appropriation.

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES (MH/DD) SERVICES FUNDING. Division III includes a number of provisions affecting provision of state funding of MH/DD services provided by counties. One provision relates to funding for MH/DD services growth. Under current law, the state is required to annually provide funding for the growth in county MH/DD services expenditures. Division III continues a practice begun in 2001 by combining the moneys appropriated for growth and the moneys appropriated for the MH/DD Community Services Fund and applying a reduction to formula distribution amounts based upon the relative size of a county’s ending balance. See S.F. 458 for a revision in this methodology which allows an inflation adjustment for those counties with a relatively low ending balance.

PERSONAL ASSISTANCE. Division III provides an increased appropriation for this pilot program for adult persons with physical disabilities in an urban and a rural area compared with the estimated net expenditure for the previous fiscal year. Division III also prohibits acceptance of new applicants, but an individual receiving services as of June 30, 2003, is to continue receiving services until the individual voluntarily leaves the project or until a program with similar services exists.

SEXUALLY VIOLENT PREDATORS. This appropriation provides for payment of costs associated with the commitment and treatment of sexually violent predators at the State Mental Health Institute at Cherokee. The Act authorizes any unspent balance in the FY 2002-2003 appropriation to be carried forward.

FIELD OPERATIONS, GENERAL ADMINISTRATION, AND VOLUNTEERS. Appropriations are included for DHS field operations, general administration, and volunteers. Division III allocates \$57,000 for the Prevention of Disabilities Council. DHS is authorized to retain up to \$500,000 received in settlement of provider overpayments to use for the costs of filling field operations positions.

MEDICAID, STATE SUPPLEMENTARY ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED UNDER THE DEPARTMENT OF HUMAN SERVICES. Division III establishes reimbursement rates for social services providers. However, H.F. 685 increases reimbursements to some of these providers.

Division III provides the following new provisions for FY 2003-2004:

- ? Reimbursement for nursing facilities shall be provided at 100 percent of the modified price-based case-mix reimbursement rate.
- ? Pharmacy dispensing fees shall be reimbursed using a single rate of \$4.26 per prescription or the pharmacy's usual and customary fee, whichever is lower.
- ? DHS may modify reimbursement rates for providers reimbursed by DHS if funding is allocated for that purpose from the Senior Living Trust Fund or as specified in appropriations from the Tobacco Settlement Endowment Fund (see H.F. 685).
- ? The department may adopt emergency rules to implement the hospital crossover claims process.

TRANSFER AUTHORITY. Division III permits DHS to transfer funding between a number of appropriations provided the combined funding is not changed.

ELECTRONIC BENEFIT TRANSFER IMPLEMENTATION. Division III provides that the unspent funds allocated to DHS for FY 2002-2003 for the federal food stamp electronic benefit transfer requirements are to remain available in FY 2003-2004. This provision takes effect May 23, 2003.

STATUTORY AND OTHER PROVISIONS. Division III provides that the following requirements in law or rule are suspended for FY 2003-2004: school attendance requirements for children participating in FIP (known as the "Learnfare" initiative), requirements for case permanency plan reviews for certain intact families, and the annual evaluation of the Family Support Subsidy Program.

Division III provides all of the following statutory and other provisions:

- ? Provides for a parental involvement program to develop a plan for presentation to the General Assembly by December 31, 2003, to provide a comprehensive approach to policy and service delivery at the state, county and local levels and to provide a network of services to assist both mothers and fathers in parenting their children. The comprehensive approach is to include the areas of structure and policies, connecting fathers with necessary services, and public awareness. Specific elements to be addressed in the plan were item vetoed by the Governor.
- ? Provides for payment for voluntary foster care services for a period of 90 rather than 30 days.
- ? Provides that under the healthy and well kids in Iowa (hawk-i) Program, the Director of Human Services, with the approval of the hawk-i Board, may contract with participating insurers to provide dental-only services.
- ? Revises language from a 2002 enactment relating to requirements for children's rehabilitative treatment services reimbursed under Medicaid to change documentation requirements.
- ? Revises a funding amount used in the formula for distribution of mental health, mental retardation, and developmental disabilities allowed growth funding for FY 2003-2004.
- ? Provides for carryover of unexpended FY 2002-2003 appropriations for the Glenwood and Woodward State Resource Centers and the sexually violent predators unit. This provision takes effect May 23, 2003.

Division IV — Senior Living Trust Fund

Division IV makes appropriations from the Senior Living Trust Fund.

The division provides an appropriation to the Department of Elder Affairs for a Comprehensive Senior Living Program. The division provides that it is the intent of the General Assembly that these moneys not be transferred for purposes of the Assisted Living Program and adult day care, and provides that the Department of Elder Affairs is to distribute up to \$300,000 of the funds appropriated to supplement and maximize federal funds under the federal Older Americans Act.

Division IV provides an appropriation to the Department of Inspections and Appeals for inspection and certification of assisted living facilities and adult day services.

Division IV provides an appropriation to the Department of Human Services to provide grants to nursing facilities for conversion to assisted living programs or to provide long-term care alternatives; to supplement the medical assistance appropriation; for reimbursement of health care services and rent expenses to persons under the home and community-based services waiver and the State Supplementary Assistance Program; and to implement nursing facility provider reimbursements.

Division V — Hospital Trust Fund

Division V makes an appropriation from the Hospital Trust Fund to the Department of Human Services to supplement the medical assistance appropriation for FY 2003-2004.

Division VI — Medical Assistance Program Supplementation

Division VI provides appropriations from the General Fund of the State, the Senior Living Trust Fund, and the Hospital Trust Fund to the Department of Human Services for supplementation of the medical assistance appropriation for FY 2002-2003. This division takes effect May 23, 2003.

Division VII — Veterans Affairs

Division VII appropriates funds from the General Fund of the State to the Commission of Veterans Affairs and the Iowa Veterans Home. This division provides that the Iowa Veterans Home is to operate with a net State General Fund appropriation. Division VII also provides that the Iowa Veterans Home may carry forward unspent moneys from FY 2002-2003 and this provision takes effect May 23, 2003.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Language in Division II requiring the Iowa Department of Public Health to report certain information regarding religious and other nongovernmental organizations that applied for substance abuse treatment funding.
2. Requirements in Division III for the Department of Human Services (DHS) to establish an Iowa Fatherhood and Family Initiative Grant Program, using moneys allocated to the Iowa Marriage Initiative Grant Fund from the federal Temporary Assistance for Needy Families Block Grant.
3. Language in Division III directing DHS to continue working with county representatives in implementing the rehabilitation option for services to persons with chronic mental illness under the Medicaid Program. The Governor stated in the veto message that this effort has been completed.
4. Language in Division III directing DHS to consult with legislators if the amount of federal child care funding received is greater than anticipated.
5. A portion of language in Division III directing DHS to develop consumer information material to assist parents in selecting a child care provider and specifically requiring development of an Internet site for posting of the consumer information.
6. Language in Division III directing DHS and Juvenile Court Services to continue developing criteria for DHS service area administrators and chief juvenile court officers to grant exceptions to extend eligibility beyond age 18 for intensive tracking and supervision and supervised community treatment to delinquent youth who are subject to release from the State Training School or other intensive program. The Governor stated in his veto message that these criteria were previously developed.
7. A directive in Division III for DHS to develop a plan for privatizing the administration of the foster care and adoption programs.
8. A directive in Division III for DHS to submit proposed legislation to make statutory changes to conform the Code to a previous enactment that eliminated the DHS regional system and replaced it with a service area system.
9. An exemption in Division III for DHS institutions from state charges for vehicle depreciation during FY 2003-2004.
10. A large portion of new Code Section 217A.1, created in Division III, providing for a plan to establish a comprehensive approach to supporting parents' involvement with their children. The vetoed language required a list of specific items to be addressed in the plan.

HOUSE FILE 683 - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes — EXTRAORDINARY SESSION

BY COMMITTEE ON APPROPRIATIONS. This Act relates to economic development, taxation, financial and regulatory matters and makes and revises appropriations, modifies criminal penalties, and provides a fee. The Act is organized into divisions.

Division I — Public Employee Salaries

This division relates to state employee salaries by increasing the overall appropriation for salary adjustment made in S.F. 458, increasing the allocation for the judicial branch, and providing for a 2 percent increase in the salaries of justices, judges and magistrates effective in December 2003.

Division II — Appropriations and Appropriations Revisions

This division makes and revises appropriations for FY 2003-2004. New appropriations are made for the Insurance Division to implement a study of school health insurance, for the Local Government Innovation Fund created in S.F. 453, for a grant to a county hospital in a county with a population of 250,000 or more, and for infrastructure work at correctional facilities. Appropriations are increased for the following purposes: Department of Corrections for implementation costs associated with the infrastructure projects funded by the division, Office of the Governor for staffing costs previously funded by other state departments and agencies, Department of Revenue for additional positions to prepare information for the Revenue Estimating Conference and to improve the turnaround time for processing corporate tax filings, and the Iowa Department of Public Health to be used for infectious diseases. The amount of a previous reduction made to the standing appropriation for public transit is increased. The Department of Human Services is authorized to use up to \$500,000 of the amount appropriated for the Medical Assistance (Medicaid) Program if the department decides to procure a new contract for the program's fiscal agent.

Division III — Miscellaneous Provisions

This division includes miscellaneous provisions.

The Government Oversight Committees are directed to review the application of Iowa's assisted living program statutes to continuing care communities and make recommendations for legislation.

The Governor is authorized to designate the Iowa Lottery as a charter agency established pursuant to S.F. 453. Code requirements, which allow the Department of Economic Development to extend a completion deadline for housing businesses eligible for certain incentives, are amended to allow the deadline to be extended for current or future projects.

Code provisions involving regulation of pit type and electronic pitless scales for livestock by the Department of Agriculture and Land Stewardship are revised to address clearance requirements.

Language enacted in H.F. 675, relating to continuing care retirement communities (CCRCs), is revised. The enacted language provides that a CCRC that complied with the chapter of the Code relating to retirement facilities (Code Chapter 523D) would not be held in violation of the assisted living program chapter if the CCRC provides services to independent living residents. The Act provides instead that a CCRC may provide limited personal care and emergency response services to its independent living tenants under certain conditions.

The Department of Human Services (DHS) is required to develop information to assist parents in selecting a child care provider and this and additional information is to be made available on the Internet.

Code Section 384.84 is amended to provide that liens for nonpayment of charges or rates for sewer systems, storm water drainage systems, sewage treatment, solid waste collection, water, and solid waste disposal for premises, which include mobile homes, modular homes, or manufactured homes, shall only be filed against the premises, and not the land, if the premises are located on leased land.

New Code Section 422E.3A, relating to the Secure an Advanced Vision for Education Fund for the school district local option school infrastructure sales tax, as enacted by S.F. 445 (see Education), is amended in regard to the distribution from the fund as follows:

- ? Provides that in the case of a school district located in a county that has approved the local option tax by April 1, 2003, and would receive tax revenues in an amount greater than its guaranteed amount, such school district would not be entitled to subsequently receive a supplemental amount if the tax revenues would be less than its guaranteed amount unless it passes a resolution by October 1, 2003, agreeing to receive any supplemental amount but limiting the maximum amount it may receive in total to its guaranteed amount.
- ? Provides that in the case of a school district located in a county that has approved the local option tax by April 1, 2003, and would receive a supplemental amount because its tax revenues are less than its guaranteed amount, such school district would not be entitled to subsequently receive its tax revenues in an amount greater than its guaranteed amount unless it passes a resolution by October 1, 2003, agreeing to forego any subsequent supplemental amount.
- ? Sets the statewide tax revenues per student at \$575 per student rather than determining the amount each year by estimating the amount that would be raised statewide if all counties imposed the local option school infrastructure tax and dividing this number by the combined actual enrollment for all school districts.

- ? Provides that if money is insufficient to pay all supplemental amounts that distribution will be made first to the school district with the lowest sales tax capacity per student until its per student amount reaches the school district or districts with the next lowest sales tax capacity per student, and then these are raised to the level of the next lowest sales tax capacity per student, and continues in this manner until all money is distributed or the school districts reach their guaranteed amount.
- ? Requires that all school districts must receive a certificate of need from the Department of Education before using supplemental amounts received for new construction purposes. Previously the certificate of need requirement applied only to school districts with less than 250 actual enrollment or less than 100 actual enrollment in the high school.

Code requirements are amended to provide that an owner of a manufactured home who has surrendered a certificate of title for the manufactured home and requires another title is required to apply for another certificate of title pursuant to any of the provisions of Code Chapter 321 rather than just pursuant to one section of that chapter.

Code Section 459.315, as amended by 2003 Iowa Acts, H.F. 644 (see Agriculture), which regulates commercial manure services, is amended to restore an exemption from certification requirements which applies under current law to noncommercial applicators who apply manure originating from small animal feeding operations.

Code Section 508.31A, a requirement for life insurance company issuance of funding agreements included in 2003 Iowa Acts, H.F. 647, is amended to allow an agreement to be awarded to a nonnatural person for federally registered securities, regardless of whether the nonnatural person issued the securities.

The division changes the applicability regarding matters pending on April 11, 2003, of a requirement that specifies the circumstances of the transfer of matters related to violations of the prohibition of supplying tobacco, tobacco products, or cigarettes to minors from local entities to the Iowa Department of Public Health. This provision provides that even though the new Code section is to apply to matters pending on April 11, 2003, for which a penalty has not been assessed, if a violation was pending on April 11, 2003, and a county health department, city health department, or city assesses a penalty on or after April 11, 2003, but prior to June 30, 2003, the county health department, city health department, or city assessing the penalty is deemed to have jurisdiction to assess the penalty and the penalty assessed is deemed valid.

Responsibility for administering a grant program for providing community mental health services to veterans and veterans' families is shifted from the Iowa Department of Public Health to DHS.

Requirements for the transfer of certain Medicaid funding relating to physician services provided through the University of Iowa School of Medicine are specified. The number of full-time equivalent positions authorized for the DHS unit for commitment and treatment of sexually violent predators is increased.

Division IV — Corrective Provisions

This division provides corrective amendments to legislation passed by the Eightieth General Assembly, 2003 Regular Session.

Division V — Criminal Offenders and Inmates

This division relates to criminal offenders imprisoned in the county jail and inmates serving a sentence at a Department of Corrections institution. The division restricts the release of certain offenders pursuant to pretrial release guidelines. The division permits inmates serving a first operating-while-intoxicated offense to serve their sentence at an operating-while-intoxicated program if the program provides law enforcement security. The division also makes changes to sentences for persons serving a third operating-while-intoxicated offense.

The division expands the access to a presentence investigation report (PSI). The division permits the Department of Corrections to operate a substance abuse treatment facility. The division provides that an inmate may earn up to an additional 365-day reduction of the remaining balance of the inmate's sentence if the inmate performs an exemplary act. The division eliminates an appeal to the Director of the Department of Corrections for loss of earned time. The division provides that a mentally ill inmate may be treated at correctional institutions other than the Iowa medical classification center at Oakdale.

The division makes changes to the inmate savings fund by permitting the Department of Corrections to seize certain funds for deposit into the inmate savings fund. The division makes changes to the inmate telephone rebate fund. The division provides that a person may be discharged from probation on the condition that supervision fees are paid. The division provides that certain restitution be paid to a crime victim's heirs at law rather than the victim's estate.

Division VI — Economic Development Appropriations

This division appropriates moneys from the Grow Iowa Values Fund created in H.F. 692 as follows:

- ? To the Department of Economic Development (DED) for the fiscal period beginning July 1, 2003, and ending June 30, 2006, annually, for implementing and administering a marketing strategy.
- ? To DED annually for the fiscal period beginning July 1, 2003, and ending June 30, 2007, for programs administered by the department.
- ? To the Grow Iowa Values Board annually for the fiscal period beginning July 1, 2003, and ending June 30, 2007, for financial assistance for institutions of higher learning under the control of the State Board of Regents and for accredited private institutions for certain types of economic development facilities.
- ? To the General Fund of the State annually for the fiscal period beginning July 1, 2005, and ending June 30, 2007, for payment of rehabilitation project tax credits for projects located in certified cultural and entertainment districts.
- ? To DED annually for the fiscal period beginning July 1, 2003, and ending June 30, 2007, for deposit in the Loan and Credit Guarantee Fund to be used for the program created in H.F. 692 to assist small and medium-sized businesses.
- ? To the General Fund of the State annually for the fiscal period beginning July 1, 2004, and ending June 30, 2007, for payment of Endow Iowa Tax Credits.
- ? To DED annually for the fiscal period beginning July 1, 2004, and ending June 30, 2007, for Endow Iowa Grants to lead philanthropic entities for use in assisting community foundations.
- ? To the Grow Iowa Values Board annually for the fiscal period beginning July 1, 2003, and ending June 30, 2007, for the purpose of providing financial assistance for projects in targeted state parks and destination parks.
- ? To the Office of Treasurer of State annually for the fiscal period beginning July 1, 2003, and ending June 30, 2007, for deposit in the Iowa Cultural Trust Fund.

In addition, the division appropriates \$100 million in anticipated federal moneys from the federal Jobs and Growth Tax Relief Reconciliation Act of 2003 for the fiscal period beginning July 1, 2003, and ending June 30, 2005, for deposit in the Grow Iowa Values Fund.

The division annually appropriates moneys from the General Fund of the State from moneys credited to the general fund as a result of entering into the Streamlined Sales and Use Tax Agreement for the fiscal period beginning July 1, 2003, and ending June 30, 2010, for deposit in the Grow Iowa Values Fund.

Division VII — Workforce-Related Issues

This division creates a Workforce Training and Economic Development Fund for each community college. The division appropriates moneys from the Grow Iowa Values Fund to the Department of Economic Development (DED) for the fiscal period beginning July 1, 2003, for deposit in the Workforce Training and Economic Development Funds. The division allocates a portion of moneys appropriated to be used for job retention projects. Starting with the fiscal year beginning July 1, 2004, the division requires a community college to receive approval from the Grow Iowa Values Board of an annual progress report prior to receiving the moneys from a Workforce Training and Economic Development Fund for that fiscal year.

The division creates a Job Retention Program allowing a community college and DED to enter into a Job Retention Agreement for projects designed to train employees in return for a commitment by the participating employer to not move business operations outside the state for a period of at least ten years.

The division adds annual reporting requirements to Iowa Code Chapters 260F and 260G.

Division VIII — Loan and Credit Guarantee Fund

The division creates a Loan and Credit Guarantee Fund for purposes of the Loan and Credit Guarantee Program enacted in H.F. 692 (see Taxation).

Division IX — University-Based Research Utilization Program Appropriation

The division establishes a standing appropriation from the General Fund of the State to each university under the control of the State Board of Regents of an amount determined by the Department of Economic Development under the University-Based Research Utilization Program, enacted in H.F. 692 (see Taxation).

Division X — Endow Iowa Tax Credit

The division allows, for tax years beginning on or after January 1, 2003, an Endow Iowa Tax Credit against personal and corporate income tax, the franchise tax for financial institutions, the insurance premium tax, and the moneys and credits tax for credit unions. The tax credit shall equal 20 percent of the taxpayer's endowment gift to a qualified community foundation. The tax credit is part of the Endow Iowa Program enacted in H.F. 692 (see Taxation). The division limits the aggregate amount of tax credits to a total of \$2 million. The division limits the maximum amount of tax credits granted to a taxpayer to 5 percent of the aggregate amount of tax credits authorized. The tax credits are not transferable and shall not be authorized after December 31, 2005.

This division takes effect June 19, 2003, and is retroactively applicable to January 1, 2003, for tax years beginning on or after that date.

Division XI — Rehabilitation Project Tax Credits

The division allows additional rehabilitation project tax credits to be issued. Previously, \$2.4 million of rehabilitation project tax credits could be issued each fiscal year. The division allows an additional \$500,000 of tax credits to be approved each fiscal year for purposes of projects located in certified cultural and entertainment districts.

Division XII — Secure an Advanced Vision for Education Fund — Appropriation

The division appropriates from the Rebuild Iowa Infrastructure Fund to the Secure an Advanced Vision for Education Fund, enacted in S.F. 445 (see Education), for the fiscal period beginning July 1, 2004, and ending June 30, 2014, the amount of moneys in excess of the first \$47 million credited to the Rebuild Iowa Infrastructure Fund during the fiscal year, not to exceed \$10 million.

The division appropriates from the General Fund of the State from moneys credited to the General Fund as a result of the state entering into the Streamlined Sales and Use Tax Agreement to the Secure an Advanced Vision for Education Fund the sum of \$5 million for each fiscal year beginning July 1, 2004, and ending June 30, 2014. The division provides that this appropriation is made after the appropriation from the same source to the Grow Iowa Values Fund.

Division XIII — Repeals

The division provides that the divisions of the Act designated for economic development appropriations, workforce-related issues, loan and credit guarantee fund, university-based research utilization program appropriation, Endow Iowa Tax Credit, and rehabilitation project tax credits are repealed effective June 30, 2010.

Division XIV — Streamlined Sales and Use Taxes

This division rewrites the state sales and use taxes by combining Code Chapter 422, Division IV (sales tax), Code Chapter 423 (use tax), and provisions of the Multistate Streamlined Sales and Use Tax Agreement (agreement) into a new Code Chapter 423.

Subchapter I of the new Code chapter sets out the definitions applicable to the new Code chapter. These definitions are from the definitions used in the present sales and use taxes and others needed for provisions under the agreement.

Subchapter II of the new Code chapter imposes the sales tax, provides sales tax exemptions, and provides for sales tax refunds. These provisions are presently part of the current sales tax or were enacted during the 2003 Legislative Session. However, this subchapter puts all exemptions in the same Code section while current Code has them located in numerous places, e.g., many agriculture-related exemptions were listed under the definition of "retail sale."

Subchapter III of the new Code chapter imposes the use tax and provides use tax exemptions. These provisions are presently part of the current use tax.

Subchapter IV of the new Code Chapter establishes the Uniform Sales and Use Tax Administration Act, which is part of the agreement, and authorizes the Director of Revenue to enter into the agreement on behalf of the state; provides that entry into the agreement does not amend or modify Iowa law; establishes certain agreement requirements including striving to achieve uniform tax rates, uniform standards, central registration, no change in nexus status as a result of registration, monetary allowances for retailers, and consumer privacy; and provides that the agreement only binds and provides benefits to those states that are members of it.

Subchapter V of the new Code chapter provides for the administration of the sales and use tax as it relates to retailers not registered under the agreement. This subchapter incorporates the current sales and use tax provisions related to the liability and collection of tax, penalties, filing of returns, and refunds. The subchapter also incorporates the sourcing rules contained in the Agreement. These rules establish the manner of determining in which state the transaction upon which the sales tax is imposed occurs, or if, as in telecommunications services, the transaction occurs in more than one state, how the tax is to be assessed and collected.

Subchapter VI of the new Code chapter provides for the administration of the sales and use tax as it relates to retailers registered under the agreement. The provisions of subchapter VI apply to these retailers. In addition, the subchapter specifies the benefits and obligations of retailers that register under the agreement, including the filing of returns and paying of the taxes by a certified service provider who is the retailer's agent with authority to perform all use tax functions, by a certified automated system which is software that calculates the taxes owed the various jurisdictions, and by a proprietary automated system which is software owned by the retailer that calculates the taxes owed the various jurisdictions.

The division also contains coordinating amendments and establishes an Iowa Streamlined Sales Tax Advisory Council to review, study and submit recommendations to Iowa's delegation regarding the proposed Streamlined Sales and Use Tax Agreement.

The division takes effect January 1, 2004.

Division XV — Capitol Complex Parking — VETOED BY THE GOVERNOR

Division XVI — Effective Date

Unless otherwise provided, the Act takes effect July 1, 2003.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. The sales tax reduction in rate for residential utilities under Division XIV, the streamlined sales and use taxes. This provision would have set the rate at 3 percent for five fiscal years beginning July 1, 2003, and then reduced the rate by one percentage point for each subsequent fiscal year until residential utilities would be completely exempt. This provision was vetoed to correspond with the item veto of Division XX of H.F. 692 (see Taxation).
2. Division XV would have created a Capitol Complex Parking Structure Revolving Fund to be administered by the Department of Administrative Services. The fund would consist of moneys collected by the department as parking fees, which were to be established by the department for state employee use of the parking structure, in addition to any moneys appropriated to the fund by the General Assembly and any other moneys obtained for deposit in the fund. The moneys in the fund would be appropriated to the department for costs associated with the management, operation and maintenance of the parking structure.

In addition, the Division directed the Department of Administrative Services to issue a request for proposals for the management, operation and maintenance of the parking structure. The awarding of a contract for the services would have been subject to approval by the General Assembly.

HOUSE FILE 685 - Healthy Iowans Tobacco Trust and Tobacco Settlement Trust Fund — Appropriations

BY COMMITTEE ON APPROPRIATIONS. This Act relates to and makes appropriations from the Healthy Iowans Tobacco Trust.

The Act makes appropriations involving the Medical Assistance (Medicaid) Program to the Department of Human Services (DHS) for FY 2003-2004 for reimbursement of or cost-of-living adjustments for, unless otherwise provided, all noninstitutional providers for continuation of the resource-based relative value system; dental services; hospitals; home health care services; critical access hospitals; the expansion of home health care services and rehabilitative treatment services for children with special needs; the expansion of respite care services provided through home and community-based services waivers; rehabilitative treatment and support services; adoption, independent living, shelter care, and home studies providers; and services providers under the purview of DHS.

The Act also provides for supplementation of the appropriation for the state children's health insurance program known as hawk-i, for supplementation of the appropriation for the Medicaid Program which includes funds for the Iowa Chronic Care Consortium (see H.F. 619, Health & Safety), and for coverage under the Medicaid Program to certain women who require treatment for breast and cervical cancer.

The Act appropriates funds to the Iowa Department of Public Health (IDPH) for the Tobacco Use Prevention and Control Program, for a program that utilizes high school mentors in an effort to reduce the illegal use of substances, for provision of smoking cessation products, and for additional substance abuse treatment.

The Act appropriates funds to IDPH for development of a Healthy Iowans 2010 Plan for core public health functions, for implementation and support of a coordinated system of delivery of trauma and emergency medical services, for the Poison Control Center, for development of scientific and medical expertise in environmental epidemiology, and for the Childhood Lead Poisoning Prevention Program.

The Act appropriates funds to the Department of Corrections for day programming, the Drug Court Program, and a value-based treatment program at the Newton Correctional Facility with the option of a portion of the value-based treatment program funds being used for a similar program at the Iowa Correctional Institution for Women at Mitchellville.

The Act appropriates funds to the Property Tax Relief Fund for FY 2003-2004, for assistance to counties with limited county mental health, mental retardation, and developmental disabilities (MH/MR/DD) services fund balances to continue reimbursement increases to service providers in the same amount as provided in FY 2001-2002.

The Act appropriates funds from the Healthy Iowans Tobacco Trust to the Iowa Empowerment Fund for FY 2003-2004 for deposit in the School Ready Children Grants Account.

The Act appropriates funds from the Healthy Iowans Tobacco Trust to the Department of Corrections for operation and staffing of the special needs unit at the Fort Madison correctional facility.

The Act provides for the transfer of moneys appropriated for the county MH/MR/DD allowed growth factor for deposit in the risk pool for FY 2003-2004 to the medical assistance appropriation for FY 2003-2004.

The Act also provides for transfer of funds from the Endowment for Iowa's Health Account to the Healthy Iowans Tobacco Trust for FY 2003-2004.

BUSINESS, BANKING AND INSURANCE

- SENATE FILE 119 - Certified Real Estate Appraisers
- SENATE FILE 180 - Abandoned Property and Property Presumed Abandoned
- SENATE FILE 236 - Insurance Company Demutualization or Reorganization — Unclaimed Property
- SENATE FILE 340 - Business Entities — Miscellaneous Provisions
- SENATE FILE 372 - Uniform Money Services Act
- SENATE FILE 375 - Tobacco Products Regulation — Miscellaneous Provisions — Appropriations
- SENATE FILE 376 - Dishonored Checks, Drafts, or Orders — Surcharge
- SENATE FILE 379 - Agricultural Liens
- SENATE FILE 401 - Regulation of Tobacco Retailers
- HOUSE FILE 215 - State Banks — Disclosure of Officer, Director, and Shareholder List
- HOUSE FILE 319 - Uniform Commercial Code — Dishonored Checks — Written Demand for Payment
- HOUSE FILE 339 - Snowmobile Franchises — Termination — Franchisee Payment Rights
- HOUSE FILE 395 - Consumer Credit Transactions — Extensions of Credit
- HOUSE FILE 446 - Equipment Dealership Agreements
- HOUSE FILE 456 - Electronic Transactions — Computer Information Agreements — Choice of Law
- HOUSE FILE 502 - Motor Vehicle Damage Disclosure Statements
- HOUSE FILE 543 - Insurance — Mammography Exam Coverage
- HOUSE FILE 599 - Property Insurance Access Regulation
- HOUSE FILE 647 - Insurance — Miscellaneous Provisions

RELATED LEGISLATION

- SENATE FILE 97 - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act contains provisions relating to the perfection and recording of security interests in motor vehicles, titling of foreign registered motor vehicles acquired by dealers, and motor vehicle installment contracts. The Act amends Code language affecting the establishment and applicability of motor carrier safety rules and weight limits for vehicles transporting construction machinery. New Code sections are enacted relating to tariffs charged by motor carriers of household goods and agency tariffs.
- SENATE FILE 155 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to public funds deposits in financial institutions, employee training and retraining programs, various economic development programs, competition by government with private enterprise, regulation of farmers markets, the organization and activities of business corporations, viatical settlement contracts and viatical settlement investment contracts, the Consumer Credit Code, licensed or certified public accountants, secured transactions under the Uniform Commercial Code, electronic transactions, cooperatives, and the Uniform Principal and Income Act.
- SENATE FILE 386 - School Health Insurance — Study
SEE EDUCATION. This Act requires the Insurance Division of the Department of Commerce to conduct a study to review health insurance coverage for school districts and their employees, including availability, ratings practices, continuity of coverage, and the fairness and efficiency of the marketplace as it relates to such insurance. The Commissioner of Insurance is directed to select members of a School Health Insurance Reform Team and to submit a report to the General Assembly on or before January 15, 2004, regarding the team's findings and recommendations.
- SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the "Government Reinvention Bill" during

debate and discussion. Provisions establishing a State Employee Health Insurance Incentive Program and Medicaid Program changes are included.

- SENATE FILE 458** - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division VII of this Act provides that if the Treasurer of State determines that a bank fails to comply with certain collateral pledged requirements, the Treasurer of State may restrict the bank from accepting uninsured public funds.
- HOUSE FILE 450** - Rule Against Perpetuities Exception — VETOED BY THE GOVERNOR
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This bill would have created an exception to the statutory rule against perpetuities codified in Code Section 558.68. The bill would have allowed a creator of a trust to suspend application of the rule, but only if the trustee had the power to sell all trust assets or if one or more persons had the power to terminate the trust. The bill allowed suspension of the rule in situations where an employer created a stock bonus plan, pension plan, disability or death benefit plan, or profit sharing plan for the benefit of the employer's employees.
- HOUSE FILE 504** - Fraudulent Use of Credit Cards and Payment Card Scanning Devices or Reencoders
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act relates to the criminal offense of fraudulent use of a credit card, scanning device, or reencoder.
- HOUSE FILE 616** - Cemetery or Funeral Merchandise and Funeral Services — Cancellation or Purchase Agreements
SEE STATE GOVERNMENT. This Act prohibits a cancellation penalty upon cancellation of a purchase agreement for cemetery merchandise, funeral merchandise, funeral services, or a combination thereof.
- HOUSE FILE 634** - Regulation of Cooperative Associations
SEE AGRICULTURE. This Act provides that an existing cooperative association originally organized under Code Chapter 490 or 491 as a business corporation may reorganize under Code Chapter 499, which is the modern chapter governing the organization and administration of cooperative associations.
- HOUSE FILE 654** - Sales and Use Taxes — Sand Handling and Core and Mold Making Equipment
SEE TAXATION. This Act exempts core and mold making equipment and sand handling equipment used by a foundry in the mold making process from the sales and use taxes. The exemption applies retroactively to July 1, 1997. Refund claims are limited and paid over five fiscal years.
- HOUSE FILE 683** - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes
SEE APPROPRIATIONS. This Act relates to economic development, financial, and taxation matters, revises previously enacted appropriations, and includes funding for business development, and provisions relating to issuance of funding agreements by life insurance companies and liens on manufactured housing.
- HOUSE FILE 692** - Taxation, Economic Growth and Development, and Other Changes — Liability Reform, Workers' and Unemployment Compensation, and Financing Charges
SEE TAXATION. Division XVII of the Act modifies several Code provisions relating to financial transactions.

BUSINESS, BANKING AND INSURANCE

SENATE FILE 119 - Certified Real Estate Appraisers

BY COMMITTEE ON COMMERCE. This Act relates to Code requirements applicable to certified real estate appraisers. The Act provides that a certified real estate appraiser shall retain original or true copies of all written contracts, reports, and supporting data in connection with the retention of the appraiser's services for a period of five rather than three years, and shall retain all work files for a period of at least five years after preparation, or at least two years after final disposition of any judicial proceeding in which testimony was given, whichever period expires last, and additionally must either maintain custody of the appraiser's work file or make appropriate work file retention, access and retrieval arrangements with a party having custody of the work file. The Act also deletes an outdated process for issuing interim annual certifications.

SENATE FILE 180 - Abandoned Property and Property Presumed Abandoned

BY COMMITTEE ON COMMERCE. This Act makes changes to Code Chapter 556 relating to the procedures for handling property that is presumed abandoned, including the following:

- ? Increases from \$25 to \$50 the value of presumed abandoned property for which a report must be submitted to the Treasurer of State and for which the treasurer must publish notice.
- ? Provides that the reporting requirements and the notice requirements do not apply to cashier's checks, official checks, and similar instruments.
- ? Specifies that a holder of presumed abandoned property is not required to use due diligence to notify owners of such property if the aggregate value is less than \$50. The Treasurer of State is authorized to charge the holder a fee for failure to exercise due diligence in notifying the owners if 35 percent or more of the owner accounts are claimed within 24 months following the filing of the holder report.
- ? Requires that a person attempting to collect or collecting a fee or compensation for discovering presumed abandoned property be licensed as a private investigator.
- ? Provides that information provided in reports is confidential except for that used pursuant to the notice requirements or if consent is obtained from the owner of the property.
- ? Strikes obsolete language relating to publication and mailing of notices.
- ? Authorizes the Treasurer of State to destroy or otherwise dispose of presumed abandoned property at any time if the property has no commercial value.
- ? Reduces from three years to one year the time period that the Treasurer of State has to wait before selling stocks and other intangible interests in business associations that are presumed abandoned.

SENATE FILE 236 - Insurance Company Demutualization or Reorganization — Unclaimed Property

BY COMMITTEE ON COMMERCE. This Act specifies that in the case of demutualization or related reorganization of an insurance company occurring on or after January 1, 2003, unclaimed insurance company demutualization proceeds are deemed abandoned the earlier of two years after the first distribution date or two years after the last contact date with the policyholder. In the case where the demutualization or related reorganization occurred prior to January 1, 2003, unclaimed insurance company demutualization proceeds are deemed abandoned two years after the first distribution date. The insurance company must submit its report on these presumed abandoned proceeds by May 1 instead of November 1.

The Act also sets the period for presuming the abandonment of unpaid wages at one year.

The provisions relating to unclaimed demutualization proceeds take effect April 21, 2003.

SENATE FILE 340 - Business Entities — Miscellaneous Provisions

BY COMMITTEE ON COMMERCE. This Act applies changes made to provisions in Code Chapter 490, the Iowa Business Corporation Act, regarding director and officer duties, liability and indemnification during the 2002 Legislative Session to similar provisions in Code Chapter 491, which is the older corporation law under which Iowa mutual insurance companies and mutual insurance holding companies are organized; Code Chapter 490A, Limited Liability Companies; Code Chapter 496C, Professional Corporations; and Code Chapters 497, 498, 499, and 501, regarding various types of cooperatives.

The Act amends provisions governing the liability of persons acting in the capacity of a manager of a limited liability company under Code Chapter 490A or a director, officer, or interest holder of a cooperative under Code Chapter 497, 498, 499, or 501. Under current law, generally a person acting on behalf of one of these business entities is not held personally liable for actions of the business, except that a person may be personally liable for an act or omission that represents a breach of the duty of loyalty to the cooperative, is not in good faith, is intentional misconduct, or is a knowing violation of the law. The Act changes those standards to provide that personal liability attaches when the person receives an unwarranted financial benefit, intentionally inflicts harm to the cooperative, or commits a criminal violation.

The Act also makes related additional changes to Code Chapter 490, including the addition of a savings provision with regard to the 2002 amendments to the Iowa Business Corporation Act.

SENATE FILE 372 - Uniform Money Services Act

BY COMMITTEE ON COMMERCE. This Act adopts the Uniform Money Services Act regulating money transmissions and currency exchange as Code Chapter 533C and repeals Code Chapter 533B effective October 1, 2003. The new chapter is regulated by the Superintendent of Banking of the Department of Commerce and is divided into nine articles as follows:

Article 1 establishes definitional terms used in the chapter and specifies that certain persons are not covered by the chapter.

Article 2 requires persons engaged in the business of money transmission to be licensed or be an authorized delegate under the chapter. A completed application, fee, and security are required prior to issuance of a license under the chapter. Licenses issued under this Article are renewed annually and a minimum net worth must be maintained.

Article 3 requires persons engaged in currency exchange to be licensed or be an authorized delegate under the chapter. A completed application and fee are required prior to issuance of a license for currency exchange. Licenses issued under this Article are renewed biennially.

Article 4 regulates the relationship between an authorized delegate and a person licensed under the chapter. Generally, the authorized delegate must act within the scope permitted under the contract executed by the authorized delegate and the licensee.

Article 5 authorizes the superintendent to conduct examinations, require reports and proper maintenance of records, and approve proposed changes in control of licensees. The records of the superintendent relating to the chapter may be disclosed under limited circumstances.

Article 6 requires licensees to maintain only permissible types of investments, based in part on a market value computed in accordance with generally accepted accounting principles. The chapter lists types of permissible investments.

Article 7 authorizes the superintendent to enforce the chapter through the suspension and revocation of licenses and designations of authorized delegates under the chapter, the issuance of orders to cease and desist, the assessment of civil penalties, and criminal prosecution. The Attorney General or a county attorney may assist in investigations of alleged violations of the chapter.

Article 8 provides for administrative proceedings and hearings prior to certain actions under the Act. The superintendent is allowed to adopt rules necessary for the enforcement of the chapter.

Article 9 creates a Financial Services Licensing Fund and directs that moneys deposited pursuant to the chapter be used to pay for staffing and other expenditures necessary under the Act. Moneys in the fund shall not revert to the General Fund of the State at the close of the fiscal year. Licenses issued under Code Chapter 533B remain in force until their expiration and the licensee must thereafter comply with this Act.

The Act takes effect and Code Chapter 533B is repealed October 1, 2003.

SENATE FILE 375 - Tobacco Products Regulation — Miscellaneous Provisions — Appropriations

BY COMMITTEE ON JUDICIARY. This Act relates to requirements of tobacco product manufacturers under the Tobacco Master Settlement Agreement.

The Act requires each tobacco product manufacturer whose cigarettes are sold in this state to provide certification to the Director of Revenue and Finance and to the Attorney General no later than April 30, annually, that the manufacturer is either a participating manufacturer or is in compliance with the requirements for a nonparticipating manufacturer, and specifies the information to be included in the certification.

The Act directs the Director of Revenue and Finance to develop and publish on the department's Internet web site, by August 1, 2003, a directory listing of all tobacco product manufacturers that have provided current and accurate certification and all brand families listed in the certifications.

The Act prohibits the stamping, sale or importing of cigarettes that are not included in the directory.

The Act requires a nonresident or foreign nonparticipating manufacturer not registered to do business in this state as a foreign corporation or business entity, as a condition precedent to being included in and remaining in the directory, to appoint an

agent in this state to act as agent for service of process purposes and provides procedures for changing the agent. If an agent is not appointed, the Secretary of State is deemed the manufacturer's agent only for the purpose of service of process, but this does not satisfy the condition precedent for inclusion or retention in the directory.

The Act requires that certain information be reported to the department, including amounts relating to a qualified escrow fund. The Act provides penalties and other relief for violations of the Act, including revocation of certain permits and licenses, criminal and civil penalties, and injunctive relief.

The Act appropriates \$50,000 from the General Fund of the State to the Department of Revenue and Finance for FY 2003-2004 to implement the Act. The Act also provides for an annual appropriation to the department to enforce the Act. The Act also appropriates moneys for FY 2002-2003 to be used for payment of litigation fees incurred pursuant to the Master Settlement Agreement.

The Act takes effect May 1, 2003, with the exception that the provision relating to developing and publishing an Internet web site directory applies August 1, 2003.

SENATE FILE 376 - Dishonored Checks, Drafts, or Orders — Surcharge

BY COMMITTEE ON COMMERCE. This Act amends Article 3 of the Uniform Commercial Code regulating negotiable instruments (a promise to pay an amount of money payable to the bearer upon demand or at some definite time). The Act increases from \$20 to \$30 the surcharge that may be assessed by the holder of the instrument against checks, drafts or orders that are dishonored.

SENATE FILE 379 - Agricultural Liens

BY COMMITTEE ON JUDICIARY. In 2000, the General Assembly enacted H.F. 2513 (2000 Iowa Acts, Chapter 1149) adopting Revised Article 9 of the Uniform Commercial Code (Code Chapter 554). With certain limited exceptions, new Article 9 governs the creation, priority and enforcement of creditors' consensual liens, which are defined as security interests in personal property and fixtures. Revised Article 9, like its predecessor, provides generally for the effectiveness of security agreements and the rights and duties of creditors. Much of Revised Article 9 provides for perfecting a security interest, usually accomplished by filing a financing statement. The Article provides for the contents of financing statements and the location where such financing statements must be filed (e.g., with the Secretary of State). In perfecting a security interest, a debtor is generally assured rights in the collateral superior to a security interest perfected later in time.

Prior to the revision of Article 9, liens created in statutes outside Code Chapter 554 were not affected by the provisions of Code Chapter 554. These liens include types of agricultural liens such as those for agricultural supply dealers (Code Chapter 570A), threshers and cornshellers (Code Chapter 571), and veterinarians (Code Chapter 581). These Code chapters provide that persons filing these liens enjoy superior priority. However, Revised Article 9 provides filing requirements for perfecting agricultural liens, and therefore may control issues relating to priority of conflicting security interests and liens.

This Act amends Code Chapters 570A, 571 and 581 by eliminating requirements for filing that are inconsistent with the requirements contained in Revised Article 9. The Act expressly states that the liens are agricultural liens, replaces references to lien statements with financing statements, and maintains their priority status over other security interests and liens to the extent that these liens also have been perfected as agricultural liens under Revised Article 9.

SENATE FILE 401 - Regulation of Tobacco Retailers

BY COMMITTEE ON STATE GOVERNMENT. This Act relates to regulation of tobacco products and cigarette retailers. The Act provides for the transfer of certain violations by tobacco product and cigarette manufacturers from a county health department, city health department, or city to the Iowa Department of Public Health. This provision applies to violations pending on April 11, 2003, for which a penalty has not been assessed.

The Act directs the Alcoholic Beverages Division of the Department of Commerce to develop a tobacco compliance employee training program to be made available to employees and prospective employees of tobacco and cigarette retailers at no cost to the employees, prospective employees, or the retailer. The program is also to provide for periodic continuing employee training and recertification. The Act provides that if an employee of a retailer violates the provision relating to persons under legal age, the retailer is not assessed a penalty and the violation is not counted as a violation if the employee holds a certificate of completion of the program. The Act also provides for a similar bar on the penalty if the employer provides an in-house compliance training program and provides written documentation that the employee completed the program. The in-house program provision is repealed April 11, 2004. These bars on the penalty may be assessed only once in a four-year period by the retailer at the same place of business location. Senate File 458 (see Appropriations) establishes a fund to receive penalties and pay for the costs of provision of the training program.

The Act changes the penalties assessed against a retailer for violation of provisions relating to persons under legal age and sales of cigarettes or tobacco products through a vending machine.

The Act takes effect April 11, 2003.

HOUSE FILE 215 - State Banks — Disclosure of Officer, Director, and Shareholder List

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act eliminates the requirement that state-chartered banks make available for public inspection a list of the names, addresses and number of shares held by officers, directors and shareholders.

HOUSE FILE 319 - Uniform Commercial Code — Dishonored Checks — Written Demand for Payment

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act amends Code Section 554.3513 of the Uniform Commercial Code to allow an additional method of service in making written demand upon a maker, as part of the prerequisite acts prior to filing a civil action to recover damages for a check, draft or order dishonored for lack of funds or credit. As a result of the changes, the payee or holder may now communicate the demand for payment by regular mail, and support such service with an affidavit that provides presumptive evidence of the receipt of the demand by the maker. The payee or holder may also communicate the demand via the existing options of personal service or restricted certified mail.

HOUSE FILE 339 - Snowmobile Franchises — Termination — Franchisee Payment Rights

BY COMMITTEE ON TRANSPORTATION. This Act provides that franchises for the merchandising of snowmobiles, or related parts and equipment, are governed by inventory repurchase requirements under Code Chapter 322D upon termination of a franchise agreement. These same requirements currently apply to farm implement, motorcycle, and all-terrain vehicle franchises not otherwise regulated under Code Chapter 322F as agricultural equipment dealers. A franchisee is entitled to payment by a franchiser of 100 percent of the net cost of new, unused, complete snowmobiles or related attachments which were purchased from the franchiser, plus transportation charges. The franchisee is also entitled to 85 percent of the net price of repair parts purchased from the franchiser, plus 5 percent of the net price of the parts if the franchisee performs handling, packing and loading of the parts. Exceptions are made based on the condition, age or obsolescence of the merchandise; evidence of ownership; the source from which the merchandise was acquired; and the franchisee's contractual right to ownership of the merchandise. Under the provisions of Code Chapter 322D, the franchisee's right to repurchase of inventory passes to the franchisee's heirs. A franchiser is civilly liable for the amount owed plus the franchisee's attorney fees for failure to comply with the repurchase requirements within 60 days after receipt of inventory.

The Act applies to continuing franchises in effect on January 1, 2003, that have no expiration date, and to franchises entered into or renewed on or after January 1, 2003, but only for snowmobiles and related parts or attachments purchased on or after January 1, 2003.

The Act takes effect April 11, 2003, and is retroactive to January 1, 2003.

HOUSE FILE 395 - Consumer Credit Transactions — Extensions of Credit

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act amends Code Chapter 537, the Iowa Consumer Credit Code, to prohibit discrimination by creditors against consumers due to the exercise of rights under the Iowa Consumer Credit Code or the federal Consumer Credit Protection Act. The change effectively allows creditors to consider a consumer's previous bankruptcy filing in a decision to grant credit, which consideration had been in question in Iowa after an Attorney General opinion interpreting the previous statutory prohibition against discrimination for exercising rights under "other provisions of law."

HOUSE FILE 446 - Equipment Dealership Agreements

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act addresses dealership agreements under Code Chapter 322F. Under Code Chapter 322F, dealership agreements generally involve agricultural equipment franchises. Under the Code chapter, a franchisor is referred to as the supplier and a franchisee is referred to as a dealership. Generally, Code Chapter 322F regulates business relationships between dealerships and suppliers by providing for the terms and conditions of dealership agreements. The Code chapter specifies rights and obligations for dealers and suppliers. The Code chapter places restrictions on supplier practices, provides for supplier liability, and provides remedies available to the dealership.

The Act extends the Code chapter's franchise provisions to cover certain other agricultural equipment, principally used in floriculture. It also extends the Code chapter's franchise provisions to cover a new class of equipment referred to as construction equipment, industrial equipment, or utility equipment. This class includes equipment associated with earthmoving, industrial material handling, mining, forestry, highway construction or maintenance, or landscaping. It also

includes outdoor power equipment, which is equipment that uses small motors or engines and is used principally for outside service.

In general, the Act provides that the same requirements that apply to dealership agreements for agricultural equipment also apply to construction equipment, industrial equipment, utility equipment, and outdoor power equipment. An exception is carved out for dealership agreements involving outdoor power equipment. For example, generally grounds for termination of a dealership agreement must be by cancellation, nonrenewal, or a substantial change in competitive circumstances. However, under the Act, a substantial change in competitive circumstances is not a ground for termination for an agreement involving outdoor power equipment.

The Act also makes changes affecting equipment covered under Code Chapter 322F. A supplier must pay the dealer or credit the dealer's account with 100 percent of the net cost of all equipment used in demonstrations. It expands the right of the heirs of a dealer to require a supplier to repurchase the dealership's equipment if a person holds a majority interest in a business entity rather than only in a corporation. It also provides that upon a wrongful termination of a dealership agreement, the supplier is liable for a repurchase amount according to a schedule for termination of agreements.

The Act provides special applicability provisions for dealership agreements involving floriculture equipment and industrial and construction equipment which terminate after July 1, 2003, the Act's effective date.

HOUSE FILE 456 - Electronic Transactions — Computer Information Agreements — Choice of Law

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act repeals previous enactments relating to the Uniform Computer Information Transaction Act (UCITA), primarily ones that would have repealed a choice-of-law provision in Code Section 554D.104, part of the Uniform Electronic Transactions Act, and permanently retains the choice-of-law provision commonly referred to as a "bombshell" provision that protects Iowa consumers.

Under Code Section 554D.104, any choice-of-law provision is voidable that provides the contract is to be interpreted pursuant to the laws of a state that has enacted UCITA. The Act further provides that if the party against whom enforcement is sought is a resident of Iowa, the contract shall be interpreted according to the laws of Iowa.

The Act takes effect April 17, 2003.

HOUSE FILE 502 - Motor Vehicle Damage Disclosure Statements

BY COMMITTEE ON LOCAL GOVERNMENT. This Act makes several changes relating to requirements for damage disclosure statements that must accompany an application for a motor vehicle certificate of title. The minimum retail amount of damage from a single incident that must be reported on the damage disclosure statement is increased from \$5,000 to \$6,000.

The Act provides that if a transferee acquires a vehicle by operation of law from a transferor whose state of residence does not require a damage disclosure statement, the transferee is not required to submit a damage disclosure statement from the transferor. Instead, a damage disclosure statement containing certain specified information must be submitted by the transferee with the application for title. The Act requires that a transferor must provide a copy of a separate damage disclosure document from a prior owner to the transferee at or before the time of sale if such a document is required to be furnished with the application for title.

The Act amends a provision that limits the liability of a person, authorized vehicle recycler, or licensed motor vehicle dealer to subsequent owners of a vehicle due to the damage disclosure missteps of a prior owner by also limiting the liability of such a person, recycler or dealer to subsequent drivers or passengers of a vehicle.

If the title of a vehicle with a "REBUILT" or "SALVAGE" designation indicates the vehicle was previously titled on a salvage certificate of title, the vehicle is exempt from the requirement that the total cumulative dollar amount of damage must be stated on the face of the title. New motor vehicles with a true mileage of 1,000 miles or less, which had been exempt from damage disclosure requirements, are now subject to those requirements if the vehicle has incurred damage totaling \$6,000 or more in a single incident.

The Act imposes a new duty for a person selling, leasing or trading a motor vehicle, and a lessee upon termination of a lease, to disclose in writing that the vehicle contains a nonoperative airbag or that an airbag has been removed and not replaced. Senate File 458 (see Appropriations) contains a corrective amendment to this provision.

The Act provides that a person who fails to make a damage disclosure statement as required commits a fraudulent practice, the same penalty applicable to a person who makes a false damage disclosure statement under current law.

HOUSE FILE 543 - Insurance — Mammography Exam Coverage

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act provides that, in addition to the minimum mammography examination currently required by statute for women age 35 and above, coverage for more frequent mammograms is also required if recommended by a woman's physician.

HOUSE FILE 599 - Property Insurance Access Regulation

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act creates the FAIR Plan Act, relating to Fair Access to Insurance Requirements. The FAIR Plan is administered by a committee of seven insurance representatives and is operated by a manager. The plan is not an instrumentality of the state, plan moneys do not come from the General Fund of the State, and plan documents are not public records.

The Act provides that insurers writing property insurance business in Iowa are required to become members of the new plan. The Commissioner of Insurance may adopt rules as necessary to implement the Act.

The Act takes effect May 9, 2003, and is retroactively applicable to October 7, 1968, in order to validate action taken under the Iowa Basic Property Insurance Inspection and Placement Program adopted by the commissioner.

HOUSE FILE 647 - Insurance — Miscellaneous Provisions

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act makes numerous changes in the Code chapters that comprise the Insurance Code, including enactment of a new Interstate Insurance Product Regulation Compact.

The Act provides for continuation of health insurance coverage for an officer or enlisted person of the National Guard or organized reserves who is insured as a dependent under a group policy for accident or health insurance as a full-time student less than 25 years of age, and whose coverage would otherwise terminate while the person was temporarily serving active duty.

The Act amends several provisions to protect the confidentiality of information obtained through investigations and hearings; however, the Commissioner of Insurance is permitted to share such information with other agencies or to publish violations of statutes, rules or orders. The Act also restricts certain actions by consumer reporting agencies regarding the reuse or sale of information about a consumer obtained in the course of an insurance inquiry.

New fee requirements are instituted for foreign or domestic multiple employee welfare arrangements and limited service organizations doing business in Iowa. Other annual filing requirements for other entities are amended to require filing on or before the first day of March, and the commissioner may designate a depository other than the commissioner's office.

The Act amends various provisions in the Standard Nonforfeiture Law for Individual Deferred Annuities, including provisions relating to lump-sum settlements at maturity and minimum nonforfeiture amounts.

The Act permits funding agreements for payments to be made at future dates to be issued to a person other than a natural person for the purpose of providing collateral security for registered securities issued by that person. The Act also grants an exemption from the certification requirements of Code Section 509A.15 to certain self-insured plans by political subdivisions or school corporations. The Act changes numerous provisions regarding the commissioner's status as the registered agent for service of process for various foreign and domestic companies doing insurance business in the state. See Division III of H.F. 683 (Appropriations) for an amendment relating to funding agreements.

New Code Section 511.40 creates an insurable interest in the lives of active or retired employees for the benefit of the employer or for the benefit of the active and retired employees. The employees may be insured on an individual or group basis, and an employer must obtain consent before obtaining coverage, including an acknowledgment that the coverage may continue even after the employee is no longer employed by the employer. "Employee" includes officers, managers, directors, shareholders, partners, members, proprietors, or other owners, but for nonmanagement employees, the amount of coverage must be reasonably related to the benefit provided to the employees.

The Act amends Code Chapter 513C, the Individual Health Insurance Market Reform Act, regarding calculation of assessments for the Iowa Individual Health Benefit Reinsurance Association, and also addresses which insurers are members of the association.

Under Code Section 514J.10, the commissioner now will prepare an annual report with summary information, rather than each insurance carrier filing an individual report.

The Act provides that the external review process shall not be considered a contested case under Code Chapter 17A, the Iowa Administrative Procedure Act. The Act prohibits petitions for judicial review of independent review decisions from naming the independent review entity as a party, or from naming the commissioner as a defendant unless the commissioner's alleged action or inaction meets certain standards in statute. However, the commissioner may intervene upon motion.

A company may only write or place a policy or contract for insurance upon property located in this state through a licensed producer authorized to do business in this state.

Code Section 515B.9, regarding nonduplication of recovery for claims covered by the Insurance Guaranty Association, is rewritten to exclude consideration of any obligation of the Insurance Guaranty Association as other insurance when a claim under another policy alleges the same damages. The Code section now also expressly addresses policies that provide coverage for joint and several liability. The Act also adds a three-year statute of limitations following the date of the order of liquidation for claims brought against the Insurance Guaranty Association.

Certain filing requirements pertaining to mailings are changed from 20 to 30 days in Code Sections 515D.5, 518.23 and 518.29, and another filing requirement in Code Section 523.7 is replaced with the commissioner's authority to prescribe filing requirements by rule.

The Act repeals Code Section 511.30, related to the use of intoxication as a defense in an action on an insurance policy; Code Section 515.78, relating to an agent's certificate of authority; and Code Section 518A.43, regarding the cancellation of an insurance producer's license.

The Interstate Insurance Product Regulation Compact is added as new Code Chapter 505A. The compact is intended, in part, to create the nonprofit Interstate Insurance Product Regulation Commission and to develop uniform standards for certain insurance products. Each compacting state is entitled to one member on the commission. Procedures are set forth for filing insurance products with the commission and obtaining commission approval. The compact becomes effective and binding upon legislative enactment by two states; the approval process for insurance products, however, requires 26 compacting states or, alternatively, compacting states representing greater than 40 percent of the premium volume for life insurance, annuity, disability income, and long-term care insurance products.

The Act establishes an Individual Health Insurance Task Force to review individual health insurance market reform under Code Chapter 513C and the Iowa Comprehensive Health Insurance Association under Code Chapter 514E. The study shall include review of the premium rating system for, and qualifications for coverage under, the guaranteed basic and standard plans regulated under Code Chapter 513C and the comprehensive health insurance plans under Code Chapter 514E; the cost-sharing and assessment mechanisms under Code Sections 513C.10 and 514E.2; and other matters as agreed to by the task force which affect the individual health insurance market. A report is due to the General Assembly on or before January 15, 2004, including proposed legislation concerning individual health insurance.

The Act contains a provision regarding retroactive applicability to July 1, 1995, with respect to the amendments to Code Section 513C.10, regarding the Iowa Individual Health Benefit Reinsurance Association. Those provisions and the retroactive applicability provision take effect April 28, 2003.

CHILDREN AND YOUTH

- SENATE FILE 303 - Child Abuse Assessment Reporting
- SENATE FILE 351 - Child Care — Miscellaneous Provisions
- SENATE FILE 353 - Child Protection Assistance Teams
- SENATE FILE 354 - Iowa Indian Child Welfare Act
- HOUSE FILE 206 - Child Abuse Reporting Requirements Involving Sexual Abuse and Reporting by Clergy — VETOED BY THE GOVERNOR
- HOUSE FILE 457 - Child Welfare Services — Assessment and Plan for Transition to Adulthood

RELATED LEGISLATION

- SENATE FILE 36 - Miscellaneous Supplemental and Other Appropriations
SEE APPROPRIATIONS. This Act makes supplemental appropriations for FY 2002-2003 and includes an appropriation to the Department of Human Services for child and family services. The Act takes effect February 17, 2003.
- SENATE FILE 221 - Sexual Exploitation of a Minor
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act makes changes to the definition of the criminal offense of sexual exploitation of a minor.
- SENATE FILE 224 - Child in Need of Assistance Proceedings and Termination of Parental Rights — Appeals
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act relates to expedited time frames for appeals from final orders entered in child in need of assistance and termination of parental rights proceedings.
- SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes provisions requiring the Department of Human Services to redesign the child welfare and juvenile justice services system, revising area education agency funding, and revising funding provisions for educational programs for children placed at state institutions.
- HOUSE FILE 454 - Newborn and Infant Hearing Screening
SEE HEALTH & SAFETY. This Act requires universal newborn and infant hearing screening beginning January 1, 2004.
- HOUSE FILE 472 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act includes funding for various programs involving children and families, including Child Care and Development, Maternal and Child Health Services, Community Services, and Social Services Block Grants.
- HOUSE FILE 541 - Birth Certificates — Fees
SEE HEALTH & SAFETY. This Act increases the fee for the registration of a birth certificate to \$15 beginning July 1, 2003, and ending June 30, 2005, and to \$20 beginning July 1, 2005, in order to provide funding for both child abuse prevention and the Birth Defects Institute Central Registry.
- HOUSE FILE 558 - Disclosure of Information to Subjects of Child or Dependent Adult Abuse Reports
SEE HUMAN SERVICES. This Act authorizes the Department of Human Services to disclose information to certain persons regarding the listing of an individual in the Child or Dependent Adult Abuse Registry or the Sex Offender Registry when the disclosure is necessary for the protection of a child or dependent adult.
- HOUSE FILE 565 - Healthy and Well Kids in Iowa Program
SEE HEALTH & SAFETY. This Act relates to the Healthy and Well Kids in Iowa (hawk-i) Program and the Medical Assistance Program.

HOUSE FILE 667

- Appropriations — Health and Human Services
SEE APPROPRIATIONS. This Act makes appropriations for purposes of health and human services to the Department of Elder Affairs, Iowa Department of Public Health, Department of Inspections and Appeals, Department of Human Services (DHS), and Commission of Veterans Affairs. Division III of the Act makes appropriations to DHS for child support recovery, the children's health insurance program (hawk-i), the Iowa Juvenile Home at Toledo and the State Training School at Eldora, and the Division of Child and Family Services; and addresses the Juvenile Detention Home Fund. Division III also provides that the school attendance requirements for children participating in FIP (known as the "Learnfare" initiative) are suspended for FY 2003-2004.

HOUSE FILE 694

- Judicial Administration and Procedures
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act eliminates the participation of the Foster Care Review Board in voluntary foster care placements.

CHILDREN AND YOUTH

SENATE FILE 303 - Child Abuse Assessment Reporting

BY KREIMAN. This Act modifies the requirements for completion of a child abuse assessment report by Department of Human Services workers. If, after a child protection worker completes the assessment process, the worker determines that the child abuse report was spurious or that protective concerns are not present, the assessment report no longer must include identification of the strengths and needs of the child and the child's family or the services available to address the strengths and needs.

SENATE FILE 351 - Child Care — Miscellaneous Provisions

BY COMMITTEE ON HUMAN RESOURCES. This Act revises child care requirements by applying prohibitions against particular individuals having involvement with child care, expanding record checks and evaluations performed by the Department of Human Services (DHS), expanding individual eligibility for state child care assistance, and revising child care fraud sanctions.

The term "involvement with child care" is defined to mean any of the following: child care licensure, registration, employment, receipt of public funding for providing child care, providing child care as a child care home provider, or residence in a child care facility or a child care home.

The Act provides that if the department has denied or revoked a license or registration because a person has continually or repeatedly failed to operate a licensed center or registered child care home in compliance with law and rules, the person is also prohibited from any involvement with child care unless the involvement is specifically permitted by DHS. If a person has been prohibited by DHS from involvement with child care, the person cannot provide unregistered care as a child care home provider.

Current law requires the department to perform criminal and child abuse record checks of persons having involvement with child care and authorizes dependent adult abuse record checks of persons subject to child care regulatory requirements. The Act adds new definitions of the terms "person subject to an evaluation" and "transgression." The new definitions expand existing optional record checks to include the Sex Offender Registry and public or civil offenses. The department may also conduct these checks in other states. "Transgression" means a record indicating a person has committed founded child or dependent adult abuse, is listed in the Sex Offender Registry, has committed a public or civil offense, or has had a child care facility registration or license revoked due to the person's continual or repeated failure to comply with requirements.

The Act provides that a person who has a record of such a transgression is subject to evaluation by the department to determine whether the person's involvement with child care should be prohibited. The Act provides that if a person's involvement with child care is prohibited, DHS may specify a time period after which a person may request that another record check and evaluation be performed.

Current law authorizes the department to allow a person with a record of a transgression to continue to provide child care or to reside in a child care facility, subject to conditions imposed by DHS. The Act applies an absolute prohibition against a person's involvement with child care for persons who committed certain felony-level transgressions or founded sexual abuse, or if the person is listed in the Sex Offender Registry. In addition, the Act applies a five-year prohibition period for a person who committed any criminal offense involving a controlled substance or founded physical abuse.

The Act provides that a person who continues involvement with child care after being prohibited from doing so by DHS commits a simple misdemeanor and may also be restrained by a temporary or permanent injunction.

Waiting list and eligibility requirements for the State Child Care Assistance Program are revised. Families in certain situations are exempt from waiting lists if the program funding runs short. The waiting list exemption is expanded to include a child in a family that is eligible for the program and receives a state adoption subsidy for the child. Program eligibility is provided if a child's parent, guardian or custodian is absent due to hospitalization or physical or mental illness and the Act also provides for eligibility when the parent, guardian or custodian is present but unable to care for the child for a limited period as verified by a physician.

Revisions are made in the administrative sanction process used in situations in which a child care provider is found to have obtained a certain level of public funding by fraudulent means.

SENATE FILE 353 - Child Protection Assistance Teams

BY COMMITTEE ON HUMAN RESOURCES. This Act requires each county attorney to establish a child protection assistance team that may be consulted in cases involving a forcible felony against a child who is less than age 14 when the

suspected offender is the person responsible for the care of the child. Under existing law, establishing such teams is optional. One or more county attorneys may agree to establish a single team for a multicounty area. The teams are required to work with the Department of Human Services in developing protocols for those child abuse reports in which there is a law enforcement investigation. Authority is provided for teams to work cooperatively with other local bodies, such as the community empowerment area board.

SENATE FILE 354 - Iowa Indian Child Welfare Act

BY COMMITTEE ON HUMAN RESOURCES. This Act implements the federal Indian Child Welfare Act of 1978 in Iowa law and includes requirements not specifically addressed by the federal law. In general, the "Iowa Indian Child Welfare Act," or Iowa ICWA, applies in any voluntary or involuntary child custody proceeding that will result in an Indian child's adoptive placement, foster care placement, preadoptive placement, or termination of parental rights.

If such a proceeding is going to be held, and there is reason to believe that a child may be identified by an Indian tribe as a child of the tribe's community, special requirements apply so that the tribe and extended family members are notified of the proceeding. Procedures are included for a tribal court to assume jurisdiction over the proceeding and for the child's parent, extended family, and tribe to become parties to the proceeding, particularly in involuntary proceedings.

Both Iowa and federal law applicable to involuntary removal of a child or termination of parental rights incorporate the concept that reasonable efforts must be made to prevent or eliminate the need for removal. Iowa ICWA requires active efforts to provide remedial services and rehabilitation programs that go beyond reasonable efforts. Specific activities that constitute active efforts are required.

Placement preferences are specified for the Indian child's adoptive placement and for temporary placements. A priority order for the placements begins with the Indian child's extended family and continues through non-Indian families who are committed to enabling the child to maintain contact with the child's Indian family and tribe.

If a court is considering whether to place a child for foster care or adoption, testimony is required from tribally recognized qualified expert witnesses with specific knowledge of the child's tribe. The qualifications of such persons are specifically outlined.

The Department of Human Services (DHS) is required to make efforts to enter into agreements with Indian tribes regarding jurisdiction over Indian child custody proceedings and child welfare placement of Indian children.

Specific requirements are applicable to the permanent record of child custody proceedings involving Indian children in this state. DHS is required to establish a permanent automated database containing a record of Indian child custody proceedings in which DHS is involved. The original files and documents are to be maintained in the local DHS offices. Procedures are provided for adult Indian persons to access their records.

Compliance requirements are included and allow for vacating of court orders resulting from proceedings that did not comply with either the federal or Iowa ICWA. DHS is required to review cases for compliance and the initial review must be completed by June 30, 2004.

HOUSE FILE 206 - Child Abuse Reporting Requirements Involving Sexual Abuse and Reporting by Clergy — VETOED BY THE GOVERNOR

BY COMMITTEE ON HUMAN RESOURCES. This bill related to child abuse reporting by increasing the child age for mandatory reporting of suspected child sexual abuse perpetrated by a person other than the person responsible for the care of the child and requiring members of the clergy to be mandatory reporters of child abuse under certain circumstances.

Under existing law, a finding of child abuse requires that the abuse results from the act or omissions of a "person responsible for the care of a child" as defined in the Code. The term includes a parent, guardian, foster parent, relative, other person with whom the child resides, care provider, or other person who assumes care or supervision of a child. However, existing law requires mandatory reporters to also report suspected sex abuse of a child who is under age 12 by a person who is not a caretaker of the child and provides for voluntary reporting of such abuse for older children. The bill would have increased the child age for mandatory reporting of suspected sexual abuse of a child by a noncaretaker from under age 12 to under age 16. Under existing law, the Department of Human Services is required to refer such reports to the appropriate law enforcement agency having jurisdiction to investigate the allegation.

The bill would have required a member of the clergy who, in the scope of professional practice or in their employment responsibilities, examines, attends, counsels, or treats a child and reasonably believes a child has suffered abuse to be a mandatory reporter of that abuse. An exception was made so that reporting is not required when information regarding the

abuse was obtained only during a penitential communication. The bill exempted clergy from the requirement for regular training otherwise applicable to mandatory reporters.

HOUSE FILE 457 - Child Welfare Services — Assessment and Plan for Transition to Adulthood

BY HEATON. This Act expands requirements for the transition of an individual from the child welfare services system to adulthood and, if needed, to the adult services system. Legislators suggested in debate on this legislation that it was crafted to address planning problems identified in the case of a young man named Reggie Kelsey who died after he left the child welfare system upon reaching adulthood.

The Department of Human Services (DHS) is directed to establish local transition committees to address the transition to adulthood needs of those children age 16 or older who are receiving child welfare services, have a case permanency plan, and a needs assessment indicates the child is reasonably likely to need or be eligible for services or other support from the adult services system upon reaching age 18.

DHS is directed to establish criteria for membership, operating policies, service areas, and basic functions while providing flexibility for the local committees. DHS may use the governance boards of child welfare decategorization funding projects to appoint the membership for transition committees and may also use the decategorization project boundaries to establish service areas for the committees.

A committee's membership may include various persons involved with the state's systems for child welfare, human services, judicial branch, education, and adult services. The local committee is required to review and approve the written plan for such children required under the case permanency plan that is prepared in accordance with federal requirements for children transferred to the custody of the department.

The duties of a "guardian ad litem" are expanded to require a guardian ad litem to provide assistance to a transition committee in developing a child's transition plan. In addition, for dispositional orders involving a child subject to a transition plan, the court may authorize the child's guardian ad litem or court-appointed special advocate to continue to have a relationship and to provide advice once the child reaches adulthood.

Statutory requirements relating to termination, modification, vacation, and substitution of a child in need of assistance dispositional order are amended to provide that if a child is subject to a court order for an out-of-home placement, a change in that child's level of care requires modification of the order.

CIVIL LAW, PROCEDURE AND COURT ADMINISTRATION

- SENATE FILE 224 - Child in Need of Assistance Proceedings and Terminations of Parental Rights — Appeals
- SENATE FILE 359 - Landlords and Tenants — Lease or Rental Agreement Terminations — Forcible Entry or Detention Actions
- SENATE FILE 361 - Civil Commitment — Emergency Procedures
- SENATE FILE 366 - Estates, Gifts, Trusts, and Related Property Transfers
- HOUSE FILE 450 - Rule Against Perpetuities Exception — VETOED BY THE GOVERNOR
- HOUSE FILE 584 - Recreational Activities in Designated Areas or on Public Property — Liability Limited
- HOUSE FILE 694 - Judicial Administration and Procedures

RELATED LEGISLATION

- SENATE FILE 97 - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act allows the Iowa Department of Transportation and law enforcement agencies to disclose certain factual information contained in motor vehicle accident reports unless disclosure would jeopardize an investigation or endanger an individual.
- SENATE FILE 155 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to notices of appeal in condemnation cases, filing requirements for foreign agricultural landholders, military justice, mediator qualifications, court orders issued in adoption proceedings, documents filed and docketed by the clerk of court, and probate proceedings.
- SENATE FILE 354 - Iowa Indian Child Welfare Act
SEE CHILDREN & YOUTH. This Act implements the federal Indian Child Welfare Act of 1978 in Iowa law and includes requirements not specifically addressed by the federal law. In general, the “Iowa Indian Child Welfare Act” applies in any voluntary or involuntary child custody proceeding that will result in an Indian child’s adoptive placement, foster care placement, preadoptive placement, or termination of parental rights. The juvenile court is subject to specific requirements.
- SENATE FILE 379 - Agricultural Liens
SEE BUSINESS, BANKING & INSURANCE. This Act amends provisions relating to agricultural liens by providing that they must be perfected under Revised Article 9 of the Uniform Commercial Code (Code Chapter 554).
- SENATE FILE 435 - Appropriations — Judicial Branch
SEE APPROPRIATIONS. This Act makes appropriations to the judicial branch and includes changes to the appointment of a clerk of the district court and to the state’s contribution to the Judicial Retirement Fund.
- SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes provisions requiring the Department of Human Services to redesign the child welfare and juvenile justice services system.
- SENATE FILE 458 - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division V of this Act relates to compensation and benefits paid to state employees, including the judicial branch. Division VII creates a Tobacco Compliance Employee Training Fund consisting of civil penalties imposed for sales to underage purchasers with the moneys being used for training tobacco compliance employees.
- HOUSE FILE 457 - Child Welfare Services — Assessment and Plan for Transition to Adulthood
SEE CHILDREN & YOUTH. This Act expands requirements for the transition of an individual from the child welfare services system to adulthood and, if needed, to the adult services system. Legislators suggested in debate on this legislation that it was crafted to address planning problems

identified in the case of a young man named Reggie Kelsey who died after he left the child welfare system upon reaching adulthood.

- HOUSE FILE 489** - Human Services Programs and Services — Miscellaneous Provisions
SEE HUMAN SERVICES. This Act relates to programs and services under the purview of the Department of Human Services (DHS) and includes provisions relating to future collection of debt due DHS from a Medical Assistance Program (Medicaid) recipient's estate.
- HOUSE FILE 683** - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes
SEE APPROPRIATIONS. This Act relates to economic development, financial, and taxation matters, revises previously enacted appropriations, and includes an increase in the salaries of judges, justices and magistrates and revises lien provisions for manufacturing housing.
- HOUSE FILE 692** - Taxation, Economic Growth and Development, and Other Changes — Liability Reform, Workers' and Unemployment Compensation, and Financing Charges
SEE TAXATION. Division XV of the Act enacts liability reform relating to supersedeas (appeal) bonds.

CIVIL LAW, PROCEDURE AND COURT ADMINISTRATION

SENATE FILE 224 - Child in Need of Assistance Proceedings and Terminations of Parental Rights — Appeals

BY COMMITTEE ON JUDICIARY. This Act provides that the Supreme Court may prescribe rules to expedite the time frame for appeals from final orders entered in child in need of assistance and termination of parental rights proceedings. The Act also provides that an application for further review to the Iowa Supreme Court in an appeal from a child in need of assistance or termination of parental rights proceeding must be filed within 10 days following the filing of the decision of the Iowa Court of Appeals.

SENATE FILE 359 - Landlords and Tenants — Lease or Rental Agreement Terminations — Forcible Entry or Detention Actions

BY COMMITTEE ON JUDICIARY. This Act modifies residential landlord-tenant law as it relates to termination of rental agreements and eviction procedures.

The Act permits a state military service member to terminate a lease or rental agreement after being called to active military duty and provides a criminal penalty for interfering with the right to terminate.

The Act provides that a municipal housing agency is not required to provide a tenant any additional remedy when terminating a lease pursuant to federal law.

The Act exempts nonprofit transitional housing from Code Chapter 648, Forcible Entry or Detention of Real Property, unless such an occupant is subject to a lease or rental agreement. The Act modifies the procedures under Code Chapter 648 to delay executions of removal involving mobile or manufactured homes under specified conditions and to require the landlord to notify all lienholders of mobile or manufactured homes in writing prior to a hearing to remove the home from the park or community.

SENATE FILE 361 - Civil Commitment — Emergency Procedures

BY COMMITTEE ON JUDICIARY. This Act relates to emergency procedures for the temporary detention and treatment of persons who are incapacitated or impaired due to substance abuse or mental health problems. The Act removes references to the chief medical officer and substitutes the examining physician as the person who is authorized to determine the treatment needs of a person who has been temporarily detained. The Act also eliminates the requirement that the judge or magistrate travel to the facility where the patient is being detained. The Act requires that the judge or magistrate follow up a detention order by filing with the clerk of court a written order before the close of the next business day.

SENATE FILE 366 - Estates, Gifts, Trusts, and Related Property Transfers

BY COMMITTEE ON JUDICIARY. This Act provides a number of amendments to the Iowa Probate Code, including certain state inheritance and gift tax provisions.

INHERITANCE AND GIFT TAXES. Changes made in the area of inheritance and gift taxes include defining a stepchild as a child of a person who was married to the decedent at the time of the decedent's death or a child of a person who died while married to the decedent; exempting from tax intangible personal property owned by a decedent who was not domiciled in Iowa; providing that the net market value of property transferred for less than full consideration within three years of the decedent's death shall be determined as of the date of the transfer; specifying that the Iowa Department of Revenue and Finance must keep a separate record of any deferred estate where the tax is not paid on or before the last day of the ninth month after the death of the decedent; and repealing reciprocal transfer tax provisions under which nonresidents are exempt from certain taxes on personal property. The foregoing provisions of this Act apply to estates of decedents dying on or after July 1, 2003.

IOWA PROBATE CODE. Changes made in the area of probate include amending provisions of the Uniform Simultaneous Death Act to recognize other contracts in addition to wills, living trusts, deeds, or contracts of insurance that provide provisions for property distribution; amending the term "competency" with regard to irrevocable transfers to mean the ability to understand the effect a gift may have on the future financial security of the donor and anyone who may be dependent on the donor; providing that if a provision of a trust instrument makes any section of the trust code inapplicable to a trust, the common law shall apply; creating a new provision relating to the applicable governing law in regard to a trust not created by will; providing that a trust instrument must specify the particular duties a trustee must perform as an additional requirement which must be met in order for a trust to be considered valid in addition to other requirements for validity; amending certain statute of frauds provisions to specify that all trusts, except constructive and resulting trusts, must be in writing; providing that if the trustee merges with another institution or changes the location or place where the trust is administered, the court may remove a trustee or order other appropriate relief; providing certain rules with respect to the

trustee's fiduciary duties; providing language related to a trustee's duty to provide information regarding an annual accounting to a qualified beneficiary; specifying certain rules of survivorship with respect to future interests under the terms of the trust and including a definition of "alternate beneficiary"; authorizing the trustee to transfer the trust's principal place of administration to another state or to a jurisdiction outside of the U.S.; and providing that "interested persons" may enter into a binding settlement agreement without court approval with respect to the interpretation or construction of the terms of the trust, the approval of a trustee's report or accounting, a direction to the trustee to refrain from performing a particular act or the grant to a trustee of any necessary or desirable power, the resignation or appointment of a trustee and the trustee's compensation, the transfer of a trust's principal place of administration, and the liability of a trustee for any trust action.

HOUSE FILE 450 - Rule Against Perpetuities Exception — VETOED BY THE GOVERNOR

BY COMMITTEE ON JUDICIARY. This bill would have created an exception to the statutory rule against perpetuities codified in Code Section 558.68, which is a legal rule related to invalidating interests in property that are intended to belong to a person at some point in the future, but for which the actual determination of ownership cannot or will not be accomplished within a specified period of time. The purpose of the rule is to keep property from being frozen in trust beyond a certain period of years.

The bill would have allowed a creator of a trust to suspend, explicitly in the trust document, the rule from applying to a particular trust, but only if the trustee had the power to sell all trust assets or if one or more people, including the trustee, had the power to terminate the trust.

The bill would have allowed suspension of the rule in situations where an employer created a stock bonus plan, pension plan, disability or death benefit plan, or profit sharing plan, in trust, for the benefit of the employer's employees, for the purpose of distributing to the employees or their beneficiaries earnings or principal or both.

HOUSE FILE 584 - Recreational Activities in Designated Areas or on Public Property — Liability Limited

BY COMMITTEE ON JUDICIARY. This Act provides for exceptions to liability for certain recreational activities. The Act limits the liability of prior owners of land on which an all-terrain vehicle recreational riding area is established, maintained or operated. The Act further provides exceptions to liability regarding a municipality's negligent design, construction or reconstruction of a public facility designed for the purpose of bicycling, unicycling, scootering, river rafting, canoeing, or kayaking, and to liability claims based upon acts or omissions of an officer or employee of the municipality involving a public facility designed for such purposes.

HOUSE FILE 694 - Judicial Administration and Procedures

BY COMMITTEE ON APPROPRIATIONS. This Act relates to procedures and duties of the judicial branch.

The Act permits the Chief Justice of the Supreme Court to delay, by up to 180 days, the nomination process of a judge for appointment to the Iowa Supreme Court, Court of Appeals, district court, district associate court, magistrate court, juvenile court, and probate court. These changes to the nomination process are repealed on July 1, 2006.

The Act prohibits a member of a judicial nominating commission from nominating a family member, current law partner, or business partner for a judgeship.

The Act extends the retention time period from four to six years for a district associate judge, juvenile judge, and a probate judge.

The Act requires the county sheriff to serve a summons, notice or subpoena in a juvenile delinquency proceeding. The Act also requires the sheriff to serve a summons, subpoena, or other legal process in child in need of assistance proceedings under Code Section 232.88.

The Act eliminates the participation of the Foster Care Review Board in voluntary foster care placements and in reviewing delinquency cases involving foster care.

The Act requires that in a contempt action for violation of a no-contact domestic abuse order, the filing fees and court costs for the victim shall be waived by the court.

The Act makes substantial changes to the process related to petitioning for medical treatment by indigent persons. The Act provides that the county general assistance director and not the clerk of court shall file a complaint to appoint a physician to examine an indigent person. The Act principally substitutes the county general assistance director for the clerk of court in administering a complaint for indigent care and scheduling hearings and notifying parties. The Act also substitutes the board of supervisors for the court in reviewing the case and issuing findings.

The Act makes changes related to the criminal offense of driving a motor vehicle without liability insurance. The Act provides that an owner or driver charged with a violation of Code Section 321.20B may present proof of liability coverage prior to the court date to have the charge dismissed. Current law provides that the owner or driver present proof of coverage to the clerk of court within 30 days of the issuance of the citation to obtain a dismissal.

The Act provides that an owner of a vehicle who has been issued a ticket may have the ticket dismissed if the owner can furnish proof to the county attorney that a lessee or renter had custody of the vehicle when the alleged violation occurred and the ticket was issued. Current law provides that the owner of a vehicle show proof of coverage to the clerk of court and the clerk issue a new ticket if the owner was not in custody of the vehicle.

The Act makes changes related to modifying a dissolution decree in a county other than the county where the original decree was entered. The Act provides that upon entering a modification in another county, the clerk shall notify by regular mail, electronic transmission, or facsimile the clerk of court in the county where the original decree was entered.

The Act provides that a clerk of the district court appointment is subject to review by the State Court Administrator. The Act also provides that a clerk of the district court may be appointed to serve as clerk for up to four contiguous counties in the same judicial district. The Act eliminates the requirement that the clerk of the district court establish residence and physically reside in the county where the clerk is employed within three months of appointment. However, the Act retains the provision that a person does not qualify for appointment unless the person is at the time of application a resident of the state.

The Act eliminates the position of alternate district associate judge. Current law provides that if a county has only one district associate judge, an alternate district associate judge may be appointed to serve as a district associate judge on an as-needed basis.

The Act makes changes related to holding magistrate court in a city other than the county seat. The Act provides that magistrate court shall be scheduled in a city other than the county seat if magistrate court was held in the city on or after July 1, 2001, the population of the city is at least two times greater than the population of the county seat, or the population of the city is at least 30,000, and the city requests magistrate court be held in the city. The Act provides that the city requesting magistrate court shall pay the costs for holding magistrate court in the city which would not otherwise have been incurred by the judicial branch.

The Act establishes a judicial district and judicial election district redistricting process. The Act provides that the Supreme Court shall, beginning January 1, 2012, and at least every 10 years, review the division of the state into judicial districts and judicial election districts in order to determine whether the current composition of the judicial districts and judicial election districts is the most efficient and effective administration of the district courts and the judicial branch. Under the Act, if the Supreme Court determines that reorganizing the judicial districts and judicial election districts would bring about more efficiencies and be more effective for the administration of the district court and judicial branch, the Supreme Court shall develop and submit a reorganization plan to the General Assembly by November 15. The Act provides that the Legislative Service Bureau shall draft legislation embodying the reorganization plan for submission to the General Assembly. The General Assembly shall bring the legislation to a vote within 30 days of the legislation's submission by the Supreme Court under a procedure or rule permitting no amendments by either house except those that are of a purely corrective nature. The Act must pass both houses and be approved by the Governor to become law. The Supreme Court, prior to developing the reorganization plan, must consult and receive input from members of the general public, court employees, judges, members of the General Assembly, the judicial departments of correctional services, county officers, officials from other interested political subdivisions, and attorneys. The Act provides that the current composition of the judicial districts in Code Section 602.6107 and judicial election districts in Code Section 602.6109 shall remain in effect until the composition of the judicial districts and judicial election districts is enacted either using the procedure outlined in this Act or another process for considering a reorganization of the districts. The Act also creates a legislative study committee to study judicial district and judicial election district redistricting and the allocation of judicial branch resources.

The Act requires any party, other than the state or a political subdivision of the state, upon the party's first appearance in a court proceeding, to provide the clerk with the following information: an employer identification number if one has been assigned, a social security number, and the birth date of the party. The Act provides that in proceedings modifying child support, the clerk shall be provided with the child's date of birth and social security number. The Act requires that the clerk of court keep the party's social security number confidential.

The Act prohibits the judicial branch from establishing regional litigation centers.

The Act provides that if a vacancy in a judgeship occurs, and the Chief Justice makes a finding that a substantial disparity exists in the allocation of judgeships and judicial workload between judicial election districts, the Chief Justice may apportion the vacant judgeship to another judicial election district if a majority of the Judicial Council approves the apportionment. Under the Act, if the Chief Justice has determined that a substantial disparity exists, the Chief Justice may also authorize a voluntary permanent transfer of a district judge from one judicial election district to another, upon approval of a majority of the Judicial Council. A judge who voluntarily transfers shall establish residency in the new judicial election district within six months of the transfer and shall stand for retention in the new judicial election district. A district judge is not eligible for a voluntary transfer unless the judge has served a regular term of office. The provision of the Act providing for the voluntary transfer of judges is repealed on July 1, 2008.

The Act allows the clerk of court to enter in the appearance docket a memorandum of the date of filing of a new petition or order within two business days of the filing of the document. The Act also permits the clerk of court to complete the memorandum for all other pleadings as soon as practicable. The Act does not change the date in which the pleading is filed. However, a pleading may not be removed from the office of the clerk of court until the memorandum is completed.

The Act permits the clerk of court to enter a satisfaction of judgment if the amount of the unsatisfied judgment is less than \$3. If a party is due a refund from the clerk's office, the clerk need not refund the money if the amount of money due is less than \$3, unless the party requests a refund in writing. Current law provides that a satisfaction shall not be entered unless the dollar amount is less than \$1, and money need not be refunded to a party if the amount is less than \$1.

The Act makes changes to the filing fee assessed for certain parking violations. The Act increases the filing fees for most parking violations pursuant to Code Section 321.236, and for violations pursuant to Code Sections 321.239, 321.358, 321.360, and 321.361, from \$1 to \$8, effective January 1, 2004.

The Act decreases the court costs assessed in a scheduled violation case where a court appearance is required from \$25 to \$17.

The Act decreases the filing fee for nonscheduled simple misdemeanors from \$25 to \$17.

The Act increases the amount of court costs assessed in a scheduled violation case where a court appearance is not required from \$15 to \$17.

The Act eliminates the requirement that the clerk of court notify the parties of a default judgment entered in small claims court if the amount of the judgment is not readily ascertainable by the clerk. If the amount of the judgment is not readily ascertainable, it is assigned to a magistrate to make that determination.

The Act permits the clerk of court to charge a flat fee of \$8 for postage in a small claims action rather than the actual cost of the postage.

The Act requires that the costs of serving any notice given by a fiduciary be paid directly by the estate rather than taxed as court costs.

The Act requires the clerk of court to deliver a certified copy of a will to an executor upon the filing of the original will with the clerk of court. Current law requires the will to be authenticated.

The Act eliminates the clerk of court's responsibility to prepare a court officer's deed for the purpose of transferring real property in an estate that has been opened with or without administration. The Act provides that the heir, the heir's attorney, or the personal representative shall be responsible for preparing the documents for change of title and delivering the documents to the county recorder.

The Act provides that interest on a judgment be calculated upon the One-Year Treasury Constant Maturity published by the Federal Reserve, plus 2 percent.

The Act permits the clerk of court to deliver by regular mail the court's final order from a reconsideration of sentence hearing. Current law requires the final order to be mailed by certified mail.

The Act requires the judge, rather than the State Court Administrator, to search the deferred judgment docket. The Act provides the deferred judgment docket shall be on a searchable database. The Act also permits the Department of Corrections to access deferred judgment records. Current law only permits the courts and the county attorney access to the records.

The Act repeals the requirement that probate court always be open for business.

CRIMINAL LAW, PROCEDURE AND CORRECTIONS

- SENATE FILE 221 - Sexual Exploitation of a Minor
- SENATE FILE 402 - Sexual Abuse and Assault — Evidence — Penalty for Assault
- SENATE FILE 417 - Police Service Dog Purchase by Department of Corrections — Funding
- SENATE FILE 422 - Crimes, Sentencing, and Procedure — Miscellaneous Revisions
- HOUSE FILE 65 - Operating While Intoxicated Revisions
- HOUSE FILE 170 - Identity Theft
- HOUSE FILE 216 - Dissemination of Intelligence Data and Intelligence Assessments
- HOUSE FILE 249 - Flunitrazepam — Penalty for Manufacture, Delivery, or Possession With Intent or Conspiracy to Manufacture or Deliver
- HOUSE FILE 349 - Indigent Defense
- HOUSE FILE 404 - Criminal Sentencing — No-Contact Orders
- HOUSE FILE 455 - Burn Injury Reports by Treatment Providers
- HOUSE FILE 504 - Fraudulent Use of Credit Cards and Payment Card Scanning Devices or Reencoders
- HOUSE FILE 505 - Unauthorized Computer Access — Rural Water District or Municipal Utility Data
- HOUSE FILE 551 - Inmates of Correctional Institutions — Fees — Transport for Medical or Dental Care

RELATED LEGISLATION

- SENATE FILE 36 - Miscellaneous Supplemental and Other Appropriations
SEE APPROPRIATIONS. This Act makes supplemental appropriations for FY 2002-2003 and includes appropriations for correctional facilities and programs, indigent defense, and the Department of Public Safety.
- SENATE FILE 97 - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act provides that the Iowa Department of Transportation and law enforcement agencies may disclose certain factual information contained in motor vehicle accident reports unless disclosure would jeopardize an investigation or endanger an individual.
- SENATE FILE 155 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to military justice, clandestine laboratory sites, the conferring of peace officer status on state officers, bingo and card and parlor games, references to the Division of Criminal Investigation of the Department of Public Safety, possession of anthrax, the confinement of sexually violent predators, child abuse reporting and investigations, domestic abuse, operation of personal watercraft, the killing of animals, crime victim restitution, and the Interstate Compact for Adult Offender Supervision.
- SENATE FILE 351 - Child Care — Miscellaneous Provisions
SEE CHILDREN & YOUTH. This Act revises child care requirements and includes a five-year prohibition against individuals who have been convicted of a controlled substance offense from having involvement with child care for a period of five years. A person who continues involvement with child care after being prohibited from doing so commits a simple misdemeanor.
- SENATE FILE 352 - Certified Law Enforcement Officer Training — Applicants
SEE LOCAL GOVERNMENT. This Act relates to the training of an individual who intends to become certified as a law enforcement officer through a short course of study program.
- SENATE FILE 353 - Child Protection Assistance Teams
SEE CHILDREN & YOUTH. This Act requires each county attorney to establish a child protection assistance team that may be consulted in certain child abuse cases involving a forcible felony.

- SENATE FILE 397** - Deer Hunting
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act relates to the issuance of additional antlerless deer hunting licenses to certain residents, landowners and tenants, or their family members, and nonresidents, and provides for the donation of some of the deer meat harvested for use by the Department of Corrections. A violation of the Act or a rule adopted pursuant to the Act is a simple misdemeanor punishable as a scheduled violation.
- SENATE FILE 439** - Appropriations — Justice System
SEE APPROPRIATIONS. This Act includes appropriations for FY 2003-2004 to the departments of Justice, Corrections, Public Defense, and Public Safety, the Iowa Law Enforcement Academy, the Office of the State Public Defender, and the Board of Parole.
- SENATE FILE 453** - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes provisions requiring the Department of Human Services to redesign the child welfare and juvenile justice services system.
- HOUSE FILE 85** - Tip-Up Fishing — Missouri and Big Sioux Rivers and Backwaters
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act authorizes the use of tip-up fishing devices in the waters of the Missouri and Big Sioux Rivers in addition to the Mississippi River. A violator is guilty of a simple misdemeanor with a minimum fine of \$20.
- HOUSE FILE 343** - Motor Vehicle Traffic Regulation — Appearance Bond and Liability Coverage — Overtaking and Passing Vehicles
SEE TRANSPORTATION. This Act relates to the enforcement of motor vehicle law provisions.
- HOUSE FILE 412** - Sport Fishing Licenses — Mussels and Shells
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act changes the amount of mussels and shells that a person with a sport fishing license is entitled to take and possess on a daily basis. A violation of the Act is a simple misdemeanor punishable as a scheduled violation with a fine of \$50.
- HOUSE FILE 472** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act includes funding for various programs involving criminals and corrections, including Drug Control and System Improvement, Local Law Enforcement, and Residential Substance Abuse Treatment for State Prisoners Block Grants.
- HOUSE FILE 502** - Motor Vehicle Damage Disclosure Statements
SEE BUSINESS, BANKING & INSURANCE. This Act makes several amendments to damage disclosure requirements for transfer of a motor vehicle and adds a new requirement to disclose if a vehicle’s airbag is missing or inoperative. The Act also provides that a person who fails to make a required damage disclosure statement commits a fraudulent practice.
- HOUSE FILE 548** - Certified Law Enforcement Officers — Training — Tribal Government Police
SEE STATE GOVERNMENT. This Act relates to law enforcement training at the Iowa Law Enforcement Academy.
- HOUSE FILE 549** - Education — Administration, Regulation, and Other Related Matters
SEE EDUCATION. This Act relates to the duties and operations of the Department of Education, school districts, area education agencies, and the State Board of Regents. The Act also creates a criminal offense of sexual exploitation by a school employee and provides a penalty.
- HOUSE FILE 558** - Disclosure of Information to Subjects of Child or Dependent Adult Abuse Reports
SEE HUMAN SERVICES. This Act authorizes the Department of Human Services to disclose information to certain persons regarding the listing of an individual in the Child or Dependent Adult Abuse Registry or the Sex Offender Registry when the disclosure is necessary for the protection of a child or dependent adult.

- HOUSE FILE 594** - Regulation of Electrical and Mechanical Amusement Devices
SEE GAMING. This Act provides for the registration of electrical or mechanical amusement devices that award a prize not based on the skill of the operator and of the manufacturers and distributors of those devices. The Act also lowers the criminal penalty for a person who commits an offense in violation of the Code section governing electrical or mechanical amusement devices from a class "D" felony to a serious misdemeanor. The Act takes effect May 23, 2003.
- HOUSE FILE 650** - Criminal Offenses and Offenders — County and Municipal Fees and Jurisdiction
SEE LOCAL GOVERNMENT. This Act relates to the assessment of a correctional fee by a county or municipality and to prosecution of criminal offenses committed in a city located in two or more counties.
- HOUSE FILE 665** - Taxation of State-Owned Property — Lease to Nonexempt Entity
SEE TAXATION. This Act relates to the taxation of land leased by the Department of Corrections to certain entities.
- HOUSE FILE 683** - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes
SEE APPROPRIATIONS. This Act relates to economic development, financial, and taxation matters, revises previously enacted appropriations, and includes additional capital and operating funding for development of correctional facilities at Luster Heights and conversion of the Clarinda Lodge and revises requirements for criminal offenders imprisoned in county jails and correctional facilities.
- HOUSE FILE 685** - Healthy Iowans Tobacco Trust and Tobacco Settlement Trust Fund — Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Healthy Iowans Tobacco Trust. The Act appropriates funds to the Department of Corrections for day programming, the Drug Court Program, and a value-based treatment program at the Newton Correctional Facility with the option of a portion of the value-based treatment program funds being used for a similar program at the Iowa Correctional Institution for Women at Mitchellville. The Act also appropriates funds from the Healthy Iowans Tobacco Trust to the Department of Corrections for operation and staffing of the special needs unit at the Fort Madison correctional facility.
- HOUSE FILE 694** - Judicial Administration and Procedures
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act makes changes to the filing fees for parking violations, and for scheduled and nonscheduled simple misdemeanors.

CRIMINAL LAW, PROCEDURE AND CORRECTIONS

SENATE FILE 221 - Sexual Exploitation of a Minor

BY COMMITTEE ON JUDICIARY. This Act makes changes to the definition of the criminal offense of sexual exploitation of a minor by making it unlawful to solicit or attempt to cause a minor to engage in a prohibited sexual act or simulated prohibited sexual act.

The Act also strikes language from the criminal elements of the crime of sexual exploitation of a minor in response to a recent U.S. Supreme Court Opinion, *Ashcroft v. Free Speech Coalition*, 122 S.Ct. 1389 (2002). The Act strikes language that prohibits the purchase, possession or promotion of material that portrays what appears to be a minor in a prohibited sexual act. The Supreme Court found the provision “what appears to be a minor” to be overbroad and in violation of the First Amendment of the U.S. Constitution and stated its own opinion that the First Amendment requires a more precise restriction.

SENATE FILE 402 - Sexual Abuse and Assault — Evidence — Penalty for Assault

BY COMMITTEE ON JUDICIARY. This Act provides that in a criminal prosecution in which a defendant has been charged with a sexual abuse-related offense, evidence of the commission of another sexual abuse-related offense by the defendant is admissible for its bearing on any matter which is relevant. However, the evidence may be excluded if the probative value of the evidence is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or is misleading. The evidence is also not admissible unless the state presents clear proof of the commission of the prior act of sexual abuse. The Act defines “sexual abuse” to mean any commission of or conviction for a crime defined in Code Chapter 709, Iowa’s Sexual Abuse Law. The Act also defines “sexual abuse” to mean any commission of or conviction for a crime in another jurisdiction under a statute that is substantially similar to any crime defined in Code Chapter 709.

SENATE FILE 417 - Police Service Dog Purchase by Department of Corrections — Funding

BY COMMITTEE ON JUDICIARY. This Act provides that moneys from the contingent fund for disaster aid in Code Section 29C.20 may be used in the purchase of a Department of Corrections police service dog if a police service dog was injured or destroyed. The Act requires the department to utilize other sources of available funding before requesting moneys from the contingent fund for disaster aid.

SENATE FILE 422 - Crimes, Sentencing, and Procedure — Miscellaneous Revisions

BY COMMITTEE ON JUDICIARY. This Act relates to criminal sentencing and procedure by changing the penalties for certain offenses involving controlled substances, changing the parole and work release eligibility of a person serving a sentence that requires a maximum accumulation of earned time credits of 15 percent of the total term of confinement, permitting the reopening of such a sentence, and repealing determinant sentences.

The changes under the Act regarding controlled substances relate to the unlawful manufacture, delivery, or possession with the intent to manufacture or deliver, or conspiring to manufacture, deliver, or possess with the intent to manufacture or deliver cocaine-related substances. The Act aligns, using a 10-to-1 ratio, the threshold amount for a conviction of a cocaine-related offense with a “crack cocaine” offense.

If a controlled substance offense under the Act involves more than 500 grams of cocaine, the person commits a class “B” felony, punishable by confinement for no more than 50 years and a fine of not more than \$1 million. Under current law, if the amount of the cocaine is more than 5 kilograms, a person commits a class “B” felony, punishable by confinement for no more than 50 years.

If a controlled substance offense under the Act involves more than 100 grams but not more than 500 grams of cocaine, the person commits a class “B” felony, punishable by confinement for no more than 25 years and a fine of not less than \$5,000 but not more than \$100,000. Under current law, these penalties apply if the amount of cocaine involves more than 500 grams but not more than 5 kilograms of cocaine.

If a controlled substance offense under the Act involves more than 10 grams but not more than 50 grams of a substance containing cocaine base, the person commits a class “B” felony, punishable by confinement for no more than 25 years and a fine of not less than \$5,000 but not more than \$100,000. Under current law, these penalties apply if the amount of the substance containing cocaine base involves more than 5 grams but not more than 50 grams of cocaine base.

If a controlled substance offense under the Act involves 100 grams or less of cocaine, the person commits a class “C” felony, punishable by confinement for no more than 10 years and a fine of not less than \$1,000 but not more than \$50,000. Under current law, these penalties apply if the amount of the cocaine involves 500 grams or less.

If a controlled substance offense under the Act involves 10 grams or less of a substance containing cocaine base, the person commits a class "C" felony, punishable by confinement for no more than 10 years and a fine of not less than \$1,000 but not more than \$50,000. Under current law, these penalties apply if the amount of the substance containing cocaine base involves 5 grams or less.

The Act repeals portions of S.F. 543, enacted in 2001, relating to determinate sentences. Current law provides that a judge may sentence certain class "D" felons to a determinate term not to exceed five years. The repeal, in effect, makes all class "D" felonies subject to an indeterminate term as all other felonies.

The Act makes changes to a sentence that requires the maximum accumulation of earned time credits of 15 percent of the total sentence of confinement, most commonly referred to as an 85 percent sentence. The Act provides that a person who is serving an 85 percent sentence may be eligible for parole or work release after serving seven-tenths of the maximum term of confinement. However, the Act does not change the maximum amount of earned time that can be earned by a person serving an 85 percent sentence; thus if a person is not released on parole or work release, the person shall serve 85 percent of the sentence in confinement. This change to the 85 percent sentence applies only to a person serving a sentence after July 1, 2003. If a person is paroled after serving seven-tenths of the maximum term of confinement, all aspects of the person's parole are the same as parole for other offenders, except the person is required to begin parole or work release in a residential treatment facility, and if the person is serving a class "B" felony sentence, the person must remain at the facility for a period of not less than one and one-half years.

The Act also provides for the reopening of a judgment and sentence for a person serving an 85 percent sentence. The reopening of the 85 percent sentence applies only to a person serving the sentence prior to July 1, 2003. Under the Act, an 85 percent sentence may be reopened upon a motion filed by the county attorney. The Act provides that the victim shall be served a copy of the motion by certified mail. The Act requires the motion to specify that the victim has 30 days from the date of the motion to file a written objection to the motion. If no written objection is filed by the victim, then the court may grant the motion. If a written objection is filed, then the court shall hold a hearing to determine if reopening the sentence is appropriate. The Act provides that upon reopening, the court shall order that the person be eligible for parole or work release after serving seven-tenths of the 85 percent sentence, the same as persons serving an 85 percent sentence after July 1, 2003.

HOUSE FILE 65 - Operating While Intoxicated Revisions

BY COMMITTEE ON PUBLIC SAFETY. This Act relates to motor vehicle operating while intoxicated offenses.

The Act reduces the blood alcohol concentration allowable limit while operating a motor vehicle from .10 to .08. The Act applies to criminal as well as administrative violations of the law.

The Act further places certain operating restrictions on a first-time violator of the operating while intoxicated law based upon the circumstances of the violation as follows:

- ? A defendant whose alcohol concentration is .08 or more but not more than .10 shall be eligible to apply for a temporary restricted license (work permit) immediately upon revocation if a test was obtained, and shall not be required to install an approved ignition interlock device.
- ? A defendant whose alcohol concentration is .08 or more but not more than .10 shall not be eligible to apply for a work permit for at least 30 days after the effective date of the revocation if a test was obtained and an accident resulting in personal injury or property damage occurred. In addition, such a defendant shall be required to install an approved ignition interlock device on all vehicles owned by the defendant.
- ? A defendant whose alcohol concentration is more than .10 but less than .15 shall be eligible to apply for a temporary restricted license immediately upon revocation if a test was obtained, and shall be ordered to install an approved ignition interlock device on all vehicles owned by the defendant.
- ? A defendant whose alcohol concentration is more than .10 who is involved in an accident in which property damage or personal injury occurred or whose alcohol concentration exceeded .15 shall not be eligible to apply for a temporary restricted license for at least 30 days after the effective date of the revocation if a test was obtained and shall be required to install an ignition interlock device on all vehicles owned by the defendant.

Senate File 458 (see Appropriations) amends H.F. 65 to specify that a defendant who is ordered to install an approved ignition interlock device must install such a device on all vehicles owned or operated by the defendant.

HOUSE FILE 170 - Identity Theft

BY COMMITTEE ON JUDICIARY. This Act relates to the criminal offense of identity theft. The Act eliminates the element that a person "fraudulently" obtain identification information of another person prior to using or attempting to use the information, but requires that a person fraudulently use or attempt to fraudulently use the identification information. The Act also expands the definition of "identity theft" to include an intent to obtain any benefit from the identity theft.

HOUSE FILE 216 - Dissemination of Intelligence Data and Intelligence Assessments

BY COMMITTEE ON PUBLIC SAFETY. This Act provides that intelligence data in the files of the Department of Public Safety may be disseminated to an agency, organization or person in order to protect a person or property from a threat of imminent harm. Code Section 692.1(13) defines "intelligence data" to mean information on identifiable individuals compiled in an effort to anticipate, prevent or monitor possible criminal activity.

The Act also provides that a peace officer, criminal or juvenile justice agency, or state or federal regulatory agency that receives intelligence data from the department may disseminate that intelligence data to an agency, organization or person in order to protect a person or property from a threat of imminent harm.

The Act provides that the type of intelligence data redisseminated to an agency, organization or person may be limited in order to protect intelligence methods and sources used to gather the data, and that the agency, organization or person receiving such data must abide by any provisions or administrative rules governing the release of intelligence data. An agency, organization or person receiving intelligence data because of a threat of imminent harm may only redisseminate the intelligence data if authorized by the agency or peace officer distributing the data.

The Act provides that an intelligence assessment may be disseminated to an agency or organization if necessary for carrying out the official duties of the agency or organization, or to a person in order to protect a person or property from a threat of imminent harm. The Act defines "intelligence assessment" to mean an analysis of information based in whole or in part upon intelligence data.

Under the Act, intelligence data is not a public record pursuant to Code Chapter 22.

The Act takes effect April 9, 2003.

HOUSE FILE 249 - Flunitrazepam — Penalty for Manufacture, Delivery, or Possession With Intent or Conspiracy to Manufacture or Deliver

BY COMMITTEE ON PUBLIC SAFETY. This Act relates to the manufacture, delivery, possession with the intent to manufacture or deliver, or conspiring to manufacture, deliver or possess with the intent to manufacture or deliver flunitrazepam, which is commonly referred to as the "date rape" drug. The Act increases the penalty of the criminal offenses related to flunitrazepam listed in the Act from an aggravated misdemeanor, punishable by up to two years' confinement and a fine of at least \$500 but not more than \$5,000, to a class "D" felony, punishable by up to five years' confinement and a fine of at least \$750 but not more than \$7,500.

HOUSE FILE 349 - Indigent Defense

BY COMMITTEE ON JUDICIARY. This Act makes any court order entered after the State Public Defender has taken action on an indigent defense claim, which affects that claim, void if the State Public Defender was not notified and permitted an opportunity to be heard prior to the order being entered. The Act does not require the State Public Defender to file a resistance to any motion filed on an indigent defense claim.

The Act provides that the State Public Defender may revise the allocations to the Office of the State Public Defender and the allocations for indigent defense if the State Public Defender first notifies certain agencies and the Joint Appropriations Subcommittee on the Justice System.

The Act provides that if a local public defender's office is unable to represent an indigent person due to a conflict of interest, the court may appoint another local public defender's office or a nonprofit organization that has a contract with the Office of the State Public Defender for indigent defense services.

The Act provides that costs incurred in contempt proceedings for nonpayment of support pursuant to Code Section 598.23A are payable from funds appropriated for indigent defense.

The Act provides that costs incurred in any administrative proceeding or in any other proceeding under Code Chapter 598 (Dissolution of Marriage and Domestic Relations), 600A (Termination of Parental Rights), 633 (Probate Code), or 915

(Victim Rights) or Code Section 815.5 (Expert Witnesses for State and Defense) are not payable from funds appropriated for indigent defense.

HOUSE FILE 404 - Criminal Sentencing — No-Contact Orders

BY COMMITTEE ON PUBLIC SAFETY. This Act authorizes a sentencing court to issue a no-contact order to protect victims of any public offense, their immediate family members, persons residing with the victim, and any witnesses to the offense if the court finds that the presence of or contact with the defendant poses a threat to the safety of the victim, persons residing with the victim, member of the victim's immediate family, or witnesses to the offense. The duration of the no-contact order may extend for a period of five years from the date the judgment is entered or the deferred judgment is granted, or up to the maximum term of confinement, whichever is greater. The court may order the no-contact order regardless of whether the defendant is placed on probation. A defendant who violates a no-contact order is subject to summary contempt proceedings.

HOUSE FILE 455 - Burn Injury Reports by Treatment Providers

BY COMMITTEE ON JUDICIARY. This Act requires licensed health-related professionals to report certain burn injuries to a law enforcement agency.

The Act requires a licensed health-related professional who treats a person suffering a suspicious burn, a burn to the upper respiratory tract, a laryngeal edema, or a burn injury likely to cause death to report the burn injury to a law enforcement agency if the burn injury appears related to the commission of a criminal offense. The Act also requires a licensed health-related professional to report such a burn injury if the person seeks treatment for the injury but is not treated.

Under the Act, the report shall be made to a law enforcement agency within 12 hours of the person being treated or seeking treatment. The report shall be made to a law enforcement agency in the jurisdiction where the person received treatment or sought treatment, or if ascertainable, to the law enforcement agency where the burn injury occurred.

Any law or rule that prohibits a licensed health-related professional from communicating information pursuant to this Act is suspended by the Act.

HOUSE FILE 504 - Fraudulent Use of Credit Cards and Payment Card Scanning Devices or Reencoders

BY COMMITTEE ON JUDICIARY. This Act relates to the criminal offense of fraudulent use of a credit card, scanning device, or reencoder.

The Act provides that the value of property or services fraudulently obtained or attempted to be obtained by use of a credit card is to be determined by any reasonable standard, including the market value within the community, or actual or replacement value. The Act also provides that if the property or services are fraudulently obtained by two or more acts from the same person or location, or from different persons by two or more acts which occur in approximately the same location or time period so that the acts are attributable to a single scheme, plan or conspiracy, the acts may be considered as a single act and the value may be the total value of all property or services involved. The Act provides that if the value of the property or services obtained or attempted to be obtained is greater than \$10,000, the person commits a class "C" felony. If the value of the property or services is greater than \$1,000 but not more than \$10,000, the offense is a class "D" felony; otherwise, the offense is an aggravated misdemeanor.

The Act provides that a person who illegally uses a scanning device or reencoder commits a class "D" felony for a first offense and a class "C" felony for a second or subsequent offense. A scanning device is defined under the Act to mean a scanner, reader, or other electronic device that is used to access or read information encoded on a magnetic strip. A reencoder means an electronic device that places encoded information from a magnetic strip of a payment card onto the magnetic strip of a different payment card.

HOUSE FILE 505 - Unauthorized Computer Access — Rural Water District or Municipal Utility Data

BY COMMITTEE ON JUDICIARY. This Act designates the offense of unauthorized access to the computerized operational or support data of rural water districts and municipal utilities as an aggravated misdemeanor, punishable by not more than two years' confinement and a \$5,000 fine.

HOUSE FILE 551 - Inmates of Correctional Institutions — Fees — Transport for Medical or Dental Care

BY COMMITTEE ON PUBLIC SAFETY. This Act provides that when the Department of Corrections transports an inmate for medical or dental care, the department may charge the inmate a transportation fee not to exceed \$5 per visit, which shall be credited as reimbursement to the correctional institution that provided the transportation.

ECONOMIC DEVELOPMENT

- SENATE FILE 459 - Iowa Agricultural Industry Finance Loans — Assignment
- HOUSE FILE 329 - Targeted Economic Development Projects
- HOUSE FILE 390 - Small Business Assistance Programs
- HOUSE FILE 392 - Economic Growth — Strategic Planning
- HOUSE FILE 394 - Community Attraction and Tourism Program — Regional Marketing
- HOUSE FILE 397 - Community Block Grants — Administrative Expenses
- HOUSE FILE 480 - Shelter Assistance Fund — Purposes
- HOUSE FILE 576 - Enterprise Zone Program — Miscellaneous Changes
- HOUSE FILE 612 - New Jobs and Income Program — Agricultural Land Ownership by Nonresident Aliens
- HOUSE FILE 677 - New Capital Investment Program

RELATED LEGISLATION

- SENATE FILE 155 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to employee training and retraining programs, various economic development programs, Iowa Finance Authority housing assistance, the Iowa Pollution Control Works and Drinking Water Facilities Financing Program, competition by government with private enterprise, community empowerment board duties, and the Office of Renewable Fuels and Coproducts.
- SENATE FILE 424 - Urban Renewal Indebtedness Reporting
SEE TAXATION. This Act requires each city and county that has established an urban renewal area to report, on or before April 1, 2003, the amount of loans, advances, indebtedness, or bonds which qualify for payment with tax increment financing revenues in the fiscal year beginning July 1, 2003.
- SENATE FILE 433 - Appropriations — Economic Development
SEE APPROPRIATIONS. This Act makes appropriations and transfers from the General Fund of the State and other funds to the Iowa Department of Economic Development.
- SENATE FILE 441 - Enterprise Zone and Property Rehabilitation Tax Credits — Certificates — Transfer
SEE TAXATION. This Act relates to the transfer of certain property-related tax credits, including a housing business tax credit under the Enterprise Zone Program.
- HOUSE FILE 391 - Electric Power Generation Facilities — Cogeneration Pilot Program
SEE ENERGY & PUBLIC UTILITIES. This Act establishes a pilot program of two cogeneration projects within the Iowa Department of Economic Development to promote the development of cogeneration in Iowa. The program is scheduled for repeal July 1, 2007.
- HOUSE FILE 472 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act includes funding for various economic development programs, including the Community Development Block Grant.
- HOUSE FILE 654 - Sales and Use Taxes — Sand Handling and Core and Mold Making Equipment
SEE TAXATION. This Act exempts core and mold making equipment and sand handling equipment used by a foundry in the mold making process from the sales and use taxes. The exemption applies retroactively to July 1, 1997. Refund claims are limited and paid over five fiscal years.
- HOUSE FILE 681 - Cooperatives — Tax Credits and Credit Refunds
SEE AGRICULTURE. This Act eliminates a requirement that a cooperative must be engaged in ethanol production to be eligible to claim a special tax credit or refund available to an eligible business involved in the production of value-added agricultural products under the New Jobs and Income Program.

- HOUSE FILE 682** - Wine Manufacturing, Sale, and Distribution
SEE ALCOHOL REGULATION & SUBSTANCE ABUSE. This Act is concerned with the funding of grape and wine development programs in the state, and with the establishment of new wine permit classifications and fees for native wines.
- HOUSE FILE 683** - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes
SEE APPROPRIATIONS. This Act makes appropriations from the Grow Iowa Values Fund and other sources to the Department of Economic Development, creates Workforce Training and Economic Development Funds for community colleges, creates a Loan and Credit Guarantee Fund, and creates an Endow Iowa Tax Credit.
- HOUSE FILE 692** - Taxation, Economic Growth and Development, and Other Changes — Liability Reform, Workers' and Unemployment Compensation, and Financing Charges
SEE TAXATION. Divisions VI through XIV and XIX make changes relating to economic development by creating a Grow Iowa Values Board, amending provisions relating to the Value-Added Agricultural Products and Processes Financial Assistance Program, establishing Endow Iowa Grants, amending provisions relating to the commercialization of research issues, establishing a Loan and Credit Guarantee Fund, amending provisions relating to economic development assistance and data collection, establishing the Cultural Entertainment District Certification Program, establishing a University-Based Research Utilization Program, and amending provisions relating to site preparation for targeted economic development.

ECONOMIC DEVELOPMENT

SENATE FILE 459 - Iowa Agricultural Industry Finance Loans — Assignment

BY COMMITTEE ON APPROPRIATIONS. This Act amends the Iowa Agricultural Industry Finance Act codified in Division XIX of Code Chapter 15E. An Iowa agricultural industry finance corporation is a private business which is recognized by the state to provide financing to eligible persons who are engaging in specific agricultural industrial ventures (an agricultural products processor or an agricultural biotechnology enterprise). In 1998, the General Assembly appropriated \$25 million to the Iowa Department of Economic Development, subject to repayment, for purposes of awarding such a loan to one corporation in order to finance these ventures (see 1998 Iowa Acts, Chapter 1207). The corporation must repay the department \$1 million (4 percent of the total amount of the loan) each year for 25 years. The moneys are to be deposited into the Road Use Tax Fund.

The Act authorizes the department to accept an assignment of a loan made by the corporation providing financing to an eligible person. The period of assignment may be for any number of years. The Act provides that under an assignment agreement, moneys paid by the eligible person to the department are in lieu of the amount of moneys required to be paid by the corporation to the department. The eligible person does not have to pay \$1 million per year, but the total amount paid under the agreement must equal the amount that the department would have received from the corporation during that same period. The Act provides that the assignment agreement must contain conditions relating to the right of payment assigned to the department, which may include creditor rights. The Act provides that the department has no right of recourse against the corporation for amounts that are not collected under the loan assignment.

The Act takes effect May 12, 2003.

HOUSE FILE 329 - Targeted Economic Development Projects

BY COMMITTEE ON ECONOMIC GROWTH. This Act relates to site preparation for targeted economic development.

The Act provides that a city, county, or region formed by two or more counties, subject to the approval of the property owner, may designate an area within the boundaries of the city, county or region for a specific type of targeted economic development. The type of targeted economic development shall be manufacturing, light industrial, warehouse and distribution, office parks, business and commerce parks, or research and development.

The Act provides that a city, county or region that designates an area may apply to the Department of Economic Development for purposes of certifying the area as a preapproved development site.

The Act provides that, prior to a specific project being developed, a city, county or region designating the area may apply for and obtain appropriate licenses, permits and approvals for the type of targeted economic development project desired for the area.

HOUSE FILE 390 - Small Business Assistance Programs

BY COMMITTEE ON ECONOMIC GROWTH. This Act relates to economic development programs for targeted small businesses.

The Act amends the Targeted Small Business Financial Assistance Program. The Act expands the eligible financial assistance recipients to include low-income persons establishing or expanding small business ventures. The Act increases the amount of financial assistance that can be received as a loan, grant or guarantee under the program to \$50,000. The Act requires the Department of Economic Development to maintain records of all financial assistance approved under the program and maintain information regarding the effectiveness of the financial assistance in establishing or expanding small business ventures.

The Act abolishes the Iowa Self-Employment Loan Program and makes conforming amendments.

HOUSE FILE 392 - Economic Growth — Strategic Planning

BY COMMITTEE ON ECONOMIC GROWTH. This Act relates to economic growth strategic planning.

The Act requires all state agencies to include economic growth in their mission statements. The Act requires the Iowa Economic Development Board to include performance measures and benchmarks in its three-year comprehensive strategic plan and in its evaluation of the attainment of goals and objectives from pursuing the policies of the three-year comprehensive plan for state economic growth prepared by the board. The method of evaluation must provide for a review of the organizational structure of the state's economic growth efforts.

HOUSE FILE 394 - Community Attraction and Tourism Program — Regional Marketing

BY COMMITTEE ON ECONOMIC GROWTH. This Act relates to the Community Attraction and Tourism Program established by the Vision Iowa Board and administered by the Department of Economic Development, subject to the direction and approval of the board. The Act adds as a component of the department's administration of the program the assisting of communities in the regional marketing of multiple-purpose attraction and tourism facilities.

HOUSE FILE 397 - Community Block Grants — Administrative Expenses

BY COMMITTEE ON ECONOMIC GROWTH. This Act relates to funds received from the federal government in the form of community development block grants that exceed the amount appropriated to the Department of Economic Development for the federal fiscal year beginning October 1, 2002.

The Act allows the department to expend up to 2 percent of eligible community development block grant income received for purposes of administration.

The Act takes effect April 24, 2003, and is retroactively applicable to July 1, 2002.

HOUSE FILE 480 - Shelter Assistance Fund — Purposes

BY COMMITTEE ON ECONOMIC GROWTH. This Act relates to the Shelter Assistance Fund administered by the Department of Economic Development. The Act removes construction of group home shelters for the homeless and domestic violence shelters from the list of purposes for which the moneys in the fund may be used.

HOUSE FILE 576 - Enterprise Zone Program — Miscellaneous Changes

BY COMMITTEE ON ECONOMIC GROWTH. This Act amends the Enterprise Zone Program administered by the Department of Economic Development.

In 2002, the Enterprise Zone Program was amended to change all references to the 1990 Certified Federal Census to the 2000 Certified Federal Census and allow counties and cities currently meeting the distress criteria based on the 1990 census to continue to designate enterprise zones until July 1, 2003. The Act changes the July 1, 2003, deadline to December 1, 2003, and makes conforming amendments to 2002 Iowa Acts, Chapter 1145, which take effect May 15, 2003.

Currently, the Enterprise Zone Program prohibits an enterprise zone from being decertified or amended. The Act provides that an enterprise zone designated by a city shall only be amended if the amendment consists of an area being added to the enterprise zone and the added area meets the distress criteria for cities. The Act provides that an enterprise zone designated by a county or city may be decertified; however, if a subsequent enterprise zone is designated, the expiration date of the subsequent enterprise zone shall be the same as the expiration date of the decertified enterprise zone. The Act allows a portion of a certified enterprise zone to be decertified, provided that the remaining portion of the certified enterprise zone meets the distress criteria. These provisions take effect May 15, 2003.

The Act adds reduction and payback provisions to the Enterprise Zone Program if a business that is approved to receive incentives or assistance or a business that has already received incentives or assistance experiences a layoff within the state or closes any of its facilities within the state. The Act allows the department to reduce or eliminate incentives and assistance if the business has not yet received incentives and assistance and to require repayment if incentives and assistance have already been received.

The Act amends the housing business portion of the Enterprise Zone Program by striking a requirement that single-family homes and dwelling units which are rehabilitated or constructed by the eligible housing business must be modest homes or units.

The Act amends the development business portion of the Enterprise Zone Program by allowing an eligible development business to be approved under the program prior to entering into an agreement with at least one business for purposes of locating the business in all or a portion of the building space for a period of at least five years. However, the Act requires the agreement to be entered into prior to the eligible development business receiving any assistance under the program.

In relation to development businesses under the Enterprise Zone Program, the Act changes the criteria a nonretail business must meet to locate in a building space. The Act changes a prohibition that the nonretail business not share common ownership or common management with the development business to provide that if a nonretail business locating in a building space occupies 90 percent or less of the building space, the nonretail business shall not share common ownership or common management with the development business.

HOUSE FILE 612 - New Jobs and Income Program — Agricultural Land Ownership by Nonresident Aliens

BY COMMITTEE ON ECONOMIC GROWTH. This Act relates to the exemption from land ownership restrictions for nonresident aliens under the New Jobs and Income Program. Under the program, an eligible business receiving the exemption is allowed to receive one or more one-year extensions of the five-year time limit for developing agricultural land acquired for nonfarming purposes. The Act provides that, in addition to the unlimited one-year extensions of the five-year time limit, an eligible business may also receive one five-year extension of the time limit.

HOUSE FILE 677 - New Capital Investment Program

BY COMMITTEE ON WAYS AND MEANS. This Act creates a New Capital Investment Program and amends the New Jobs and Income Program.

The Act provides that to be eligible to receive incentives under the New Capital Investment Program, a business is required to meet all of the following requirements:

1. The business has not closed or reduced its operation in one area of the state and relocated substantially the same operation in the community.
2. The business is not a retail business where entrance is limited by a cover charge or membership requirement.
3. The business makes a capital investment of at least \$1 million.
4. The business creates high-quality jobs due to the capital investment.
5. The start-up, location or expansion of the business occurs within at least a period of three years.
6. The business provides the community and the Department of Economic Development with an affidavit stating that the business has not, within the five years prior to the application date, violated state or federal environmental or worker safety statutes, rules or regulations or, if such violation has occurred, that there were mitigating circumstances or such violations did not seriously affect public health or safety or the environment.

The Act also allows a community and the department to consider a variety of factors in determining the eligibility of a business to participate in the program. The factors include the impact of the proposed project on the community and the state; the impact the business will have on other businesses in competition with it; the potential for future growth in the industry represented by the business; the impact the proposed new capital investment will have on the ability of the business to expand, upgrade or modernize its capabilities, and the extent to which the new capital investment will result in a more productive and competitive business enterprise and workforce; and the local funding match to be provided.

The Act provides that, if the community determines that a business is eligible, the community shall approve by resolution the application for incentives. Once a business is found to be eligible, the community shall submit the application to the department and the department may approve, defer or deny the application.

The Act requires a business to enter into an agreement with the department specifying the requirements which must be met to confirm eligibility under the program. The agreement must contain, at a minimum, provisions relating to continued compliance, repayment of incentives due to a failure to comply, and the reduction, elimination or repayment of incentives for reasons related to layoffs or the closure of facilities.

The Act provides that for tax years beginning on or after January 1, 2003, an eligible business shall be eligible to receive some or all of a number of incentives: the sales, services, and use tax refund available under the New Jobs and Income Program and the research activities credit available under the New Jobs and Income Program. The Act also allows an eligible business to claim a tax credit equal to a percentage of the new investment that is directly related to new jobs created by the location or expansion of an eligible business under the program. The percentage ranges from 1 percent to 5 percent based on the number of high-quality jobs that are created, as determined by the department. The tax credit is allowed against personal and corporate income tax and against the franchise tax for financial institutions. The tax credits may be carried forward for a period of seven years or until depleted, whichever occurs first. The Act provides that, subject to prior approval by the Department of Economic Development, in consultation with the Department of Revenue and Finance, an eligible business whose project primarily involves the production of value-added agricultural products or uses biotechnology-related processes may elect to receive a refund of all or a portion of an unused tax credit. The Act provides a certification method for claiming tax credit refunds. The tax credit refund certificates are not valid until the tax year following the completion date of the capital investment. The Act limits the Department of Economic Development to issuing tax credit refund certificates under this program and the New Jobs and Income Program to a total of not more than \$4 million during a fiscal year.

The Act allows an eligible business to claim an insurance premium tax credit equal to a percentage of the new investment directly related to new jobs created by the location or expansion of an eligible business under the program. The percentage

ranges from 1 percent to 5 percent based on the number of high-quality jobs that are created, as determined by the department. The tax credits may be carried forward for a period of seven years or until depleted, whichever occurs first.

The Act provides that an eligible business may receive other applicable federal, state and local incentives and tax credits in addition to those provided under the New Capital Investment Program; however, an eligible business shall not receive funds, tax credits, or incentives under the Community Economic Betterment Program or the Enterprise Zone Program.

The Act eliminates the capital investment requirement waiver and provides examples of demonstrations of good cause for the job positions created waiver under the New Jobs and Income Program.

EDUCATION

- SENATE FILE 172 - Public Charter Schools — Pilot Project
- SENATE FILE 173 - Professional Education Associations — Payroll Deduction — VETOED BY THE GOVERNOR
- SENATE FILE 201 - Education Practitioner Licensing Examination — Statistical Information
- SENATE FILE 211 - School Finance — Allowable Growth
- SENATE FILE 386 - School Health Insurance — Study
- SENATE FILE 445 - Local Sales and Services Taxes — School Infrastructure Funding or Property Tax Relief
- HOUSE FILE 175 - School Finance — Use of Physical Plant and Equipment Levy Moneys
- HOUSE FILE 180 - Elementary and Secondary Education — Character Education and Service Learning
- HOUSE FILE 341 - Community College Personnel
- HOUSE FILE 549 - Education — Administration, Regulation, and Other Related Matters
- HOUSE FILE 577 - Whole-Grade Sharing Agreements Between Public School Districts — Deadlines — Exceptions

RELATED LEGISLATION

- SENATE FILE 155 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to employee training and retraining programs, increases in the number of directors on a school board, and student achievement improvement cash awards to school districts.
- SENATE FILE 272 - County, City, and School Contracts — Prohibited Interest Exceptions
SEE LOCAL GOVERNMENT. This Act relates to conflicts of interest involving public contracts by persons who hold certain public offices or employment, such as members of school boards, and city and county officers and employees.
- SENATE FILE 352 - Certified Law Enforcement Officer Training — Applicants
SEE LOCAL GOVERNMENT. This Act relates to the training of an individual who intends to become certified as a law enforcement officer through a short course of study program.
- SENATE FILE 433 - Appropriations — Economic Development
SEE APPROPRIATIONS. This Act makes appropriations and transfers from the General Fund of the State to the University of Iowa, the University of Northern Iowa, and Iowa State University and reduces the standing limited appropriation for the School-to-Career Program employer re-funds.
- SENATE FILE 439 - Appropriations — Justice System
SEE APPROPRIATIONS. This Act includes an extension of the lease of the Fire Service Institute at Iowa State University to the Department of Public Safety until July 1, 2010.
- SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes provisions reducing area education agency funding and revising funding provisions for educational programs for children placed at state institutions.
- SENATE FILE 458 - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division IV of this Act extends through FY 2003-2004 the \$30 million appropriation for Early Intervention Block Grants, reduces the maximum amount of tax credits under the Accelerated Career Education Program, and provides a standing appropriation for the Iowa Mathematics and Science Coalition. Division V relates to compensation and benefits paid to state employees and specifies that the amount appropriated to the State Board of Regents is allocated only to fund increases at the State School for the Deaf and the Iowa Braille and Sight Saving School. Division VII specifies that under the school aid formula a minimum of 10 additional pupils are to be awarded as additional weighting to a school district if it has established a regional academy that provides both advanced-level courses and vocational-technical courses,

requires that Iowa's accredited postsecondary institutions offer options to a student called to active state or federal duty, including a withdrawal from registration with full refund, course grades be given or incomplete grades be given for all courses, or course grades be given or incomplete grades be given for only some courses; makes changes in the allocation of Phase III moneys under the Educational Excellence Program; and repeals programs at Iowa State University relating to hazardous waste technical research and to the laboratory for the manufacture and distribution of certain drugs and vaccines.

- HOUSE FILE 472** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004, including funding made available to the state for a number of education programs.
- HOUSE FILE 648** - State Archives and Records
SEE STATE GOVERNMENT. This Act creates new Code Chapter 304B, the State Archives and Records Act. The Act modifies and reorganizes multiple levels of duties and responsibilities of the State Records Commission, Department of Cultural Affairs, and state agency heads in the creation, organization, maintenance, use, and final disposition of government records by destruction or permanent preservation.
- HOUSE FILE 662** - Appropriations — Education
SEE APPROPRIATIONS. This Act appropriates moneys for FY 2003-2004 from the General Fund of the State to the College Student Aid Commission, the Department for the Blind, the Department of Cultural Affairs, the Department of Education, and the State Board of Regents and its institutions; and provides for related statutory matters.
- HOUSE FILE 667** - Appropriations — Health and Human Services
SEE APPROPRIATIONS. This Act makes appropriations for purposes of health and human services to the Department of Elder Affairs, Iowa Department of Public Health, Department of Inspections and Appeals, Department of Human Services, and Commission of Veterans Affairs. Division III of the Act provides that the school attendance requirements for children participating in FIP (known as the "Learnfare" initiative) are suspended for FY 2003-2004.
- HOUSE FILE 683** - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes
SEE APPROPRIATIONS. This Act appropriates moneys for financial assistance for institutions of higher learning under the control of the State Board of Regents and for accredited private institutions for certain types of economic development facilities, appropriates moneys to each university under the control of the State Board of Regents under the University-Based Research Utilization Program, and appropriates moneys to the Secure an Advanced Vision for Education Fund. In addition, the requirements for distribution of local option sales tax funding for schools are revised.
- HOUSE FILE 692** - Taxation, Economic Growth and Development, and Other Changes — Liability Reform, Workers' and Unemployment Compensation, and Financing Charges
SEE TAXATION. Divisions IX and XIII of this Act relate to commercialization of research issues and create a University-Based Research Utilization Program.

EDUCATION

SENATE FILE 172 - Public Charter Schools — Pilot Project

BY COMMITTEE ON EDUCATION. This Act strikes from S.F. 348 (2002 Iowa Acts, Chapter 1124) language that provided for the conditional effectiveness of the Act, which caused the U.S. Department of Education to disapprove Iowa's application for a federal grant for the planning, program design, and initial implementation of public charter schools.

The charter school provisions become applicable on the date on which the department initiates implementation of the charter school pilot program. The Act directs the State Board of Education to apply for the federal grant and requires the Iowa Department of Education to initiate and implement the program.

The Act takes effect April 28, 2003.

SENATE FILE 173 - Professional Education Associations — Payroll Deduction — VETOED BY THE GOVERNOR

BY COMMITTEE ON EDUCATION. This bill would have authorized school districts, upon the written request of a teacher or administrator, to pay through payroll deduction the teacher's or administrator's dues or membership fees in any not-for-profit, professional education association. Under the bill, if a request were granted, all other requests for the same association must also be granted. The Act defined "professional education association" as an association in which the majority of members are licensed practitioners.

SENATE FILE 201 - Education Practitioner Licensing Examination — Statistical Information

BY COMMITTEE ON EDUCATION. This Act extends the date, from December 1, 2003, to January 15, 2004, by which the Board of Educational Examiners is required to submit a report to members of the General Assembly and the State Board of Education regarding the results of Praxis II examinations administered by the Board of Educational Examiners to individuals applying for an initial, provisional teaching license. The Praxis II examination measures an individual's knowledge of pedagogies and content area. The Act provides for the repeal of the Code subsection requiring the report effective June 30, 2004.

SENATE FILE 211 - School Finance — Allowable Growth

BY COMMITTEE ON EDUCATION. This Act sets the state percent of growth under the State School Foundation Program at 2 percent for the school budget year beginning July 1, 2004, and is applicable for computing state aid for the school budget year beginning July 1, 2004.

SENATE FILE 386 - School Health Insurance — Study

BY COMMITTEE ON EDUCATION. This Act requires the Insurance Division of the Department of Commerce to conduct a study to review health insurance coverage for school districts and their employees, including availability, ratings practices, continuity of coverage, and the fairness and efficiency of the marketplace as it relates to such health insurance; compare health insurance coverage that is offered to school district employees, to other public employees, and to employees in the private sector; and examine the feasibility of establishing a premium rating system, basic or standard health benefit plans, uniform coverage plans, restrictions on premium rates and rate increases, and a health reinsurance program for school districts and their employees.

The Commissioner of Insurance is directed to select members of the School Health Insurance Reform Team including the following: representatives of small, medium and large school districts, the Iowa Association of School Boards, a collective bargaining organization that represents school district employees, a health insurance carrier, a health care provider, an area education agency, and others who have expertise that would assist the team.

The Act directs the commissioner to submit a report to the General Assembly on or before January 15, 2004, regarding the team's findings and recommendations.

SENATE FILE 445 - Local Sales and Services Taxes — School Infrastructure Funding or Property Tax Relief

BY COMMITTEE ON WAYS AND MEANS. This Act amends the current local option sales and services tax for school infrastructure purposes, Code Chapter 422E, by establishing a shared financing program. Specifically, the Act provides that counties that impose the local option sales and services tax on or after April 1, 2003, will have their tax collections placed in a "Secure an Advanced Vision for Education" Fund created in the Act. Each school district within such counties will receive from this fund the amount per pupil collected in its county not to exceed the school district's guaranteed per pupil amount. If the amount of the per pupil amount collected is less than the guaranteed per pupil amount, the school district would receive a supplemental amount per pupil equal to the difference. School districts located in counties that have imposed the tax prior to April 1, 2003, would also have their tax collections deposited into the fund but would receive all

of the tax collected in the county without limitation by the guaranteed per pupil amount. However, a school district that receives less than its guaranteed per pupil amount would also receive a supplemental amount per pupil equal to the difference. A school district's guaranteed per pupil amount equals the amount per pupil that a statewide one cent local option sales and services tax would raise, if the school district has imposed the full one cent tax for the entire fiscal year. If the tax is imposed for less than one cent or for less than the entire fiscal year, a proportional amount would be the guaranteed per pupil amount. However, Division III of H.F. 683 (see Appropriations) amends new Code provisions created by S.F. 445 to provide for distribution from the fund, and Division XII of H.F. 683 appropriates moneys to the fund from the Rebuild Iowa Infrastructure Fund and the General Fund of the State.

The Act provides for the school districts to file a revenue purpose statement that would indicate how much may be used for infrastructure purposes and how much may be used for property tax relief. This statement must be approved by the electorate and can be part of the ballot proposition on the question of the imposition of the tax. If such a statement is not voted on or if any moneys remain after using revenue for the purposes indicated on the statement, the moneys received or in excess are to be used to reduce property tax levies. These levies and the order to be reduced are: bond levies, physical plant and equipment levy, public educational and recreational levy, and schoolhouse levy.

The Act prohibits school districts of 250 pupils or less, or with less than 100 pupils in high school, from using any moneys received that are in excess of their guaranteed per pupil amount for new construction without receiving a certificate of need for such new construction from the Department of Education.

The Act provides for the repeal of all local option taxes for school infrastructure purposes on December 31, 2022.

The Act takes effect May 30, 2003.

HOUSE FILE 175 - School Finance — Use of Physical Plant and Equipment Levy Moneys

BY COMMITTEE ON EDUCATION. This Act is concerned with the permissible uses for physical plant and equipment levy revenue and the elimination of conflicting or duplicative language. The Act eliminates an apparent conflict created by legislation enacted in 2002 Iowa Acts, Chapter 1118, by placing provisions relating to the acquisition of buildings, or equipment or technology, into two separate subsections of Code Section 298.3, and by removing the reference to equipment exceeding \$5,000 per single unit.

The Act takes effect April 9, 2003.

HOUSE FILE 180 - Elementary and Secondary Education — Character Education and Service Learning

BY COMMITTEE ON EDUCATION. This Act requires school districts and accredited nonpublic schools to consider recommendations from their school improvement advisory committees to infuse character education into the educational program, and permits public and nonpublic schools to require a certain number of service learning units as a condition of high school graduation or for inclusion as a service learning endorsement on a student's diploma.

The Act defines "service learning" as a method of teaching and learning that engages students in solving problems and addressing issues in their school or community as part of the academic curriculum.

HOUSE FILE 341 - Community College Personnel

BY COMMITTEE ON EDUCATION. This Act provides that Code provisions regulating elementary and secondary education teaching and administrator contracts, teacher probationary periods, evaluation criteria and procedures, and procedures for the discharge of teachers and administrators also cover community college instructors, other than adjunct instructors; librarians, including learning resource specialists and media specialists; counselors; and instructional administrators.

HOUSE FILE 549 - Education — Administration, Regulation, and Other Related Matters

BY COMMITTEE ON EDUCATION. This Act relates to the duties and operations of the Department of Education, school districts, area education agencies (AEAs), and the State Board of Regents, as follows:

STATE BOARD OF EDUCATION MEMBERSHIP. Code provisions requiring that state boards and commissions be gender balanced and bipartisan are made ineffective by the Act for purposes of the appointment of the nonvoting student member to the state board.

"MODEL" STANDARDS AND CRITERIA. The Act removes references to "model" core knowledge and skill criteria that S.F. 476, enacted in 2001, required the Director of the Department of Education to develop and the State Board of Education to adopt. Schools participating in the program must use the criteria the state board has since adopted in developing a beginning teacher mentoring and induction plan, determining teacher evaluation plans, and, by July 1, 2005, for purposes of conducting performance reviews for teachers other than beginning teachers. A district may develop standards and criteria in addition to the statewide standards and criteria.

DEPARTMENT SYSTEMS AND SCHOOL DISTRICT REPORTING REQUIREMENTS. The Act requires the Director of the Department of Education to create a comprehensive management information system and permits the director to establish a uniform coding and reporting system, including a statewide uniform student identification system.

PHASE III ELIMINATION. The Act eliminates Phase III of the Educational Excellence Program and makes a number of conforming changes. The purpose of Phase III is to enhance the quality and effectiveness of teachers through the utilization of performance pay. Senate File 458 (see Appropriations) reduces the standing, limited appropriation for the Educational Excellence Program from \$80 million to \$56 million.

EARLY INTERVENTION BLOCK GRANT SUNSET EXTENSION. The Act extends until July 1, 2004, the repeal of the chapter establishing the Early Intervention Block Grant Program. Senate File 458 (see Appropriations) extends the standing, limited appropriation of \$30 million for the program for FY 2003-2004. This provision takes effect May 30, 2003.

TAX FOR REORGANIZED AND DISSOLVED DISTRICTS. The Act provides for changes relating to school reorganization incentives for specified school districts by allowing a school district with a certified enrollment of 600 pupils or greater to qualify for a reduced foundation property tax rate if the district meets the requirements of Code section 257.3, subsection 2. Currently, this subsection enables a school district with a certified enrollment of fewer than 600 pupils to qualify for a foundation property tax rate of \$4.40 per \$1,000 of assessed value on all taxable property which, in the year preceding a reorganization, was within a school district affected by a reorganization or dissolution taking effect on or after July 1, 2002, and on or before July 1, 2006. The subsection also provides that the reduced rate shall be increased in subsequent years on a graduated basis of \$4.90 per \$1,000 of assessed valuation the first succeeding year, \$5.15 per \$1,000 of assessed valuation the second succeeding year, and \$5.40 per \$1,000 of assessed valuation the third succeeding year and each year thereafter.

The Act makes the reduced rates available to a school district with a certified enrollment of 600 pupils or greater if that district enters into a reorganization or dissolution with a school district with a certified enrollment of fewer than 600 pupils. The Act additionally provides that the amount of property tax reduction for a school district with a certified enrollment of 600 pupils or greater shall not exceed the reduction amount received by a school district with a certified enrollment of fewer than 600 pupils with which the larger school district is involved in a reorganization or dissolution. This provision takes effect May 30, 2003.

WHOLE-GRADE SHARING INCENTIVE EXTENSION. The Act increases by two years the amount of time during which a school district that was not participating in a whole-grade sharing arrangement during the 2000-2001 budget year may begin receiving a whole-grade sharing incentive, by providing that a school district which executes a whole-grade sharing agreement beginning July 1, 2002, July 1, 2003, July 1, 2004, or July 1, 2005, and adopts a resolution jointly with the other affected boards to study the question of undergoing a reorganization or dissolution to take effect on or before July 1, 2006, shall receive a weighting of one-tenth of the percentage of the pupil's school day during which the pupil attends classes in another district, attends classes taught by a teacher jointly employed with another district, or attends classes taught by a teacher who is employed by another school district.

STATE BOARD OF REGENTS/UNIFORM PROTECTION. The Act requires the State Board of Regents to develop a policy, which each of its universities must adopt, that prohibits the harassment or intimidation of a person on campus who is wearing a uniform of the armed forces of the United States.

SEXUAL EXPLOITATION BY A SCHOOL EMPLOYEE. The Act creates a criminal offense of sexual exploitation by a school employee; provides a penalty; requires the Board of Educational Examiners to disqualify an applicant for licensure or revoke the license of any person who entered a plea of guilty to, or has been found guilty of, the sexual abuse offense of sexual exploitation by a school employee; and requires school boards, school superintendents, AEA administrators, and nonpublic school authorities to report to the Board of Educational Examiners the nonrenewal or termination, for reasons of alleged or actual misconduct, of a practitioner, and the resignation of a practitioner resulting from or following an incident or allegation of misconduct that, if proven, would constitute a violation of board rules relating to sexual abuse offenses when the board or reporting official has a good faith belief that the incident occurred or the allegation is true.

The Act prohibits a school employee from engaging in any sexual conduct with a student who is enrolled at a public or nonpublic elementary or secondary school, or who was enrolled at a public or nonpublic elementary or secondary school within 30 days of any violation of this Act, for the purpose of arousing the sexual desires of either of them. The Act defines "school employee" to mean a licensed practitioner.

The Act provides that a school employee commits a class "D" felony if the employee engages in a pattern or practice or scheme of conduct to engage in such sexual conduct with a student. A school employee commits an aggravated misde-

meanor if the employee engages in such sexual conduct with a student. A class “D” felony is punishable by confinement for no more than five years and a fine of at least \$750 but not more than \$7,500. An aggravated misdemeanor is punishable by confinement for no more than two years and a fine of at least \$500 but not more than \$5,000.

“Sexual conduct” is defined to include, but is not limited to, kissing; touching of the clothed or unclothed inner thigh, breast, groin, buttock, anus, pubes, or genitals; or a sex act. Sexual exploitation by a school employee does not include touching that is necessary in the performance of the school employee’s duties while acting within the scope of employment.

Information submitted to the board is privileged and confidential. The board must review the information to determine whether a complaint should be initiated.

ADMINISTRATOR QUALIFICATIONS. The Act requires the Board of Educational Examiners to adopt criteria for administrative endorsements that allow a person to serve as an elementary or secondary principal without regard to the grade level at which the person accrued teaching experience. The Act also permits a superintendent to serve as a secondary principal in the same school or school district. Under current law, a superintendent can only dually serve as an elementary principal.

STUDENT TEACHING REQUIREMENTS. The Act requires that a student teaching experience include opportunities for the student to become knowledgeable about the Iowa Teaching Standards, including a mock evaluation performed by the cooperating teacher.

MENTORING AND INDUCTION. The Act eliminates language requiring that a teacher from an accredited nonpublic school or from outside of the state document three years of successful teaching within the past five years, though they still must document three years of successful teaching experience.

LICENSURE DESIGNATIONS. To match licensure designations used by other states and used under the federal No Child Left Behind Act of 2001, the Board of Educational Examiners changed the name of the license it issues to individuals seeking licensure as a beginning teacher from “provisional” to “initial,” and the license issued to teachers beyond their probationary periods from “educational” to “standard.”

ELECTION OF AEA DIRECTORS. The Act requires that AEA directors be elected by a vote of the members of the boards of directors of the school districts located within the director districts. Currently, local board directors elect AEA directors at director district conventions. Under the Act, a convention need only be called if no candidate files, if a vacancy occurs, or when a board is elected for a newly reorganized AEA. Under the Act, notice regarding a convention must be published 30 days prior to the convention. The current Code requires a 45-day notice.

AEA REORGANIZATION NOTIFICATION. The Act directs an AEA that must notify school districts and other AEAs of state board approval of its reorganization plan or proposal to do so by certified mail and to submit a copy of the notice to the Department of Education. The Act requires an initial AEA board to call a director district convention for the purpose of electing a new board by January 15. Boards contemplating reorganization must, under the Act, transmit their plans to the state board by July 15, rather than by the current Code deadline of November 1. The Act also advances the date for state board approval or return of the plan to September 30, rather than February 1, and moves the deadline for resubmission of a contingently approved plan to October 30.

The Act also establishes a 45-day deadline for school districts to petition to join an AEA when the district is affected by reorganization. The district’s board and the appropriate AEA board must act within 45 days of the filing of the school district’s petition.

SCHOOL BOARD STAFF. The Act abolishes the one-year term of appointment for school board secretaries and treasurers.

TEMPORARY CONTRACTS FOR MILITARY LEAVE. The Act permits school districts to issue temporary contracts to teachers and administrators to fill vacancies created by a leave of absence granted to a practitioner ordered by proper authority to state active duty, active state service, or federal service.

SCHOOL BOARD RETIREMENT INCENTIVES. The Act extends the date by which a school employee must retire in order for the district to include the cost of the retirement incentive program in the district management levy. Currently, employees must retire by June 30 of the next following school year. The Act extends the deadline to the start of the next following school calendar.

DESEGREGATION PLANS. Under the Act, the superintendent of a school district cannot deny a request for open enrollment if the request is submitted to the district in a timely manner prior to the adoption of a desegregation plan by the district.

Also, the State Board of Education is directed to adopt rules establishing, by July 1, 2004, guidelines and a review process for school districts that adopt voluntary desegregation plans. School districts have until July 1, 2006, to comply with the guidelines. This provision takes effect May 30, 2003, and applies retroactively to July 1, 2002, for open enrollment transfer requests received by a school district on or after July 1, 2002.

“COMPREHENSIVE EVALUATION” DEFINITION CHANGE. The Act changes the definition of “comprehensive evaluation,” provided in Code Chapter 284, to strike references to the Iowa Teaching Standards and to the “model” core knowledge and skill criteria. Beginning teachers are comprehensively evaluated, while a performance review is conducted for experienced teachers; therefore, the Act also replaces references to the comprehensive evaluation wherever necessary when the content indicates that the term “performance evaluation” is appropriate.

CONTRACT DAYS. The Act delays until a school district’s fifth year of participation in the Student Achievement and Teacher Quality Program the requirements that the district add two additional contract days to the school year for additional teacher career development.

ADMINISTRATIVE FEES FOR OWI OFFENDERS. The Act permits the Department of Education to establish reasonable fees to defray the expense of forwarding to the courts enrollment, attendance, and course completion data for out-of-state persons ordered to enroll, attend, and successfully complete a course for drinking drivers.

DISTRICT TEACHER CAREER DEVELOPMENT PLANS. The Act provides that a district must adopt a districtwide teacher career development plan and, for each individual teacher, a teacher career development plan.

TEACHER CAREER DEVELOPMENT PLAN. A teacher must meet annually with an evaluator to review the teacher’s progress in meeting career development goals in the plan, review collaborative work with other staff, and modify as necessary the teacher’s individual plan to reflect the individual teacher’s and the school district’s needs. Under the current Code, the teacher’s supervisor reviews, modifies or accepts modifications made to the teacher’s individual plan. The Act requires that both the evaluator and the supervisor will review, modify or accept the modifications to the plan.

INTENSIVE ASSISTANCE. The Act extends for one year, until July 1, 2005, the date by which all school districts must be prepared to offer an intensive assistance program for teachers who do not meet district expectations and state teaching standards and criteria.

TEAM-BASED VARIABLE PAY PILOT PROGRAM. Division VII of S.F. 458 (see Appropriations) renews the Team-Based Variable Pay Pilot Program by providing two more years of funding for the program, which otherwise expired July 1, 2002. This Act adds language establishing that the program is to compare student achievement gains in participating and nonparticipating school districts. The Act also directs the Department of Education to provide technical assistance in the areas of goal setting and student assessments to participating school districts and gives preference to school districts that participated in the program in FY 2000-2001.

SCHOOL BUSES. The Act strikes language that requires separate bids for school bus bodies and chassis. The Act permits an insulin-dependent diabetic to qualify as a school bus driver if a person identified by federal and state law as authorized to perform physical examinations provides a signed statement indicating that the individual is physically able to perform the required functions despite insulin dependency. The school district or school employing the insulin-dependent diabetic bus driver must monitor the bus driver and the driver must be in compliance with requirements as specified by the Act.

MINIMUM TEACHER SALARIES 2003-2004. The Act makes an exception to current law regarding minimum teacher salaries to provide that the minimum salary amount a school district or AEA must pay to a first-year beginning teacher for FY 2003-2004 is the amount the district or AEA paid, or would have paid, a first-year beginning teacher in the 2001-2002 school year. The minimum career teacher salary paid in FY 2003-2004 to a career teacher who was a beginning teacher in the 2001-2002 school year must be \$1,000 greater than the minimum amount paid to a first-year beginning teacher in the 2001-2002 school year, unless the minimum career salary paid by the district or AEA exceeds \$30,000.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. A provision directing the State Board of Education to develop and adopt rules incorporating the reporting of student achievement into the standards and accreditation process, and requiring the director to develop and implement a statewide program of educational assessment reporting. The provision also required that the department maintain an Internet site reporting Iowa Tests of Basic Skills and Iowa Tests of Educational Development scores for each school district and public school attendance center in a manner allowing for comparisons between schools, and

required that the department approve the use of a single value-added system to calculate annually the amount of academic growth for each student, school, and school district in core academic areas.

2. A provision that would have excluded substitute and part-time bus drivers from the Code requirement that all bus drivers for school-owned equipment be under contract with the school board.
3. A provision that would have established for the 2003-2004 school year a reading instruction pilot program in a district with an enrollment of at least 600 K-12 pupils; or in two or more school districts, each with enrollments of less than 600 K-12 pupils, but with a combined enrollment of at least 600 K-12 pupils. The program, to be administered by the Department of Education, would provide training and ongoing support for the participating teachers and involve the implementation of systematic intensive phonics reading instruction and direct instruction for students up to and including the eighth grade. The provision required participating school districts to submit a report to the department regarding the impact of the program on student achievement. The department was required, under the provision, to submit a report summarizing the results and comparing the results to student academic achievement gains in similar, nonparticipating school districts to the chairpersons and ranking members of the Senate and House Standing Committees on Education by December 15, 2004. This provision would have taken effect May 20, 2003.

HOUSE FILE 577 - Whole-Grade Sharing Agreements Between Public School Districts — Deadlines — Exceptions

BY COMMITTEE ON EDUCATION. This Act provides that the Department of Education may, prior to July 1, 2003, and at the department's discretion, waive requirements relating to deadlines for school districts being able to enter into whole-grade sharing agreements. The option of a waiver shall be available if one of the school districts which is a party to a whole-grade sharing agreement has an enrollment of less than 300 pupils and has formed a dissolution commission to prepare a proposal for dissolving the school district.

The Act takes effect May 23, 2003.

ELECTIONS, ETHICS AND CAMPAIGN FINANCE

- SENATE FILE 357** - City Hospital or Health Care Facility Trustees — Residency — Vacancies
- HOUSE FILE 583** - Government Ethics Disclosure Reports — Expenditures on Gifts and by Lobbyists' Clients
- HOUSE FILE 601** - Campaign Finance — Miscellaneous Provisions
- HOUSE FILE 614** - Election Laws Changes — EXTRAORDINARY SESSION — VETOED BY THE GOVERNOR
- H.J.R. 3** - Proposed Constitutional Amendment — Qualification of Electors

RELATED LEGISLATION

- SENATE FILE 97** - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act repeals inoperative Code provisions regulating the placement of political signs on private property. The signs are now regulated as advertising signs.
- SENATE FILE 155** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to the conducting of elections, campaign finance reporting, and increases in the number of directors on a school board.
- SENATE FILE 230** - City Councils — Reductions in Membership
SEE LOCAL GOVERNMENT. This Act provides that city councils of cities with less than 500 population may, by resolution, reduce the size of the city council from five to three members. The Act takes effect April 28, 2003.
- SENATE FILE 272** - County, City, and School Contracts — Prohibited Interest Exceptions
SEE LOCAL GOVERNMENT. This Act relates to conflicts of interest involving public contracts by persons who hold certain public offices or employment, such as members of school boards, and city and county officers and employees.

ELECTIONS, ETHICS AND CAMPAIGN FINANCE

SENATE FILE 357 - City Hospital or Health Care Facility Trustees — Residency — Vacancies

BY COMMITTEE ON LOCAL GOVERNMENT. This Act makes changes relating to election of the board of trustees of a city hospital or city health care facility. The Act requires that a candidate for the office of hospital or health care facility trustee be a resident of the hospital or health care facility service area at the time of the election at which the person's name appears on the ballot. The Act provides that a vacancy on a hospital or health care facility board of trustees may be filled by appointment by the remaining members of the board unless a petition requesting a special election to fill the vacancy is filed within 14 days after the appointment is made.

HOUSE FILE 583 - Government Ethics Disclosure Reports — Expenditures on Gifts and by Lobbyists' Clients

BY COMMITTEE ON ETHICS. This Act requires a lobbyist's client to file reports with the General Assembly and the Ethics and Campaign Disclosure Board on or before July 1 of each year, and requires sponsors of receptions during regular sessions of the General Assembly to which every member of the General Assembly is invited to file disclosure reports with the board, the Secretary of the Senate, and the Chief Clerk of the House, itemizing the total amount expended on food, beverage and entertainment for the reception within five days following the date of the reception. Food, beverage and entertainment received by public employees at such a reception is considered to be a permissible gift not subject to a dollar limitation that may be received by the public employee or members of the public employee's immediate family.

HOUSE FILE 601 - Campaign Finance — Miscellaneous Provisions

BY COMMITTEE ON STATE GOVERNMENT. This Act makes changes to various campaign finance law provisions, and directs the Code Editor to move and renumber Code Chapter 56 as Code Chapter 68A and make other appropriate changes throughout the Code.

The Act directs statutory political committees, more commonly known as party committees, to appoint a chair and a treasurer, and to maintain campaign funds in a financial institution. A requirement that political committees declare in an initial statement of organization how residual campaign funds will eventually be disbursed is deleted, and changes are made to related requirements pertaining to the organization statement and disbursement of residual funds.

The Act deletes the former Code language relating to independent expenditures, and substitutes a new Code section that defines independent expenditures and provides who must file an independent expenditure statement, when it must be filed, and the contents of the statement. The Act also requires the Ethics and Campaign Disclosure Board to adopt rules to implement the new section.

The Act amends several Code sections relating to the Iowa Election Campaign Fund Income Tax Checkoff, primarily in order to place all administrative responsibility for rules and enforcement with the board.

The Act also provides that campaign property having a value of less than \$100 need only be reported once.

HOUSE FILE 614 - Election Law Changes — EXTRAORDINARY SESSION — VETOED BY THE GOVERNOR

BY COMMITTEE ON STATE GOVERNMENT. This bill would have made changes to the law relating to elections, absentee balloting, and voter registration. Division I of the bill would have made Iowa Code changes which, unless otherwise noted, are necessary to comply with requirements of Pub. Law No. 107-252, the federal Help America Vote Act of 2002. Division II would have changed the law relating to absentee voting.

DIVISION I — Provisions Related to the Federal Help America Vote Act and Miscellaneous Voting Provisions

Division I would have made Code changes requiring the following:

- That the State Commissioner of Elections (Secretary of State) adopt, by rule, administrative complaint procedures for resolution of grievances relating to violations of those provisions of the Help America Vote Act relating to uniform and nondiscriminatory election technology and administration requirements.
- That the State Registrar of Voters (Secretary of State), on or before January 1, 2004, or on or before January 1, 2006, if a federal waiver is granted, implement a centralized, computerized statewide voter registration system that is interactive with other agency computer databases in the state.
- The creation of a state planning and implementation committee to implement the Help America Vote Act.
- That an eligible elector who registers by mail and who has not previously voted in an election for federal office in the county of registration present identification when voting for the first time unless the voter provided the voter's Iowa driver's license or the last four numerals of the voter's social security number on the registration form and

those numbers were subsequently verified. A voter who votes an absentee ballot by mail would be required to include a photocopy of one of the optional forms of identification with the ballot. If the required identification was not provided, the voter would be allowed to vote a provisional ballot or, if voting an absentee ballot by mail, the absentee ballot would be considered a provisional ballot.

- That information required when registering to vote include the registrant's first name and any family forename or surname and the registrant's Iowa driver's license number or, if not available, the last four numerals of the registrant's social security number. A registrant who does not have either an Iowa driver's license or social security number would be assigned an identification number for voter registration purposes by the registrar.
- That the requirement for the registrant's date of birth includes the month, date and year of birth and that the voter registration form ask the registrant if the registrant is a citizen of the United States and if the registrant will be 18 years old on or before election day. The form would also contain a statement that if the registrant answered "no" to either of those questions, the registrant is not to complete the registration form. If certain required information is not provided on the registration form, the form shall not be processed and the registrar shall mail an acknowledgment to the registrant notifying the registrant that the registration could not be processed.
- The bill would have struck the requirement that the State Voter Registration Commission prescribe voter registration forms by rule.
- That the State Registrar of Voters verify the registrant's driver's license number or the last four digits of the registrant's social security number. If either number provided cannot be verified, the registrar would be required to reject the registration application and notify the registrant. If the information can be verified, the registrar would be required to make a record of the source used for verification.
- That if a voter registration form lacking required information is received during the 12 days before the close of registration, the commissioner would be required to provide the registrant with an opportunity to complete the form before the close of registration.
- That the time period be changed from four consecutive calendar years to two or more consecutive general elections under which a commissioner participating in the national change of address program is to notify a registered voter if the voter has not voted after registering or if the voter has not responded to a prior notice mailed by the commissioner.
- That a voter's driver's license number be removed from a voter registration list prepared at the request of any person.
- That the state commissioner prepare two separate sets of instructions to voters, rather than the current one. The first set was to contain instructions on the manner of marking ballots only. The second set, which was to be known as the Iowa Voter Act of Rights, was to contain instructions required by current Code plus instructions on casting a provisional ballot, instructions for first-time voters who registered by mail, the appropriate official to contact if the voter believes the voter's rights relating to voting have been violated, polling place hours and the date of the election, and information on federal and state laws which prohibit fraud and misrepresentation related to voting.
- That the time for closing precinct polling places be changed from 9 p.m. to 8 p.m. for all elections. This change is not a requirement of the Help America Vote Act.
- That the term "special ballot" be changed to "provisional ballot," which is the term used in the Help America Vote Act for a ballot cast by a challenged voter.
- That when a challenged voter's ballot is not counted, the commissioner must notify the voter by mail and inform the voter why the ballot was not counted.
- That lever voting machines be removed as an acceptable voting machine in Iowa.
- That the state commissioner be permitted to provide voting equipment to a county that is required to replace its lever voting machines with a different type of voting machine or voting system.
- That election officials print a zero count report showing that the voter machine counter is set at zero immediately before the polls open to voters.
- That if a voter leaves the voting booth without having cast the ballot the voter voted, the precinct election official shall cast the ballot.
- That write-in votes cast for a person whose name appears on the ballot as a candidate for that office shall not be counted.
- That the zero count report and at least one additional copy of the printed canvass results from each voting machine shall be signed by the precinct election officials and delivered to the county commissioner.
- That the State Commissioner of Elections provide information to members of the armed forces of the United States on voter registration and absentee ballot procedures and accept voter registration applications and absentee ballot applications from members of the armed forces and forward the applications to the appropriate county commissioner of elections.

- That the time period during which a commissioner is to mail absentee ballots to a member of the armed forces after receiving the member's initial application for an absentee ballot be extended from one calendar year after receipt of the application to the next two general elections after receipt of the application.
- That when the state commissioner receives a federal write-in ballot, the commissioner is to immediately forward it to the appropriate county commissioner of elections. If the ballot is received after election day but before noon on the Monday following the election, the state commissioner, rather than the county commissioner, would be required to verify that the ballot is eligible to be counted, and to notify the appropriate county commissioner and transmit the ballot. If the ballot is not to be counted, the county commissioner would be required to notify the voter and give the reason why the ballot was not counted.

DIVISION II — Absentee Voting

Division II of the bill would have made Code changes requiring the following relating to absentee voting procedures:

- That absentee ballot applications be distributed only by the county commissioner's office or by a person appointed by a political party or by mail by a political party. The bill would have struck the Code provision that allows a voter to submit an application other than the absentee ballot application prepared by the State Commissioner of Elections if the voter's application contained certain required information.
- That would allow a political party to appoint and accredit to the county commissioner of elections persons who shall be absentee ballot couriers. Absentee ballot couriers are authorized to deliver absentee ballot applications to applicants and to return voted absentee ballots to the commissioner's office. The bill would have provided that a voted absentee ballot may only be delivered to the county commissioner's office by the registered voter who completed the ballot, a member of the voter's immediate family, an absentee ballot courier, or by the voter's designee if the voter is a confined person.
- That the carrier envelope delivered to the voter along with the absentee ballot and secrecy envelope be marked postage paid.
- The establishment of criminal penalties for delivery of absentee ballot applications and return of absentee ballots by unauthorized persons.

HOUSE JOINT RESOLUTION 3 - Proposed Constitutional Amendment — Qualification of Electors

BY COMMITTEE ON STATE GOVERNMENT. This Joint Resolution proposes an amendment to the Constitution of the State of Iowa relating to persons who are disqualified from voting or holding elective office. The Joint Resolution removes the words "idiot" and "insane" from the constitutional provision and substitutes the phrase "mentally incompetent to vote."

The Joint Resolution will be referred to the next General Assembly before being submitted to the electorate for ratification.

ENERGY AND PUBLIC UTILITIES

- SENATE FILE 275** - Property Tax and Taxation of Utilities
- SENATE FILE 368** - Telecommunications Services and Public Utility Regulation
- SENATE FILE 405** - Electric Energy Transmission — Investments by Cities Operating Electric Utilities
- HOUSE FILE 391** - Electric Power Generation Facilities — Cogeneration Pilot Program
- HOUSE FILE 659** - Electric Utilities Regulation — Alternate Energy Production or Small Hydro Facilities

RELATED LEGISLATION

- SENATE FILE 458** - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division VII of this Act requires the Utilities Board to consider for inclusion in utility rates the capital infrastructure investments that will not produce significant revenues and directs the Utilities Board to review the current ratemaking procedures.
- HOUSE FILE 472** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act includes funding for the Low-Income Home Energy Assistance Program, known as LIHEAP.

ENERGY AND PUBLIC UTILITIES

SENATE FILE 275 - Property Tax and Taxation of Utilities

BY COMMITTEE ON COMMERCE. This Act amends various provisions of Code Chapter 437A, relating to the replacement generation tax on persons generating electricity, as well as related provisions in Code Section 426B.2. The Act also makes conforming amendments to various replacement generation tax provisions relating to new electric power generating plants to be built in Iowa, and the allocation of replacement generation taxes for stand-alone new electric power generating plants, the natural gas delivery tax attributable to those plants, and the allocation of the natural gas delivery tax attributable to those plants. The Act also amends certain transmission tax provisions, addresses an annual adjustment to the assessed value for gas and electric utility property, and provides an extension for the Utility Replacement Tax Task Force.

The Act includes new definitions for "new electric power generating plant," "cogeneration facility," and "local amount," and, in Code Section 437A.5, establishes a new statewide natural gas delivery rate for natural gas delivered to or consumed by new electric power generating plants. Natural gas delivered to new electric power generating plants is not subject to the threshold recalculation for certain increases and decreases in total taxable therms of natural gas under Code Section 437A.5, subsection 8.

The Act redefines the natural gas competitive service area for the city of Waukee to include a two-mile radius around the city limits, excluding any part of the cities of Clive, Urbandale, or West Des Moines.

A municipal utility whose anticipated tax revenue exceeded its replacement transmission tax by more than \$100,000 in tax year 1999 is subject to increased rates for transmission lines owned by or leased to the municipal utility by the last day of tax year 2000.

The Act provides a method for allocation of replacement generation tax incurred by a stand-alone new electric power generating plant that involves payment of the tax attributed to the local amount to the county treasurer, and the remaining tax, if any, is paid to the director, who deposits the tax receipts in the Property Tax Relief Fund. The Act also provides a method of allocation of replacement generation tax incurred by stand-alone electric power generating plants of municipal utilities financed under Code Chapter 28F or 476A. Changes to Code Section 437A.15 address the assessed value of a new electric power generating plant owned by a municipal utility.

Code Section 437A.19 annually adjusts the assessed value for all gas and electric utility property by determining a taxable value of such property on an annual basis, in order to bring the general property tax equivalent for properties subject to the replacement tax more in balance with the actual replacement tax generated by those properties. The Act provides a formula to determine taxable value and definitions limited in application only to that Code section.

The Act extends the Utility Replacement Tax Task Force for two years, requiring that it report its activities to the General Assembly by January 1 of each year through January 1, 2005.

The Act applies retroactively to tax years beginning on or after January 1, 2003.

SENATE FILE 368 - Telecommunications Services and Public Utility Regulation

BY COMMITTEE ON COMMERCE. This Act creates the Iowa Broadband Initiative, which provides access to advanced telecommunications services in exchanges served by rate-regulated local exchange carriers where such services are not already available. The Act provides for a single increase in monthly rates by a carrier of no more than \$2 per month for residential or business dial tone service, which shall be included in the monthly bill as an unidentified part of the overall rate for service, and which shall be used to provide advanced telecommunications services where currently not available. Further requirements include approval by the Iowa Utilities Board of a plan for each carrier for use of the revenue resulting from the rate increase, annual reports, and application of a credit by the carrier for qualified applicants for low-income lifeline assistance programs.

Changes made to the provision on civil penalties provide that civil penalties collected from telecommunications companies shall be used only for consumer education programs administered by the Iowa Utilities Board. A Code provision regarding waiver of directory assistance charges for the blind, as approved by the board, is eliminated.

SENATE FILE 405 - Electric Energy Transmission — Investments by Cities Operating Electric Utilities

BY COMMITTEE ON COMMERCE. This Act allows any city operating a city utility as of January 1, 2003, to acquire equity interests in independent transmission companies in which they are participating, which companies are approved by the Federal Regulatory Energy Commission, for the purpose of mitigating expenses associated with procurement of electric transmission service, but not for general city or city utility investment purposes.

HOUSE FILE 391 - Electric Power Generation Facilities — Cogeneration Pilot Program

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act establishes a pilot program within the Iowa Department of Economic Development (IDED) for the development of cogeneration facilities in Iowa, along with special advance ratemaking principles and rates developed by the Iowa Utilities Board. The Act is repealed effective July 1, 2007.

The pilot program provides for two cogeneration projects of 200 megawatts of electricity or less, constructed in Iowa, chosen by and with the support of IDED. A rate-regulated utility engaging in a pilot project may obtain advance ratemaking principles by meeting certain conditions, filing an application, and going through a process for the Utilities Board to consider the terms of the utility's cogeneration energy sales agreement. Following issuance of an order by the Utilities Board related to the energy sales agreement, the rate-regulated utility has the option to implement the energy sales agreement or withdraw its application and decline to proceed with the cogeneration pilot project.

The Act also provides a process for the initiation of an avoided cost determination under the federal Public Utility Regulatory Policies Act of 1978 and related federal regulations.

HOUSE FILE 659 - Electric Utilities Regulation — Alternate Energy Production or Small Hydro Facilities

BY GIPP AND MYERS. This Act permits public utilities to own alternate energy production facilities or small hydro facilities located in Iowa, as well as enter into long-term contracts to purchase or wheel electricity from such types of facilities within the utility's service area, under terms and conditions that the Utilities Board finds are just and reasonable for utility customers, are nondiscriminatory to alternate energy producers, and will further certain statutory policy.

The Act makes related changes, including explicitly authorizing the Utilities Board to consider the cost of a utility's alternate energy production facilities and other generating facilities when valuing an electric utility's property. The Act also provides for limits on the utility's ability to seek rate increases for at least three years after the generating facility begins providing service.

The Act takes effect April 11, 2003.

ENVIRONMENTAL PROTECTION

- SENATE FILE 237 - Water Quality Protection Fund — Private Water Supply Systems — Deposit and Use of Permit Fees
- SENATE FILE 343 - Disposal System Operation Permits — Cold Water Stream Designations — VETOED BY THE GOVERNOR
- S.J.R. 5 - Nullification of Administrative Rule — Ammonia and Hydrogen Sulfide Ambient Air Standards
- HOUSE FILE 516 - Petroleum Storage Tank Regulation

RELATED LEGISLATION

- SENATE FILE 97 - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act subjects farmers transporting Class 2 agricultural hazardous materials to rules implementing federal regulations for transportation of hazardous materials.
- SENATE FILE 155 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to the Iowa Pollution Control Works and Drinking Water Facilities Financing Program, the Office of Renewable Fuels and Coproducts, water quality regulations, and the regulation of well contractors.
- SENATE FILE 392 - Animal Feeding Operations — Construction Standards
SEE AGRICULTURE. This Act amends provisions established under the Animal Agriculture Compliance Act by providing exceptions for the construction of manure storage structures on land such as karst terrain and 100-year floodplains otherwise prohibited by law.
- SENATE FILE 396 - Animal Feeding Operations Animal Unit Capacity — Turkeys and Chickens
SEE AGRICULTURE. This Act amends provisions providing for regulations affecting confinement feeding operations based on their size by providing new equivalency factors for turkeys and chickens.
- SENATE FILE 436 - Supplemental Appropriations — Environment First Fund
SEE APPROPRIATIONS. This Act appropriates moneys from the Cash Reserve Fund to the Environment First Fund for FY 2002-2003, and provides that any moneys not obligated in the Environment First Fund at the end of the fiscal year are to be transferred to the Cash Reserve Fund, except for unobligated moneys for soil conservation practices. The Act takes effect April 11, 2003.
- SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes a requirement for a study of Department of Natural Resources requirements and penalties applicable to cities and counties.
- HOUSE FILE 380 - Manure Storage Indemnity Fund — Fees and Charges
SEE AGRICULTURE. This Act provides for the administration of funds controlled by the Department of Natural Resources for purposes related to animal agriculture.
- HOUSE FILE 644 - Manure Application Requirements
SEE AGRICULTURE. This Act provides for the regulation of commercial manure services and commercial manure service representatives, including by providing for licensure and certification requirements, and the establishment and collection of related fees.
- HOUSE FILE 671 - Taxation of Personal Property — Recycling Property
SEE TAXATION. This Act provides that recycling property for which an exemption from property tax is granted is expanded to include the recycling of waste wood products into new raw materials and products.

ENVIRONMENTAL PROTECTION

SENATE FILE 237 - Water Quality Protection Fund — Private Water Supply Systems — Deposit and Use of Permit Fees
BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act permits the Department of Natural Resources to collect permit fees from private water supply well contractors and deposit those fees into a new account called the Private Water Supply System Account established within the Water Quality Protection Fund already created in the State Treasury. The Act appropriates the moneys deposited in the Private Water Supply System Account to the department for the purpose of supporting programs established to protect private drinking water supplies.

SENATE FILE 343 - Disposal System Operation Permits — Cold Water Stream Designations — VETOED BY THE GOVERNOR

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This bill would have provided that a publicly owned disposal system shall not be required to obtain or to be in compliance with amendments to the requirements of the operation permit for the disposal system, when such amendments are required by the rules of the Environmental Protection Commission in response to a change by the commission in the use designation of a cold water stream receiving the discharge of the disposal system, until the commission, by rule, adopts and publishes scientifically sound methods for the review of use designations of cold water streams in the state.

SENATE JOINT RESOLUTION 5 - Nullification of Administrative Rule — Ammonia and Hydrogen Sulfide Ambient Air Standards

BY COMMITTEE ON COMMERCE. This Joint Resolution nullifies the amendments to 567 Iowa Administrative Code, Rule 28.1, adopted by the Environmental Protection Commission of the Department of Natural Resources on April 21, 2003. The amendments strike language in the administrative rule that adopted ambient air quality standards based on certain national primary and secondary ambient air quality standards and adopt Iowa ambient air quality standards that consist of certain national ambient air quality standards and additional Iowa ambient air quality standards that regulate ammonia and hydrogen sulfide levels in the air. The effect of nullifying the amendments to this rule is to restore the current language in the rule.

The Joint Resolution also nullifies 567 Iowa Administrative Code, Rule 28.2, a new rule adopted by the Environmental Protection Commission on April 21, 2003, which adopts by reference the "Iowa Ambient Air Sampling Manual" for use in determining compliance with the ambient air quality standards the nullified amendments adopt.

The Joint Resolution takes effect April 30, 2003.

HOUSE FILE 516 - Petroleum Storage Tank Regulation

BY COMMITTEE ON ENVIRONMENTAL PROTECTION. This Act relates to the composition and responsibilities of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board (UST Fund Board).

Effective June 30, 2014, the Act repeals Code Chapter 424 relating to the environmental protection charge on petroleum diminution.

The Act adds two owners or operators to the UST Fund Board membership, to be appointed by the Governor. One of the new members shall have been a petroleum systems insured through the Underground Storage Tank Insurance Fund or a successor and shall have been an insured through the Insurance Account of the Comprehensive Petroleum Underground Storage Tank Fund on or before October 26, 1990. The other member shall be self-insured. The Act exempts the two new members from an existing conflict-of-interest provision for public members serving on the UST Fund Board.

The Act requires the UST Fund Board to report quarterly to the Legislative Council and other specified members of the General Assembly regarding changes to the status of the program.

The Act allows the UST Fund Board to adopt administrative rules for the transfer of all or a portion of the liabilities of the UST Fund Board. The UST Fund Board, upon such transfer, shall not maintain any duty to reimburse claimants under Code Chapter 455G, the Iowa Comprehensive Petroleum Underground Storage Tank Fund Act, for those liabilities transferred.

GAMING

- HOUSE FILE 594** - Regulation of Electrical and Mechanical Amusement Devices
- HOUSE FILE 603** - Gambling in Public Places — Nonprofit Organizations Conducting Bingo Occasions

RELATED LEGISLATION

- SENATE FILE 155** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to bingo and card and parlor games and various references to the Division of Criminal Investigation of the Department of Public Safety.
- SENATE FILE 436** - Supplemental Appropriations — Environment First Fund
SEE APPROPRIATIONS. This Act provides that if the U.S. Supreme Court rules on or after July 1, 2003, in favor of the legality of Iowa's tax on the gross receipts from slot machines at racetracks, any additional tax revenues deposited into the Rebuild Iowa Infrastructure Fund are to be transferred to the Cash Reserve Fund in an amount equal to \$16,555,000, less an amount transferred from the Environment First Fund at the end of FY 2002-2003. The U.S. Supreme Court ruled in favor of Iowa's tax on June 9, 2003. The Act takes effect April 11, 2003.
- SENATE FILE 453** - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the "Government Reinvention Bill" during debate and discussion. The Act includes transfer of control over the operation of the Iowa Lottery from the Lottery Division within the Department of Revenue and Finance to a new Iowa Lottery Authority, which has independent authority to operate the Iowa Lottery.
- SENATE FILE 458** - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division VII of this Act amends new Code Chapter 99G, enacted by S.F. 453, to require the Iowa Lottery Authority be audited annually by the Auditor of State or an auditing firm appointed by the Auditor of State, and sets July 1, 2003, as the effective date for the establishment of the Iowa Lottery Authority, instead of September 1, 2003.
- HOUSE FILE 667** - Appropriations — Health and Human Services
SEE APPROPRIATIONS. This Act makes appropriations for purposes of health and human services to the Department of Elder Affairs, Iowa Department of Public Health (IDPH), Department of Inspections and Appeals, Department of Human Services, and Commission of Veterans Affairs. Division II of the Act appropriates moneys from the General Fund of the State to IDPH for FY 2003-2004 for addictive disorders related to reducing the use of tobacco, alcohol, and other drugs, and treating individuals affected by addictive behaviors, including gambling. Division II also appropriates funds from the Gambling Treatment Fund to IDPH for FY 2003-2004 for treatment of addictive disorders, including gambling, and provides for the use of the money remaining in the fund.

GAMING

HOUSE FILE 594 - Regulation of Electrical and Mechanical Amusement Devices

BY COMMITTEE ON STATE GOVERNMENT. This Act provides for the registration and additional regulation of electrical and mechanical amusement devices. The devices, in the nature of a gambling device and currently referenced in Code Chapter 99B concerning games of skill or chance and raffles, are currently limited by law to awarding a prize of no more than \$5.

The Act provides that electrical and mechanical amusement devices that award prizes not based on the skill of the operator are required to be registered and acquired from a registered manufacturer or distributor. In addition, the Act limits the number of registered devices that can be permitted at a single location to not more than four for nonprofit organizations and not more than two for all other persons. The Act also provides for a \$25 annual registration tag for each device, which tag shall be displayed on each device in use. The Act also provides that any awards given for use of any amusement device shall only be redeemed on the premises for merchandise normally sold on the premises. Fees collected on these devices between July 1, 2003, and June 30, 2005, shall be deposited in a special fund and are appropriated to the Department of Inspections and Appeals and the Department of Public Safety for administration and enforcement of the Code sections concerning amusement devices and the distributors and manufacturers of such devices.

New Code Section 99B.10A is created to provide that a person engaged in business in this state as a distributor, manufacturer, or manufacturer's representative of electrical and mechanical amusement devices subject to registration shall also register with the Department of Inspections and Appeals and shall pay an annual registration fee of \$2,500 per year.

The Act also provides for the revocation of the registration as provided in this Act, following notice and a hearing, if the registrant fails to comply with applicable legal requirements. The Act also requires the Department of Inspections and Appeals, in consultation with the Department of Public Safety, to submit a report to the General Assembly concerning the implementation of this Act.

The Act lowers the criminal penalty for a person who commits an offense in violation of the Code section governing electrical or mechanical amusement devices from a class "D" felony to a serious misdemeanor.

The Act takes effect May 23, 2003.

HOUSE FILE 603 - Gambling in Public Places — Nonprofit Organizations Conducting Bingo Occasions

BY COMMITTEE ON STATE GOVERNMENT. This Act provides an exception to the licensing requirements for a nonprofit organization conducting a bingo game if the participants in the bingo game are not charged to enter the premises where bingo is played and are not charged to play bingo, any prize awarded is donated, and the bingo game is conducted as an activity and not a fundraiser.

HEALTH AND SAFETY

- SENATE FILE 3** - Termination of Pregnancy Reports — Induced Termination Methods
- HOUSE FILE 389** - Controlled and Precursor Substances — Miscellaneous Changes
- HOUSE FILE 396** - Disaster Preparedness
- HOUSE FILE 454** - Newborn and Infant Hearing Screening
- HOUSE FILE 479** - Medical Assistance Program Managed Care or Prepaid Services Contracts — Approved Health Care Services Providers — Advanced Registered Nurse Practitioners
- HOUSE FILE 503** - Podiatrists — Administration of Anesthesia
- HOUSE FILE 541** - Birth Certificates — Fees
- HOUSE FILE 557** - Volunteer Health Care Provider Program Participants — Liability
- HOUSE FILE 565** - Healthy and Well Kids in Iowa Program
- HOUSE FILE 619** - Regulation of Health Care — Pharmaceuticals — Medical Assistance Program
- HOUSE FILE 628** - Regulation of Physician Assistant Services
- HOUSE FILE 641** - Public Health Regulation — Miscellaneous Provisions

RELATED LEGISLATION

- SENATE FILE 36** - Miscellaneous Supplemental and Other Appropriations
SEE APPROPRIATIONS. This Act makes supplemental appropriations for FY 2002-2003 and includes an appropriation to the Department of Public Safety for the State Fire Marshal.
- SENATE FILE 127** - Breast Cancer Awareness Motor Vehicle License Plates — Fees — Appropriation
SEE TRANSPORTATION. This Act creates a special breast cancer awareness motor vehicle registration plate to raise funds for certain nonprofit organizations to provide free mammograms to qualified individuals.
- SENATE FILE 155** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes related to clandestine laboratory sites, the Division of Criminal Investigation of the Department of Public Safety, Department of Public Health administrative duties, regulation of farmers markets, regulation of registered dental assistants, grade "A" milk inspection, possession of anthrax, the confinement of sexually violent predators, child abuse reporting and investigations, domestic abuse, licensing and regulation of child care facilities, emergency services funds, animal feeding operations, operation of personal watercraft, the killing of animals, and the Interstate Compact for Adult Offender Supervision.
- SENATE FILE 237** - Water Quality Protection Fund — Private Water Supply Systems — Deposit and Use of Permit Fees
SEE ENVIRONMENTAL PROTECTION. This Act allows the Department of Natural Resources to collect permit fees from private water supply well contractors and appropriates the moneys collected to be used for the purpose of supporting programs established to protect private drinking water supplies.
- SENATE FILE 357** - City Hospital or Health Care Facility Trustees — Residency — Vacancies
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Act makes changes relating to election of the board of trustees of a city hospital or city health care facility.
- SENATE FILE 361** - Civil Commitment — Emergency Procedures
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act relates to emergency procedures for the temporary detention and treatment of persons who are incapacitated or impaired due to substance abuse or mental health problems.

- SENATE FILE 401** - Regulation of Tobacco Retailers
SEE BUSINESS, BANKING & INSURANCE. This Act relates to regulation of tobacco products and cigarette retailers. The Act provides for the transfer of certain violations by tobacco product and cigarette manufacturers from a county health department, city health department, or city to the Iowa Department of Public Health. This provision applies to violations pending on April 11, 2003, for which a penalty has not been assessed.
- SENATE FILE 453** - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes provisions revising Medicaid Program requirements.
- SENATE FILE 458** - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division IV of this Act reduces by \$20 million the amount to be appropriated to the Endowment for Iowa’s Health Account. Division VII requires the Department of Public Defense, beginning July 1, 2004, to approve and support the development and ongoing operations of an urban search and rescue team, requires the Department of Public Defense to develop and implement a uniform incident command system, requires public safety workers and other appropriate individuals to receive smallpox vaccinations, and includes other provisions related to the providing of such vaccinations.
- S.J.R. 5** - Nullification of Administrative Rule — Ammonia and Hydrogen Sulfide Ambient Air Standards
SEE ENVIRONMENTAL PROTECTION. This Joint Resolution nullifies the amendments to an administrative rule and nullifies a new administrative rule adopted by the Environmental Protection Commission of the Department of Natural Resources on April 21, 2003, to prevent the adoption of certain new ambient air quality standards that regulate ammonia and hydrogen sulfide levels in the air. The Joint Resolution takes effect April 30, 2003.
- HOUSE FILE 66** - Motor Vehicle Traffic Regulation — Stationary Utility or Municipal Maintenance Vehicles
SEE TRANSPORTATION. This Act prescribes certain safety precautions the driver of a motor vehicle is required to take when approaching a stationary utility maintenance vehicle or a stationary municipal maintenance vehicle displaying flashing yellow, amber or red lights. Violators are subject to a scheduled fine of \$50.
- HOUSE FILE 204** - Massage Therapy — Modalities — Licensing Exemption
SEE STATE GOVERNMENT. This Act provides for a study regarding massage therapy modalities and provides for a temporary exemption from licensure for individuals exclusively engaged in the practice of reflexology or an unlicensed individual whose professional practice does not fall within the current definition of “massage therapy.”
- HOUSE FILE 216** - Dissemination of Intelligence Data and Intelligence Assessments
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act provides that intelligence data in the files of the Department of Public Safety may be disseminated to an agency, organization or person in order to protect a person or property from a threat of imminent harm. The Act takes effect April 9, 2003.
- HOUSE FILE 381** - Anatomical Gifts — State Employee Leaves — Grants
SEE LABOR & EMPLOYMENT. This Act establishes a bone marrow and vascular organ donation incentive program for state employees. The Act also provides for a different use of moneys in the Anatomical Gift Public Awareness and Transplantation Fund.
- HOUSE FILE 386** - Policy and Services for the Elderly
SEE HUMAN SERVICES. This Act relates to the Department of Elder Affairs (DEA) and the Elder Iowans Act. The Act specifies that the Long-Term Care Resident’s Advocate is to advocate for residents of long-term care facilities excluding those facilities licensed primarily to serve persons with mental retardation or mental illness. The Act eliminates the directive to DEA to develop and disseminate information regarding Medicare supplemental insurance policies as this function is performed by the Insurance Division of the Department of Commerce.

- HOUSE FILE 387** - Mental Health and Developmental Disabilities — Facilities — Programs — Commission
SEE HUMAN SERVICES. This Act relates to mental health and developmental disabilities services by revising requirements for intermediate care facilities for persons with mental retardation, expanding an exemption to health care licensing requirements for certain residential programs that receive funding under a medical assistance (Medicaid) home and community-based services waiver and that receive approval from the Department of Human Services, and revising membership provisions for the Mental Health and Developmental Disabilities Commission.
- HOUSE FILE 455** - Burn Injury Reports by Treatment Providers
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act requires licensed health-related professionals to report certain burn injuries to a law enforcement agency.
- HOUSE FILE 472** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act includes funding for maternal and child health, preventive health and health services, substance abuse programs, low-income energy assistance, mental health, child care, social services, and other health and human services-related programs.
- HOUSE FILE 543** - Insurance — Mammography Exam Coverage
SEE BUSINESS, BANKING & INSURANCE. This Act provides that, in addition to the minimum mammography examination currently required by statute for women age 35 and above, coverage for more frequent mammograms is also required if recommended by a woman's physician.
- HOUSE FILE 549** - Education — Administration, Regulation, and Other Related Matters
SEE EDUCATION. This Act relates to the duties and operations of the Department of Education, school districts, area education agencies, and the State Board of Regents. The Act also permits an insulin-dependent diabetic to qualify as a school bus driver if the person is verified physically able to perform the required functions despite insulin dependency, the school district or school employing the insulin-dependent diabetic bus driver monitors the bus driver, and the driver is in compliance with requirements specified by the Act.
- HOUSE FILE 558** - Disclosure of Information to Subjects of Child or Dependent Adult Abuse Reports
SEE HUMAN SERVICES. This Act authorizes the Department of Human Services to disclose information to certain persons regarding the listing of an individual in the Child or Dependent Adult Abuse Registry or the Sex Offender Registry when the disclosure is necessary for the protection of a child or dependent adult.
- HOUSE FILE 584** - Recreational Activities in Designated Areas or on Public Property — Liability Limited
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act provides certain exceptions to liability for prior owners of land in which an all-terrain vehicle recreational riding area is established, and for a municipality and officers and employees of a municipality involving a public facility designed for the purpose of bicycling, unicycling, scootering, river rafting, canoeing, or kayaking.
- HOUSE FILE 667** - Appropriations — Health and Human Services
SEE HUMAN SERVICES. This Act appropriates funds from the General Fund of the State to the Iowa Department of Public Health for programs and services relating to addictive disorders, adult wellness, child and adolescent wellness, chronic conditions, community capacity, elderly wellness, environmental hazards, infectious diseases, injuries, and public protection. The Act appropriates funds from the Gambling Treatment Fund for addictive disorders, including gambling. The Act extends the Vital Records Modernization Project until June 30, 2004, and the Scope of Practice Review Committee project until July 1, 2004. The Act also directs the Director of Public Health to establish a Health Care Access Partnership Pilot Project.
- HOUSE FILE 672** - Adult Day Services
SEE HUMAN SERVICES. This Act establishes regulatory provisions for adult day services.
- HOUSE FILE 675** - Regulation of Elder Family Homes, Elder Group Homes, and Assisted Living Programs — Fire and Safety Standards
SEE HUMAN SERVICES. This Act provides for regulation of elder group homes and assisted living programs and eliminates the Code chapter relating to elder family homes.

- HOUSE FILE 676** - Veterans Trust Fund
SEE STATE GOVERNMENT. This Act establishes a Veterans Trust Fund under the control of the Commission of Veterans Affairs to be used for the benefit of military veterans, their spouses, and dependents for health care and other expenses.
- HOUSE FILE 685** - Healthy Iowans Tobacco Trust and Tobacco Settlement Trust Fund — Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Healthy Iowans Tobacco Trust. The Act appropriates funds to the Iowa Department of Public Health (IDPH) for the Tobacco Use Prevention and Control Program, for a program that utilizes high school mentors in an effort to reduce the illegal use of substances, for provision of smoking cessation products, and for additional substance abuse treatment. The Act also appropriates funds to IDPH for development of a Healthy Iowans 2010 Plan.

HEALTH AND SAFETY

SENATE FILE 3 - Termination of Pregnancy Reports — Induced Termination Methods

BY JOHNSON. This Act requires a health care provider making a termination of pregnancy report to the Iowa Department of Public Health to provide information regarding the method used for an induced termination, including whether mifepristone (RU-486) was used.

HOUSE FILE 389 - Controlled and Precursor Substances — Miscellaneous Changes

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for several technical changes to Code chapters regarding controlled substances and precursor substances to reflect recent amendments to the federal Uniform Controlled Substances Act and relating to precursor chemicals. The Act also provides for the suspension, revocation or restriction of a registrant's authority to handle or prescribe controlled substances if the registrant is a licensed health care professional and has been the subject of disciplinary action by the applicable health professional licensing board.

HOUSE FILE 396 - Disaster Preparedness

BY COMMITTEE ON HUMAN RESOURCES. This Act establishes a new Code Division XV, entitled "Disaster Preparedness" within Code Chapter 135, the Iowa Department of Public Health (IDPH) chapter, and establishes public health measures and procedures to be followed if a public health disaster is declared.

The Act establishes the Division of Epidemiology, Emergency Medical Services, and Disaster Operations within IDPH. The Act establishes duties for the department; establishes provisions related to health care supplies when a public health disaster exists or is imminent; authorizes the department to establish disaster medical assistance teams to supplement medical and public health resources during times of disaster; authorizes the department to receive, distribute and administer items of the federal Strategic National Stockpile Program; directs the department to carry out additional duties during a public health disaster; and provides for information sharing related to a public health disaster. The Act also authorizes IDPH to investigate and control diseases, illnesses, and health conditions that may be a potential cause of a public health disaster.

The Act takes effect April 14, 2003.

HOUSE FILE 454 - Newborn and Infant Hearing Screening

BY COMMITTEE ON HUMAN RESOURCES. This Act requires universal newborn and infant hearing screening. The Act requires that beginning January 1, 2004, all infants born in the state are to be screened for hearing loss using one of the prescribed methods. The Act specifies the duties of birthing hospitals, birth centers, and other health care professionals in complying with the Act, including reporting of the results of the screening to the parent or guardian of the newborn or infant and to the Iowa Department of Public Health (IDPH). The Act provides for the sharing of information reported to IDPH and requires area education agencies with whom information is shared to report certain information to IDPH relating to a newborn's or infant's hearing, follow-up, and intervention services. The Act provides an exception if the parent objects to the screening. The Act provides immunity from liability for a person acting in good faith in complying with the Act.

HOUSE FILE 479 - Medical Assistance Program Managed Care or Prepaid Services Contracts — Approved Health Care Services Providers — Advanced Registered Nurse Practitioners

BY COMMITTEE ON HUMAN RESOURCES. This Act provides that licensed advanced registered nurse practitioners will be regarded as approved providers of health care services, including primary care, for purposes of managed care or prepaid services contracts under the Medical Assistance (Medicaid) Program. The Act also provides that the scope of practice of an advanced registered nurse practitioner is not intended to be expanded based upon the Act's provisions.

HOUSE FILE 503 - Podiatrists — Administration of Anesthesia

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the administration of anesthesia by a podiatrist. The Code currently provides that a podiatrist is not authorized to utilize any anesthetics other than local anesthetics. The Act is intended to clarify what is meant by "local anesthetics," providing that a licensed podiatric physician can administer local anesthesia, and that this local anesthesia, or conscious sedation, can be administered in a hospital or an ambulatory surgical center.

HOUSE FILE 541 - Birth Certificates — Fees

BY COMMITTEE ON HUMAN RESOURCES. This Act increases the fee for the registration of a birth certificate to \$15 beginning July 1, 2003, and ending June 30, 2005, and to \$20 beginning July 1, 2005, in order to provide funding for both child abuse prevention and the Birth Defects Institute Central Registry.

Current Code requires a fee for registration of a birth certificate of \$10 and the funds generated from collection of the fees are designated for primary and secondary child abuse prevention programs. Under the Act, during the period from July 1, 2003, until June 30, 2005, of the \$15 fee, \$10 would still be used to fund primary and secondary child abuse prevention programs and the increase of \$5 would be used to fund the Birth Defects Institute Central Registry. Under the Act, beginning July 1, 2005, of the \$20 fee, \$10 would still be used to fund primary and secondary child abuse prevention programs and the increase of \$10 would be used to fund the Birth Defects Institute Central Registry.

HOUSE FILE 557 - Volunteer Health Care Provider Program Participants — Liability

BY COMMITTEE ON HUMAN RESOURCES. This Act adds free clinics to the listing of eligible health care facilities and adds psychologists, social workers, mental health counselors, and pharmacists to the listing of participating health care providers under the Volunteer Health Care Provider Program established within the Iowa Department of Public Health.

HOUSE FILE 565 - Healthy and Well Kids in Iowa Program

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the Healthy and Well Kids in Iowa (hawk-i) Program and the Medical Assistance (Medicaid) Program.

The Act deletes the requirement that the Department of Human Services (DHS) establish family cost sharing based on a sliding fee scale. The new language reflects current practice, which is establishment of a cost-sharing amount of not less than \$10 per individual and \$20 per family with the approval of the hawk-i Board. The Act also directs DHS to perform annual, random reviews of enrollee applications to ensure program compliance. Quality assurance reports are to be made to the board and to DHS based upon the data maintained by the administrative contractor of the program. The Act changes the minimum number of required meetings of the hawk-i Board from not less than 10 times annually to not less than six but not more than 12 times annually.

The Act eliminates the requirement that the outreach efforts developed by the board include a comprehensive statewide media campaign. The Act directs the board, in consultation with the Clinical Advisory Committee, to assess the initial health status of children participating in the program, establish a baseline, and develop appropriate indicators to assess the subsequent health status of children participating in the program, rather than directing the board to select a single, nationally recognized assessment form for children participating in the program. The Act eliminates the requirement that the board perform periodic random reviews of enrollee applications to assure program compliance, as this function is given to the department under the Act. The Act also directs the advisory committee on children with special health care needs to make recommendations, annually, by January 1, rather than only one time by January 1, 1999.

The Act eliminates the directive to the hawk-i Board to adopt rules to address approval of a program application in cases in which prior employer-sponsored coverage ended less than six months prior to determination of eligibility for the program. The Act also eliminates a requirement that participating insurers submit a marketing plan to the hawk-i Board consistent with the board's outreach plan, for approval by the board.

The Act amends the directive to the administrative contractor to forward names of children who appear to be eligible for health insurance coverage, other than Medicaid, to local offices of DHS or other appropriate persons, and limits the directive to forwarding the names of children who appear to be eligible for Medicaid only to the state offices of DHS. The Act also eliminates the directive to the administrative contractor to make program applications available through the mail and through local sites, as determined by DHS, including to schools, local health departments, local DHS offices, and other locations.

The Act also provides that a child may participate in the hawk-i Program if, among other criteria, the child is not currently covered under a group health plan unless allowed by rule of the board.

The Act also allows for cost sharing based upon the family income percentage that is either below 150 percent of the federal poverty level or which equals or exceeds 150 percent of the federal poverty level.

The Act directs DHS to monitor the effects of eliminating the directive to the hawk-i Board relating to prior employer-sponsored coverage. The department is to continue the monitoring until June 30, 2005, and is to file an annual report that includes reporting of any increased program cost resulting from the elimination of the directive.

HOUSE FILE 619 - Regulation of Health Care — Pharmaceuticals — Medical Assistance Program

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to health care services and programs including health care services provided under the Medical Assistance (Medicaid) Program.

The Act establishes an Interagency Pharmaceuticals Bulk Purchasing Council within the Iowa Department of Public Health to provide for bulk purchasing of pharmaceuticals across state agencies by a selected central purchasing agency. The Act also authorizes the council to conduct such purchasing with local governments. The Act specifies that the Department of Pharmaceutical Care of the University of Iowa Hospitals and Clinics is to act in an advisory capacity to the council.

The Act provides for assessment of residents of health care facilities to determine their eligibility for veterans' benefits through the federal Department of Veterans Affairs.

The Act directs the Department of Human Services (DHS) to establish and implement a Preferred Drug List Program under the Medicaid Program. The Act provides for the establishment of a pharmaceutical and therapeutics committee to recommend and periodically review a preferred drug list. The Act requires that any drug not included in the preferred drug list is subject to prior authorization, with specified exceptions. The Act provides that DHS may negotiate supplemental rebates with pharmaceutical manufacturers, provides that the initial preferred drug list is to be a list developed by a midwestern state and approved by the federal government, and provides that DHS may procure a sole source contract to participate in a pharmaceutical pooling program for Medicaid recipients. This provision takes effect May 2, 2003.

The Act provides for a quality assurance assessment on nursing facilities, with moneys generated to be deposited in the Senior Living Trust Fund. This provision does not take effect until DHS receives federal approval of a state plan amendment to the Medicaid state plan and approval of an application for a waiver of the uniform tax requirement. However, the directive to DHS to request a state plan amendment and approval of a waiver of the uniform tax requirement takes effect May 2, 2003.

The Act provides that a level of care determination for an individual seeking approval to receive services under a Medicaid Program home and community-based services waiver is to be conducted only by a person not participating as a provider of services under the waiver. The Act also provides that funds appropriated to the Department of Elder Affairs (DEA) to conduct the level of care determinations are to be transferred to DHS, and authorizes DHS to enter a sole source contract to conduct the determinations.

The Act replaces the current authorization with a requirement that DHS issue a notice establishing and demanding payment of an accrued or accruing spousal support debt due and owing the department.

The Act directs DHS under the Medicaid Program to reimburse pharmacy dispensing fees at a single rate of \$4.26 per prescription or the pharmacy's usual and customary fee, whichever is lower; require a copayment of recipients for each prescription filled; establish an ingredient reimbursement basis equal to the average wholesale price minus 12 percent; continue the sole source contract for the State Maximum Allowable Cost (SMAC) Program and expand the program to the greatest extent possible; establish the SMAC reimbursement rate at the average wholesale acquisition cost adjusted by a multiplier of 1.4; require Medicaid recipients to pay a copayment of \$3 per physician office visit; maximize expansion of prior authorization of prescription drugs; and establish a fixed-fee reimbursement schedule for home health agencies. The provisions relating to the SMAC Program take effect May 2, 2003.

The Act provides that it is the intent of the General Assembly that the consolidation of home and community-based services waivers be designed so as not to result in additional cost, with the exception of any services added to the waivers by the General Assembly. The Act directs DHS to submit an initial report regarding the cost neutrality and status of the waiver consolidation to the Legislative Fiscal Committee by January 1, 2004, and a subsequent report by July 31, 2004.

The Act provides that if Medicaid nursing facility reimbursement exceeds the amount appropriated for that purpose, DHS is to adjust the inflation factor of the rate calculation to provide reimbursement within the amount projected.

The Act directs DHS to conduct an ongoing review of recipients and providers of Medicaid services to determine the appropriateness of usage and to conduct a review of selected services categories and providers over three fiscal years to determine program compliance.

The Act provides for the implementation of a supplemental payment adjustment to physician services reimbursed under Medicaid at publicly owned acute care teaching hospitals. The payments collected from hospitals are to be deposited in the DHS Medical Assistance Account. This provision takes effect May 2, 2003.

The Act directs DHS to aggressively pursue chronic disease management and provides for the conducting of a pilot project for a select number of individuals who are participants in the Medicaid Program. The Act requires DHS to submit a progress report regarding chronic disease management measures undertaken under the Act by November 1, 2003. This provision takes effect May 2, 2003.

See S.F. 458 (Appropriations) for amendments to H.F. 619. Senate File 458 made the following changes to H.F. 619:

- ? Amends the provision related to assessment of residents in health care facilities so that instead of determining the eligibility of residents for veterans' benefits, eligibility of residents is merely identified.
- ? Amends the provision relating to the preferred drug list under Medicaid to provide a procedure for disclosure of information relating to prices manufacturers or wholesalers charge for pharmaceuticals.
- ? Amends the provision relating to the nursing facility quality assurance assessment to provide for a reimbursement to nursing facilities calculated as a per patient day amount.
- ? Amends the provision relating to home and community-based services waiver eligibility determinations by striking the section and providing instead that DEA, in collaboration with DHS, area agencies on aging, advocacy groups, industry representatives, and consumers, is to submit recommendations to the General Assembly by October 1, 2003, regarding a redesigning of the Case Management Program for Frail Elders. The new provision also requires DEA and DHS to resolve issues relating to level of care determinations no later than October 1, 2003.
- ? Amends the provision relating to the State Maximum Allowable Cost Program for Medicaid drug reimbursement to provide that if information required to be provided by pharmacies and providers to DHS under the program can be obtained in an alternative manner, the department may obtain the information in the alternative manner. The amendment also provides that information provided by pharmacies and providers is protected by the Uniform Trade Secrets Act, Code Chapter 550.
- ? Amends the provision relating to nursing facility reimbursement to provide for quarterly review of projections of reimbursements to determine if an interim adjustment is necessary to remain within the amount specified for reimbursement.
- ? Amends the provision relating to chronic care management to refer to a chronic care consortium and to provide for the procuring of a sole source contract to manage the individuals involved in the Chronic Care Management Program.
- ? Provides for up to \$2.4 million of federal Temporary Assistance for Needy Families Block Grant funds appropriated for FY 2002-2003 that remain at the close of the fiscal year to be used for additional DHS field operations, full-time equivalent positions, and general administration, with \$400,000 being used for coordination of services for families with a history of methamphetamine use and \$400,000 being used for general administration. This provision takes effect May 2, 2003.
- ? Provides that in identifying residents of health care facilities who may be eligible for federal veterans' benefits, the Commission of Veterans Affairs is to work with the Commandant of the Iowa Veterans Home, DHS, and the Department of Inspections and Appeals.

HOUSE FILE 628 - Regulation of Physician Assistant Services

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for changes relating to licensure requirements for physician assistants.

The Act eliminates provisions relating to registration of physician assistants, and also eliminates outdated provisions regarding the adoption of rules related to delegated prescribing by a specified date. The Act directs the Board of Medical Examiners to adopt rules relating to the status of a physician as a supervising physician. The Act also directs the boards of Medical Examiners and Physician Assistant Examiners to adopt rules requiring a physician, or physician assistant, to inform their respective boards of the identity of the physician assistant being supervised, or the supervising physician, and of any change in the status of the supervisory relationship. The rules are to provide that no more than two physician assistants shall be supervised by a supervising physician at one time.

The Act provides for changes to the definitions applicable to physician assistants, including requirements applicable to a physician practicing in a federal facility or under federal authority, and provides for modifications regarding requirements for licensure as a physician assistant consistent with the revised definitions and the elimination of registration as a physician assistant.

The Act provides that a physician assistant may, under specified circumstances when responding to an emergency, render care without supervision, or with such supervision as is available. A supervising physician under such circumstances shall not be required to meet rules relating to supervision by physicians, and the physician or a physician assistant shall not be subject to criminal liability or civil damages unless the acts or omission constitute recklessness.

The Act requires the Board of Physician Assistant Examiners, after consultation with the Board of Medical Examiners, to adopt new rules relating to administration of Code Chapter 148C, Medicine and Surgery, on or before January 1, 2004.

The Act takes effect April 30, 2003.

HOUSE FILE 641 - Public Health Regulation — Miscellaneous Provisions

BY COMMITTEE ON HUMAN RESOURCES. This Act provides for several changes relating to programs administered by or under the authority of the Iowa Department of Public Health. The Act provides for the addition of varicella, commonly referred to as chickenpox, to the list of required childhood immunizations, and adds advanced registered nurse practitioners and physician assistants as health professionals authorized to sign immunization medical waivers. The Act modifies exemption provisions relating to the practice of nursing to clarify that the performance of nursing services by students who are licensed as registered nurses or practical or vocational nurses in a United States jurisdiction shall not qualify for an exemption from the jurisdiction of the Board of Nursing applicable to unlicensed nursing students. The Act provides additional detail regarding licensee review committees formed to monitor impaired licensees, providing that the committees are established for the purpose of evaluating and monitoring licensees who self-report, or are referred by the Board of Nursing for, an impairment relating to alcohol or drug abuse, dependency, or addiction, or any mental or physical disorder.

HUMAN SERVICES

- SENATE FILE 416 - Dependent Adult Abuse — Facilities, Services, and Information
- HOUSE FILE 386 - Policy and Services for the Elderly
- HOUSE FILE 387 - Mental Health and Developmental Disabilities — Facilities — Programs — Commission
- HOUSE FILE 489 - Human Services Programs and Services — Miscellaneous Provisions
- HOUSE FILE 529 - Mental Health and Developmental Disabilities Services System Review
- HOUSE FILE 558 - Disclosure of Information to Subjects of Child or Dependent Adult Abuse Reports
- HOUSE FILE 560 - Medical Assistance — Home and Community-Based Services Waivers
- HOUSE FILE 672 - Adult Day Services
- HOUSE FILE 675 - Regulation of Elder Family Homes, Elder Group Homes, and Assisted Living Programs — Fire and Safety Standards

RELATED LEGISLATION

- SENATE FILE 36 - Miscellaneous Supplemental and Other Appropriations
SEE APPROPRIATIONS. This Act makes supplemental appropriations for FY 2002-2003 and includes appropriations to the Department of Human Services for child and family services and certain state institutions.
- SENATE FILE 303 - Child Abuse Assessment Reporting
SEE CHILDREN & YOUTH. This Act modifies the requirements for completion of a child abuse assessment report by Department of Human Services workers.
- SENATE FILE 351 - Child Care — Miscellaneous Provisions
SEE CHILDREN & YOUTH. This Act revises child care requirements by applying prohibitions against particular individuals having involvement with child care, expanding record checks and evaluations performed by the Department of Human Services, expanding individual eligibility for state child care assistance, and revising child care fraud sanctions.
- SENATE FILE 353 - Child Protection Assistance Teams
SEE CHILDREN & YOUTH. This Act requires each county attorney to establish a child protection assistance team that may be consulted in certain child abuse cases involving a forcible felony. The teams are directed to work with the Department of Human Services in developing protocols for those child abuse reports in which there is a law enforcement investigation.
- SENATE FILE 354 - Iowa Indian Child Welfare Act
SEE CHILDREN & YOUTH. This Act implements the federal Indian Child Welfare Act of 1978 in Iowa law and includes requirements not specifically addressed by the federal law. In general, the “Iowa Indian Child Welfare Act” applies in any voluntary or involuntary child custody proceeding that will result in an Indian child’s adoptive placement, foster care placement, preadoptive placement, or termination of parental rights. The Department of Human Services is subject to specific requirements.
- SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes provisions requiring the Department of Human Services to redesign the child welfare and juvenile justice services system, revising Medicaid Program requirements, revising FY 2003-2004 appropriations to the department, and revising funding provisions for educational programs for children placed at the department’s institutions.
- SENATE FILE 458 - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division I of this Act appropriates funding for county mental health, mental retardation, and developmental disabilities (MH/MR/DD) services for FY 2004-2005 allowed growth and adjusts the funding distribution relating to MH/MR/DD services for FY 2003-2004. Division VII expands the work group for the redesign of the Medical Assistance Program

which is to be established by the Department of Human Services pursuant to S.F. 453, and includes language relating to supplemental payment adjustments for physicians' services provided to Medical Assistance Program recipients. Division VIII amends H.F. 619 relating to health care facilities, nursing facilities, the Case Management Program for Frail Elders, and pharmacies, among other items.

- HOUSE FILE 206** - Child Abuse Reporting Requirements Involving Sexual Abuse and Reporting by Clergy — VETOED BY THE GOVERNOR
SEE CHILDREN & YOUTH. This bill related to child abuse reporting by increasing the child age for mandatory reporting of suspected child sexual abuse perpetrated by a person other than the person responsible for the care of the child and requiring members of the clergy to be mandatory reporters of child abuse under certain circumstances.
- HOUSE FILE 457** - Child Welfare Services — Assessment and Plan for Transition to Adulthood
SEE CHILDREN & YOUTH. This Act expands requirements for the transition of an individual from the child welfare services system to adulthood and, if needed, to the adult services system. Legislators suggested in debate on this legislation that it was crafted to address planning problems identified in the case of a young man named Reggie Kelsey who died after he left the child welfare system upon reaching adulthood.
- HOUSE FILE 472** - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act includes funding for maternal and child health, preventive health and health services, substance abuse programs, low-income energy assistance, mental health, child care, social services, and other health and human services-related programs.
- HOUSE FILE 619** - Regulation of Health Care — Pharmaceuticals — Medical Assistance Program
SEE HEALTH & SAFETY. This Act relates to health care services and programs including health care services provided under the Medical Assistance (Medicaid) Program. The Act directs the Department of Human Services (DHS) to establish a preferred drug list program under the Medicaid Program, provides for a quality assurance assessment on nursing facilities subject to federal approval, provides for changes related to the level of care determinations for individuals seeking approval to receive services under a Medicaid home and community-based services waiver, makes changes relating to spousal support debt payment under the Medicaid Program, provides for changes in reimbursements of providers under the Medicaid Program, makes changes relating to the consolidation of home and community-based services waivers, provides for a nursing facility reimbursement adjustment under the Medicaid Program, provides for a review of recipients and providers under the Medicaid Program to determine appropriate usage and compliance, provides for a supplemental payment adjustment to physician services reimbursed under the Medicaid Program at publicly owned acute care teaching hospitals, and provides for a chronic disease management program directed by DHS. Senate File 458 amended the provisions in this Act relating to the preferred drug list, the nursing facility quality assurance assessment, home and community-based services waivers under the Medicaid Program, and reimbursement rates of providers under the Medicaid Program.
- HOUSE FILE 665** - Taxation of State-Owned Property — Lease to Nonexempt Entity
SEE TAXATION. This Act relates to the taxation of land leased by the Department of Human Services.
- HOUSE FILE 685** - Healthy Iowans Tobacco Trust and Tobacco Settlement Trust Fund — Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Healthy Iowans Tobacco Trust. The Act makes appropriations involving the Medical Assistance (Medicaid) Program to the Department of Human Services (DHS) for FY 2003-2004 for reimbursement of or cost-of-living adjustments for various providers and services. The Act also provides for supplementation of the appropriation for the state children's health insurance program known as hawk-i, for supplementation of the appropriation for the Medicaid Program which includes funds for the Iowa Chronic Care Consortium (see H.F. 619, Health & Safety), and for coverage under the Medicaid Program to certain women who require treatment for breast and cervical cancer. The Act also appropriates funds from the Healthy Iowans Tobacco Trust to the Iowa Empowerment Fund for FY 2003-2004 for deposit in the School Ready Children Grants Account.

HUMAN SERVICES

SENATE FILE 416 - Dependent Adult Abuse — Facilities, Services, and Information

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to dependent adult abuse, including elder abuse, emergency shelter, and support services projects.

The Act directs the Department of Elder Affairs (DEA) to identify area agencies on aging to implement the projects. The target population of the projects is elders who are subjects of reports of suspected dependent adult abuse and who are not receiving assistance under a county management plan. The Act directs DEA to award funds for the projects in accordance with the state's service contract process.

The Act also includes provisions relating to reports of dependent adult abuse. The Act allows an agency approved by the Department of Human Services (DHS), not solely the department, to complete assessments of necessary services and make appropriate referrals following a report of suspected dependent adult abuse. The Act authorizes access to founded and unfounded dependent adult abuse information to an employee of an agency requested by DHS to provide case management or other services to the dependent adult and to the Long-Term Care Resident's Advocate when the dependent adult resides in a long-term care facility or when the alleged perpetrator is an employee of a long-term care facility.

The Act provides that dependent adult abuse information determined by a preponderance of the evidence to be founded is to be sealed 10 years after the receipt of the initial report, unless good cause is shown why the information should remain available. Current law provides that information relating to particular cases of suspected dependent adult abuse is subject to the 10-year time frame. Additionally, under current law, if a subsequent report of a suspected case of dependent adult abuse involving the same dependent adult or alleged perpetrator is received by the registry within the 10-year period, the information in both reports is then to be sealed 10 years after receipt of the subsequent report unless good cause is shown. Under the Act, this time frame relates only to a subsequent report of founded dependent adult abuse.

The Act eliminates the provision that dependent adult abuse information which cannot be determined by a preponderance of the evidence to be founded or unfounded is to be expunged one year from the date of the initial report. The Act provides instead that dependent adult abuse information which is determined by a preponderance of the evidence to be unfounded is to be expunged one year from the date it is determined to be unfounded, rather than immediately upon determining that it is unfounded.

The Act also provides that if a correction of dependent adult abuse information is requested and the information is determined to be unfounded, the information is to be expunged one year from the date it is determined to be unfounded, rather than immediately.

HOUSE FILE 386 - Policy and Services for the Elderly

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to the Department of Elder Affairs (DEA) and the Elderly Act. The Act amends definitions and other provisions to be consistent with the federal Older Americans Act and specifies the programs and services that DEA is to provide or administer.

The Act specifies that the Long-Term Care Resident's Advocate is to advocate for residents of long-term care facilities excluding those facilities licensed primarily to serve persons with mental retardation or mental illness. The Act decreases the number of times that the Commission on Elder Affairs is required to meet from six to four times annually. The Act eliminates the Elder Law Education Program which ended operation in FY 1992-1993 due to discontinuation of the appropriation; eliminates the role of DEA in the representative payee program, which is currently sponsored locally; eliminates the directive to DEA to develop and disseminate information regarding Medicare supplemental insurance policies as this function is performed by the Insurance Division of the Department of Commerce; and makes conforming changes.

HOUSE FILE 387 - Mental Health and Developmental Disabilities — Facilities — Programs — Commission

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to mental health and developmental disabilities services by revising requirements for intermediate care facilities for persons with mental retardation (ICFMRs), expanding an exemption to health care licensing requirements for certain residential programs that receive funding under a medical assistance (Medicaid) home and community-based services (HCBS) waiver, and revising membership provisions for the Mental Health and Developmental Disabilities Commission.

The State Fire Marshal's rules for ICFMRs are required to be based upon the fire safety requirements published in the 2000 edition of the Life Safety Code instead of the 1985 edition.

Existing law allows a health care licensing exemption for residential programs serving no more than four individuals under the HCBS waiver. A portion of this exemption that was repealed in 2002 is reenacted. The reenacted provision applies the licensing exemptions for conversion of not more than 40 residential care facilities for persons with mental retardation licensed to serve not more than five individuals under Code Chapter 135C to residential programs operating under the HCBS waiver for persons with mental retardation. The converted facilities are subject to the same requirements as other such residential programs with the exception that not more than five persons may receive services. The exemption is also allowed for residential programs approved by the department to serve up to five individuals under an HCBS waiver for persons with mental retardation, provided the program has the support of the county in which the program is located. The county must provide the support in writing and verify that certain conditions exist that would indicate a need for the program.

The membership requirements for the Mental Health and Developmental Disabilities Commission are revised to provide that candidates for a membership slot designated for community mental health centers are to be nominated by the Iowa Association of Community Providers.

The Act takes effect May 1, 2003.

HOUSE FILE 489 - Human Services Programs and Services — Miscellaneous Provisions

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to programs and services under the purview of the Department of Human Services (DHS).

Under the Act, in addition to individuals practicing other disciplines, a “multidisciplinary team” under the Child Abuse Code chapter would include individuals practicing in the discipline of domestic violence.

The Act also includes provisions relating to future collection of debt due DHS from a Medical Assistance (Medicaid) recipient’s estate if present collection of the debt from the recipient’s estate had been waived because collection would have resulted in a reduction in the amount received from the Medicaid recipient’s estate by a surviving spouse or child, or because collection would have otherwise worked an undue hardship. The Act clarifies from whom the future collection of the debt is due and under what circumstances.

The Act also updates and corrects references regarding persons with disabilities who are eligible for Medicaid under earnings disregard provisions.

The Act provides that beginning February 1, 2002, the state is responsible for all of the nonfederal share of the costs of intermediate care facility for persons with mental retardation (ICFMR) services provided under the Medicaid Program that are attributable to the assessment fee for ICFMRs. Beginning February 1, 2003, and notwithstanding a contrary provision, a county is not required to reimburse DHS and is not to be billed for the costs of the services provided that are attributable to the assessment fee. This provision is retroactively applicable to February 1, 2002, and takes effect April 24, 2003.

The Act also provides that the county of legal settlement of a person is to pay the nonfederal costs of rehabilitation services provided under the Medicaid Program for persons with chronic mental illness. However, if the person has no county of legal settlement, the state is responsible for payment of the nonfederal share of the costs.

The Act provides that a proceeding under the Support of Dependents Code chapter may be commenced by filing a petition not only with the court in a county where the dependent resides or is domiciled, but, if the dependent does not reside in or is not domiciled in Iowa, in the county where the petitioner or respondent resides, or where public assistance has been provided for the dependent.

HOUSE FILE 529 - Mental Health and Developmental Disabilities Services System Review

BY COMMITTEE ON HUMAN RESOURCES. This Act directs the Mental Health and Developmental Disabilities Commission to make recommendations for redesigning the mental health and developmental disabilities services system for adults.

One of the commission’s duties under existing law is to perform “analyses and other functions associated with a redesign of the mental health and developmental disabilities services systems for adults and for children.” The Act requires the commission to make recommendations regarding the following: standardizing clinical and financial eligibility, identifying a minimum set of core services to be available in each county statewide, developing an option for a funding formula in which funding follows an eligible individual, providing options for transition from the current legal settlement process of determining financial liability for service costs to a new system, and developing methods for improved coordination of federal, state and county funding streams.

The commission's report and recommendations are required to be submitted to the Governor and General Assembly on or before December 31, 2003.

The Act takes effect May 2, 2003.

HOUSE FILE 558 - Disclosure of Information to Subjects of Child or Dependent Adult Abuse Reports

BY COMMITTEE ON HUMAN RESOURCES. This Act authorizes the Department of Human Services to disclose information regarding the listing of an individual in the Child or Dependent Adult Abuse Registry or the Sex Offender Registry when the disclosure is necessary for the protection of a child or dependent adult. The disclosure is limited, as applicable, to persons who are the subject of a child abuse report (the child, child's parent, guardian, or legal custodian, person named in the report as having committed the abuse, and attorneys for these persons) or the subject of a dependent adult abuse report (the dependent adult, adult's guardian, custodian, or guardian ad litem, person named in the report as having committed the abuse, and attorneys for these persons).

HOUSE FILE 560 - Medical Assistance — Home and Community-Based Services Waivers

BY COMMITTEE ON HUMAN RESOURCES. This Act relates to home and community-based services (HCBS) waivers under the Medical Assistance (Medicaid) Program.

The Act provides that beginning July 1, 2003, HCBS waivers for persons with mental retardation are to include adult day care, prevocational, and transportation services. The transportation services are to be included as a separately payable service. The Act directs the Department of Human Services (DHS) to seek federal approval to amend the HCBS waiver for persons with mental retardation to include day habilitation services. Provision of these services under the waiver is to take effect upon receipt of federal approval and not later than July 1, 2004. A person's county of legal settlement is to pay for the nonfederal share of the cost of services under the waiver and the state is to pay the nonfederal share for those without a county of legal settlement.

The Act provides that a case manager for an HCBS waiver may terminate the contract of a person providing consumer-directed attendant care services if the case manager determines that the person has breached the contract by not providing the services agreed to under the contract.

The Act directs DHS to review the reimbursement methodology for HCBS waivers for persons with mental retardation in relationship to the goals and objectives of the mental health and developmental disabilities services system redesign being conducted by the Mental Health and Developmental Disabilities Commission. The Act directs DHS to submit a report of the findings and recommendations to the General Assembly by July 1, 2004. The Act provides that for FY 2003-2004, DHS, in cooperation with the Iowa State Association of Counties and the Iowa Association of Community Providers, is to establish payment rate limitations for services provided under the HCBS waiver for persons with mental retardation that are consistent with the limitations used for the same or similar services that are funded 100 percent by the counties.

HOUSE FILE 672 - Adult Day Services

BY COMMITTEE ON APPROPRIATIONS. This Act establishes regulatory provisions for adult day services.

Under existing law, provisions relating to regulation of adult day services consist of development of a system of oversight by affected state agencies, industry representatives, and consumers under the Department of Elder Affairs (DEA).

Under the Act, new Code chapter 231D is created to provide for the regulation of adult day services under DEA with enforcement provided by the Department of Inspections and Appeals (DIA). The Act directs DEA to establish a program for certification and monitoring of and complaint investigations related to adult day services. The rules and standards are to be formulated in consultation with DIA and affected industry, professional and consumer groups. In addition to rules, interpretive guidelines are also to be issued. The Act requires all adult day services programs to be certified by DIA. The Act establishes application and fee requirements; provides a procedure for denial, suspension or revocation of certification; provides an appeals process, emergency provisions, and for conditional operation of a program; provides for DIA to be notified of casualties relative to an adult day services program; provides a complaint process; provides for disclosure of final findings by DIA related to monitoring evaluations or complaint investigations; provides penalties for noncompliance with certification requirements and enforcement of the provisions of the chapter; prohibits retaliation by an adult day services program; provides for nursing assistants and medication aides to claim work within adult day services programs as credit toward certification; and provides for fire and safety standards.

The Act also requires DIA, in consultation with DEA and the Department of Public Safety, to submit a written report to the General Assembly and the Joint Appropriations Subcommittee on Health and Human Services regarding implementation of

the Act. The Act also provides that if an adult day services program for persons with mental retardation is voluntarily accredited prior to July 1, 2003, DIA is to accept the voluntary accreditation as the basis for certification for the period beginning July 1, 2003, and ending June 30, 2004. This provision takes effect May 30, 2003.

HOUSE FILE 675 - Regulation of Elder Family Homes, Elder Group Homes, and Assisted Living Programs Fire and Safety Standards

BY COMMITTEE ON APPROPRIATIONS. This Act provides for regulation of elder group homes and assisted living programs and eliminates the Code chapter relating to elder family homes.

The Act provides for regulation of elder group homes by the Department of Elder Affairs (DEA) and for inspection and certification of elder group homes by the Department of Inspections and Appeals (DIA). The Act changes the definition of "elder group home" to mean a single-family residence operated by a person, rather than being the residence of the person providing the room, board, and personal care to elders. The Act also provides that rather than being owner-occupied or owned by a nonprofit corporation and occupied by a resident manager, the elder group home is required only to be staffed by an on-site manager 24 hours per day, seven days per week.

The Act provides for regulation of assisted living programs. The Act requires DEA to establish policy and DIA to provide enforcement with regard to assisted living programs. The Act defines assisted living programs as those programs providing housing with services to three or more tenants, rather than to six or more tenants as under prior law. See Division III of H.F. 683 (Appropriations) for revisions relating to continuing care retirement communities.

The Act directs DEA to establish, by rule, a program for certification and monitoring of assisted living programs. The rules are to be formulated in consultation with DIA and affected industry, professional and consumer groups. In addition to the adoption of rules, DEA is also to issue interpretive guidelines. Each assisted living program in the state is to be certified by DIA. If an assisted living program is voluntarily accredited by a recognized accrediting entity, DIA is to certify the program based upon the voluntary accreditation. The Act provides that DEA may establish, by rule, a special classification for affordable assisted living programs and is to adopt rules regarding the conducting or operating of another business or activity in the distinct part of the physical structure in which the assisted living program is provided.

The Act specifies requirements for written occupancy agreements and provides a process for involuntary transfer of a tenant. The Act provides for filing and disposition of complaints; provides for an informal review of contests to the results of a monitoring evaluation or complaint investigation; provides for public disclosure of the final findings of a monitoring evaluation or complaint investigation; provides the bases for denial, suspension or revocation of certification and for conditional operation of a program; provides for notice, appeal and emergency provisions relating to a denial, suspension or revocation of certification; provides for notification of DIA of any casualties at an assisted living program; prohibits retaliation by the program; provides for application of civil and criminal penalties for certain violations and for injunctive relief; provides for nursing assistants and medication aides to claim work within an assisted living program as credit toward their certification; provides transitional provisions; establishes certification and related fees; provides that the Uniform Residential Landlord and Tenant Act applies to assisted living programs; and provides for transition of departmental staff.

LABOR AND EMPLOYMENT

- HOUSE FILE 225** - Workers' Compensation — Miscellaneous Changes
- HOUSE FILE 381** - Anatomical Gifts — State Employee Leaves — Grants

RELATED LEGISLATION

- SENATE FILE 155** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to employee training and retraining programs, retirement systems, regulation of registered dental assistants, regulation of well contractors, waste tire hauler registration certificates, licensed or certified public accountants, professional landscape architects, and mediator qualifications.
- SENATE FILE 173** - Professional Education Associations — Payroll Deduction — VETOED BY THE GOVERNOR
SEE EDUCATION. This bill would have authorized school districts to pay through payroll deduction a teacher's or administrator's dues or membership fees in any not-for-profit, professional education association.
- SENATE FILE 351** - Child Care — Miscellaneous Provisions
SEE CHILDREN & YOUTH. This Act revises child care requirements by applying prohibitions against particular individuals who have committed a transgression from providing or otherwise having involvement with child care, expanding record checks and evaluations performed by the Department of Human Services, expanding individual eligibility for state child care assistance, and revising child care fraud sanctions.
- SENATE FILE 433** - Appropriations — Economic Development
SEE APPROPRIATIONS. This Act makes appropriations and transfers from the General Fund of the State and other funds to the Iowa Department of Workforce Development and the Public Employment Relations Board.
- SENATE FILE 453** - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the "Government Reinvention Bill" during debate and discussion. The Act includes provisions establishing a State Employee Health Insurance Incentive Program and revising personnel requirements for agencies designated as charter state agencies.
- SENATE FILE 458** - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division IV of this Act appropriates moneys transferred to the state from the federal government under the Social Security Act for payment of unemployment benefits and establishes an Unemployment Compensation Reserve Fund (these provisions were referred to as the "Reed Act" items during debate).
- HOUSE FILE 342** - Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System — Temporary Incapacity for Duty — Sick Leave
SEE STATE GOVERNMENT. This Act provides that a peace officer in the Department of Public Safety who is a member of the Peace Officers' Retirement, Accident, and Disability System shall be entitled to their pay and allowances without being required to use their sick leave during the period of time the peace officer is unable to work if the peace officer was temporarily incapacitated in the line of duty. The Act takes effect April 9, 2003.
- HOUSE FILE 692** - Taxation, Economic Growth and Development, and Other Changes — Liability Reform, Workers' and Unemployment Compensation, and Financing Charges
SEE TAXATION. Division XVI of the Act makes several changes to laws relating to workers' compensation. Division XVIII of the Act extends the repeal of the employment security administrative surcharge from July 1, 2003, to July 1, 2006. In addition, the Act sets the target revenue to be collected from the surcharge over a period of years.

LABOR AND EMPLOYMENT

HOUSE FILE 225 - Workers' Compensation — Miscellaneous Changes

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act makes the following changes to the state's Workers' Compensation Law:

- ? Raises the maximum amount an employer is required to pay for reasonable burial expenses of an employee from \$5,000 to \$7,500.
- ? Provides that in a partial commutation of benefits, there is an option to pay the claimant's remaining weekly payments either by eliminating weekly payments from the first or last part of the payment period or by reducing the weekly benefit amount on a pro rata basis over the entire payment period.
- ? Changes the repeal date of the surcharge on employers for the Second Injury Fund from July 1, 2003, to July 1, 2008, effective May 21, 2003.
- ? Provides that a party may present a file-stamped copy instead of a certified copy of an order or decision of the Workers' Compensation Commissioner to the district court to obtain a judgment, or modification of a judgment, on an award of workers' compensation benefits.

HOUSE FILE 381 - Anatomical Gifts — State Employee Leaves — Grants

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act establishes a bone marrow and vascular organ donation incentive program for state employees. The Act provides that beginning July 1, 2003, state employees, excluding employees covered under a collective bargaining agreement which provides otherwise, are to be granted leaves of absence of up to five workdays to serve as bone marrow donors and up to 30 days to serve as vascular organ donors. The Act provides protections of benefits and compensation for such employees during such absences. The Act also changes the allowable expenditures from the Anatomical Gift Public Awareness and Transplantation Fund to provide that grants are to be awarded to transplant recipients, transplant candidates, and living organ donors, or the legal representatives of these individuals, rather than to the hospitals that perform transplants.

LOCAL GOVERNMENT

- SENATE FILE 94 - Veterans' Military Service Information — County Records — Confidentiality
- SENATE FILE 134 - Treasurers — Funds, Records, and Other Responsibilities — Miscellaneous Provisions
- SENATE FILE 230 - City Councils — Reductions in Membership
- SENATE FILE 272 - County, City, and School Contracts — Prohibited Interest Exceptions
- SENATE FILE 352 - Certified Law Enforcement Officer Training — Applicants
- SENATE FILE 390 - Alternative Forms of Local Government — VETOED BY THE GOVERNOR
- HOUSE FILE 289 - Electronic Financial Transactions and Governmental Entities
- HOUSE FILE 311 - County Recorders — Duties and Records
- HOUSE FILE 595 - Voluntary and Involuntary Annexations by Cities
- HOUSE FILE 615 - Legalizing Act — Urbandale City Council Approval of Partial Property Tax Exemption
- HOUSE FILE 650 - Criminal Offenses and Offenders — County and Municipal Fees and Jurisdiction

RELATED LEGISLATION

- SENATE FILE 97 - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act repeals the authority of the Iowa Department of Transportation to regulate junkyards along primary highways, leaving that responsibility to local jurisdictions. The Act contains several provisions relating to the issuance of motor vehicle certificates of title and recording of security interests by county treasurers. The Act addresses the issuance of driver's licenses and nonoperator's identification cards by county treasurers by enacting a temporary increase in the fee retained by the county and by requiring a study of the county issuance program. The Act imposes a requirement on urban public transit systems to utilize private-sector operators in the planning and provision of transit services.
- SENATE FILE 343 - Disposal System Operation Permits — Cold Water Stream Designations — VETOED BY THE GOVERNOR
SEE ENVIRONMENTAL PROTECTION. This bill related to operation permits for publicly owned disposal systems when permit amendments are established by administrative rule in response to the change of a use designation of a cold water stream.
- SENATE FILE 348 - Fishing Licenses and Fees — Habitat Development and Trout Program Funding
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act relates to fishing licenses and fees and to the development of fish habitat.
- SENATE FILE 353 - Child Protection Assistance Teams
SEE CHILDREN & YOUTH. This Act requires each county attorney to establish a child protection assistance team that may be consulted in certain child abuse cases involving a forcible felony.
- SENATE FILE 357 - City Hospital or Health Care Facility Trustees — Residency — Vacancies
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Act makes changes relating to election of the board of trustees of a city hospital or city health care facility.
- SENATE FILE 401 - Regulation of Tobacco Retailers
SEE BUSINESS, BANKING & INSURANCE. This Act relates to regulation of tobacco products and cigarette retailers. The Act provides for the transfer of certain violations by tobacco product and cigarette manufacturers from a county health department, city health department, or city to the Iowa Department of Public Health. This provision applies to violations pending on April 11, 2003, for which a penalty has not been assessed.
- SENATE FILE 424 - Urban Renewal Indebtedness Reporting
SEE TAXATION. This Act requires each city and county that has established an urban renewal area to report, on or before April 1, 2003, the amount of loans, advances, indebtedness, or bonds which qualify for payment with tax increment financing revenues in the fiscal year beginning July 1, 2003.

- SENATE FILE 444** - Open Prairie or Wildlife Habitat Restoration Property Tax Credits — Inspection and Certification
SEE TAXATION. This Act specifies requirements to be met before restored and reestablished prairies or wildlife habitats may receive a property tax exemption. The Act applies to assessment years beginning on or after January 1, 2004.
- SENATE FILE 451** - Jurisdiction and Funding of Streets and Roads
SEE TRANSPORTATION. This Act provides for the transfer of jurisdiction of certain primary and farm-to-market roads and for the transfer of funds associated with those roads, modifies the procedure required for reclassification of certain county roads, and establishes a study committee to evaluate the distribution of moneys in the street construction fund of the cities.
- SENATE FILE 453** - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes provisions eliminating certain appropriations made for payments to local governments for replacement of property tax revenues, revising various local government requirements involving parking tickets and tax increment financing reporting, addressing Iowa Law Enforcement Academy training, revising county budget appeal requirements, increasing the civil penalty for infractions of ordinances, implementing a new county recorder transaction fee, revising voting requirements for joint local government authority leases, establishing a Local Government Innovations Fund, and providing for a study of the Department of Natural Resources requirements and penalties applicable to cities and counties.
- HOUSE FILE 216** - Dissemination of Intelligence Data and Intelligence Assessments
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act relates to intelligence data and intelligence assessment dissemination to an agency, organization or person.
- HOUSE FILE 329** - Targeted Economic Development Projects
SEE ECONOMIC DEVELOPMENT. This Act relates to site preparation for targeted economic development.
- HOUSE FILE 344** - Motor Fuel Tax Refunds — Benefited Fire Districts
SEE TAXATION. This Act allows benefited fire districts to receive a refund of the motor fuel and special fuel taxes paid when the fuel is used for public purposes.
- HOUSE FILE 387** - Mental Health and Developmental Disabilities — Facilities — Programs — Commission
SEE HUMAN SERVICES. This Act relates to mental health and developmental disabilities services and includes reenactment of an exemption to health care licensing requirements for certain residential programs that receive funding under a medical assistance (Medicaid) home and community-based services (HCBS) waiver. The exemption provisions provide for input by county government.
- HOUSE FILE 394** - Community Attraction and Tourism Program — Regional Marketing
SEE ECONOMIC DEVELOPMENT. This Act adds, as a component of the Community Attraction and Tourism Program, assisting communities in the regional marketing of multiple-purpose attraction and tourism facilities.
- HOUSE FILE 455** - Burn Injury Reports by Treatment Providers
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act requires licensed health-related professionals to report certain burn injuries to a law enforcement agency.
- HOUSE FILE 489** - Human Services Programs and Services — Miscellaneous Provisions
SEE HUMAN SERVICES. This Act relates to programs and services under the purview of the Department of Human Services and includes provisions clarifying state and county responsibilities for costs paid under the Medical Assistance (Medicaid) Program that are attributable to an assessment fee and to services for persons with chronic mental illness.
- HOUSE FILE 529** - Mental Health and Developmental Disabilities Services System Review
SEE HUMAN SERVICES. This Act directs the Mental Health and Developmental Disabilities Commission to make recommendations for redesigning the mental health and developmental disabilities services system for adults. Counties have primary responsibility for financing and managing the system.

- HOUSE FILE 545** - Newspapers Designated for Official Publications
SEE STATE GOVERNMENT. This Act specifies that in order to be designated for official publication of notices and reports of proceedings, a newspaper must be published at least once a week for at least 50 weeks per year, rather than just at a regular frequency.
- HOUSE FILE 548** - Certified Law Enforcement Officers — Training — Tribal Government Police
SEE STATE GOVERNMENT. This Act relates to law enforcement training at the Iowa Law Enforcement Academy.
- HOUSE FILE 560** - Medical Assistance — Home and Community-Based Services Waivers
SEE HUMAN SERVICES. This Act relates to home and community-based services (HCBS) waivers under the Medical Assistance (Medicaid) Program. The Act provides that for FY 2003-2004, the Department of Human Services, in cooperation with the Iowa State Association of Counties and the Iowa Association of Community Providers, is to establish payment rate limitations for services provided under the HCBS waiver for persons with mental retardation that are consistent with the limitations used for the same or similar services that are funded 100 percent by the counties.
- HOUSE FILE 576** - Enterprise Zone Program — Miscellaneous Changes
SEE ECONOMIC DEVELOPMENT. This Act amends provisions of the Enterprise Zone Program relating to amendments to and decertifications of enterprise zones by cities and counties.
- HOUSE FILE 671** - Taxation of Personal Property — Recycling Property
SEE TAXATION. This Act provides that recycling property for which an exemption from property tax is granted is expanded to include the recycling of waste wood products into new raw materials and products.
- HOUSE FILE 674** - Military Service and Military Personnel — Education, Employment, Benefits, and Taxation
SEE TAXATION. This Act provides a number of exclusions and deductions in determining Iowa income tax, property tax, and other related benefits for military personnel including the following:
- ? A person is considered to be a veteran if the person would have served during specified conflict periods except for the fact of opting to serve five years in the reserve forces. This provision takes effect May 21, 2003.
 - ? State and local personnel called to state active duty, active state service, or federal service are entitled to a leave of absence for such time and are also entitled to return to the same position or classification held prior to such service or duty or to the position or classification that the employee would have attained if not for the interruption in civil service. This provision takes effect May 21, 2003, and applies retroactively to January 1, 2003.
- HOUSE FILE 685** - Healthy Iowans Tobacco Trust and Tobacco Settlement Trust Fund — Appropriations
SEE APPROPRIATIONS. This Act relates to and makes appropriations from the Healthy Iowans Tobacco Trust. The Act appropriates funds to the Property Tax Relief Fund for FY 2003-2004 for assistance to counties with limited county mental health, mental retardation, and developmental disabilities services fund balances to continue reimbursement increases to service providers in the same amount as provided in FY 2001-2002. The Act also provides for the transfer of moneys appropriated for the county mental health, mental retardation, and developmental disabilities allowed growth factor for deposit in the risk pool for FY 2003-2004 to the medical assistance appropriation for FY 2003-2004.
- HOUSE FILE 694** - Judicial Administration and Procedures
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act relates to procedures and duties of the judicial branch, including requiring the county sheriff to serve a summons, notice or subpoena in a juvenile delinquency proceeding, and to serve a summons, subpoena, or other legal process in child in need of assistance proceedings under Code Section 232.88. The Act also makes substantial changes to the process related to petitioning for medical treatment by indigent persons.

LOCAL GOVERNMENT

SENATE FILE 94 - Veterans' Military Service Information — County Records — Confidentiality

BY WARNSTADT. This Act provides that military personnel records of veterans that are maintained by the county recorder are confidential records, notwithstanding the Open Records Law, unless the person who requested the recording of the record does not want the record to be confidential. The records shall not be available for examination and copying except by a person who is the subject of the record, that person's immediate family, or that person's duly authorized agent or representative, by a person requesting to examine or copy a record of an event occurring more than 75 years prior to the request, by a person who is a licensed funeral director and who has custody of the body of a deceased veteran, when otherwise ordered by a court of competent jurisdiction, when required by a department or agency of the state or federal government or a political subdivision thereof, or by a person conducting research who has received written approval from the county commissioner of veteran affairs to view the records. The Act also provides that if a certified copy of such a record is required to perfect the claim of a veteran or a dependent of a veteran, the certified copy shall be furnished by the custodian of the record without charge.

SENATE FILE 134 - Treasurers — Funds, Records, and Other Responsibilities — Miscellaneous Provisions

BY COMMITTEE ON LOCAL GOVERNMENT. This Act amends provisions relating to various duties of county treasurers as follows:

- ? Provides that a statement of moneys or funds on deposit with a depository authorized by a county treasurer does not have to be certified by an officer of the depository.
- ? Provides that a registration year for a leased vehicle registered by the county treasurer, except for certain vehicles, is the period of 12 consecutive months beginning on the first day of the month following the month in which the lease expires.
- ? Provides that vehicle registrations, registration cards, and registration plates expire on vehicles registered by the county treasurer at midnight on the last day that the vehicle is eligible to be registered without penalty, and that for vehicles on which the first or second installment of an annual fee has been paid, the registration, registration cards, and registration plates expire on June 30 or the first business day of July when June 30 falls on Saturday, Sunday, or a holiday, or the first business day of January when December 31 falls on Saturday, Sunday, or a holiday.
- ? Directs county treasurers to destroy tax sale redemption certificates and all associated tax sale records after 10 years from the end of the fiscal year in which the tax sale certificates of purchase were redeemed.
- ? Allows the payment of installments of special assessments for a public improvement against property assessed as agricultural property to be deferred for as long as the assessor continues to classify the property as agricultural land on January 1 of each assessment year and for six months following any January 1 assessment date in which property is no longer classified as agricultural land.
- ? Removes a provision that allows a city council to provide that payments of property assessments in an incorporated area can be made to the county treasurer instead of to the city clerk.
- ? Allows a county treasurer to deliver a statement of taxes due and payable to a property titleholder by either regular mail, or, if requested by a titleholder, by electronic transmission.
- ? Allows certain persons who own manufactured homes to surrender the manufactured home's certificate of title to the county treasurer to assure eligibility for certain mortgage lending programs. This provision takes effect April 11, 2003.
- ? Removes a requirement that county treasurers report to the county board of supervisors or to the drainage or levee district trustees when any lands in a drainage or levee district or subdistrict are subject to an unpaid assessment and levy for drainage purposes and are sold at tax sale for the amount of delinquent taxes.

SENATE FILE 230 - City Councils — Reductions in Membership

BY COMMITTEE ON LOCAL GOVERNMENT. This Act provides that city councils of cities with less than 500 population may, by resolution, reduce the size of the city council from five to three members. The Act requires the council to adopt a resolution of intent and to hold a public hearing on the proposal. The council may, at the hearing or at a subsequent meeting, adopt a final resolution to reduce the council from five to three members. If a petition requesting an election on the proposal is filed within 30 days of adoption of the final resolution, the council is required to direct the county commissioner of elections to place the proposal on the ballot at the next regular city election. If the ballot proposal is adopted, the new council shall be elected at the next regular city election following the election at which the proposal was adopted. If no petition is filed, the council must notify the county commissioner of elections of the change from five to

three members by July 1 of the year of the regular city election. If the council notifies the commissioner of elections after July 1 of the year of the regular city election, the change takes effect at the next following regular city election.

The Act takes effect April 28, 2003.

SENATE FILE 272 - County, City, and School Contracts — Prohibited Interest Exceptions

BY COMMITTEE ON LOCAL GOVERNMENT. This Act relates to conflicts of interest in public contracts by persons who hold certain public offices or employment. The Act provides that members of school boards and city and county officers and employees are not prohibited from serving in that capacity because of an interest, direct or indirect, in certain contracts if the contracts are made by competitive bid, publicly invited and opened, or if the remuneration of employment for the person is not directly affected as a result of the contract and the duties of the person's employment do not directly involve the procurement or preparation of any part of the contract.

The conflict of interest provisions also do not apply to contracts in which a member of a school board or a city or county officer or employee has a direct or indirect interest, when the contracts are bonds, notes, or other obligations of the school corporation, county, or city that are not acquired directly from that body but instead are acquired in transactions with a third party, who may or may not be the original underwriter, purchaser or obligee of the contract.

SENATE FILE 352 - Certified Law Enforcement Officer Training — Applicants

BY COMMITTEE ON JUDICIARY. This Act relates to the training of an individual who intends to become certified as a law enforcement officer through a short course of study program. The Act provides that such an individual may apply for attendance at an approved law enforcement academy training program that offers a short course of study if the individual is sponsored by a law enforcement agency that either intends to hire or has hired the individual as a law enforcement officer. The Act further provides that such individual must meet certain educational, physical and psychological academy-approved requirements and is subject to a background investigation in order to be eligible for this certification program.

SENATE FILE 390 - Alternative Forms of Local Government — VETOED BY THE GOVERNOR

BY COMMITTEE ON STATE GOVERNMENT. This bill would have made technical and substantive changes to the law relating to alternative forms of county government and to certain alternative forms of city government, including the process by which such alternative forms of government are proposed and adopted. The bill would have allowed formation of local government organization review committees to study whether an alternative form of government should be proposed.

The bill would have required that charter commission expenses be paid by the county and cities participating in the charter process.

The bill would have provided that a consolidation commission that recommends a form of government other than the existing form is to include in its final report a statement whether the elected officers shall be elected on a partisan or nonpartisan basis. The bill would also have provided that if a commission recommends no change to the existing form of government, the final report shall state the reasons for and against a change in the existing form of government. The bill would have required that a summary of a commission's final report be published in a newspaper of general circulation in each participating city, in addition to the official newspapers of the participating county.

The bill would also have provided that if a charter proposing a city-county consolidated form or a community commonwealth form is adopted, the charter commission is dissolved on the date on which the terms of office of the members of the new governing body commence.

The bill would have allowed a proposed charter for county government to be submitted to the voters at a special election held on the day of the regular city election or at the general election.

The bill would have provided that the general Code provisions relating to the election on a proposed charter for an alternative form of county government and the effect of adoption of the proposed charter by the electorate do not apply to city-county consolidations or to community commonwealths. The bill would have enacted similar provisions relating to the effect of adoption of the charter in those sections of the Code that relate specifically to city-county consolidations and to community commonwealths.

The bill also would have provided that the general Code provisions relating to limitations on the alternative forms of county government do not apply to city-county consolidations or to community commonwealths. The bill would have enacted provisions similar to the limitations provisions in those sections of the Code that relate specifically to city-county consolidations and to community commonwealths.

The bill would have provided that a city-county consolidation charter may provide for the merger of a county and participating cities into a single unit of local government which includes a municipal corporation and a county or may provide for a combined government structure of a county and one or more participating cities, each of which would remain separate political subdivisions. Either form would have allowed the county and participating cities to retain a separate debt limitation for purposes of the limitation imposed by the state constitution.

Current law provides that if more than 50 percent of a city's population resides in a county creating a city-county consolidation charter commission, the city will be included on the commission. The bill would have provided for such a city's inclusion even if the population of the city falls below the 50 percent threshold at a later date.

Under the bill, a petition to join a city-county consolidated government would have required signatures in an amount equal to 25 percent of the persons voting at the last regular city election, rather than at the general election. After receiving such a petition calling for participation, the city council would have to adopt a resolution and forward it to the city-county consolidated governing body within 10 days of adoption, rather than immediately.

The bill would have provided for amendment of a city-county consolidation charter by resolution of the governing body and approval of the electorate; or by ordinance of the governing body, which ordinance could be petitioned for approval by referendum; or by petition and election.

The bill would have required that a city-county consolidation charter provide for a governing body of not less than five members and for the initial compensation for the members and for a method of changing the compensation. The bill also would have required that the charter provide for a representation plan for the governing body, which could differ from the representation plans in current Code for counties and cities.

The bill would further have provided that if a county adopted a charter for city-county consolidated form or community commonwealth form that provides for representation by districts and the county's population exceeds 180,000, the county's initial plan for districts, and its first plan for districts after each federal decennial census, would be drawn by the Legislative Service Bureau (LSB) based upon the standards applicable to congressional and legislative redistricting. The temporary county redistricting commission would have been required to review the plan and could have requested that a second plan be prepared by LSB. If the plan drawn by LSB and submitted by the temporary county redistricting commission is rejected by the governing body, the governing body would have been required to direct the temporary county redistricting commission to prepare another plan as provided by current law.

The bill also would have provided that when a charter for city-county consolidation is challenged in district court, the court is to expedite its review and determination on the challenge.

The bill would have provided that if a city-county consolidation charter or a community commonwealth charter is rejected by the electorate, another charter cannot be submitted to the electorate for at least two years after the election at which the charter was rejected. The bill also would have provided that if a charter for either form of government is adopted, a proposed charter for another alternative form of government cannot be submitted to the electorate for at least six years from the date of the election at which the charter was adopted.

The bill would have stricken language relating to city-county consolidation that required the governing body, within two years of ratification of the charter, to revise, repeal or reaffirm all rules, ordinances and resolutions in force at the time of consolidation, and instead would have provided that each rule, ordinance and resolution remain in force unless superseded by action of the governing body or superseded by a charter provision.

The bill would have amended the form of the ballot to present only one question on adoption of the city-county consolidation government and its charter. These provisions would also apply to community commonwealth proposed charters.

The bill would have allowed a city-county consolidation charter, a multicounty consolidation charter, or a community commonwealth charter to provide for the election of its officers on a partisan or nonpartisan basis.

The bill would have allowed establishment of a local government organization review committee in a county to study whether a charter of consolidation should be presented to the voters. Membership on the committee would have included city council members, county supervisors, members appointed by state legislators, and members appointed by township trustees.

Within seven months of organizing, the committee would have to submit a preliminary report to the county board of supervisors on what alternative form of government it recommends and publish the report in the official newspapers of the

county and in a newspaper of general circulation in each city. A committee that recommends city-county consolidation, multicounty consolidation, or a community commonwealth would become the commission that would draft the proposal in lieu of the commission member requirements currently in statute. The requirement to establish a consolidation committee would not have applied to a county in which a charter commission has been established and is operating as of July 1, 2003.

Division X of S.F. 458 (see Appropriations) would have amended S.F. 390 to provide that a local government organization review committee may be created in counties having a population over 100,000. The division also would have required that the legislative appointee to the local government organization review committee be a resident of the unincorporated area of the county if more than one-half of the population of the legislative district resides in the unincorporated area.

The bill may have included a state mandate as defined in Code Section 25B.3. However, the bill made inapplicable Code Section 25B.2, subsection 3, which would relieve a political subdivision from complying with a state mandate if funding for the cost of the state mandate is not provided or specified. Therefore, political subdivisions would have been required to comply with any state mandate included in the bill.

The bill would have taken effect upon enactment and would have applied to charter commissions in existence on that date.

HOUSE FILE 289 - Electronic Financial Transactions and Governmental Entities

BY COMMITTEE ON LOCAL GOVERNMENT. This Act relates to electronic funds transactions with county treasurers. The Act amends the definition of "public funds" and "public deposits" to provide that moneys placed in a depository for the purpose of completing an electronic financial transaction pursuant to Code Section 14B.203 using the lowAccess information and transaction service or Code Section 331.427, concerning county revenues from taxes and other sources, are considered public funds or public deposits and such deposits may be made in any depository in the state. The Act also permits county treasurers to accept credit cards as well as electronic funds transfers for payments owed to the county and to adjust fees to reflect the cost of processing such payments. The Act also provides that fees and charges including service delivery fees, credit card fees, and electronic funds transfer charges payable to a third party, not to the county, that are imposed for completing an electronic financial transaction with the county are not considered county revenues.

HOUSE FILE 311 - County Recorders — Duties and Records

BY COMMITTEE ON LOCAL GOVERNMENT. This Act removes the requirements that information relating to farms be recorded by the county recorder in a register kept for that purpose, that the county recorder issue owners of farms a certificate setting forth the owner's name and a description of the land, and that the county recorder serve as a member of the jury commission to draw jurors.

HOUSE FILE 595 - Voluntary and Involuntary Annexations by Cities

BY COMMITTEE ON LOCAL GOVERNMENT. This Act makes changes to the law relating to annexation of territory by cities.

The Act removes the requirement that notice of a public hearing on an annexing moratorium agreement be served on all persons owning land within the area subject to the agreement and provides instead that notice be published in an official county newspaper in each county containing a city conducting a hearing regarding the agreement and in any county within two miles of any such city and in an official newspaper of each city conducting a hearing regarding the agreement.

For voluntary annexations that include territory comprising not more than 20 percent of the land area without consent of the property owner, the Act makes the following changes:

- ? Public land may not be used when determining the percentage of territory being annexed with and without consent of property owners unless the agency with jurisdiction over the public land consents to the annexation. The Act defines "public land."
- ? Prior to notification of property owners and affected public utilities, the annexing city must notify the board of supervisors and township trustees of each county and township that contains all or a portion of the territory to be annexed and provide for consultation with them on the proposed annexation.
- ? Within 30 days of the consultation, the county board of supervisors in each county where the territory to be annexed is located shall, by resolution, state whether or not it supports the application for annexation or whether it takes no position on the application. The resolution shall be filed with the annexing city and shall be considered by the city council when taking action on the application. The annexing city shall forward a copy of the resolution to the City Development Board.

- ? An applicant or a landowner who has consented to the annexation may, within three business days of the public hearing, withdraw the application or the consent unless an agreement to extend services is in place or the right to withdraw has been waived.
- ? The annexing city may not assess the costs of providing notice to the applicants for annexation.
- ? When considering an annexation application, the City Development Board must take into consideration the amount of land currently located in the annexing city that is vacant or undeveloped and whether municipal services are being provided to current residents of the annexing city.

Relating to involuntary annexations of territory, the Act provides that before a petition for involuntary annexation may be submitted to the City Development Board, the board of supervisors of each county where the territory to be annexed is located shall, by resolution, state whether or not it supports the petition or whether it takes no position on the petition. The Act also provides that the minutes of a public meeting held on a petition for involuntary annexation and all documents submitted at the meeting shall be forwarded to the county board of supervisors where the territory is located. The Act requires a city to include with its petition for involuntary annexation a plan for extending municipal services to the annexed territory within three years of July 1 of the fiscal year in which city taxes are collected against property in the annexed territory. The Act further provides that prior to expiration of the three-year period, the city is to report to the City Development Board on the status of the provision of municipal services identified in the plan. If a city has failed to provide services or fails to show substantial and continuing progress in the provision of services, the City Development Board may, after notice and a public hearing, order the severance of the territory. The order to sever is not subject to approval at an election. As an alternative to severance, the board may impose a moratorium on additional annexation by the city until the city complies with its plan for extending municipal services.

The Act provides that an owner or operator of protected farmland that has been annexed who did not consent to the annexation shall have the option of continuing to comply with a county ordinance or regulation if the equivalent ordinance or regulation of the annexing city is more stringent than the county's. The Act defines "protected farmland."

The Act takes effect May 23, 2003.

HOUSE FILE 615 - Legalizing Act — Urbandale City Council Approval of Partial Property Tax Exemption

BY COMMITTEE ON JUDICIARY. This Act legalizes acts and proceedings relating to an ordinance passed by the Urbandale City Council on December 10, 2002, approving a partial exemption from property taxation of the actual value added to industrial real estate located in Urbandale in accordance with Code Chapter 427B. According to Code Section 427B.4, an application for the property tax exemption must be filed with a city council prior to construction. In this case, the city council approved the tax exemption after construction.

The Act provides that the exemption must be calculated in accordance with the schedule provided in Code Section 427B.3 beginning on and after the effective date of the city council's ordinance (January 3, 2003). The Act also provides that its provisions do not entitle a person to a refund or adjustment of property taxes paid prior to that date.

The Act takes effect on April 9, 2003, and is retroactively applicable on or after December 10, 2002.

HOUSE FILE 650 - Criminal Offenses and Offenders — County and Municipal Fees and Jurisdiction

BY COMMITTEE ON JUDICIARY. This Act relates to assessment and collection of certain correctional fees and to prosecution of certain criminal offenses.

The Act provides that a municipality operating a temporary holding facility or jail and the county operating the county jail may assess and collect a correctional fee for administrative costs related to admitting a prisoner into the jail or facility. The administrative costs include the costs related to booking, photographing, fingerprinting, searching, bathing, clothing, and medical and dental screening. Under the Act, administrative costs also include document preparation, inventorying a prisoner's property, and general management and supervision of the jail or facility. A municipality operating a temporary holding facility or jail may also charge a prisoner room and board under the Act. Moneys collected by a municipality under the Act shall be deposited into the city general fund, and 60 percent of the moneys deposited into the fund shall be expended on police and law enforcement.

The Act also provides that if a simple misdemeanor offense occurs in a city which is located in two or more counties, the offense shall be prosecuted in the county where the seat of government of the city is located. Current law provides that prosecution of the offense shall be in the county where the offense occurred.

NATURAL RESOURCES AND OUTDOOR RECREATION

- SENATE FILE 348 - Fishing Licenses and Fees — Habitat Development and Trout Program Funding
- SENATE FILE 397 - Deer Hunting
- HOUSE FILE 85 - Tip-Up Fishing — Missouri and Big Sioux Rivers and Backwaters
- HOUSE FILE 254 - Reversion of State Conservation Fund Revenues — Exemption
- HOUSE FILE 411 - Licensing of Hunting, Fishing, and Related Activities — Military Personnel — Residency Status
- HOUSE FILE 412 - Sport Fishing Licenses — Mussels and Shells
- HOUSE FILE 680 - Bait Dealer Licenses
- H.J.R. 5 - Nullification of Administrative Rule - Methods of Taking Wild Turkey and Deer

RELATED LEGISLATION

- SENATE FILE 237 - Water Quality Protection Fund — Private Water Supply Systems — Deposit and Use of Permit Fees
SEE ENVIRONMENTAL PROTECTION. This Act allows the Department of Natural Resources to collect permit fees from private water supply well contractors and appropriates the moneys collected to be used for the purpose of supporting programs established to protect private drinking water supplies.
- SENATE FILE 343 - Disposal System Operation Permits — Cold Water Stream Designations — VETOED BY THE GOVERNOR
SEE ENVIRONMENTAL PROTECTION. This bill related to operation permits for publicly owned disposal systems when permit amendments are established by administrative rule in response to a change of the use designation of a cold water stream.
- SENATE FILE 444 - Open Prairie or Wildlife Habitat Restoration Property Tax Credits — Inspection and Certification
SEE TAXATION. This Act specifies requirements to be met before restored and reestablished prairies or wildlife habitats may receive a property tax exemption. The Act applies to assessment years beginning on or after January 1, 2004.
- SENATE FILE 453 - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the “Government Reinvention Bill” during debate and discussion. The Act includes a requirement for a study of Department of Natural Resources requirements and penalties applicable to cities and counties.
- SENATE FILE 458 - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division VII of this Act directs the Department of Natural Resources and the Iowa Department of Transportation to work with interest groups to develop a plan for creating a registration program and create recreational areas for full-size off-highway vehicles.
- S.J.R. 5 - Nullification of Administrative Rule — Ammonia and Hydrogen Sulfide Ambient Air Standards
SEE ENVIRONMENTAL PROTECTION. This Joint Resolution nullifies the amendments to an administrative rule and nullifies a new administrative rule adopted by the Environmental Protection Commission of the Department of Natural Resources on April 21, 2003, to prevent the adoption of certain new ambient air quality standards that regulate ammonia and hydrogen sulfide levels in the air. The Joint Resolution takes effect April 30, 2003.
- HOUSE FILE 339 - Snowmobile Franchises — Termination — Franchisee Payment Rights
SEE BUSINESS, BANKING & INSURANCE. This Act provides that franchises for the merchandising of snowmobiles, or related parts and equipment, are governed by the same inventory repurchase requirements that currently apply to farm implement, motorcycle, and all-terrain vehicle franchises upon termination of the franchise agreement. The Act, which takes effect April 11, 2003, is retroactive to January 1, 2003.

- HOUSE FILE 492** - Soil and Water Conservation Districts
SEE AGRICULTURE. This Act provides that a soil and water conservation district may acquire conservation easements.
- HOUSE FILE 509** - Deer and Elk Chronic Wasting Disease
SEE AGRICULTURE. This Act establishes a task force to consider issues relating to chronic wasting disease, which affects deer and elk populations.
- HOUSE FILE 584** - Recreational Activities in Designated Areas or on Public Property — Liability Limited
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act provides certain exceptions to liability for prior owners of land in which an all-terrain vehicle recreational riding area is established, and for a municipality and officers and employees of a municipality involving a public facility designed for the purpose of bicycling, unicycling, scootering, river rafting, canoeing, or kayaking.
- HOUSE FILE 624** - Regulation of Farm Deer
SEE AGRICULTURE. This Act provides for the regulation of farm deer and specifically captive whitetail and mule deer by the Department of Agriculture and Land Stewardship.

NATURAL RESOURCES AND OUTDOOR RECREATION

SENATE FILE 348 - Fishing Licenses and Fees — Habitat Development and Trout Program Funding

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act relates to fishing licenses and fees and to the development of fish habitat. The Act raises the license fees for resident and nonresident annual and seven-day fishing licenses and adds new categories of one-day resident fishing licenses and three-day and one-day nonresident fishing licenses.

The Act eliminates the separate \$3 fish habitat fee and provides instead that \$3 from each resident and nonresident annual and seven-day fishing license be used for fish habitat development with no less than 50 percent of that amount used by the Natural Resource Commission to enter into agreements with county conservation boards to develop fish habitat.

The Act provides that a person who is required to have a fishing license shall not either fish for or possess trout without first paying the trout fishing fee.

The Act takes effect December 15, 2003, and is applicable to licenses and fees for fishing and fish habitat activities for years beginning on or after January 1, 2004.

SENATE FILE 397 - Deer Hunting

BY COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT. This Act relates to the issuance of additional antlerless deer hunting licenses.

The Act requires the Natural Resource Commission to provide by rule for the issuance of the remaining nonresident antlerless deer hunting licenses that are not issued for the 2003-2004 antlerless deer hunting seasons to nonresidents for use during the period beginning on December 24, 2003, and ending at sunset on January 2, 2004, at a cost of \$50. A nonresident hunting deer with such a license must be otherwise qualified to hunt deer in this state, have a nonresident hunting license, and pay the wildlife habitat fee.

The Act also requires the commission to provide by rule for the distribution and allocation of 18,000 additional antlerless deer hunting licenses for the 2003-2004 deer hunting seasons to resident hunters and to landowners and tenants, or their family members who are qualified to receive deer hunting licenses and are otherwise qualified to hunt deer in this state. A wildlife habitat stamp is not required.

The Act provides that residents, landowners and tenants, or their family members who receive the additional antlerless deer hunting licenses may deliver the deer harvested with the licenses to one or more establishments designated and contracted with by the Department of Corrections to process, package and deliver the deer meat to designated locations at a cost that is competitive with the cost of obtaining similar meat products in the private sector.

The commission, in consultation with the Department of Corrections, must evaluate the results of the deer harvesting program created by the Act and make recommendations regarding improvements or expansion of the program in a joint report to the General Assembly by February 1, 2004.

A violation of the Act or a rule adopted pursuant to the Act is a simple misdemeanor punishable as a scheduled violation.

HOUSE FILE 85 - Tip-Up Fishing — Missouri and Big Sioux Rivers and Backwaters

BY WHITEAD, WENDT, KUHN, AND MILLER. This Act authorizes the use of tip-up fishing devices in the waters of the Missouri and Big Sioux Rivers. Tip-up fishing devices are currently authorized for the Mississippi River only. The three tip-up devices and the number of hooks and lines authorized for the Missouri and Big Sioux Rivers are the same as for the Mississippi River. Also, the tip-up devices must be labeled with the name and address of the owner. A violator is guilty of a simple misdemeanor with a minimum fine of \$20.

HOUSE FILE 254 - Reversion of State Conservation Fund Revenues — Exemption

BY COMMITTEE ON NATURAL RESOURCES. This Act provides that unspent revenues that are deposited in the State Conservation Fund of the Department of Natural Resources are exempt from reversion to the General Fund of the State and remain available for expenditure for one year after the close of the fiscal year during which the revenues were deposited.

The Act takes effect April 9, 2003.

HOUSE FILE 411 - Licensing of Hunting, Fishing, and Related Activities — Military Personnel — Residency Status

BY COMMITTEE ON NATURAL RESOURCES. This Act provides that members of the U.S. armed forces who are serving on active duty and are stationed in this state shall be considered residents for the purpose of purchasing hunting, fishing and trapping licenses or licenses for related activities.

HOUSE FILE 412 - Sport Fishing Licenses — Mussels and Shells

BY COMMITTEE ON NATURAL RESOURCES. This Act changes the amount of mussels and shells that a person with a sport fishing license is entitled to take and possess on a daily basis from a maximum of 20 pounds to the amount that is authorized by an administrative rule of the Department of Natural Resources or the Natural Resource Commission. A person who violates a provision of the Act is guilty of a simple misdemeanor punishable as a scheduled violation, for which the fine is \$50.

HOUSE FILE 680 - Bait Dealer Licenses

BY COMMITTEE ON WAYS AND MEANS. This Act creates resident and nonresident retail and wholesale bait dealer licenses. The fee for a resident retail bait dealer license is \$30.50 and the fee for a resident wholesale bait dealer license is \$125. The fee for a nonresident retail bait dealer license is \$125 and the fee for a nonresident wholesale bait dealer license is \$250 or the amount for the same type of license in the nonresident's state, whichever is greater.

The Act also prohibits the licensing of nonresident bait dealers who sell at wholesale to licensed dealers in Iowa for resale.

The Act takes effect May 9, 2003.

HOUSE JOINT RESOLUTION 5 - Nullification of Administrative Rule — Methods of Taking Wild Turkey and Deer

BY HAHN, ALONS, ARNOLD, BAUDLER, BOAL, BODDICKER, BOGGESS, CARROLL, CHAMBERS, COHOON, CONNORS, DE BOEF, DENNIS, DIX, DOLECHECK, DRAKE, EICHHORN, FREEMAN, GIPP, GRANZOW, GREINER, HANSEN, HANSON, HEATON, HOFFMAN, HORBACH, HUSEMAN, JACOBS, JENKINS, JONES, KLEMME, KRAMER, KURTENBACH, LALK, LUKAN, MADDOX, MANTERNACH, MERTZ, S. OLSON, PAULSEN, QUIRK, RASMUSSEN, RAYHONS, ROBERTS, SANDS, SMITH, T. TAYLOR, THOMAS, TJEKES, TYMESON, UPMEYER, VAN ENGELHOFEN, J. K. VAN FOSSEN, J. R. VAN FOSSEN, WATTS, WHITEAD, AND WILDERDYKE. This Joint Resolution nullifies administrative rules adopted by the Department of Natural Resources that provide that wild turkey and deer cannot be taken with a bow where any portion of the bow's riser (handle) or any trough, track, channel, or other device that attaches directly to the bow's riser contacts, supports or guides the arrow from a point rearward to the bow's brace height.

The Joint Resolution takes effect April 17, 2003.

STATE GOVERNMENT

- SENATE FILE 102 - Iowa Public Employees' Retirement System — Chief Executive Officer
- SENATE FILE 155 - Substantive Code Corrections
- SENATE FILE 438 - Office of Grants Enterprise Management
- HOUSE FILE 171 - Nonsubstantive Code Corrections
- HOUSE FILE 204 - Massage Therapy — Modalities — Licensing Exemption
- HOUSE FILE 342 - Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System — Temporary Incapacity for Duty — Sick Leave
- HOUSE FILE 534 - Department of Administrative Services — Establishment and Authority
- HOUSE FILE 545 - Newspapers Designated for Official Publications
- HOUSE FILE 548 - Certified Law Enforcement Officers — Training — Tribal Government Police
- HOUSE FILE 604 - State Government Annual Reports — Financial Information
- HOUSE FILE 616 - Cemetery or Funeral Merchandise and Funeral Services — Cancellation or Purchase Agreements
- HOUSE FILE 636 - Legislative Branch Functions — Services, Staff, Sales, and Publications
- HOUSE FILE 648 - State Archives and Records
- HOUSE FILE 676 - Veterans Trust Fund

RELATED LEGISLATION

- SENATE FILE 97 - Transportation and Transportation-Related Regulation
SEE TRANSPORTATION. This Act contains provisions relating to the functions of the Iowa Department of Transportation, including issuance of driver's licenses and nonoperator's identification cards, authority over primary and interstate highways, and regulation of motor carriers.
- SENATE FILE 180 - Abandoned Property and Property Presumed Abandoned
SEE BUSINESS, BANKING & INSURANCE. This Act amends Code Chapter 556 relating to the handling and definition of abandoned property.
- SENATE FILE 236 - Insurance Company Demutualization or Reorganization — Unclaimed Property
SEE BUSINESS, BANKING & INSURANCE. This Act sets the time period for presumed abandonment of demutualization proceeds at two years after the first distribution date or after last contact with the policyholder, whichever is the earlier, and for the presumed abandonment of unpaid wages at one year.
- SENATE FILE 237 - Water Quality Protection Fund — Private Water Supply Systems — Deposit and Use of Permit Fees
SEE ENVIRONMENTAL PROTECTION. This Act allows the Department of Natural Resources to collect permit fees from private water supply well contractors and appropriates the moneys collected to be used for the purpose of supporting programs established to protect private drinking water supplies.
- SENATE FILE 343 - Disposal System Operation Permits — Cold Water Stream Designations — VETOED BY THE GOVERNOR
SEE ENVIRONMENTAL PROTECTION. This bill provided administrative rule requirements for the Environmental Protection Commission due to a change in the use designation of a cold water stream.
- SENATE FILE 348 - Fishing Licenses and Fees — Habitat Development and Trout Program Funding
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act relates to fishing licenses and fees and to the development of fish habitat.
- SENATE FILE 390 - Alternative Forms of Local Government — VETOED BY THE GOVERNOR
SEE LOCAL GOVERNMENT. This bill would have made technical and substantive changes to the law relating to alternative forms of county government and to certain alternative forms of city

government and would have allowed formation of local government organization review committees. The bill would have taken effect upon enactment and applied to charter commissions in existence on that date.

- SENATE FILE 395** - Department of Agriculture and Land Stewardship — Third-Party Receipt of Funds and Documents **SEE AGRICULTURE.** This Act authorizes the Department of Agriculture and Land Stewardship to execute a contract with a business to accept documents required to be filed by the department and to collect moneys owed to the department to satisfy a liability relating to filing documents with or paying civil penalties to the department.
- SENATE FILE 397** - Deer Hunting **SEE NATURAL RESOURCES & OUTDOOR RECREATION.** This Act relates to the issuance of additional antlerless deer hunting licenses to certain residents, landowners and tenants, or their family members, and nonresidents, and provides for the donation of some of the deer meat harvested for use by the Department of Corrections. A violation of the Act or a rule adopted pursuant to the Act is a simple misdemeanor punishable as a scheduled violation.
- SENATE FILE 417** - Police Service Dog Purchase by Department of Corrections — Funding **SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS.** This Act relates to the purchase of a police service dog by the Department of Corrections using moneys from a contingent fund for disaster aid.
- SENATE FILE 433** - Appropriations — Economic Development **SEE APPROPRIATIONS.** This Act requests that the Auditor of State review the Iowa Finance Authority's audit and conduct a performance audit of the authority.
- SENATE FILE 439** - Appropriations — Justice System **SEE APPROPRIATIONS.** This Act includes appropriations for FY 2003-2004 to the Iowa Telecommunications and Technology Commission and the Iowa Civil Rights Commission.
- SENATE FILE 453** - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions **SEE APPROPRIATIONS.** This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the "Government Reinvention Bill" during debate and discussion. The Act authorizes the Governor to designate state agencies as charter agencies that are exempted from various requirements but are subject to appropriation reductions.
- SENATE FILE 458** - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters **SEE APPROPRIATIONS.** Division IV of this Act appropriates moneys for a Military Pay Differential Program and a Health Insurance Retention Program. Division V relates to compensation and benefits paid to state employees. Division VII makes changes with regard to state departments or agencies that are designated charter agencies as enacted by S.F. 453, makes changes relating to the annual departmental budget estimates, changes the quarterly requisition of appropriations by departments to annual requisitions, changes public funds investment standards and investment maturity and procedural limitations, allows the issuing agency of refunding bonds for Tobacco Settlement Authority bonds which cannot be used for such refunding to be used for capital infrastructure improvements, establishes a Housing Trust Fund to be administered by the Iowa Finance Authority for the development and preservation of affordable housing for low-income people in the state, prohibits the State Appeal Board from considering certain claims for vehicle registration fee refunds, changes the name of the fund to which locally collected electronic transaction fees are deposited, allows cigarette manufacturers that are not members of the Master Settlement Agreement to receive a refund of excess escrow amounts required to be deposited with the state, and directs the state committee, if one is formed, to implement the federal Help America Vote Act.
- S.J.R. 5** - Nullification of Administrative Rule — Ammonia and Hydrogen Sulfide Ambient Air Standards **SEE ENVIRONMENTAL PROTECTION.** This Joint Resolution nullifies the amendments to an administrative rule and nullifies an administrative rule adopted by the Environmental Protection Commission of the Department of Natural Resources on April 21, 2003, to prevent the adoption of certain new ambient air quality standards that regulate ammonia and hydrogen sulfide levels in the air. The Joint Resolution takes effect April 30, 2003.

- HOUSE FILE 254** - Reversion of State Conservation Fund Revenues — Exemption
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act provides that unspent revenues deposited in the State Conservation Fund of the Department of Natural Resources are exempt from reversion to the General Fund of the State and remain available for expenditure for one year after the close of the fiscal year during which the revenues were deposited.
- HOUSE FILE 381** - Anatomical Gifts - State Employee Leaves — Grants
SEE LABOR & EMPLOYMENT. This Act establishes a bone marrow and vascular organ donation incentive program for state employees. The Act also provides for a different use of moneys in the Anatomical Gift Public Awareness and Transplantation Fund.
- HOUSE FILE 392** - Economic Growth — Strategic Planning
SEE ECONOMIC DEVELOPMENT. This Act requires all state agencies to include economic growth in their mission statements.
- HOUSE FILE 396** - Disaster Preparedness
SEE HEALTH & SAFETY. This Act establishes a new Code Division XV, entitled “Disaster Preparedness” within Code Chapter 135, the Iowa Department of Public Health (IDPH) chapter, and establishes the Division of Epidemiology, Emergency Medical Services, and Disaster Operations within IDPH. The Act takes effect April 14, 2003.
- HOUSE FILE 411** - Licensing of Hunting, Fishing, and Related Activities — Military Personnel — Residency Status
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act provides that members of the U.S. armed forces who are serving on active duty and are stationed in this state shall be considered residents for the purpose of purchasing hunting, fishing and trapping licenses or licenses for related activities.
- HOUSE FILE 594** - Regulation of Electrical and Mechanical Amusement Devices
SEE GAMING. This Act provides for the registration of electrical or mechanical amusement devices that award a prize not based on the skill of the operator and of the manufacturers and distributors of those devices. The Act takes effect May 23, 2003.
- HOUSE FILE 603** - Gambling in Public Places — Nonprofit Organizations Conducting Bingo Occasions
SEE GAMING. This Act provides an exception to the licensing requirements for a nonprofit organization conducting a bingo game if the bingo game is conducted primarily as an activity and not as a fundraiser.
- HOUSE FILE 614** - Election Law Changes — EXTRAORDINARY SESSION — VETOED BY THE GOVERNOR
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This bill would have made changes to the law relating to elections, absentee balloting, and voter registration, including changes necessary to implement the federal Help America Vote Act.
- HOUSE FILE 623** - Driver’s License or Nonoperator’s Identification Card Applications or Renewals — Selective Service Registration
SEE TRANSPORTATION. This Act provides for automatic registration with the U.S. Selective Service System upon application for a driver’s license or nonoperator’s identification card by a person required to register.
- HOUSE FILE 628** - Regulation of Physician Assistant Services
SEE HEALTH & SAFETY. This Act provides for changes relating to licensure requirements for physician assistants.
- HOUSE FILE 655** - Appropriations — Administration and Regulation
SEE APPROPRIATIONS. This Act relates to and appropriates around \$86.7 million from the General Fund to various state departments, agencies and funds for FY 2003-2004. The Act also appropriates a total of around \$23.7 million in other funds.
- HOUSE FILE 674** - Military Service and Military Personnel — Education, Employment, Benefits, and Taxation
SEE TAXATION. This Act provides a number of exclusions and deductions in determining Iowa income tax and other related benefits for military personnel including the following:

- A person is considered to be a veteran if the person would have served during specified conflict periods except for the fact of opting to serve five years in the reserve forces. This provision takes effect May 21, 2003.
- State and local personnel called to state active duty, active state service, or federal service are entitled to a leave of absence for such time and are also entitled to return to the same position or classification held prior to such service or duty or to the position or classification that the employee would have attained if not for the interruption in civil service. This provision takes effect May 21, 2003, and applies retroactively to January 1, 2003.

- HOUSE FILE 680** - Bait Dealer Licenses
SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act creates resident and nonresident retail and wholesale bait dealer licenses and sets fees for those licenses. The Act takes effect May 9, 2003.
- HOUSE FILE 683** - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes
SEE APPROPRIATIONS. This Act relates to economic development, financial, and taxation matters, revises previously enacted appropriations, and includes provisions allowing the Lottery Authority to be designated as a charter agency and includes amendments to previously enacted provisions revising state employee salary requirements.
- HOUSE FILE 692** - Taxation, Economic Growth and Development, and Other Changes — Liability Reform, Workers' and Unemployment Compensation, and Financing Charges
SEE TAXATION. Division XVI of this Act makes several changes to laws relating to workers' compensation.
- H.J.R. 3** - Proposed Constitutional Amendment — Qualification of Electors
SEE ELECTIONS, ETHICS & CAMPAIGN FINANCE. This Joint Resolution proposes an amendment to the Constitution of the State of Iowa relating to persons who are disqualified from voting or holding elective office. The Joint Resolution will be referred to the next General Assembly before being submitted to the electorate for ratification.

STATE GOVERNMENT

SENATE FILE 102 - Iowa Public Employees' Retirement System — Chief Executive Officer

BY COMMITTEE ON STATE GOVERNMENT. This Act provides that the term of office for the Chief Executive Officer of the Iowa Public Employees' Retirement System (IPERS) is four years and shall begin on May 1 of the year of appointment and end on April 30 of the year of expiration. However, the Act provides that the term of office for the current IPERS chief executive officer on the date of the Act shall end April 30, 2008.

The Act also requires the IPERS Investment Board and Benefits Advisory Committee to submit an evaluation of the performance of the chief executive officer prior to the expiration of the officer's term and directs the investment board to set the salary for the chief executive officer based on the pay plan applicable to employees of IPERS.

The Act takes effect May 1, 2003, and is retroactively applicable to July 1, 2002.

SENATE FILE 155 - Substantive Code Corrections

BY COMMITTEE ON JUDICIARY. This Act contains statutory corrections that adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

Changes made include changes to Code language on the following subjects: notices of appeal in condemnation cases, Iowa Communications Network usage, filing requirements for foreign agricultural landholders, public funds deposits in financial institutions, Information Technology Council membership, employee training and retraining programs, various economic development programs, Iowa Finance Authority housing assistance, the Iowa Pollution Control Works and Drinking Water Facilities Financing Program, competition by government with private enterprise, state mandates, community empowerment board duties, military justice, elections, campaign finance reporting, the conferring of peace officer status on state officers, retirement systems, bingo and card and parlor games, references to the Division of Criminal Investigation of the Department of Public Safety, Department of Public Health administrative duties, regulation of farmers markets, regulation of registered dental assistants, county agricultural extension, the Office of Renewable Fuels and Coproducts, grade "A" milk inspection, the confinement of sexually violent predators, child abuse reporting and investigations, domestic abuse, licensing and regulation of child care facilities, increases in the number of directors on a school board, student achievement improvement cash awards to school districts, excessive size and weight permits for manufactured home transport, identification numbers for all-terrain vehicles and snowmobiles, emergency services funds, annual tax sale information, animal feeding operations, water quality regulation, regulation of well contractors, waste tire hauler registration certificates, conservation easements, operation of personal watercraft, electric power utilities regulation, the organization and activities of business corporations, viatical settlement contracts and viatical settlement investment contracts, the Consumer Credit Code, licensed or certified public accountants, professional landscape architects, secured transactions under the Uniform Commercial Code, electronic transactions, cooperatives, mediator qualifications, court orders issued in adoption proceedings, documents filed and docketed by the clerk of court, probate, the Uniform Principal and Income Act, the killing of animals, crime victim restitution, and the Interstate Compact for Adult Offender Supervision.

Changes also include the striking of a definition in two Code chapters: one relating to the Department of Inspections and Appeals and the other relating to clandestine laboratory sites; the repeal of obsolete Code provisions: one in the Auditor of State chapter and one establishing a Domestic Abuse Tax Checkoff; the repeal of two redundant definitions in the Tax List chapter and the Conveyances chapter; and several directives authorizing the transfer of a provision prohibiting the possession of anthrax to another chapter and the addition of numerical Code chapter references to various cites to the popular name of certain Code chapters. The Act includes an effective date provision affecting the changes to language pertaining to business corporations, the Uniform Commercial Code, and the Interstate Compact for Adult Offender Supervision.

SENATE FILE 438 - Office of Grants Enterprise Management

BY COMMITTEE ON APPROPRIATIONS. This Act creates in the Department of Management the Office of Grants Enterprise Management to develop and administer a system to track, identify, advocate for, and coordinate nonstate grants. The head of this office is a facilitator appointed by the director of the department. The duties of the facilitator may include developing a plan to increase state access to nonstate funding sources, developing procedures to formally notify state and local agencies of the availability of federal funds, establishing a database for grants applied for and received and to track congressional activity, providing grant application writing assistance, and reviewing other states' funding strategies and methods for possible use by this state.

The funding source of up to \$125,000 for the Office of Grants Enterprise Management is the increase in the amount of indirect cost reimbursements over the amount of such reimbursements received in FY 2002-2003.

HOUSE FILE 171 - Nonsubstantive Code Corrections

BY COMMITTEE ON JUDICIARY. This Act makes Code changes and corrections that are considered to be nonsubstantive and noncontroversial, in addition to style changes.

Changes made include correcting references to or names of various agencies, terms, funds, programs, and other entities; correcting or updating references to one renumbered court rule and to various Code chapters and sections, some of which have been repealed; making what can best be described as grammatical or punctuation changes - some of which conform a phrase to a defined term; correcting lead-in phrases in old legislation; correcting or specifying the applicability of a provision or provisions; substituting the correct date for language referring to the effective date of a Code provision; replacing references to divisions within the Department of Natural Resources with references to the department itself; correcting Code of Federal Regulations citation style; eliminating obsolete date references; conforming the use of certain terms within a sentence; shortening a reference to the Department of Natural Resources so that it fits with related definitions provisions; changing a definition to fit the style of the other definitions in the same Code section; directing a change in the capitalization of the acronym for an assistance program for children; and substituting the word "fine" for "violation" in a transportation scheduled violations provision.

The changes that apply to an effective date in Code Section 29A.90, the Military Code chapter, apply retroactively to April 22, 2002. Changes that correct various lead-in phrases in legislation from 2002 take effect May 2, 2003, and are applicable, due to the effective dates of the original legislation, as follows: the change to 2002 Iowa Acts, Chapter 1093, in section 124 of this Act (relating to the movement of swine), on April 8, 2002; the change to 2002 Iowa Acts, Chapter 1132, in section 126 of this Act (relating to a petition for involuntary city development action), on July 1, 2002; and the change to 2002 Iowa Acts, Chapter 1140, in section 127 of this Act (relating to school transportation hearings and appeals), on May 2, 2002.

HOUSE FILE 204 - Massage Therapy — Modalities — Licensing Exemption

BY COMMITTEE ON STATE GOVERNMENT. This Act requires the Iowa Department of Public Health (IDPH), in conjunction with the Board of Massage Therapy Examiners, to conduct a study regarding the modalities associated with the practice of massage therapy. The study shall be conducted with the input of licensed massage therapists, reflexologists, and unlicensed persons practicing modalities related to massage therapy, with the objective of determining which modalities shall be included under the definition of "massage therapy" and require licensure. The study shall focus on the health, safety and welfare of the public regarding the modalities reviewed, and IDPH must submit a report of the results and recommendations of the study to the General Assembly by January 15, 2004.

The Act provides that an individual who is engaged exclusively in the practice of reflexology or an unlicensed individual who is practicing a modality related to massage therapy, but whose professional practice does not fall within the definition of "massage therapy" contained in Code Section 152C.1, shall not be required to be licensed as a massage therapist for a one-year period beginning July 1, 2003, and ending June 30, 2004. The Act provides, however, that beginning July 1, 2004, these individuals shall be subject to licensure unless, based on the study, they are permanently exempted from licensure by statute.

HOUSE FILE 342 - Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System — Temporary Incapacity for Duty — Sick Leave

BY COMMITTEE ON STATE GOVERNMENT. This Act provides that a peace officer in the Department of Public Safety who is a member of the Peace Officers' Retirement, Accident, and Disability System and who is temporarily incapacitated in the line of duty and unable to work shall be entitled to pay and allowances without being required to use sick leave during the period of time they are temporarily incapacitated and unable to work.

The Act takes effect April 9, 2003.

HOUSE FILE 534 - Department of Administrative Services — Establishment and Authority

BY COMMITTEE ON STATE GOVERNMENT. This Act provides for the reorganization of certain departments of state government by establishing a new Department of Administrative Services in new Code Chapter 8A. The Act eliminates the departments of Personnel, General Services, Information Technology, and the position of director for each of those departments, repeals Code Chapters 14B, 18 and 19A concerning those departments, and transfers most of the functions and duties of those departments and directors to the new department and its director. The finance functions of the Department of Revenue and Finance are also transferred to the new department and the current Department of Revenue and Finance is renamed the Department of Revenue. The Act also establishes the Iowa Public Employees' Retirement System as an independent agency of the executive branch of state government and transfers responsibility related to the Peace Officers' Retirement, Accident, and Disability Retirement System (PORS) from the Department of Personnel to the Department of Public Safety.

DEPARTMENT OF ADMINISTRATIVE SERVICES. New Code Chapter 8A provides for the duties and responsibilities of the new Department of Administrative Services. The Code chapter is divided into five articles. Article 1 of the new Code chapter provides for the establishment of the department, the appointment and duties of the director as it relates to the department, and other provisions governing the department. Article 2 of the new Code chapter establishes the information technology duties of the department, which are currently the primary responsibility of the Information Technology Department under Code Chapter 14B. Article 3 of the new Code chapter establishes the duties of the department as it relates to the physical resources of state government. This article encompasses most of the current functions performed by the Department of General Services as provided in Code Chapter 18. Article 4 of the new Code chapter establishes the duties of the department as it relates to the human resources of state government. This article includes most of the functions performed by the Department of Personnel as provided in Code Chapter 19A. Finally, Article 5 of the new Code chapter establishes the duties of the department as it relates to the financial administration of state government and encompasses most of the finance duties performed by the Department of Revenue and Finance under Code Chapter 421.

In addition, the Act directs the department to consider how state government services relating to printing, information technology, mail, human resource benefits and payroll, financial accounting, property management, fleet management, and purchasing shall be delivered to state government. The department is directed, generally, to examine the feasibility of conducting a competitive bidding-type process, defined by the Act as managed competition, concerning how these services should be delivered. In addition, the department is directed to conduct such a competitive process by July 1, 2005, unless more efficient results can be obtained through other means, for printing and fleet management services. In addition, the department is to examine, by September 1, 2004, the possible transfer of state employees providing information technology services to the new department. The department is directed to consult with the Auditor of State regarding any managed competition process utilized.

CONFORMING AND MISCELLANEOUS CHANGES. The Act makes several changes to the Code to conform to the establishment of the department, the elimination of the departments of General Services, Personnel, and Information Technology, and the renaming of the Department of Revenue and Finance to the Department of Revenue. In addition, the Act provides that the Director of the Department of Administrative Services is responsible for serving on those boards and commissions where the current directors of Personnel, General Services, and Information Technology are required to serve.

The Act transfers the responsibility for the State Employee Suggestion Program from the Executive Council and the Department of Management to the department as provided in new Code Section 8A.110 and the maximum possible award to an employee for a suggestion is raised from \$2,500 to \$10,000.

The Act modifies the membership of the Information Technology Council, and provides that the council serves primarily in an advisory capacity and shall submit recommendations to the department for review and establishment of rates. New Code Section 8A.204, providing for the council, takes effect May 23, 2003.

The Act makes significant changes to the current printing and document management functions of the Department of General Services. Current Code provisions making the Department of General Services largely responsible for the printing needs of state government, including those of the legislative branch, and the maintenance and control of printing machinery are eliminated. While the new Code article authorizes the new department to adopt print specifications and rules covering printing contracts, as well as to provide bidding requirements for printing services, the specificity of the requirements as currently provided in Code Chapter 18 are eliminated.

As to functions currently provided or governed by the Department of Personnel, the Act eliminates, unless otherwise provided by a collective bargaining agreement, the 30-day limit on a disciplinary suspension without pay under the merit system. The Act also modifies current law by providing that the new department can make the state's deferred compensation program available to other nonstate governmental employees.

Code Section 8.36A, relating to the level of full-time equivalent (FTE) positions authorized for executive branch agencies, is amended by allowing an agency to request permission from the Director of the Department of Management to exceed the authorized level in order to convert a contract position to an FTE position. Evidence is required to show that the conversion will result in cost savings and comparable or better services. If the director approves, the agency's authorized level of FTE positions is increased and the increase is reported to the General Assembly.

Code Section 8.63, concerning the Innovations Fund, is amended to permit the State Innovations Fund Committee to approve an "enterprise loan" to a state agency if the agency has a plan and the capability to use the loan to provide internal services to government that meet customer needs and provide value to customers, and the agency expects to receive payment

for those services from customers to cover expenses and repayment of the loan. This section of the Act takes effect May 23, 2003.

The Act changes the repeal of the Years of Service Incentive Program created in Code Section 70A.38 from June 30, 2003, to June 30, 2008. The program permits state executive branch employers the option to offer a financial incentive to an employee for terminating state employment. This section of the Act takes effect May 23, 2003.

The Act also includes several transition provisions governing the establishment of the new department and the elimination of the departments of General Services, Personnel, and Information Technology.

HOUSE FILE 545 - Newspapers Designated for Official Publications

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act specifies that in order to be designated for official publication of notices and reports of proceedings, a newspaper must be published at least once a week for at least 50 weeks per year, rather than just at a regular frequency.

HOUSE FILE 548 - Certified Law Enforcement Officers — Training — Tribal Government Police

BY COMMITTEE ON PUBLIC SAFETY. This Act relates to law enforcement training at the Iowa Law Enforcement Academy.

The Act provides that a law enforcement officer of a tribal government may receive training and be certified at the Iowa Law Enforcement Academy. The Act further provides that a tribal law enforcement officer trained at the academy is subject to the certification and revocation of certification rules in Code Chapter 80B. A tribal government shall also pay all of the costs of training a tribal officer at the academy.

The Act also requires training at the academy to include a sexual assault curriculum.

HOUSE FILE 604 - State Government Annual Reports — Financial Information

BY COMMITTEE ON STATE GOVERNMENT. This Act requires that a state government annual report made to the General Assembly must include financial information pertaining to the topic of the report. The financial information must include budget and actual revenue and expenditure information for the fiscal year covered by the report and for the previous fiscal year and may include budget information for future fiscal years. In addition to any narrative, the financial information must be provided in a graphic form utilizing a columnar format.

HOUSE FILE 616 - Cemetery or Funeral Merchandise and Funeral Services — Cancellation or Purchase Agreements

BY COMMITTEE ON COMMERCE, REGULATION AND LABOR. This Act prohibits a cancellation penalty upon cancellation of a purchase agreement for cemetery merchandise, funeral merchandise, funeral services, or a combination thereof by providing that when such a purchase agreement is canceled, the seller must refund or transfer, upon a written demand, no less than the purchase price adjusted for inflation, using the Consumer Price Index amounts announced by the Commissioner of Insurance annually, less any actual expenses incurred by the seller which have been specified in the purchase agreement. The amount of actual expenses deducted from the purchase price by the seller cannot exceed 10 percent of the purchase price.

The Act defines "actual expenses" as all reasonable business expenses, including but not limited to marketing and promotional expenses, investment management fees, annual reporting fees related to accounting and regulatory requirements, licensing fees of the establishment, and administration, regulatory reporting, and custody expenses related to purchase agreements, computer expenses, licensing fees, and office expenses.

HOUSE FILE 636 - Legislative Branch Functions — Services, Staff, Sales, and Publications

BY COMMITTEE ON ADMINISTRATION AND RULES. This Act affects certain legislative branch functions by consolidating bill drafting, fiscal analysis, budget review, government oversight, committee staffing, legislative information, and computer support functions under one central nonpartisan agency, and by providing that procurement functions for the legislative branch are controlled by the Senate, House of Representatives, and the new central nonpartisan agency, respectively.

CONSOLIDATED AGENCY. The Act creates a single, nonpartisan Legislative Services Agency (LSA) by combining the functions and duties of the Legislative Service Bureau, Legislative Fiscal Bureau, and Legislative Computer Support Bureau. The Legislative Council is responsible for overseeing the LSA. The LSA's principal functions, inherited from its predecessor agencies, include the provision of the following services: legal and fiscal analysis, bill drafting, fiscal note preparation, budget review, state government oversight and performance evaluation, legislative and congressional redistricting, legislative committee staffing, official legal publication services, legislative information to the public, library information, legislative visitor protocol services, capitol tour guide services, and legislative computer system services.

NEW FUNCTIONS. New functions transferred to the LSA include the provision of legal analysis and staffing services for the Administrative Rules Review Committee and publication of the Iowa Official Register, also known as the Redbook. The LSA is also charged with analyzing and summarizing fiscal impact statements submitted to the Administrative Rules Review Committee. Such statements must be prepared by the executive branch rulemaking agencies if annual or five-year costs of a rule change necessitate expenditures of \$100,000 or \$500,000, respectively.

DIRECTOR. The Director of the LSA is appointed by the Legislative Council for a term as set by the council. The director is responsible for supervising all functions, employees, and outside service providers of the LSA. The director or the director's designee is named a member of the state Revenue Estimating Conference.

EMPLOYEES. LSA employees are prohibited from participating in partisan political activities, from being advocates or opponents of issues subject to legislative debate, and generally from making public policy recommendations. However, employees performing certain functions may still make recommendations in the areas of state expenditures and budgets, and government oversight and performance evaluation. Attorney-employees are required to provide legal analysis through the exercise of their independent, professional judgment. Employees are required to provide services in a manner so as to preserve the constitutional privileges of the members of the Senate and House of Representatives, including certain confidentiality protections of the members. Employees are protected from being compelled to give testimony in judicial or quasi-judicial proceedings regarding legislative intent directly relating to the passage or rejection of legislation.

PROCUREMENT AND DISTRIBUTION OF PUBLICATIONS. The Senate and House of Representatives and the LSA are authorized to determine their own procurement procedures, principally relating to the publication of bills and amendments, journals, the Iowa Code, the Iowa Acts, the Iowa Administrative Bulletin and Code, and the Iowa Court Rules. The LSA is authorized to set prices for the sale of both its electronic and print copies of the official legal publications, and to determine policies and procedures with regard to distribution of free copies to governmental entities. The Senate and House are authorized to determine the distribution of bills, amendments and journals. Code editing authority regarding both the Iowa Code and Iowa Administrative Code is updated, principally to match current practice.

SALES TAX EXEMPTION. The sales tax exemption covering sales of historical mementos is expanded to exempt all sales by the LSA, principally the sale of legal publications.

The Act takes effect April 14, 2003.

HOUSE FILE 648 - State Archives and Records

BY COMMITTEE ON STATE GOVERNMENT. This Act creates new Code Chapter 304B, the State Archives and Records Act, relating to the administration of the state records program by consolidating applicable Code sections into one Code chapter that deals with the government records program.

The Act modifies and reorganizes multiple levels of duties and responsibilities of the State Records Commission, Department of Cultural Affairs, and state agency heads in the creation, organization, maintenance, use, and final disposition of government records by destruction or permanent preservation.

The Act provides for the establishment of the State Records Commission, and provides for commission responsibilities relating to the development and adoption of government information policies, standards and guidelines concerning government records.

The Act further defines the management and administrative duties of the department relating to government records and the State Archives and further defines the responsibilities of state agency heads with respect to government records.

The Act additionally provides for the establishment of the Iowa Historical Records Advisory Board to serve as the central advisory body for historical records planning in the state and also as a coordinating body to facilitate cooperation among historical records repositories and other information agencies within the state.

HOUSE FILE 676 - Veterans Trust Fund

BY COMMITTEE ON GOVERNMENT OVERSIGHT. This Act establishes a Veterans Trust Fund under the control of the Commission of Veterans Affairs.

The fund receives any appropriations and gifts or other moneys provided for purposes of the fund, and interest and earnings on the moneys credited to the fund. Moneys in the fund are not subject to appropriation or transfer except as provided by law. Moneys in the fund cannot be expended for purposes of the fund until the minimum balance in the fund is \$50 million. Once the fund reaches the minimum balance, the interest and earnings and other moneys credited to the fund in

excess of that amount are appropriated to the commission to be used for the purposes of the fund. The General Assembly did not provide an appropriation to the fund during the 2003 Session. Appropriations from the fund are to be used for the benefit of veterans and the spouses and dependents of veterans such as college tuition aid and nursing facility expenses that are not payable by another source. The term "veteran" is defined to include a person who served in the U.S. armed forces during certain periods of armed conflict or war and certain former members of the military reserves and the National Guard and veterans of other types of military-related service or a resident of this state who served in the armed forces, completed a minimum aggregate of 90 days of active federal service, and was discharged under honorable conditions.

TAXATION

- SENATE FILE 424** - Urban Renewal Indebtedness Reporting
- SENATE FILE 441** - Enterprise Zone and Property Rehabilitation Tax Credits — Certificates — Transfer
- SENATE FILE 442** - Internal Revenue Code References and Income Tax Revisions — Decoupling of State and Federal Bonus Depreciation Allowances
- SENATE FILE 444** - Open Prairie or Wildlife Habitat Restoration Property Tax Credits — Inspection and Certification
- HOUSE FILE 304** - Agricultural Land Tax Credits
- HOUSE FILE 344** - Motor Fuel Tax Refunds — Benefited Fire Districts
- HOUSE FILE 654** - Sales and Use Taxes — Sand Handling and Core and Mold Making Equipment
- HOUSE FILE 665** - Taxation of State-Owned Property — Lease to Nonexempt Entity
- HOUSE FILE 671** - Taxation of Personal Property — Recycling Property
- HOUSE FILE 674** - Military Service and Military Personnel — Education, Employment, Benefits, and Taxation
- HOUSE FILE 689** - Ethanol Blended Gasoline Tax Credits
- HOUSE FILE 692** - Taxation, Economic Growth and Development, and Other Changes — Liability Reform, Workers' and Unemployment Compensation, and Financing Charges — EXTRAORDINARY SESSION

RELATED LEGISLATION

- SENATE FILE 134** - Treasurers — Funds, Records, and Other Responsibilities — Miscellaneous Provisions
SEE LOCAL GOVERNMENT. This Act amends provisions relating to various duties of county treasurers. The Act allows the payment of installments of special assessments for a public improvement against property assessed as agricultural property to be deferred for as long as the assessor continues to classify the property as agricultural land on January 1 of each assessment year and for six months following any January 1 assessment date in which property is no longer classified as agricultural land.
- SENATE FILE 155** - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to emergency services funds and annual tax sale information, the repeal of an obsolete Code provision establishing a Domestic Abuse Tax Checkoff, and the repeal of a redundant definition in the Tax List chapter.
- SENATE FILE 237** - Water Quality Protection Fund — Private Water Supply Systems — Deposit and Use of Permit Fees
SEE ENVIRONMENTAL PROTECTION. This Act allows the Department of Natural Resources to collect permit fees from private water supply well contractors and appropriates the moneys collected to be used for the purpose of supporting programs established to protect private drinking water supplies.
- SENATE FILE 275** - Property Tax and Taxation of Utilities
SEE ENERGY & PUBLIC UTILITIES. This Act primarily amends various provisions of Code Chapter 437A in relation to the utility replacement generation tax on persons generating electricity. The Act makes conforming amendments to provisions relating to new electric power generating plants to be built in Iowa, allocates replacement generation taxes for stand-alone new electric power generating plants and the natural gas delivery tax attributable to those plants, amends certain transmission tax provisions, makes an annual adjustment to the assessed value for gas and electric utility property, and extends the Utility Replacement Tax Task Force.
- SENATE FILE 366** - Estates, Gifts, Trusts, and Related Property Transfers
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act provides a number of amendments to the Iowa Probate Code, including certain state inheritance and gift tax provisions. Changes made in the area of taxation include defining a stepchild as a child of a person who was married to the decedent at the time of the decedent's death or a child of a person who died while

married to the decedent; exempting from tax intangible personal property owned by a decedent who was not domiciled in Iowa; providing that the net market value of property transferred for less than full consideration within three years of the decedent's death shall be determined as of the date of the transfer; specifying that the Iowa Department of Revenue and Finance must keep a separate record of any deferred estate where the tax is not paid on or before the last day of the ninth month after the death of the decedent; and repealing reciprocal transfer tax provisions under which nonresidents are exempt from certain taxes on personal property.

- SENATE FILE 445** - Local Sales and Services Taxes — School Infrastructure Funding or Property Tax Relief
SEE EDUCATION. This Act amends the current local option sales and services tax for school infrastructure purposes by establishing a shared financing program. The revenues received by school districts that have imposed the local option tax may be used for property tax relief by reducing property tax levies. These levies and the order to be reduced are: bond levies, physical plant and equipment levy, public educational and recreational levy, and the schoolhouse levy. The Act also provides for the repeal of all local option taxes for school infrastructure purposes on December 31, 2022. The Act takes effect May 30, 2003.
- SENATE FILE 453** - State and Local Government Financial and Regulatory Matters — Miscellaneous Provisions
SEE APPROPRIATIONS. This Act addresses state and local government financial and regulatory matters. Legislators referred to this legislation as the "Government Reinvention Bill" during debate and discussion. The Act includes provisions eliminating certain appropriations made for payments to local governments for replacement of property tax revenues and eliminating the sales tax on the gross receipts from the sale of Iowa lottery tickets.
- SENATE FILE 458** - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division VII of this Act makes changes related to the tax credits granted for investments in qualifying businesses, a seed capital fund, and a venture capital investment fund pursuant to Code Sections 15E.41 through 15E.51, exempts automated teller machine service charges from sales and use tax if assessed by a financial institution on a noncustomer point of sale or use, exempts from the use tax the transfer of vehicles subject to registration from one leasing corporation to another if both corporations are part of a controlled group for federal income tax purposes, defines "nonterminal storage facility" for purposes of the motor fuel tax law, and reduces the premiums tax from 2 to 1 percent over four years and increases the prepayment tax for county and state mutual insurance associations.
- HOUSE FILE 175** - School Finance — Use of Physical Plant and Equipment Levy Moneys
SEE EDUCATION. This Act is concerned with the permissible uses for physical plant and equipment levy revenue by eliminating conflicting or duplicative language regarding the purchase of buildings and the purchase of equipment or technology exceeding a specified dollar amount.
- HOUSE FILE 516** - Petroleum Storage Tank Regulation
SEE ENVIRONMENTAL PROTECTION. This Act repeals Code Chapter 424, relating to the environmental protection charge on petroleum diminution, effective June 30, 2014.
- HOUSE FILE 549** - Education — Administration, Regulation, and Other Related Matters
SEE EDUCATION. This Act relates to the duties and operations of the Department of Education, school districts, area education agencies, and the State Board of Regents. The Act also provides for changes relating to school reorganization incentives for specified school districts by allowing a school district with a certified enrollment of 600 pupils or greater to qualify for a reduced foundation property tax rate if the district meets the specified requirements.
- HOUSE FILE 615** - Legalizing Act — Urbandale City Council Approval of Partial Property Tax Exemption
SEE LOCAL GOVERNMENT. This Act legalizes acts and proceedings relating to an ordinance passed by the Urbandale City Council on December 10, 2002, approving a partial exemption from property taxation of the actual value added to industrial real estate located in Urbandale in accordance with Code Chapter 427B. The Act takes effect on April 9, 2003, and is retroactively applicable to the date that the city council passed the ordinance.
- HOUSE FILE 677** - New Capital Investment Program
SEE ECONOMIC DEVELOPMENT. This Act creates a New Capital Investment Program, which includes various tax refunds and tax credits, eliminates the capital investment waiver, and further

defines the definition of "good cause" for the job positions created waiver under the New Jobs and Income Program.

HOUSE FILE 680

- Bait Dealer Licenses

SEE NATURAL RESOURCES & OUTDOOR RECREATION. This Act creates resident and nonresident retail and wholesale bait dealer licenses and sets fees for those licenses. The Act takes effect May 9, 2003.

HOUSE FILE 681

- Cooperatives — Tax Credits and Credit Refunds

SEE AGRICULTURE. This Act eliminates a requirement that a cooperative must be engaged in ethanol production to be eligible to claim a special tax credit or refund available to an eligible business involved in the production of value-added agricultural products under the New Jobs and Income Program.

HOUSE FILE 683

- Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes

SEE APPROPRIATIONS. This Act creates various tax credits and rewrites the state sales and use taxes by combining Code Chapter 422, Division IV (sales tax), Code Chapter 423 (use tax), and provisions of the Multistate Streamlined Sales and Use Tax Agreement into a new Code Chapter 423.

TAXATION

SENATE FILE 424 - Urban Renewal Indebtedness Reporting

BY COMMITTEE ON APPROPRIATIONS. This Act requires each city and county that has established an urban renewal area to report, on or before April 1, 2003, the amount of loans, advances, indebtedness, or bonds which qualify for payment with tax increment financing revenues in the fiscal year beginning July 1, 2003.

The Act takes effect March 28, 2003.

SENATE FILE 441 - Enterprise Zone and Property Rehabilitation Tax Credits — Certificates — Transfer

BY COMMITTEE ON WAYS AND MEANS. This Act relates to the transfer of certain property-related tax credits.

The Act amends the tax credit provisions for eligible housing businesses under the Enterprise Zone Program. The Act provides that, upon approving the tax credit, the Iowa Department of Economic Development (IDED) shall issue a tax credit certificate to the eligible housing business. The Act provides requirements for using the certificate to claim the tax credit and requirements for information that must be included on the certificate. The certificate shall be transferable to any person or entity if low-income housing tax credits authorized under Section 42 of the Internal Revenue Code are used to assist in the financing of the housing development. Upon the transfer of a certificate, the Act provides a method for the issuance of a replacement tax credit certificate to the transferee identifying the transferee as the proper holder of the certificate. The Act prohibits the transfer of a certificate when the amount of the certificate is less than the minimum amount established by rule of IDED. The Act allows a transferee to claim the tax credit against personal and corporate income taxes, franchise taxes for financial institutions, and insurance premium taxes for any tax year the original transferor could have claimed the tax credit. The Act prohibits any consideration received for the transfer of a tax credit from being included as income and prohibits consideration paid for the transfer of a tax credit from being deducted from income.

The Act allows a person receiving a historic property rehabilitation tax credit certificate to transfer the certificate to any person or entity. Upon the transfer of a certificate, the Act provides a method for the issuance of a replacement tax credit certificate to the transferee identifying the transferee as the proper holder of the certificate. The Act prohibits the transfer of a certificate when the amount of the certificate is less than the minimum amount established by rule of the State Historic Preservation Office. The Act allows a transferee to claim the tax credit against personal and corporate income taxes, franchise taxes for financial institutions, and insurance premium taxes for any tax year the original transferor could have claimed the tax credit. The Act prohibits any consideration received for the transfer of a tax credit from being included as income and prohibits consideration paid for the transfer of a tax credit from being deducted from income.

The Act takes effect May 16, 2003, and applies retroactively to January 1, 2003, for tax years beginning on or after that date.

SENATE FILE 442 - Internal Revenue Code References and Income Tax Revisions — Decoupling of State and Federal Bonus Depreciation Allowances

BY COMMITTEE ON WAYS AND MEANS. This Act updates the references to the Internal Revenue Code to make the federal income tax revisions enacted by Congress in 2002 applicable for Iowa income tax purposes. Code Sections 15.335, 15A.9, 422.10, and 422.33 are amended to update the Iowa Code references to the state research activities credit for individuals, corporations, corporations in economic development areas, and corporations in quality jobs enterprise zones to include the 2002 federal changes in the federal research activities credit.

The Act amends Code Sections 422.5, 422.7 and 422.9 to make adjustments to federal adjusted gross income, and amends Code Section 422.35 to make adjustments to taxable income to disallow, for state income tax purposes, the bonus depreciation deduction enacted in the federal Job Creation and Worker Assistance Act of 2002.

The provisions of the Act updating references to the Internal Revenue Code are retroactively applicable to January 1, 2002, for tax years beginning on or after that date. The provisions of the Act decoupling from the federal bonus depreciation apply retroactively to tax years ending on or after September 10, 2001.

The Act takes effect May 21, 2003.

SENATE FILE 444 - Open Prairie or Wildlife Habitat Restoration Property Tax Credits — Inspection and Certification

BY COMMITTEE ON WAYS AND MEANS. This Act requires that before property which is a restored or reestablished open prairie or wildlife habitat receives a property tax exemption, the county board of supervisors must provide for certification that the property has adequate ground cover consisting of native species and that all primary and secondary noxious weeds are being controlled to prevent the spread of seeds by wind or water. The Act also provides that if the property does not

receive such certification, the owner shall be told of the availability of Resource Enhancement and Protection Fund cost-share moneys and technological assistance for reestablishing native vegetation.

The Act applies to assessment years beginning on or after January 1, 2004.

HOUSE FILE 304 - Agricultural Land Tax Credits

BY COMMITTEE ON WAYS AND MEANS. As a result of an error in the certification of the total amount of agricultural land tax credits to be allowed on agricultural land in at least one county, the total amount of credits for that county payable during the 2002-2003 fiscal year was reduced. This Act requires the county to pay the amount of the reduction to those qualifying for the agricultural land tax credit. The county will subsequently be reimbursed for the moneys paid from the appropriation made to the Agricultural Land Credit Fund to pay credits during the 2003-2004 fiscal year.

The Act takes effect April 15, 2003.

HOUSE FILE 344 - Motor Fuel Tax Refunds — Benefited Fire Districts

BY COMMITTEE ON WAYS AND MEANS. This Act allows benefited fire districts to receive a refund of the motor fuel and special fuel taxes paid when the fuel is used for public purposes.

HOUSE FILE 654 - Sales and Use Taxes — Sand Handling and Core and Mold Making Equipment

BY COMMITTEE ON WAYS AND MEANS. This Act exempts from the sales and use taxes the sale or rental of core and mold making equipment and sand handling equipment directly and primarily used by a foundry in the mold making process. Refunds, as a result of this exemption, are allowed if claims are filed prior to October 1, 2003. The exemption is retroactively applicable to July 1, 1997, for sales or rentals made on or after that date. Refunds for the equipment are limited to \$600,000 in the aggregate. If claims in excess of \$600,000 are filed, the claims for the equipment are prorated. However, the refund claims shall be paid in five installments, as equal in amount as possible.

The Act takes effect May 30, 2003, and applies retroactively to July 1, 1997.

HOUSE FILE 665 - Taxation of State-Owned Property — Lease to Nonexempt Entity

BY COMMITTEE ON WAYS AND MEANS. This Act provides that nursery land or farmland leased by the Department of Corrections or the Department of Human Services to an entity other than an entity which is exempt from property taxation is subject to property taxation for the term of the lease.

The Act applies to leases entered into on or after July 1, 2003.

HOUSE FILE 671 - Taxation of Personal Property — Recycling Property

BY COMMITTEE ON WAYS AND MEANS. This Act expands the definition of "recycling property" for purposes of the exemption from property tax for recycling property. Current law provides that in order for the property to be considered recycling property, the property must be primarily used in the manufacturing process that results directly in the conversion of waste plastic, wastepaper products, or waste paperboard into new raw materials or products. The Act expands this exemption to include property used to convert waste wood products into new raw materials or products.

The Act applies to assessment years beginning on or after January 1, 2004, for property taxes due and payable in fiscal years beginning on or after July 1, 2005.

HOUSE FILE 674 - Military Service and Military Personnel — Education, Employment, Benefits, and Taxation

BY COMMITTEE ON WAYS AND MEANS. This Act provides a number of exclusions and deductions in determining lowa income tax, property tax, and other related benefits for military personnel including the following:

- ? Provides that a person is considered to be a veteran if the person would have served during specified conflict periods except for the fact of opting to serve five years in the reserve forces. This provision takes effect May 21, 2003.
- ? Provides that state and local personnel called to state active duty, active state service, or federal service are entitled to a leave of absence for such time and are entitled to return to the same position or classification held prior to such service or duty or to the position or classification that the employee would have attained if not for the interruption in civil service. This provision takes effect May 21, 2003, and applies retroactively to January 1, 2003.
- ? Provides that money withdrawn from the Iowa Educational Savings Plan Trust created in Code Chapter 12D is not subject to a penalty if the designated beneficiary attends the U.S. Military, Naval, Air Force, Coast Guard, or Merchant Marine Academy.

- ? Exempts active duty pay received by a member of the Iowa National Guard or U.S. armed forces military reserve for service performed pursuant to military orders related to Operation Iraqi Freedom, Operation Noble Eagle, or Operation Enduring Freedom.
- ? Allows for the deduction of the unreimbursed expenses for transportation, meals and lodging incurred for travel away from home in the performance of services as a member of the National Guard and military reserve. The deduction may be taken whether the taxpayer itemizes or not. Presently such deduction may only be taken if one itemizes and is then limited to the 2 percent floor.
- ? Allows a deduction for military student loan repayments received while on active duty.
- ? Allows a deduction for the amount of the death gratuity payable as a result of the death of military personnel occurring after September 10, 2001. This provision applies retroactively to September 10, 2001, for tax years ending after that date.
- ? Extends the time for members of the armed forces who are deployed outside the United States while participating in certain contingency operations to file income tax returns, file for tax refunds, file appeals, and file any other tax returns. This provision takes effect May 21, 2003, and applies to the performing of an act that has not expired before the effective date.
- ? Allows ancestors and lineal descendants of past or present members of the armed forces to be counted in determining if entities described in Section 501(c)(19) of the Internal Revenue Code, e.g., V.F.W., are able to maintain their exemption from income taxation. This provision takes effect May 21, 2003, and applies to tax years beginning after that date.

The Act takes effect May 21, 2003, and applies retroactively to January 1, 2003, for tax years beginning on or after that date unless otherwise provided in the Act.

HOUSE FILE 689 - Ethanol Blended Gasoline Tax Credits

BY COMMITTEE ON WAYS AND MEANS. In 2001, the General Assembly enacted H.F. 716 (2001 Iowa Acts, Chapter 123), which in part provides a tax credit for retail dealers of gasoline who sell ethanol blended gasoline. Specifically, it provides a tax credit for a retail dealer who operates at least one service station at which more than 60 percent of the total gallons of gasoline sold by the retail dealer is ethanol blended gasoline.

This Act changes when a retail dealer may claim the tax credit. Under H.F. 716, the date is tied to the beginning of the retail dealer's tax year, but it must begin on or after January 1, 2002. The Act allows a retail dealer whose tax year began after January 1, 2002, to be eligible for a tax credit in the period beginning January 1, 2002, and ending just before the retail dealer's next tax year begins. It also provides a refund of taxes which arise from claims resulting from the enactment of the Act.

Finally, the Act strikes a provision that prohibits gasoline from containing a mixture of more than 25 percent ethanol.

The Act takes effect May 30, 2003, and applies retroactively to January 1, 2002.

HOUSE FILE 692 - Taxation, Economic Growth and Development, and Other Changes — Liability Reform, Workers' and Unemployment Compensation, and Financing Charges — EXTRAORDINARY SESSION

BY COMMITTEE ON WAYS AND MEANS. This Act makes changes concerning regulatory, taxation and statutory requirements affecting individuals and business relating to taxation of property, income and utilities, liability reform, workers' compensation, financial services, unemployment compensation employer surcharges, and economic development.

Division I — Property Tax

Division I of the Act changes the method by which certain property is assessed and taxed for property tax purposes.

The division provides that, for assessment years beginning on or after January 1, 2006, all taxable structures shall be assessed for taxation on a square-footage basis. The assessed value per square foot is equal to the valuation of the structure as determined for the assessment year beginning January 1, 2005, prior to application of the assessment limitation (i.e., rollback) for that year divided by the total number of square feet of the structure as of January 1, 2005. The division provides that if an existing structure classified as residential, commercial or industrial is purchased after January 1, 2005, the assessed value per square foot shall be the purchase price divided by a cumulative inflation factor, divided by the total number of square feet of the structure as of January 1 of the assessment year. The division allows the assessor to adjust the purchase price to reflect arm's-length transactions and market value. The division further provides that if a structure classified as residential, commercial or industrial is newly constructed after January 1, 2005, the assessed value per square foot of the

structure shall be the value of the structure, or of the addition to the structure, as determined by the assessor divided by the cumulative inflation factor, divided by the total number of square feet of the newly constructed structure.

The division defines "annual inflation factor," "cumulative inflation factor," "newly constructed," and "structure."

The division provides that agricultural property, including agricultural structures, will continue to be assessed based on productivity. The productivity value of an agricultural structure is divided by the total square feet of the structure to arrive at a square footage value.

The division strikes provisions relating to percentage assessment limitations. The division provides that equalization of values by the Department of Revenue and Finance shall continue for agricultural property and for property newly constructed or purchased.

The division creates a land tax to be imposed on each taxable acre or portion of acre in each county effective for the fiscal year beginning on or after July 1, 2007. The land tax is allocated to the taxing districts in the county in the same proportion that property taxes levied for the fiscal year beginning July 1, 2006, were allocated to the taxing districts. The division provides that the amount of land tax allocated to a taxing district shall be deducted from the property tax dollars certified by a taxing district before the county auditor computes the tax rate per square foot for taxable structures.

The division provides that statutory provisions relating to assessment and listing of property for property tax purposes, the land tax, and computation of the square footage tax are subject to legislative review every five years, with the first report to be submitted to the General Assembly by January 1, 2010.

The division creates a property tax implementation committee to study the provisions of this division and to devise a system for testing data to be provided by three counties and cities within those counties chosen by the Department of Revenue and Finance in consultation with the Department of Management. The committee is to develop computer hardware and software necessary to enable the three counties and the cities to develop projected budgets and square footage rates and land tax rates based on the provisions of the division. The committee is to study and resolve property tax issues relevant to implementation of the division and is to make recommendations to the General Assembly in reports submitted by October 31, 2003, October 31, 2004, and October 31, 2005.

The section of the division creating the property tax implementation committee takes effect June 19, 2003. The division, however, is repealed effective June 30, 2005, unless the repeal is stricken, in which case the division takes effect July 1, 2005, and applies to assessment years beginning on or after January 1, 2006, and applies to tax collections for fiscal years beginning on or after July 1, 2007.

Additional conforming amendments to the Code of Iowa will be necessary to fully implement the provisions of the division.

Division V — Sales and Use Tax Studies

Division V of the Act requires the Department of Revenue and Finance to establish two study committees. The first is to study the industrial processing exemption under the sales and use tax and report to the General Assembly annually through January 2013. The second is to study the entire sales and use tax law and report to the General Assembly with its recommendations by January 1, 2004. Both study committees are intended to consist of representatives of organizations or businesses with interests in the issues.

Division VI — Grow Iowa Values Board

Division VI of the Act creates a Grow Iowa Values Board consisting of 11 voting members and four ex officio, nonvoting members. The division requires the Grow Iowa Values Board to receive advice and recommendations from the Due Diligence Committee, the Economic Development Marketing Board, and the Grow Iowa Values Review Commission. The Grow Iowa Values Board is also required to assist the Department of Economic Development in implementing programs and activities of the department in a manner designed to achieve economic development goals provided for in the division. The Grow Iowa Values Board has reporting requirements and is required to adopt a strategic plan.

The division creates a Due Diligence Committee consisting of five members with expertise in the areas of banking and entrepreneurship. The committee shall determine whether a proposed project using moneys from the Grow Iowa Values Fund is practical and shall provide recommendations to the Grow Iowa Values Board regarding any moneys proposed to be expended from the Grow Iowa Values Fund.

purposes within the Office of the Auditor of State. The division requires the commission to analyze all the annual reports of the Grow Iowa Values Board for purposes of determining if the economic development goals and performance measures provided in this division have been met. The commission must submit, by January 1, 2007, a report to the Grow Iowa Values Board, the department, and the General Assembly that includes findings on whether the goals and performance measures were met, recommendations regarding the continuation, elimination or modification of programs, and whether moneys should continue to be appropriated to and from the Grow Iowa Values Fund.

The division creates economic development-related goals and performance measures. The goals are to expand and stimulate the state economy, increase the wealth of Iowans, and increase the population of the state. The division provides that goal achievement shall be examined on a regional basis using Grow Iowa Values geographic regions which are designated in the division. The performance of the regions shall be compared to the performance of the state, the upper Midwest region, and the United States. The division provides various performance measures that are designed to determine if the economic development-related goals are met.

The division creates a Grow Iowa Values Fund consisting of moneys appropriated to the Grow Iowa Values Board. Division VI of H.F. 683 (see Appropriations) provides for multi-fiscal-year appropriations from the fund and for deposits in the fund.

The division creates an Economic Development Marketing Board consisting of seven members. The board shall administer and implement the approval process for selecting a marketing strategy for the Department of Economic Development to administer. The board shall submit a recommendation regarding the marketing strategy to the Grow Iowa Values Board. The Grow Iowa Values Board shall either approve or deny the recommendation. The department is required to implement and administer the marketing strategy approved by the Grow Iowa Values Board.

The division requires, not later than February 1, 2007, the Legislative Services Agency to prepare and deliver to the General Assembly bills that repeal the provisions created in this division of the Act. The division requires expeditious action by the General Assembly in considering the legislation.

Division VII — Value-Added Agricultural Products and Processes Financial Assistance Program

Division VII of the Act amends the Value-Added Agricultural Products and Processes Financial Assistance Program. The division allows the Department of Economic Development, in administering the program, to consult with other state agencies regarding any possible future environmental, health or safety issues linked to technology related to the biotechnology industry. The division provides that the department shall prefer producer-owned, value-added businesses and public and private joint ventures involving an institution of higher learning under the control of the State Board of Regents or a private college or university acquiring assets, research facilities, and leveraging moneys in a manner that meets the goals of the Grow Iowa Values Fund. The department may commit resources to assist agricultural business facilities in the agricultural biotechnology industry, agricultural biomass industry, and alternative energy industry; facilities that add value to Iowa agricultural commodities through further processing and development of organic products and emerging markets; and producer-owned, value-added businesses, education of producers and management boards in value-added businesses, and other activities that would support the infrastructure in the development of value-added agriculture.

Division VIII — Endow Iowa Grants

Division VIII of the Act requires the Department of Economic Development to identify a lead philanthropic entity for purposes of encouraging the development of qualified community foundations in this state. A lead philanthropic entity may receive a grant from the department to use to award Endow Iowa Grants to new and existing qualified community foundations and to community affiliate organizations. The division provides that the grants shall not exceed \$25,000 per foundation or organization unless the foundation or organization demonstrates a multiple-county or regional approach. The division allows the grants to be awarded on an annual basis and not more than three grants may be awarded to one county in a fiscal year. The division includes annual reporting requirements.

Division X of H.F. 683 (see Appropriations) creates an Endow Iowa Tax Credit under the program.

This division of the Act takes effect June 19, 2003, and is retroactively applicable to January 1, 2003, for tax years beginning on or after that date.

Division IX — Commercialization of Research Issues

Division IX of the Act requires the State Board of Regents to submit an annual report to the Governor and the General Assembly including information regarding patents, research grants, faculty and staff involvement in start-up companies,

grant application for research for start-up companies, agreements entered into by faculty and staff with foundations affiliated with the universities relating to business start-ups, accountings of financial gains received by each university relating to patents sold, royalties received, licensing fees, and any other remuneration received related to technology transfer, and the number of employees who assist in the transfer of technology and research to commercial application.

The division amends the University-Based Research and Economic Development Act to require the State Board of Regents, as part of its mission and strategic plan, to establish mechanisms for the purpose of commercialization of research at the three Regents universities and to work with the Department of Economic Development and other state agencies and the private sector to facilitate the commercialization of research.

Division X — Iowa Economic Development Loan and Credit Guarantee Fund

Division X of the Act requires the Department of Economic Development, with the advice of the Loan and Credit Guarantee Advisory Board, to establish and administer a Loan and Credit Guarantee Program. The division provides that the department, pursuant to agreements with financial institutions, shall provide loan and credit guarantees or other forms of credit guarantees for qualified businesses and targeted industry businesses for eligible project costs. The division allows the department to purchase insurance to cover defaulted loans meeting the requirements of the program. The division provides that eligible project costs include expenditures for productive equipment and machinery, working capital for operations and export transactions, research and development, marketing, and such other costs as the department may so designate.

The division provides that a loan or credit guarantee or other form of credit guarantee provided under the program to a participating financial institution for a single qualified business or targeted industry business shall not exceed \$1 million in value. The division provides that loan or credit guarantees or other forms of credit guarantees provided to more than one participating financial institution for a single qualified business or targeted industry business shall not exceed \$10 million in value.

The division allows the department, with the advice of the Loan and Credit Guarantee Advisory Board, to adopt loan and credit guarantee application procedures that allow a qualified business or targeted industry business to apply directly to the department for a preliminary guarantee commitment.

The division allows the department, with the advice of the Loan and Credit Guarantee Advisory Board, to establish fees and other terms for participation in the program.

The division creates the Loan and Credit Guarantee Advisory Board, consisting of seven members, to provide the department with technical advice regarding the administration of the program and to review and provide recommendations regarding all applications under the program.

Division VIII of H.F. 683 (see Appropriations) creates a Loan and Credit Guarantee Fund for purposes of the program.

Division XI — Economic Development Assistance and Data Collection

Division XI of the Act requires the Department of Economic Development to provide information through an Internet web site and a toll-free telephone service to assist persons interested in establishing a commercial facility or engaging in a commercial activity.

Division XII — Cultural and Entertainment Districts

Division XII of the Act requires the Department of Cultural Affairs to establish and administer a Cultural Entertainment District Certification Program to encourage the growth of communities through the development of areas within a city or county for public and private uses related to cultural and entertainment purposes. Two or more cities or counties may apply jointly for certification of a district that extends across a common boundary. The division requires the department to encourage development projects and activities located in certified cultural and entertainment districts through incentives under cultural grant programs and any other grant programs.

Division XIII — University-Based Research Utilization Program

Division XIII of the Act requires the Department of Economic Development to establish and administer a University-Based Research Utilization Program for purposes of encouraging the utilization of university-based research, primarily in the area of high technology, in new or existing businesses. The division provides that a new or existing business that utilizes a technology developed by an employee at a university under the control of the State Board of Regents may apply to the department for approval to participate in the program.

An approved business and the university employee responsible for the development of the technology utilized by the approved business shall be eligible for a tax credit. The tax credit shall be allowed against personal and corporate income tax liability. The division prohibits the transfer of the tax credit and any tax credit in excess of the taxpayer's liability for the tax year may be credited to the taxpayer's tax liability for the following five years or until depleted, whichever occurs first. The division provides that a tax credit shall not be carried back to a previous tax year.

The division provides that if, after reviewing tax-return-related information of the approved business, the department determines that the business activities of the applicant are not providing the benefits to Iowa employment and economic development projected by the approved business, the department shall not issue tax credits to the approved business or the university employee and shall determine that any related university share to be equal to zero for that year. If the projected benefits are being met, the department shall issue a tax credit certificate to the approved business and the university employee and determine the university share which is equal to the value of 30 percent of the tax liability of the approved business, not to exceed \$225,000 per year per technology utilized. For each technology utilized, the aggregate university share over a five-year period shall not exceed \$600,000. The division limits the amount of tax credit certificates that may be issued during a particular fiscal year. For an approved business, the amount of a tax credit certificate shall equal 30 percent of the tax liability of the approved business, not to exceed \$225,000, with a total aggregate value of the certificates issued over a five-year period not to exceed \$600,000. For an employee, the amount of a tax credit certificate shall equal 10 percent of the tax liability of the approved business, not to exceed \$75,000, with a total aggregate value of the certificates issued over a five-year period not to exceed \$200,000.

Division IX of H.F. 683 (see Appropriations) establishes a standing appropriation for purposes of the program.

Division XIV — Future Repeal

Division XIV of the Act provides that Divisions VI through XIII are repealed effective June 30, 2010.

Division XV — Liability Reform

Division XV of the Act permits the state or any of its political subdivisions to request the district court upon a showing of good cause to stay all the proceedings under the order or judgment being appealed from and waive the requirement that the state or any of its political subdivisions file a supersedeas (appeal) bond upon appeal to the Iowa Supreme Court.

Division XVI — Workers' Compensation

Division XVI of the Act makes several changes to laws relating to workers' compensation.

The division amends Code Section 86.12 to provide that the Workers' Compensation Commissioner may require any employer to file a report required under Code Section 86.13 or required by agency rule; may impose an assessment of \$1,000 for each failure to comply with Code Section 86.12 within 30 days, payable into the Second Injury Fund; and may seek judgment upon the order in district court if the assessment is not paid within 30 days. The division also provides that an insurance carrier that possesses the information necessary to file a required report has the same responsibilities as an employer does.

The division adds a new Code Section 86.13A requiring the Workers' Compensation Commissioner to monitor the compliance rate of each employer and insurer with the statutory requirements relating to the commencement of voluntary weekly workers' compensation payments. The division provides that, commencing in any fiscal year after June 30, 2005, the commissioner may impose, for failure to comply with these requirements, an assessment upon an employer or insurer, pursuant to a statutory formula, which is payable to the Second Injury Fund. The assessment shall not be imposed if an employer or insurer commences voluntary weekly compensation benefits in a timely manner for more than 75 percent of the injuries reported by the employer or insurer. The Workers' Compensation Commissioner may waive or reduce an assessment under certain circumstances.

Division XVII — Financial Services

Division XVII of the Act modifies several Code provisions related to financial transactions. Code Section 537.2502 is amended to provide that, with respect to a consumer credit transaction that is not pursuant to an open-end credit arrangement and other than a consumer lease or consumer rental agreement, a delinquency charge on a current paid-in-full installment associated with a precomputed transaction shall not be collected, even if a delinquency on an earlier installment exists. By limiting the provision's applicability to precomputed transactions, the division allows a delinquency charge to be collected on an installment not part of a precomputed transaction, where the current installment due is paid in full within

10 days after its scheduled or deferred installment due date but an earlier maturing installment or a delinquency or deferral charge on an earlier installment has not been paid in full. The division, with respect to such transactions, eliminates the requirement that payments be applied first to a current installment and then to delinquent amounts.

The amendment likewise provides that with respect to delinquency charges related to an open-end credit transaction, a delinquency charge could be collected on a payment associated with a transaction other than a precomputed transaction where the current payment due is paid in full on or before its scheduled or deferred due date but where an earlier maturing payment or a delinquency or deferred charge on an earlier payment has not been paid in full. The division, with respect to such transactions, eliminates the requirement that payments be applied first to a current payment and then to delinquent amounts.

Code Section 537.2601 is amended to provide that for transactions other than consumer credit transactions, the parties may contract for any charge permitted by law.

Division XVIII — Unemployment Compensation Surcharge

Division XVIII of the Act extends the repeal of the employment security administrative surcharge from July 1, 2003, to July 1, 2006. In addition, the Act sets the target revenue to be collected from the surcharge in calendar years 2004 and 2005 at the calendar 2003 limit of \$6.525 million and reduces this amount to \$3.2625 million for calendar year 2006. The division takes effect June 19, 2003.

Division XIX — Targeted Economic Development

Division XIX of the Act relates to site preparation for targeted economic development and coordination of regulatory assistance.

The division provides that a city, county, or region formed by two or more counties, subject to the approval of the property owner, may designate an area within the boundaries of the city, county or region for a specific type of targeted economic development. The type of targeted economic development shall be manufacturing, light industrial, warehouse and distribution, office parks, business and commerce parks, or research and development. The division provides that a city, county or region that designates an area may apply to the Department of Economic Development (IDED) for purposes of certifying the area as a preapproved development site. The division also provides that, prior to a specific project being developed, a city, county or region designating the area may apply for and obtain appropriate licenses, permits and approvals for the type of targeted economic development project desired for the area.

The division also requires IDED to coordinate all regulatory assistance for the state. Each state agency with regulatory programs for businesses is to designate a regulatory coordinator to work with the department. The department is to submit an annual report to the General Assembly regarding the provision of regulatory assistance by state agencies.

Division XX — Utility Sales Tax Exemption

Division XX of the Act freezes the sales and use tax on residential electricity, gas and fuel at 3 percent from July 1, 2003, through June 30, 2008. The rate then decreases to 2 percent from July 1, 2008, through June 30, 2009; to 1 percent from July 1, 2009, through June 30, 2010; and to zero percent from July 1, 2010, indefinitely. Present law set the rates at 3 percent for the 2003 calendar year, 2 percent for the 2004 calendar year, 1 percent for the 2005 calendar year, and 0 percent for the 2006 calendar year and beyond.

Division XXI — Effective Date

Division XXI of the Act provides that, unless otherwise noted, the Act takes effect July 1, 2003.

THE GOVERNOR ITEM VETOED THE FOLLOWING:

1. Division II of the Act, which would have reduced the individual income tax rates for the 2004, 2005 and 2006 tax years from the rates existing for the 2003 tax year. Each of the nine rates would be reduced nearly the same percentage for each tax year. The reductions are between: 2.8 percent and 3.0 percent of the 2003 tax year rates for the 2004 tax year, 5.2 percent and 5.6 percent of the 2003 tax year rates for the 2005 tax year, and 9.7 percent and 11.1 percent of the 2003 tax year rates for the 2006 tax year.
2. Division III of the Act, which would have reduced the rates existing for the 2003 tax year by between 13.9 percent and 14.1 percent for the 2007 tax year. These rates would continue indefinitely.

3. Division IV of the Act, which would have rewritten the state individual income tax by reducing the rates on taxable income to 1.85 percent on the first \$8,000; 4.75 percent on the next \$92,000; and 4.99 percent on that over \$100,000. The brackets will be adjusted by an inflation factor. Most adjustments to federal adjusted gross income would be eliminated. However, deductions for a portion of social security benefits and pensions received would be maintained. In arriving at the taxable income, the standard deduction and itemized deductions allowed for federal tax purposes would be maintained. The standard deduction amounts would be adjusted by an inflation factor. The present personal credit would be kept. The deduction for federal income taxes paid would be eliminated. The alternative minimum tax would be eliminated. The division also would retain the present credits that are allowed except for the minimum tax credit which is eliminated beginning with the 2010 tax year.
4. The division would have repealed Division III of this Act and would have been contingent upon the passage of a constitutional amendment by January 1, 2007, requiring a 60 percent vote in order to enact legislation that increases the individual income tax rate or rates.
5. From Division IX, a requirement that the governor appoint a director of technology to serve within the Office of the Governor.
6. From Division XI, a requirement that the Department of Economic Development collect data about businesses that considered locating in Iowa but decided to locate elsewhere and businesses that closed major operations in the state or dissolved the business' corporate status.
7. From Division XV, certain provisions that would have limited the liability of an assembler, designer, supplier of specifications, distributor, manufacturer, or seller under a theory of civil conspiracy unless the person knowingly and voluntarily entered into an agreement to participate in a common scheme or plan with the intent to commit a tortious act upon another, and would have provided that a plaintiff seeking punitive damages in a civil case meet a clear and convincing standard of proof in demonstrating that the plaintiff's harm was the result of actual malice. "Actual malice" would have been defined to mean either conduct which is specifically intended by the defendant to cause tangible or intangible serious injury to the plaintiff or conduct that is carried out by the defendant both with a flagrant indifference to the rights of the plaintiff and with a subjective awareness that such conduct would result in tangible serious injury.
8. From Division XVI, a section relating to workers' compensation laws and compensation for permanent partial disabilities, to provide that an employer is not liable for that portion of an employee's present disability caused by a prior work-related injury or illness sustained while the employee was employed by a different employer. The section also would have provided that any portion of an employee's present disability caused by a prior work-related injury or illness sustained while the employee was employed by the same employer that was previously compensated by the employer could be deducted from the employer's obligation to pay benefits for the employee's present disability, and that if an employee's present disability was reduced in this manner, the employee would receive compensation for the remaining disability, plus an additional 10 percent of the amount of the increase in disability.
9. Division XX of the Act, which would have frozen the sales and use tax on residential electricity, gas and fuel at 3 percent from July 1, 2003, through June 30, 2008. The rate then would decrease to 2 percent from July 1, 2008, through June 30, 2009; to 1 percent from July 1, 2009, through June 30, 2010; and to zero percent from July 1, 2010, indefinitely. Present law set the rates at 3 percent for the 2003 calendar year, 2 percent for the 2004 calendar year, 1 percent for the 2005 calendar year, and 0 percent for the 2006 calendar year.

TRANSPORTATION

- SENATE FILE 97 - Transportation and Transportation-Related Regulation
- SENATE FILE 127 - Breast Cancer Awareness Motor Vehicle License Plates — Fees — Appropriation
- SENATE FILE 451 - Jurisdiction and Funding of Streets and Roads
- HOUSE FILE 66 - Motor Vehicle Traffic Regulation — Stationary Utility or Municipal Maintenance Vehicles
- HOUSE FILE 290 - Special Vehicle Registration Plates — Motor Trucks
- HOUSE FILE 343 - Motor Vehicle Traffic Regulation — Appearance Bond and Liability Coverage — Overtaking and Passing Vehicles
- HOUSE FILE 623 - Driver's License or Nonoperator's Identification Card Applications or Renewals — Selective Service Registration
- HOUSE FILE 656 - Fire Fighter Motor Vehicle Registration Plates — Fees

RELATED LEGISLATION

- SENATE FILE 155 - Substantive Code Corrections
SEE STATE GOVERNMENT. This Act contains statutory corrections that include changes relating to excessive size and weight permits for manufactured home transport, identification numbers for all-terrain vehicles and snowmobiles, and the operation of personal watercraft.
- SENATE FILE 458 - Miscellaneous Appropriations, Reductions, Revenue Adjustments, and Other Matters
SEE APPROPRIATIONS. Division VII of this Act prohibits the State Appeal Board from considering claims for vehicle registration fee refunds which are to be obtained by application to the Iowa Department of Transportation (IDOT), requires that defendants who must have installed an ignition lock device shall have it installed not only in vehicles owned by the defendant but also those operated by the defendant, requires certain information be provided when the certificate of title for a manufactured home is surrendered and provides for the procedure for the issuance of the certificate of title, directs IDOT to conduct a study relating to coordination of school and public transportation, and directs IDOT and the Department of Natural Resources to work with interest groups to develop a plan for creating a registration program and create recreational areas for full-size off-highway vehicles.
- HOUSE FILE 65 - Operating While Intoxicated Revisions
SEE CRIMINAL LAW, PROCEDURE & CORRECTIONS. This Act relates to motor vehicle operating while intoxicated offenses. The Act reduces the blood alcohol concentration allowable limit while operating a motor vehicle from .10 to .08. The Act applies to criminal as well as administrative violations of the law. The Act further places certain driving restrictions on a first-time violator of the operating while intoxicated law based upon the circumstances of the violation.
- HOUSE FILE 344 - Motor Fuel Tax Refunds — Benefited Fire Districts
SEE TAXATION. This Act allows benefited fire districts to receive a refund of the motor fuel and special fuel taxes paid when the fuel is used for public purposes.
- HOUSE FILE 472 - Federal Block Grant Appropriations
SEE APPROPRIATIONS. This Act appropriates federal block grant and other nonstate moneys to state agencies for the federal fiscal year beginning October 1, 2003, and ending September 30, 2004. The Act appropriates federal funding and other nonstate funding made available to the state for transportation programs.
- HOUSE FILE 502 - Motor Vehicle Damage Disclosure Statements
SEE BUSINESS, BANKING & INSURANCE. This Act makes several amendments to damage disclosure requirements related to the transfer of a motor vehicle and adds a new requirement to disclose if a vehicle's airbag is missing or inoperative.
- HOUSE FILE 549 - Education — Administration, Regulation, and Other Related Matters
SEE EDUCATION. This Act relates to the duties and operations of the Department of Education, school districts, area education agencies, and the State Board of Regents. The Act also permits the

department to establish reasonable fees to defray the expense of forwarding to the courts enrollment, attendance, and successful and nonsuccessful course completion data for out-of-state persons ordered to enroll, attend, and successfully complete a course for drinking drivers; and permits an insulin-dependent diabetic to qualify as a school bus driver if the person is verified physically able to perform the required functions despite insulin dependency, the school district or school employing the insulin-dependent diabetic bus driver monitors the bus driver, and the driver is in compliance with requirements specified by the Act.

- HOUSE FILE 584** - Recreational Activities in Designated Areas or on Public Property — Liability Limited
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act limits the liability of prior owners of land on which an all-terrain vehicle recreational riding area is established, maintained or operated.
- HOUSE FILE 652** - Appropriations — Transportation
SEE APPROPRIATIONS. This Act makes appropriations for FY 2003-2004 from the Road Use Tax Fund and the Primary Road Fund to the Iowa Department of Transportation and revises the purposes for which two prior appropriations may be used.
- HOUSE FILE 683** - Miscellaneous Appropriations and Revisions, Sales and Use Tax Revisions, Criminal Code Revisions, and Other Changes
SEE APPROPRIATIONS. This Act relates to economic development, financial, and taxation matters, revises previously enacted appropriations, and includes an additional reduction in public transit funding and changes to operating-while-intoxicated offense punishment provisions.
- HOUSE FILE 694** - Judicial Administration and Procedures
SEE CIVIL LAW, PROCEDURE & COURT ADMINISTRATION. This Act relates to procedures and duties of the judicial branch and makes changes related to the criminal offense of driving a motor vehicle without liability insurance.

TRANSPORTATION

SENATE FILE 97 - Transportation and Transportation-Related Regulation

BY COMMITTEE ON TRANSPORTATION. This Act amends a number of Code provisions which provide for the regulation of highways, aviation, and motor vehicles by the Iowa Department of Transportation (IDOT).

Division I — Highways

The Act amends provisions in Code Chapter 306C to eliminate the authority of IDOT to regulate junkyards visible along primary highways, leaving that authority to local jurisdictions. State control had been mandated by federal law that is no longer applicable. However, IDOT retains its current authority to regulate junkyards along interstate highways in accordance with federal law.

The Act repeals Code Section 306C.22, pertaining to the placement of political signs on private property, in reaction to a 1998 federal court decision that rendered the section unenforceable. As a result of that decision, political signs are regulated in the same manner as other types of advertising signs.

Division II — Aviation

The Act repeals Code Section 330.2, which establishes the Aviation Hangar Revolving Loan Fund. Legislation passed in 2002 eliminated the balance in the fund. Future payments due on outstanding loans from the fund are to be credited to IDOT to be used for support of general aviation airports.

Division III — Motor Vehicles

CERTIFICATES OF TITLE AND SECURITY INTERESTS. The Act contains amendments, which take effect July 1, 2004, to Code Sections 321.24, 321.45 and 321.50 relating to the perfection and recording of security interests in motor vehicles. Beginning July 1, 2004, when an application for a security interest is delivered to the county treasurer along with the required fee, the treasurer is to note the delivery date on the application, and that date of delivery is the date of perfection of the security interest, regardless of the date the security interest is actually noted on the certificate of title. If a security interest has been noted on a certificate of title issued by a foreign jurisdiction, the county treasurer is to note the security interest and date of its notation as found on the foreign certificate of title, or if that date is not available, the date of issuance of the foreign certificate of title, on the new Iowa certificate of title. The same information is to be entered in the county records system.

The deadline in Code Section 321.50 for a person to deliver a certificate of title to the county treasurer for notation of a security interest in a vehicle not already subject to a perfected security interest is changed from 30 days to 365 days from receipt of the certificate of title. Effective July 1, 2004, the provision establishing a deadline for delivery is repealed from the Code.

The Act extends the time allowed a motor vehicle dealer to apply for a certificate of title for a foreign registered vehicle under Code Section 321.48 from 15 to 30 days from the time the vehicle enters the state.

DRIVER'S LICENSES AND NONOPERATOR'S IDENTIFICATION CARDS. The Act establishes a funding mechanism in Code Section 321.191 for updating the driver's license issuance and records system by establishing a one-time \$3 surcharge to be charged to driver's license applicants between July 1, 2003, and June 30, 2008. Moneys collected from the surcharge in excess of the amount needed to rewrite the system are to be deposited in the Road Use Tax Fund. The surcharge and appropriation are repealed July 1, 2008.

The Act creates new Code Section 321.192, which authorizes IDOT to waive payment of, or to refund, fees for renewal or duplication of a driver's license or nonoperator's identification card if the department's standard for timely issuance is not met, or if an error on the license or card causes the applicant to make a second trip to the driver's license station. This provision only applies to driver's licenses and nonoperator's identification cards issued at a state-operated licensing station, and not to licenses and cards issued by counties.

The Act temporarily increases from \$3 to \$5 the amount a county treasurer retains under Code Section 321M.9 for issuance or renewal of a driver's license or nonoperator's identification card. The increase is repealed July 1, 2005. The Act requires IDOT, in consultation with the Iowa State County Treasurers Association, to conduct a study of the county driver's license issuance program and its financial impact on counties. The department's report to the General Assembly is due by December 31, 2003.

ACCIDENT REPORTS. The Act amends Code Section 321.271, relating to confidentiality of motor vehicle accident reports, to allow IDOT and law enforcement agencies to disclose the date, time, specific location, and immediate facts and circumstances of a crime or incident unless the disclosure would jeopardize an investigation or endanger an individual.

MOTOR CARRIER SAFETY. The Act makes several amendments to Code Section 321.449 affecting motor carrier safety rules adopted by IDOT. The rules must be consistent with federal law, including a regulation establishing procedures for determining, rating and monitoring the safety fitness of motor carriers and establishing a safety assurance program for new entrant motor carriers seeking to conduct interstate operations. The Act creates an exemption from state motor carrier safety rules for drivers operating intrastate for farm operations or agricultural interests when the vehicle is operated between a farm and another farm, a farm and a market for farm products, or a farm and an agribusiness location. In addition, certain vehicles engaged in intrastate commerce and used in combination are exempt from the rules.

HAZARDOUS MATERIALS TRANSPORTATION. The Act amends Code Section 321.450, relating to transportation of hazardous materials, by providing that a farmer and employees of the farmer transporting Class 2 agricultural hazardous materials between sites in the farmer's agricultural operations are no longer exempt from rules implementing federal regulations. Class 2 agricultural hazardous materials are flammable gas and nonflammable, nonpoisonous compressed gas as defined in federal law.

VEHICLE LOAD LIMITS. The Act adds a provision in Code Section 321E.7 providing that a vehicle or combination of vehicles transporting construction machinery is allowed a 1,000-pound-weight tolerance on any one axle, provided the total gross weight of the vehicle or combination of vehicles is within the limits allowed by the vehicle's permit to operate as a vehicle of excessive size and weight. This provision takes effect March 28, 2003.

MOTOR VEHICLE INSTALLMENT CONTRACTS. The Act amends Code Section 322.19 to allow charges for motor vehicle service contracts and voluntary debt cancellation coverage to be financed under a motor vehicle retail installment contract. However, a retail seller may not include such charges in the finance charge.

URBAN PUBLIC TRANSIT SYSTEMS. The Act creates new Code Section 324A.7 to require that urban public transit systems utilize private-sector operators, if practicable, in the planning and provision of transit services. Public transit systems provide services accessible to the general public and are funded by federal, state or local taxes.

MOTOR CARRIERS OF HOUSEHOLD GOODS. The Act sets out new requirements for the establishment, filing and revision of tariffs charged by motor carriers of household goods in new Code Section 325A.7A. Special requirements for the filing of agency tariffs are outlined in new Code Section 325A.7B. Both new Code sections are effective March 28, 2003, and apply retroactively to January 1, 2002.

SENATE FILE 127 - Breast Cancer Awareness Motor Vehicle License Plates — Fees — Appropriation

BY GRONSTAL AND IVERSON. This Act establishes a special breast cancer awareness motor vehicle registration plate to be issued by the Iowa Department of Transportation. The special fees from breast cancer awareness plates are appropriated to the Iowa Department of Public Health for distribution to Iowa affiliates of the Susan G. Komen Foundation and similar nonprofit organizations operating in Iowa, to provide free mammograms for men and women who meet eligibility requirements like those established by the Komen Foundation.

The plate will bear a processed emblem with an image of a pink ribbon. The special fee for initial issuance of the plate is \$35 for letter number designated plates and \$60 for personalized plates. The annual renewal fee, to be paid in addition to the regular annual registration fee, is \$10 for letter number designated plates and \$15 for personalized plates.

SENATE FILE 451 - Jurisdiction and Funding of Streets and Roads

BY COMMITTEE ON APPROPRIATIONS. This Act provides for the transfer of jurisdiction of certain roads and the transfer of funds associated with those roads, modifies the procedure required for reclassification of county roads as area service "C" roads, and establishes a study committee to evaluate the distribution of moneys in the street construction fund of the cities.

The Act transfers jurisdiction of farm-to-market road extensions within small cities to the applicable county boards of supervisors. Once a city reaches a certain population level, jurisdiction over such extensions is to be transferred back to the city. The Act also provides for a reduction in the apportionment of moneys from the street construction fund of the cities to a city that has transferred jurisdiction of an extension to a county, which reduction is to be transferred to the secondary road fund of the respective county. Similarly, the Act provides for the transfer of moneys received by a city from the Transfer of Jurisdiction Fund established in the Act if a street within the city is under county jurisdiction.

The Act provides for the transfer of jurisdiction and control of primary roads identified in a transfer of jurisdiction report on file with the Iowa Department of Transportation (IDOT) that are also classified by the department as local service roads. Prior to FY 2013-2014, roads transferred to a county under the new provision are not to be included in the department's annual recalculation of construction and maintenance needs for secondary roads, which recalculation is used to determine counties' apportionments of Road Use Tax Fund moneys.

The Act temporarily establishes a Transfer of Jurisdiction Fund within the State Treasury, under the control of IDOT, to provide for the transfer of moneys from the Primary Road Fund to local jurisdictions in each fiscal year of the period beginning July 1, 2003, and ending June 30, 2013. Seventy-five percent of the moneys in the fund are appropriated for apportionment among the counties and cities that assume jurisdiction of primary roads pursuant to the transfer of jurisdiction report on file with the department. The funds are only to be used for the maintenance and construction of roads. The remainder of the moneys are appropriated to the secondary road fund and the street construction fund of the cities. For subsequent fiscal years, a portion of the moneys in the primary road fund are transferred directly to the secondary road fund and the street construction fund of the cities.

The Act removes the requirement that a petition signed by all landowners adjoining a road be presented prior to reclassification of a secondary road as an area service "C" road pursuant to a county ordinance or resolution. Area service "C" classification roads may have restricted access and a minimal level of maintenance.

The Act establishes a Street Construction Fund Distribution Advisory Committee comprised of representatives appointed by the president of the Iowa section of the American Public Works Association, the president of the Iowa League of Cities, and IDOT. The committee is to recommend to the General Assembly one or more alternative methodologies for distribution of moneys in the street construction fund of the cities.

HOUSE FILE 66 - Motor Vehicle Traffic Regulation — Stationary Utility or Municipal Maintenance Vehicles

BY COMMITTEE ON PUBLIC SAFETY. This Act requires the driver of a motor vehicle to take certain precautions when approaching a stationary utility maintenance vehicle or a stationary municipal maintenance vehicle when the vehicle is displaying flashing yellow, amber or red lights. Unless otherwise directed by a peace officer, the motor vehicle driver must make a lane change into a lane not adjacent to the stationary vehicle, or if a lane change would be impossible, unlawful or unsafe, the driver must reduce speed below the posted limit and be prepared to stop. The precautions are the same as those already required when passing a stationary towing or recovery vehicle or a stationary highway maintenance vehicle. A violation of the requirement is a simple misdemeanor punishable by a scheduled fine of \$50.

HOUSE FILE 290 - Special Vehicle Registration Plates — Motor Trucks

BY COMMITTEE ON TRANSPORTATION. This Act authorizes the Iowa Department of Transportation to issue special motor vehicle registration plates to the owner of a motor truck of any size. Prior law permitted the issuance of special plates only to owners of light delivery trucks, panel delivery trucks, and pickups, all defined as motor vehicles designed to carry 2,000 pounds or less of merchandise or freight.

HOUSE FILE 343 - Motor Vehicle Traffic Regulation — Appearance Bond and Liability Coverage — Overtaking and Passing Vehicles

BY COMMITTEE ON PUBLIC SAFETY. This Act relates to the enforcement of motor vehicle law provisions.

The Act increases the maximum amount of a guaranteed arrest bond certificate from \$200 to \$1,000. A guaranteed arrest bond certificate is a guarantee by another person to pay a fine or forfeiture imposed on a defendant, up to a specified amount, if the defendant fails to appear in court at the time of trial.

The Act provides that a driver of a vehicle may overtake and pass on the right of another vehicle that is making a left turn on a roadway with unobstructed pavement of sufficient width for two or more lines of traffic moving in the same direction as the vehicle being passed. The Act prohibits driving off the pavement or upon the shoulder of the roadway or upon the apron or roadway of an intersecting roadway in overtaking or passing on the right or the left. Violators are subject to a scheduled fine of \$50.

The Act authorizes a law enforcement agency to check for financial liability coverage during a routine roadblock. If a driver is unable to provide proof of financial liability coverage, the violation is punishable under Code Section 321.20B.

The Act eliminates the requirement for an unsecured appearance bond in a motor vehicle accident that involves damages of less than \$1,000, because an appearance bond is already required under Code Section 805.6. An unsecured appearance bond authorizes the court to enter a conviction and render judgment against a defendant in the amount of the unsecured appearance bond if the defendant fails to appear in court.

HOUSE FILE 623 - Driver's License or Nonoperator's Identification Card Applications or Renewals Selective Service Registration

BY COMMITTEE ON TRANSPORTATION. This Act provides for automatic registration with the U.S. Selective Service System upon application for a driver's license or nonoperator's identification card. A person who applies for a driver's license or nonoperator's identification card, or for renewal of a driver's license or nonoperator's identification card, who is required to register with the Selective Service System, shall be registered. The Iowa Department of Transportation is to provide notice on the application that submission of the application serves as consent to registration. The department is required to forward the necessary personal information about the applicant to the Selective Service System. If the applicant refuses to be registered after being given information on the penalties for failure to do so, the department shall forward applicable personal information about the applicant and notice of the refusal to register to the Selective Service System.

HOUSE FILE 656 - Fire Fighter Motor Vehicle Registration Plates — Fees

BY COMMITTEE ON APPROPRIATIONS. This Act requires that special fees charged for fire fighter motor vehicle license plates are to be used by the Fire Service Training Bureau to offset fire fighter training costs. The Paul Ryan Memorial Fire Fighter Safety Training Fund is created under the control of the Department of Public Safety for receipt of the funds. The Act specifies that current and retired, but not terminated, fire fighters are eligible for the special plates.

CHAPTER NUMBERS OF THE 2003 IOWA ACTS

Senate Files

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
3	42	341	115	401	26
36	168	348	152	402	132
94	114	351	81	405	116
97	8	352	67	416	98
102	94	353	107	417	155
119	43	354	153	422	156
127	3	357	9	424	11
134	24	359	154	425	172
155	44	361	68	433	176
172	79	366	95	435	173
180	64	368	126	436	169
201	45	372	96	438	99
211	1	375	97	439	174
221	65	376	10	441	133
224	25	379	82	442	139
230	80	386	83	444	121
236	46	392	84	445	157
237	30	393	137	451	144
272	36	394	69	452	177
275	106	395	48	453	178
303	47	396	138	458	179
340	66	397	85	459	122

Senate Joint Resolutions

File No.	Acts Chapter
SJR 1	184
SJR 5	186

CHAPTER NUMBERS OF THE 2003 IOWA ACTS

House Files

File No.	Acts Chapter	File No.	Acts Chapter	File No.	Acts Chapter
65	60	411	37	600	104
66	2	412	38	601	40
85	31	446	55	603	77
170	49	454	102	604	57
171	108	455	134	612	34
175	13	456	39	615	23
180	27	457	117	616	58
204	70	472	170	617	90
215	4	479	21	619	112
216	14	480	73	623	41
225	140	489	62	624	149
240	15	492	128	628	93
249	16	493	74	634	59
254	17	502	56	636	35
289	18	503	22	641	78
290	7	504	12	644	163
304	127	505	75	647	91
311	5	509	63	648	92
319	100	516	110	650	113
329	158	529	111	652	171
339	28	534	145	654	164
341	19	541	103	655	181
342	20	543	135	656	105
343	6	545	76	659	29
344	50	547	86	662	182
349	51	548	87	665	130
380	52	549	180	667	175
381	32	551	88	671	136
386	141	557	89	672	165
387	101	558	123	674	142
389	53	560	118	675	166
390	71	565	124	676	131
391	159	576	129	677	125
392	72	577	146	680	120
394	160	583	161	681	150
395	54	584	162	682	143
396	33	594	147	685	183
397	61	595	148	689	167
404	109	599	119	694	151

House Joint Resolutions

File No.	Acts Chapter
HJR 3	187
HJR 5	185

Extraordinary Session

File No.	Acts Chapter
683	2
692	1

2003 SECTIONS AMENDED, ADDED OR REPEALED

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1.15	Section amended	HF 534.286	J
2.9	Section amended	HF 534.102	J
2.9	Section amended	HF 636.9	E
2.10	Subsection 1 amended	HF 534.103	J
2.10	Subsection 4 amended	HF 534.286	J
2.12	Section amended	HF 534.286	J
2.13	Section amended	HF 534.286	J
2.14	Section amended	HF 636.44	E
2.16	Section amended	HF 636.44	E
2.35	Section amended	HF 636.44	E
2.42	Subsections 1, 2, 11, 12, 13, 14, 15, 16, 18, & 19 amended	HF 636.10	E
2.43	Unnumbered paragraph 1 amended	HF 534.104	J
2.45	Section amended	HF 636.44	E
2.45	Subsection 2 amended	HF 636.11	E
2.46	Section amended	HF 636.45	E
2.47A	Subsection 1, paragraph c amended	HF 534.105	J
2.48	Section repealed	HF 636.47	E
2.49	Subsection 5 amended	HF 534.286	J
2.49	Section repealed	HF 636.47	E
2.50	Section repealed	HF 636.47	E
2.51	Section amended	HF 636.45	E
2.52	Section repealed	HF 636.47	E
2.55	Section repealed	HF 636.47	E
2.55A	Section repealed	HF 636.47	E
2.56	Section amended	HF 636.12	E
2.58	Section repealed	HF 636.47	E
2.59	Section repealed	HF 636.47	E
2.60	Section repealed	HF 636.47	E
2.61	Section amended	HF 636.44	E
2.64	Section repealed	HF 636.47	E
2.65	Section repealed	HF 636.47	E
2.66	Section repealed	HF 636.47	E
2.67	Section repealed	HF 636.47	E
2.67	Section repealed	HF 683.202	7/1/04
2.100	Section repealed	HF 636.47	E
2.101	Section repealed	HF 636.47	E
2.102	Section repealed	HF 636.47	E
2.103	Section repealed	HF 636.47	E
2.104	Section repealed	HF 636.47	E
2B.1	Section amended	HF 636.13	E
2B.5	Section amended	HF 636.14	E
2B.6	Section amended	HF 636.15	E
2B.10	Section amended	HF 636.45	E
2B.10	Subsection 4 amended	HF 534.286	J
2B.10	Subsection 5 amended	HF 636.16	E

EFFECTIVE DATE - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

A - applicability provisions

C - conditional effective date

E - effective upon enactment

J - effective July 1, 2003

V - various effective dates

IV - part of bill section vetoed

VETO - entire bill section vetoed

00/00/00 - specified effective date

R 00/00/00 - retroactive applicability

***** - Code Supplement 2001

****** - subsequently amended

******* - subsequently repealed

******** - sections are listed in 2002 Acts, chapter 1124

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
2B.12	Subsection 6, paragraph f amended	HF 636.17	E
2B.13	Section amended	HF 636.18	E
2B.17	Subsections 3 & 5 amended	HF 636.19	E
2B.21	Section amended	HF 636.20	E
2C.9	New subsection 1A	SF 453.46	J
2D.3	Section amended	HF 636.44	E
2E.1	New section	HF 636.1	E
2E.2	New section	HF 636.2	E
2E.3	New section	HF 636.3	E
2E.4	New section	HF 636.4	E
2E.5	New section	HF 636.5	E
2E.6	New section	HF 636.6	E
2E.7	New section	HF 636.7	E
2E.8	New section	HF 636.8	E
3.2	Section amended	HF 636.44	E
6B.18	Subsection 2 amended	SF 155.1	J
7.13	Section amended	HF 534.286	J
7A.1	Unnumbered paragraph 4 amended	HF 534.106	J
7A.2	Unnumbered paragraph 2 amended	HF 534.107	J
7A.2A	New section	HF 604.1	J
7A.3	Subsection 1 amended	HF 534.108	J
7A.3	Subsection 6 stricken	HF 534.109	J
7A.3	Subsection 10 amended	HF 534.110	J
7A.11	Section amended	HF 636.44	E
7A.14	Unnumbered paragraph 1 amended	HF 534.111	J
7A.15	Section repealed	HF 534.291	J
7A.15	Section repealed	HF 636.47	E
7A.16	Section repealed	HF 534.291	J
7A.16	Section repealed	HF 636.47	E
7A.17	Section repealed	HF 534.291	J
7A.17	Section repealed	HF 636.47	E
7A.18	Section repealed	HF 534.291	J
7A.18	Section repealed	HF 636.47	E
7A.19	Section repealed	HF 534.291	J
7A.19	Section repealed	HF 636.47	E
7A.20	Section repealed	HF 636.47	E
7A.21	Section repealed	HF 534.291	J
7A.21	Section repealed	HF 636.47	E
7A.22	Section repealed	HF 534.291	J
7A.22	Section repealed	HF 636.47	E
7A.23	Section amended	HF 534.112	J
7A.25	Section repealed	HF 534.291	J
7A.25	Section repealed	HF 636.47	E
7A.26	Section repealed	HF 534.291	J
7A.26	Section repealed	HF 636.47	E
7A.27	Section amended	HF 534.113	J
7A.28	Section amended	HF 534.114	J
7A.29	Section amended	HF 534.115	J
7D.6	Section amended	HF 636.21	E
7D.13	Section amended	HF 534.286	J
7D.14	Section amended	HF 534.286	J
7D.33	Section repealed	HF 534.291	J
7E.5	Subsection 1, paragraph b amended	HF 534.116	J
7E.5	Subsection 1, paragraph c stricken	HF 534.117	J
7E.5	Subsection 1, paragraph d amended	SF 453.96	J
7E.5	Subsection 1, paragraph d amended	HF 534.118	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
7E.5	Subsection 1, paragraph x stricken	HF 534.119	J
7E.5A	Section amended	HF 636.45	E
7E.6	Subsection 3 amended	SF 453.97	J
7E.6	Subsection 7 stricken	HF 636.22	E
7E.7	Subsection 2 amended	SF 393.1	J
7F.1	Subsection 3 amended	HF 534.120	J
7J.1	New section	SF 453.32**	E
7J.1	New section, subsection 1 amended	SF 458.85**	J
7J.1	New section, subsection 1 amended	HF 683.14	J
7J.1	New section, subsection 3, paragraph a amended	SF 458.86	J
7J.2	New section	SF 453.33**	E
7J.2	New section amended	SF 458.87	J
7J.3	New section	SF 453.34	E
7J.	Chapter repealed	SF 453.34	6/30/08
8.9	New section	SF 438.1	J
8.10	New section	SF 438.2	J
8.22A	Subsection 1 amended	HF 636.23	E
8.22A	Subsection 5, paragraph a amended	SF 453.98	J
8.23	Section amended	HF 636.45	E
8.23	Subsection 1, paragraph a stricken	SF 458.88A	E
8.31	Section amended	SF 458.89A	E
8.31	Unnumbered paragraph 6 amended	HF 534.121	J
8.34	Section amended	HF 534.286	J
8.35A	Section amended	HF 534.286	J
8.35A	Section amended	HF 636.45	E
8.36A	Section amended	HF 534.122	J
8.44	Section amended	HF 636.45	E
8.46	Section amended	HF 636.45	E
8.47	Subsection 1, unnumbered paragraph 1 amended	HF 534.123	J
8.47	Subsection 2 amended	HF 534.124	J
8.55	Section amended	HF 636.45	E
8.55	Subsection 2, paragraph c amended	SF 458.29	J
8.55	Subsection 2, paragraph d amended	SF 458.30	J
8.57*	Subsection 1, paragraph a, unnumbered paragraph 1 amended	SF 458.31	J
8.57	Subsection 1, paragraph c amended	SF 458.90A	E
8.57	Subsection 5, paragraph e, unnumbered paragraph 2 amended	SF 453.99	J
8.57	Subsection 5, new paragraph f	HF 683.91	J
8.61	Section amended	HF 534.286	J
8.61	Section amended	HF 636.45	E
8.62	Section amended	HF 636.45	E
8.63	Section amended	HF 534.125	E
8.64	New section	SF 453.27	J
8A.101	New section	HF 534.1	J
8A.102	New section	HF 534.2	J
8A.103	New section	HF 534.3	J
8A.104	New section	HF 534.4	J
8A.105	New section	HF 534.5	J
8A.106	New section	HF 534.6	J
8A.107	New section	HF 534.7	J
8A.108	New section	HF 534.8	J

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8A.109	New section	HF 534.9	J
8A.110	New section	HF 534.10	J
8A.121	New section	HF 534.11	J
8A.122	New section	HF 534.12	J
8A.123	New section	HF 534.13	J
8A.124	New section	HF 534.14	J
8A.125	New section	HF 534.15	J
8A.126	New section	HF 534.16	J
8A.201	New section	HF 534.17	J
8A.202	New section	HF 534.18 **	J
8A.202	New section, subsection 2, paragraph e rewritten	SF 458.57	J
8A.203	New section	HF 534.19	J
8A.204	New section	HF 534.20	E
8A.205	New section	HF 534.21	J
8A.206	New section	HF 534.22	J
8A.207	New section	HF 534.23	J
8A.221	New section	HF 534.24	J
8A.222	New section	HF 534.25	J
8A.223	New section	HF 534.26	J
8A.224	New section	HF 534.27	J
8A.301	New section	HF 534.28	J
8A.302	New section	HF 534.29	J
8A.311	New section	HF 534.30	J
8A.312	New section	HF 534.31	J
8A.313	New section	HF 534.32	J
8A.314	New section	HF 534.33	J
8A.315	New section	HF 534.34	J
8A.316	New section	HF 534.35	J
8A.321	New section	HF 534.36	J
8A.322	New section	HF 534.37	J
8A.323	New section	HF 534.38	J
8A.324	New section	HF 534.39	J
8A.325	New section	HF 534.40	J
8A.326	New section	HF 534.41	J
8A.327	New section	HF 534.42	J
8A.328	New section	HF 534.43	J
8A.329	New section	HF 534.44	J
8A.341	New section	HF 534.45	J
8A.342	New section	HF 534.46	J
8A.343	New section	HF 534.47	J
8A.344	New section	HF 534.48	J
8A.345	New section	HF 534.49	J
8A.351	New section	HF 534.50	J
8A.361	New section	HF 534.51	J
8A.362	New section	HF 534.52	J
8A.363	New section	HF 534.53	J
8A.364	New section	HF 534.54	J
8A.365	New section	HF 534.55	J
8A.366	New section	HF 534.56	J
8A.401	New section	HF 534.57	J
8A.402	New section	HF 534.58	J
8A.411	New section	HF 534.59	J
8A.412	New section	HF 534.60	J
8A.413	New section	HF 534.61	J
8A.414	New section	HF 534.62	J
8A.415	New section	HF 534.63	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
8A.416	New section	HF 534.64	J
8A.417	New section	HF 534.65	J
8A.418	New section	HF 534.66	J
8A.431	New section	HF 534.67	J
8A.432	New section	HF 534.68	J
8A.433	New section	HF 534.69	J
8A.434	New section	HF 534.70	J
8A.435	New section	HF 534.71	J
8A.436	New section	HF 534.72	J
8A.437	New section	HF 534.73	J
8A.438	New section	HF 534.74	J
8A.439	New section	HF 534.75	J
8A.451	New section	HF 534.76	J
8A.452	New section	HF 534.77	J
8A.453	New section	HF 534.78	J
8A.454	New section	HF 534.79	J
8A.455	New section	HF 534.80	J
8A.456	New section	HF 534.81	J
8A.457	New section	HF 534.82	J
8A.458	New section	HF 534.83	J
8A.502	New section	HF 534.84	J
8A.503	New section	HF 534.85	J
8A.504	New section	HF 534.86	J
8A.505	New section	HF 534.87**	J
8A.505	New section, new unnumbered paragraph added	HF 683.34	J
8A.506	New section	HF 534.88	J
8A.507	New section	HF 534.89	J
8A.508	New section	HF 534.90	J
8A.509	New section	HF 534.91	J
8A.510	New section	HF 534.92	J
8A.511	New section	HF 534.93	J
8A.512	New section	HF 534.94	J
8A.513	New section	HF 534.95	J
8A.514	New section	HF 534.96	J
8A.515	New section	HF 534.97	J
8A.516	New section	HF 534.98	J
8A.517	New section	HF 534.99	J
8A.518	New section	HF 534.100	J
8A.519	New section	HF 534.101	J
8D.2	Subsection 5, paragraph b amended	SF 155.2	J
8D.4	Section amended	HF 534.126	J
8D.9	New subsection 3	SF 155.3	J
8D.13	Subsection 11 amended	HF 534.286	J
8D.	Chapter repealed	SF 458.177	VETO
8E.209	Section amended	HF 636.45	E
8E.301	Section amended	HF 636.45	E
9.3	Section amended	HF 534.127	J
9.6	Section repealed	HF 636.47	E
9F.4	Section amended	HF 636.24	E
9F.5	Section amended	HF 636.25	E

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9H.1	New subsection 22A	SF 341.11	E
9H.1	Subsection 25, paragraph a amended	HF 171.1	J
9H.1	New subsection 26A	SF 341.1	E
9H.1	Subsection 28, paragraph c amended	SF 341.10	E
9H.1	Subsection 29, unnumbered paragraph 1 amended	SF 341.2	E
9H.1	Subsection 32 amended	SF 341.3	E
9H.1	Subsection 33 amended	HF 171.2	J
9H.2	Unnumbered paragraph 1 amended	SF 341.4	E
9H.2	Subsection 1, paragraph b, subparagraph (2) amended	SF 341.5	E
9H.2	Subsection 4 amended	SF 341.6	E
9H.2A	New subsection 0A	SF 341.7	E
9H.2A	Subsections 1, 2, & 3 amended	SF 341.8	E
9H.2A	Subsection 4 stricken	SF 341.9	E
9H.3A	New section	SF 341.12	E
9H.4	Subsection 2, paragraph c, subparagraph (1) amended	HF 171.3	J
9H.4	Subsection 2, paragraph c, subparagraph (4) amended	HF 171.4	J
9H.4	Subsection 3 amended	HF 171.5	J
9H.5A	Section repealed	SF 341.17	E
9H.14	Section amended	SF 341.13	E
10.1	Subsection 14 amended	HF 624.1	E
10A.101	Subsection 2 stricken	SF 155.4	J
10A.104	Subsection 2 amended	HF 534.128	J
10A.601	Subsections 1 & 7 amended	HF 534.129	J
10A.801	Subsection 3, paragraph a amended	HF 534.130	J
10B.1	Subsection 9, paragraph a amended	HF 171.6	J
10B.4A	Section amended	SF 155.5	J
10B.4A	Unnumbered paragraph 1 amended	SF 341.14	E
11.2	Subsection 1, unnumbered paragraph 3 amended	HF 534.131	J
11.20	Section amended	HF 534.286	J
11.24	Section repealed	SF 155.110	J
11.28	Section amended	HF 534.286	J
12.3	Section amended	HF 534.286	J
12.4	Section amended	HF 534.286	J
12.5	Section amended	HF 534.286	J
12.6	Section amended	HF 534.286	J
12.6	Section amended	HF 534.286	J
12.8	Section amended	HF 534.286	J
12.14	Section amended	HF 534.286	J
12.15	Section amended	HF 534.286	J
12.26	Section amended	HF 534.286	J
12.28	Section amended	HF 534.286	J
12B.2	Section amended	HF 534.286	J
12B.10	Subsection 6, paragraph d, subparagraph (4) amended	SF 458.91	J
12B.10A	Subsection 6, paragraph d, subparagraph (4) amended	SF 458.92	J
12B.11	Section amended	SF 134.1	J
12B.16	Section amended	HF 534.286	J
12B.17	Section amended	HF 534.286	J
12B.17	Section amended	HF 534.286	J
12B.18	Section amended	HF 534.286	J
12C.1	Subsection 2, paragraph e amended	SF 395.1**	J
12C.1	Subsection 2, paragraph e amended	HF 289.1**	J
12C.4	Section amended	HF 289.2**	J
12C.4	Section amended	HF 683.35	J
12C.19	Subsection 1 amended	SF 155.6	J
12C.23A	Subsection 3, paragraph d amended	SF 155.7	J
12C.27	Section rewritten	SF 458.93	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
12D.5	Subsection 2, paragraph a, new subparagraph (4)	HF 674.1	R 1/1/03
12D.9	Subsection 1, paragraph f amended	HF 674.2	R 1/1/03
12D.9	Subsection 2 amended	HF 692.64	VETO
12E.8	Subsection 2 amended	HF 534.132	J
12E.12	Subsection 8 amended	SF 458.94	E
12E.13	Section amended	HF 636.45	E
13.13	Subsection 2 amended	HF 534.133	J
13.22	Subsection 6 amended	HF 534.134	J
13.34	Subsection 4 amended	HF 534.135	J
13B.4	Subsection 4, paragraph d, subparagraph (2) amended	HF 349.1	J
13B.4	Subsection 4, paragraph d, new subparagraph (7)	HF 349.2	J
13B.4	New subsection 6A	HF 349.3	J
13B.5	Section amended	HF 534.136	J
13B.9	Subsection 4 amended	HF 349.4	J
14B.102	Subsection 2, paragraph e rewritten	HF 648.1***	J
14B.103	Section amended	HF 636.45	E
14B.105	Section amended	HF 636.45	E
14B.105	Subsection 1, paragraph b amended	SF 155.8	J
14B.206	Section amended	HF 636.45	E
14B.	Chapter repealed	HF 534.291	J
15.104	Subsections 1 & 2 amended	HF 392.1	J
15.106	Subsection 2 amended	HF 534.137	J
15.108	Subsection 6, paragraph b, subparagraph (1) amended	SF 155.9	J
15.108	Subsection 7, paragraph i stricken	HF 390.1	J
15.108	Subsection 9, paragraph c amended	HF 534.138	J
15.108	Subsection 9, new paragraph g	HF 692.76**	J
15.108	Subsection 9, new paragraph g stricken	HF 692.114	6/30/10
15.113	Section amended	HF 636.45	E
15.241	Section repealed	HF 390.6	J
15.246	Unnumbered paragraph 1 amended	HF 390.2	J
15.247	Subsection 2 amended	HF 390.3	J
15.269	New section	HF 391.1	J
15.313	Subsection 1, paragraph b amended	HF 390.4	J
15.331A	Section amended	HF 683.152	7/1/04
15.331B	Subsection 1, unnumbered paragraph 2 amended	HF 612.1	J
15.333	Subsection 1, unnumbered paragraph 1 amended	HF 681.1A	J
15.333	Subsection 2 amended	HF 681.2A	J
15.333	Subsection 2, unnumbered paragraph 2 amended	HF 677.8	J
15.334A	Section amended	HF 683.153	7/1/04
15.335	Subsection 4 amended	SF 442.1	R 1/1/02
15.337	Section amended	HF 677.9	J
15.343	Section amended	HF 636.45	E
15.349	Section amended	HF 480.1	J
15.354	Section amended	HF 534.286	J
15.381	New section	HF 677.1	J
15.382	New section	HF 677.2	J
15.383	New section	HF 677.3	J
15.384	New section	HF 677.4	J
15.385	New section	HF 677.5	J
15.386	New section	HF 677.6	J

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15.387	New section	HF 677.7	J
15A.9	Subsections 5, 6, & 7 amended	HF 683.154	7/1/04
15A.9	Subsection 8, paragraph e amended	SF 442.2	R 1/1/02
15A.9	Subsection 11 stricken	HF 636.26	E
15E.11	Section amended	HF 171.7	J
15E.18	New section	HF 329.1	J
15E.18	New section	HF 692.130	J
15E.19	New section	HF 692.131	J
15E.42	Subsection 2 amended	HF 171.8	J
15E.42	Subsection 3 amended	SF 458.95	R 1/1/02
15E.43	Subsection 1, paragraph a amended	SF 458.96	R 1/1/02
15E.43	Subsection 1, new paragraph d	SF 458.97	R 1/1/02
15E.45	Subsections 1, 3, 6, & 8 amended	SF 155.10	J
15E.45	Subsection 2, paragraph c amended	SF 458.98	R 1/1/02
15E.51	Subsection 4 amended	SF 155.11	J
15E.51	Subsection 4 amended	SF 458.99	R 1/1/02
15E.67	Section amended	SF 155.12	J
15E.111	Section amended	HF 636.44	E
15E.111	Subsection 1 amended	HF 692.87**	J
15E.111	Subsection 1 amended	HF 692.114	6/30/10
15E.111	Subsection 8 amended	HF 171.9	J
15E.112	Section amended	HF 534.286	J
15E.117	Section amended	HF 534.286	J
15E.118	New section	HF 692.107**	J
15E.118	New section repealed	HF 692.114	6/30/10
15E.119	New section	HF 692.108**	VETO
15E.119	New section repealed	HF 692.114	6/30/10
15E.120	Subsections 5 & 6 amended	HF 390.5	J
15E.192	Subsection 3, paragraphs a & b amended	HF 576.1	E
15E.193	New subsection 4	HF 576.2	J
15E.193B	Subsection 3 amended	HF 576.3	J
15E.193B	Subsection 4 amended	SF 458.100**	E
15E.193B	Subsection 4 amended	HF 683.15	J
15E.193B	Subsection 8 amended	SF 441.1	R 1/1/03
15E.193C	Subsection 2, unnumbered paragraph 1 amended	SF 155.13	J
15E.193C	Subsection 5 amended	HF 576.4	J
15E.208	Subsection 3, paragraph b amended	SF 459.1	E
15E.221	New section	HF 692.101**	J
15E.221	New section repealed	HF 692.114	6/30/10
15E.222	New section	HF 692.102**	J
15E.222	New section repealed	HF 692.114	6/30/10
15E.223	New section	HF 692.103**	J
15E.223	New section repealed	HF 692.114	6/30/10
15E.224	New section	HF 692.104**	J
15E.224	New section repealed	HF 692.114	6/30/10
15E.225	New section	HF 692.105**	J
15E.225	New section repealed	HF 692.114	6/30/10
15E.226	New section	HF 692.106**	J
15E.226	New section repealed	HF 692.114	6/30/10
15E.227	New section	HF 683.81**	J
15E.227	New section repealed	HF 683.93	6/30/10
15E.301	New section	HF 692.88 **	R 1/1/03
15E.301	New section repealed	HF 692.114	6/30/10
15E.302	New section	HF 692.89 **	R 1/1/03
15E.302	New section repealed	HF 692.114	6/30/10
15E.303	New section	HF 692.90**	R 1/1/03

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
15E.303	New section repealed	HF 692.114	6/30/10
15E.304	New section	HF 692.91**	R 1/1/03
15E.304	New section repealed	HF 692.114	6/30/10
15E.305	New section	HF 683.83**	R 1/1/03
15E.305	New section repealed	HF 683.93	6/30/10
15E.306	New section	HF 692.92**	R 1/1/03
15E.306	New section repealed	HF 692.114	6/30/10
15F.202	Subsection 1 amended	HF 394.1	J
15G.101	New section	HF 692.77**	J
15G.101	New section repealed	HF 692.114	6/30/10
15G.102	New section	HF 692.78**	J
15G.102	New section repealed	HF 692.114	6/30/10
15G.103	New section	HF 692.79**	J
15G.103	New section repealed	HF 692.114	6/30/10
15G.104	New section	HF 692.80**	J
15G.104	New section repealed	HF 692.114	6/30/10
15G.104 A	New section	HF 692.81**	J
15G.104 A	New section repealed	HF 692.114	6/30/10
15G.105	New section	HF 692.82**	J
15G.105	New section repealed	HF 692.114	6/30/10
15G.106	New section	HF 692.83**	J
15G.106	New section repealed	HF 692.114	6/30/10
15G.107	New section	HF 692.84**	J
15G.107	New section repealed	HF 692.114	6/30/10
15G.108	New section	HF 692.85**	J
15G.108	New section repealed	HF 692.114	6/30/10
15G.109	New section	HF 692.86**	J
15G.109	New section repealed	HF 692.114	6/30/10
16.2	Subsection 1, unnumbered paragraph 2 amended	HF 534.139	J
16.15	Subsection 4 amended	SF 155.14	J
16.31	Section amended	HF 534.286	J
16.31	Section amended	HF 534.286	J
16.132	Subsections 5 & 6 amended	SF 155.15	J
16.181	New section	SF 458.101	J
16A.5	Subsection 2 amended	HF 534.140	J
16A.13	Section amended	HF 534.286	J
17A.4	Section amended	HF 534.286	J
17A.4	New subsection 2A	HF 636.27	E
17A.6	Subsection 1, unnumbered paragraph 1 amended	HF 636.28	E
17A.6	Subsections 2, 3, & 5 amended	HF 636.29	E
17A.6	Subsection 5 amended	HF 534.141	J
17A.8	Subsection 10 stricken	HF 636.30	E
18.3	Subsection 3 amended	HF 636.31	E
18.16A	Section amended	HF 636.45	E
18.16B	Section amended	HF 636.45	E
18.28	Section amended	HF 636.32	E
18.28A	New section	HF 636.33	E
18.30	Section amended	HF 636.34	E
18.50	Section amended	HF 636.35	E
18.59	Subsection 5 amended	HF 636.36	E

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
18.75	Subsections 6 & 8 amended	HF 636.37	E
18.80	Section amended	HF 171.10	J
18.81	Section amended	HF 171.11	J
18.83	Section amended	HF 171.12	J
18.84	Section amended	HF 171.13	J
18.85	Section amended	HF 171.14	J
18.86	Section amended	HF 171.15	J
18.86	Section repealed	HF 636.47	E
18.87	Section repealed	HF 636.47	E
18.88	Section amended	HF 171.16	J
18.88	Section repealed	HF 636.47	E
18.89	Section repealed	HF 636.47	E
18.90	Section repealed	HF 636.47	E
18.92	Section amended	HF 171.17	J
18.95	Section repealed	HF 636.47	E
18.96	Section repealed	HF 636.47	E
18.97	Section repealed	HF 636.47	E
18.97A	Section repealed	HF 636.47	E
18.101	Section repealed	HF 636.47	E
18.102	Section amended	HF 171.18	J
18.102	Section repealed	HF 636.47	E
18.103	Section amended	HF 171.19	J
18.103	Section repealed	HF 636.47	E
18.	Chapter repealed	HF 534.291	J
18A.8	New section	SF 452.28	VETO
18A.8	New section	HF 683.206	VETO
19A.	Chapter repealed	HF 534.291	J
19B.5	Subsection 2 amended	HF 534.142	J
19B.12	Subsection 4 amended	HF 534.143	J
20.5	Subsection 4 amended	HF 534.144	J
20.18	Unnumbered paragraph 2 amended	HF 534.145	J
22.3A	Subsection 2, paragraph a amended	HF 636.38	E
22.7	Subsection 32 amended	HF 534.286	J
22.7	New subsection 47	SF 94.1	J
23A.2	Subsection 2, unnumbered paragraph 1 amended	SF 155.16	J
23A.2	Subsection 2, paragraph c amended	SF 155.17	J
23A.2	Subsection 10, paragraph o amended	HF 534.146	J
23A.2A	Section amended	HF 636.44	E
24.14	Section amended	SF 453.1	J
25.1	New subsection 4	SF 458.102	J
25.2	Section amended	HF 534.286	J
25.6	Section amended	HF 534.286	J
25B.5	Section amended	HF 636.39	E
25B.7	Subsection 3 stricken	SF 155.18	J
28.4	Subsection 12, paragraph e stricken	SF 155.19	J
28.9	Subsection 2 amended	SF 458.103	VETO
28A.17	Unnumbered paragraph 1 amended	HF 683.155	7/1/04
28B.1	Section amended	HF 636.44	E
28B.4	Section amended	HF 636.44	E
29A.13	Section amended	HF 534.147	J
29A.28	Section amended	HF 674.3**	R 1/1/03
29A.28	New subsection 3 amended	HF 683.36	R 1/1/03
29A.43	Section amended	HF 647.1	J
29A.90	Subsection 3 amended	HF 171.20	R 4/22/02
29A.101A	New section	SF 359.1	J
29B.22	Unnumbered paragraph 3 amended	SF 155.20	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
29C.6	Subsection 1 amended	HF 396.7	E
29C.8	Subsection 3, new paragraph f	SF 458.104	J
29C.8	Subsection 3, new paragraph g	SF 458.104	J
29C.14	Section amended	HF 534.286	J
29C.15	Section amended	HF 683.156	7/1/04
29C.20	Subsection 1 amended	SF 417.1	J
29C.20	Subsection 1 amended	SF 458.105	J
35.1	Subsection 2, paragraph b, new subparagraph (5)	HF 674.4	E
35.10	Section amended	HF 534.286	J
35A.8	Subsection 3 amended	HF 534.148	J
35A.10	Section amended	HF 534.149	J
35A.13	New section	HF 676.1	J
35D.14	Unnumbered paragraph 1 amended	HF 534.150	J
39A.4	Subsect. 1, para. c, new subparas. (11), (12), (13), & (14)	HF 614.41	VETO
39A.5	Subsection 1, paragraph b, new subparagraph (4)	HF 614.42	VETO
42.1	Subsection 5, paragraph b amended	HF 534.151	J
42.2	Section amended	HF 636.44	E
42.3	Section amended	HF 636.44	E
42.6	Section amended	HF 636.44	E
43.45	Subsection 1 amended	SF 155.21	J
43.45	Subsection 2, paragraph c amended	SF 155.22	J
45.5	Subsection 1, unnumbered paragraph 2 amended	SF 155.24	J
45.5	Subsection 1, paragraph c amended	SF 155.23	J
46.12	Unnumbered paragraph 1 amended	HF 694.1**	J
46.12	Unnumbered paragraph 1 amended	HF 694.64	7/1/06
46.14	Section amended	HF 694.2	J
46.16	Subsections 2 & 3 amended	HF 694.3	J
47.1	New unnumbered paragraph	HF 614.1	VETO
47.7	Subsections 2, 3, & 4 rewritten	HF 614.2	VETO
47.8	Subsection 3, unnumbered paragraph 2 amended	HF 534.152	J
47.9	New section	HF 614.3	VETO
48A.8	Section amended	HF 614.4	VETO
48A.11	Subsection 1, paragraph b amended	HF 614.5	VETO
48A.11	Subsection 1, paragraph e rewritten	HF 614.6	VETO
48A.11	Subsection 1, paragraph f amended	HF 614.7	VETO
48A.11	Subsection 1, paragraph i amended	HF 614.8	VETO
48A.11	Subsection 2, new paragraph c	HF 614.9	VETO
48A.11	Subsection 5 amended	HF 614.10	VETO
48A.11	New subsection 7	HF 614.11	VETO
48A.25A	New section	HF 614.12	VETO
48A.26	Subsection 3 amended	HF 614.13	VETO
48A.28	Subsection 2, unnumbered paragraph 2 amended	HF 614.14	VETO
48A.29	Subsection 1, unnumbered paragraph 2 amended	SF 155.25	J
48A.36	Subsection 2 amended	HF 614.15	VETO
48A.38	Subsection 1, paragraph f amended	HF 614.16	VETO
49.7	Section amended	HF 636.44	E
49.35	Section repealed	HF 614.39	VETO
49.44	Unnumbered paragraph 2 stricken	HF 614.17	VETO
49.68	Section amended	HF 614.18	VETO
49.70	Section amended	HF 614.19	VETO

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A - applicability provisions

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J - effective July 1, 2003

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V - various effective dates

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
49.71	Section amended	HF 614.20	VETO
49.71	Unnumbered paragraph 1 amended	SF 155.26	J
49.73	Subsection 2 amended	HF 614.21	VETO
49.81	Section amended	HF 614.22	VETO
49.125	Section amended	SF 155.27	J
49A.9	Section amended	HF 534.286	J
50.20	Section amended	HF 614.23	VETO
50.21	Unnumbered paragraph 2 amended	HF 614.24	VETO
52.1	Subsection 2, paragraph h amended	HF 614.25	VETO
52.2	Section amended	HF 614.26	VETO
52.9	Unnumbered paragraph 4 stricken	HF 614.27	VETO
52.10	Section amended	HF 614.28	VETO
52.11	Section repealed	HF 614.39	VETO
52.12	Section amended	HF 614.29	VETO
52.14	Section repealed	HF 614.39	VETO
52.16	Section amended	HF 614.30	VETO
52.17	Section amended	HF 614.31	VETO
52.20	Section amended	HF 614.32	VETO
52.21	Section rewritten	HF 614.33	VETO
52.22	Section repealed	HF 614.39	VETO
52.23	Unnumbered paragraph 2 amended	HF 614.34	VETO
52.25	Unnumbered paragraph 2 amended	HF 614.35	VETO
53.1A	New section	HF 614.43	VETO
53.2	Unnumbered paragraph 1 amended	HF 614.44	VETO
53.2	New unnumbered paragraph	HF 614.45	VETO
53.8	Subsection 1 amended	HF 614.46	VETO
53.8	Subsection 2 amended	HF 614.47	VETO
53.17	Subsection 1 amended	HF 614.48	VETO
53.17	Subsection 2 amended	HF 614.49	VETO
53.17	New subsection 3	HF 614.50	VETO
53.22A	New section	HF 614.51	VETO
53.37A	New section	HF 614.36	VETO
53.40	Unnumbered paragraph 1 amended	HF 614.37	VETO
53.50	Section amended	HF 534.286	J
53.53	New unnumbered paragraphs	HF 614.38	VETO
55.1	Unnumbered paragraph 2 amended	HF 534.153	J
55.4	Unnumbered paragraph 1 amended	HF 534.154	J
56.3	Subsection 1 amended	HF 601.1	J
56.3A	Section amended	HF 534.286	J
56.4	Subsection 1 amended	SF 155.28	J
56.5	Subsection 2, paragraph d stricken	HF 601.2	J
56.6	Subsections 2 & 5 amended	HF 601.3	J
56.13	Section rewritten	HF 601.4	J
56.20	Section amended	HF 601.5	J
56.22	Section amended	HF 534.286	J
56.22	Subsection 2 amended	HF 601.6	J
56.23	Section amended	HF 534.286	J
56.23	Section amended	HF 601.7	J
56.43	Subsection 1 amended	HF 601.8	J
68B.22	Subsection 4, paragraph e amended	HF 583.1	J
68B.22	Subsection 4, new paragraph r	HF 583.2	J
68B.32	Subsection 5 amended	HF 534.155	J
68B.35	Subsection 2, paragraph e amended	SF 453.100	J
68B.38	Section amended	HF 583.3	J
68B.39	Unnumbered paragraph 1 amended	HF 171.21	J
70A.23	Section amended	HF 171.22	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
70A.30	Unnumbered paragraph 2 amended	HF 171.23	J
70A.38	Subsection 8 amended	HF 534.156	E
70A.38	Section repealed	HF 534.156	6/30/08
70A.39	New section	HF 381.1**	J
70A.39	New section, subsection 1, paragraph b amended	HF 683.37	J
74.9	Section amended	HF 534.286	J
74.9	Section amended	HF 534.286	J
80.17	Subsection 3 amended	HF 171.24	J
80.22	Section amended	SF 155.29	J
80A.4	Subsection 4 amended	HF 171.25	J
80A.7	Subsection 5 amended	HF 171.26	J
80B.3	Subsection 3 amended	HF 548.1	J
80B.5	Section amended	SF 458.106	VETO
80B.5A	New section	SF 458.107	VETO
80B.11	Subsections 1 & 2 amended	HF 548.2	J
80B.11B	Subsection 2 amended	HF 548.3	J
80B.11D	New section	SF 352.1	J
80B.11E	New section	SF 453.16	J
80B.18	New section	HF 548.4	J
80E.1	Section amended	HF 636.45	E
84A.7	Subsection 5 amended	HF 534.157	J
85.28	Section amended	HF 225.1	J
85.34	Subsection 2, paragraph u, new unnumbered paragraph	HF 692.121	VETO
85.48	Section amended	HF 225.2	J
85.65A	Subsection 5 amended	HF 225.3	E
85.65A	Section repealed	HF 225.3	7/1/08
86.2	Subsection 1 amended	HF 534.158	J
86.12	Section amended	HF 692.122	J
86.13A	New section	HF 692.123	J
86.42	Section amended	HF 225.4	J
86.43	Section amended	HF 225.5	J
88.2	Subsection 3 amended	HF 534.159	J
88A.6	Section amended	HF 534.160	J
89.1	Unnumbered paragraph 1 amended	HF 534.161	J
89A.4	Section amended	HF 534.162	J
91A.9	Subsection 3 amended	HF 534.163	J
96.7	Subsection 7 amended	HF 534.286	J
96.7	Subsection 12, paragraph a amended	HF 692.127	E
96.7	Subsection 12, paragraph d amended	HF 692.128	E
96.9	Section amended	HF 534.286	J
96.9	New subsection 8	SF 458.32	E
96.11	Subsection 16 amended	HF 534.164	J
96.14	Section amended	HF 534.286	J
97.51	Section amended	HF 534.286	J
97.51	Subsection 1 amended	HF 534.165	J
97.51	Subsection 3 amended	HF 534.166	J
97.52	Section amended	HF 534.167	J
97A.5	Subsections 5 & 6 amended	HF 534.168	J
97A.6	Subsection 5, paragraph b amended	HF 342.1	E
97A.7	Subsection 4 amended	HF 534.169	J

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A - applicability provisions

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R 00/00/00 - retroactive applicability

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V - various effective dates

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
97A.8	Section amended	HF 534.286	J
97A.11	Section amended	HF 534.286	J
97B.1	Section amended	HF 534.170	J
97B.1A	Subsections 3, 7, 9, 11, 14, & 26 amended	HF 534.286	J
97B.1A	Subsection 23 amended	HF 534.171	J
97B.3	Subsection 1 amended	SF 102.1	R 7/1/02
97B.3	New subsection 3	SF 102.2	R 7/1/02
97B.4	Section amended	HF 534.286	J
97B.4	Subsection 2, paragraph c amended	HF 534.172	J
97B.4	Subsection 3, paragraphs a, b, c, & d amended	HF 534.173	J
97B.7	Section amended	HF 534.286	J
97B.7A	Subsection 1 amended	HF 534.286	J
97B.7A	Subsection 5 amended	HF 534.174	J
97B.8A	Subsection 3, paragraph b amended	HF 534.286	J
97B.8A	Subsections 4 & 5 amended	HF 534.286	J
97B.8B	Section amended	HF 534.286	J
97B.11	Section amended	HF 534.286	J
97B.17	Section amended	HF 534.286	J
97B.17	Section amended	HF 636.45	E
97B.17	Subsections 3 & 4 amended	SF 155.30	J
97B.33	Section amended	HF 534.286	J
97B.42A	Subsections 3, 4, & 5 amended	HF 534.286	J
97B.42C	Section amended	SF 155.31	J
97B.43	Unnumbered paragraph 1 amended	HF 534.175	J
97B.49B	Subsection 1, paragraph e, subparagraph (3) amended	HF 534.176	J
97B.49B	Subsection 1, paragraph e, subparagraph (7) amended	HF 534.177	J
97B.49F	Section amended	HF 534.286	J
97B.49	Subsection 2, paragraph c, subparagraph (5) amended	HF 534.178	J
97B.49G	Section amended	HF 534.286	J
97B.49H	Section amended	HF 534.286	J
97B.50	Section amended	HF 534.286	J
97B.50	Subsection 2, paragraph c amended	HF 534.179	J
97B.50A	Subsections 2 & 3 amended	HF 534.286	J
97B.52A	Subsection 3 amended	HF 534.286	J
97B.53	Unnumbered paragraph 1 amended	HF 534.286	J
97B.64	Section amended	HF 534.180	J
97B.65	Section amended	HF 534.286	J
97B.66	Section amended	HF 534.286	J
97B.66	Unnumbered paragraph 1 amended	HF 171.27	J
97B.72	Section amended	HF 534.286	J
97B.72A	Section amended	HF 534.286	J
97B.73	Section amended	HF 534.286	J
97B.73	Subsection 1, paragraph a amended	HF 171.28	J
97B.73A	Section amended	HF 534.286	J
97B.74	Section amended	HF 534.286	J
97B.80	Section amended	HF 534.286	J
97B.80A	Section amended	HF 534.286	J
97B.80B	Section amended	HF 534.286	J
97B.80C	Section amended	HF 534.286	J
97B.81	Section amended	HF 534.286	J
97B.82	Section amended	HF 534.286	J
97C.2	Subsection 8 amended	HF 534.181	J
97D.4	Subsection 4, unnumbered paragraph 2 amended	HF 636.40	E
99A.10	Section amended	SF 453.101	J
99B.1	Subsection 17 amended	SF 453.102	J
99B.6	Subsection 5 amended	SF 453.103	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
99B.7	Subsection 1, paragraph l, subparagraph (1) amended	SF 453.104**	J
99B.7	Subsection 1, paragraph l, subparagraph (1) amended	HF 683.38	J
99B.7	Subsection 1, paragraph o amended	SF 155.32	J
99B.9	Subsection 1, unnumbered paragraph 1 amended	HF 603.1	J
99B.10	New subsections 4, 5, & 6	HF 594.1	E
99B.10A	New section	HF 594.2	E
99B.10B	New section	HF 594.3	E
99B.12	Subsection 2, paragraph a amended	SF 155.33	J
99B.12A	New section	HF 603.2	J
99B.15	Section amended	SF 453.105	J
99D.8A	Subsection 2 amended	HF 171.29	J
99E.3	Subsection 3 amended	HF 171.30	J
99E.3	Subsection 3 amended	HF 534.182	J
99E.9	Subsection 2 amended	HF 171.31**	J
99E.9	Subsection 2 amended	SF 458.59	J
99E.10	Subsection 1, paragraph b amended	HF 683.157	7/1/04
99E.14	Unnumbered paragraph 1 amended	HF 534.183	J
99E.	Chapter repealed	SF 453.119	J
99F.1	New subsection 5A	SF 155.34	J
99F.2	Section amended	SF 453.106	J
99F.6	Subsection 2 amended	HF 171.32	J
99F.11	Subsection 3 amended	SF 453.107	J
99G.1	New section	SF 453.63	J
99G.2	New section	SF 453.64	J
99G.3	New section	SF 453.65	J
99G.4	New section	SF 453.66	J
99G.5	New section	SF 453.67	J
99G.6	New section	SF 453.68	J
99G.7	New section	SF 453.69	J
99G.8	New section	SF 453.70	J
99G.9	New section	SF 453.71**	J
99G.9	New section, subsection 3, paragraph j stricken	SF 458.108	J
99G.10	New section	SF 453.72**	J
99G.10	New section, subsection 2 amended	SF 458.60	J
99G.11	New section	SF 453.73	J
99G.21	New section	SF 453.74	J
99G.22	New section	SF 453.75 **	J
99G.22	New section, subsection 1 amended	SF 458.61	J
99G.23	New section	SF 453.76	J
99G.24	New section	SF 453.77	J
99G.25	New section	SF 453.78	J
99G.26	New section	SF 453.79	J
99G.27	New section	SF 453.80	J
99G.28	New section	SF 453.81	J
99G.29	New section	SF 453.82	J
99G.30	New section	SF 453.83	J
99G.31	New section	SF 453.84	J
99G.32	New section	SF 453.85	J
99G.33	New section	SF 453.86	J
99G.34	New section	SF 453.87	J

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VETO - entire bill section vetoed

****** - subsequently amended

E - effective upon enactment

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V - various effective dates

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
99G.35	New section	SF 453.88	J
99G.36	New section	SF 453.89	J
99G.37	New section	SF 453.90**	J
99G.37	New section, subsection 2 amended	SF 458.62	J
99G.38	New section	SF 453.91**	J
99G.38	New section, subsection 3 amended	SF 458.63	J
99G.39	New section	SF 453.92	J
99G.40	New section	SF 453.93**	J
99G.40	New section, subsection 5 amended	SF 458.109	J
99G.41	New section	SF 453.94	J
99G.42	New section	SF 453.95	J
100.1	Subsection 6 amended	HF 672.17	J
100.1	Subsection 6 amended	HF 675.1	J
100B.9	Unnumbered paragraph 1 amended	SF 439.16	J
100B.11	Section amended	HF 534.286	J
100B.11	Section amended	HF 534.286	J
100B.12	New section	HF 656.1	J
103A.6	Section amended	HF 534.184	J
103A.25	Section amended	HF 171.33	J
123.3	New subsection 22A	HF 682.1	E
123.3	Subsection 30 amended	HF 682.2	E
123.20	Subsection 4 amended	HF 534.185	J
123.32	Subsection 1 amended	HF 682.3	E
123.49	Subsection 2, paragraph a amended	SF 453.108	J
123.53	Section amended	HF 534.286	J
123.56	Subsection 1 amended	HF 682.4	E
123.56	New subsection 6	HF 682.5	E
123.127	Subsection 1, paragraph c rewritten	HF 682.6	E
123.173	Section amended	HF 682.7	E
123.174	Section amended	HF 682.8	E
123.175	Section amended	HF 682.9	E
123.176	Section repealed	HF 682.15	E
123.177	Subsection 1 amended	HF 682.10	E
123.178A	New section	HF 682.11	E
123.178B	New section	HF 682.12	E
123.179	New subsections 3 & 4	HF 682.13	E
123.187	Subsection 2 amended	HF 683.158	7/1/04
123.183	Subsection 3, paragraph a amended	HF 682.14	R 7/1/02
124.204	Subsection 3, paragraph u rewritten	HF 389.1	J
124.204	Subsection 6, paragraph g amended	HF 389.2	J
124.204	Subsection 9, paragraph a amended	HF 389.3	J
124.206	Subsection 2, paragraph d, unnumbered paragraph 1 amended	HF 389.4	J
124.206	Subsection 4, paragraph a amended	HF 389.5	J
124.208	Subsection 5 rewritten	HF 389.6	J
124.208	Subsection 6, unnumbered paragraph 1 amended	HF 389.7	J
124.212	Subsection 3 stricken	HF 389.8	J
124.304	Subsection 1 amended	HF 389.9	J
124.401	Subsect. 1, para. a, subpara. (2), unnumb. para. 1 amended	SF 422.1	J
124.401	Subsect. 1, para. a, subpara. (2), subpara. subdiv. (d) & (e) stricken	SF 422.2	J
124.401	Subsection 1, paragraph a, new subparagraph (7)	SF 422.3	J
124.401	Subsect. 1, para. b, subpara. (2), unnumb. para. 1 amended	SF 422.4	J
124.401	Subsection 1, paragraph b, subparagraph (3) amended	SF 422.5	J
124.401	Subsect. 1, para. c, subpara. (2), unnumb. para. 1 amended	SF 422.6	J
124.401	Subsection 1, paragraph c, subparagraph (3) amended	SF 422.7	J
124.401	Subsection 1, paragraph d amended	HF 249.1	J
124B.2	Subsection 1, new paragraphs x, y, & z	HF 389.10	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
124C.1	Subsection 1 stricken	SF 155.35	J
125.91	Subsection 2 amended	SF 361.1	J
125.91	Subsection 3 stricken	SF 361.2	J
135.2	Unnumbered paragraph 1 amended	HF 534.186	J
135.11	Section amended	HF 636.45	E
135.11	Subsection 17 amended	SF 155.36	J
135.11	Subsection 29 stricken	HF 396.8	E
135.24	Section amended	HF 557.1	J
135.78	Section amended	HF 171.34	J
135.131	New section	HF 454.1	J
135.131	New section	HF 619.1	J
135.150	New section	HF 396.1**	E
135.150	New section, subsection 3 amended	SF 458.64	J
135.151	New section	HF 396.2	E
135.152	New section	HF 396.3	E
135.153	New section	HF 396.4	E
135.154	New section	HF 396.5**	E
135.154	New section, subsection 7 amended	SF 458.65	J
135.155	New section	HF 396.6	E
135B.18A	New section	HF 454.2	J
135C.1	Subsection 1 amended	HF 672.18	J
135C.2	Subsection 3, paragraph c amended	HF 387.1	E
135C.6	Subsection 8 amended	HF 387.2	E
135C.16	Subsection 1 amended	HF 534.187	J
135C.18	Section amended	HF 534.188	J
135C.31A	New section	HF 619.2**	J
135C.31A	New section amended	SF 458.160	J
135C.33	Subsection 5, paragraph e amended	HF 675.2	J
137.6	Subsection 4 amended	HF 534.189	J
137F.1	Subsection 8, paragraph e amended	SF 155.37	J
139A.2	New subsection 17A	HF 396.9	E
139A.3A	New section	HF 396.10	E
139A.8	Subsection 1 amended	HF 641.1	J
139A.8	Subsection 2, paragraph a amended	HF 641.2	J
139A.8	Subsection 4, paragraph a amended	HF 641.3	J
141A.7	Subsection 2, paragraph a amended	HF 171.35	J
142.4	Unnumbered paragraph 2 amended	HF 171.36	J
142.8	Unnumbered paragraph 2 amended	HF 171.37	J
142A.5	Subsection 1, paragraph b amended	HF 534.190	J
142A.6	Subsection 5 amended	HF 534.191	J
142C.6	Subsection 2 amended	HF 171.38	J
142C.15	Subsection 4, paragraph c amended	HF 381.2	J
144.13A	Section amended	HF 541.1	J
144.29A	Subsection 1, new paragraph k	SF 3.1	J
147.74	Subsection 16 amended	HF 628.1	E
147.80	Subsection 5 amended	HF 628.2	E
147.98	Section amended	HF 534.192	J
147.102	Section amended	HF 534.193	J
147.103	Unnumbered paragraph 1 amended	HF 534.194	J
147.103A	Subsections 3 & 4 amended	HF 534.195	J

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A - applicability provisions

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***** - Code Supplement 2001

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VETO - entire bill section vetoed

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00/00/00 - specified effective date

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J - effective July 1, 2003

R 00/00/00 - retroactive applicability

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V - various effective dates

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
147.107	Subsection 2, unnumbered paragraph 1 amended	HF 171.39	J
147.107	Subsection 5 amended	HF 628.3	E
147.113A	New section	HF 455.1	J
147.114	Section amended	HF 534.196	J
148.13	Subsection 1 amended	HF 628.4	E
148.13	Subsection 4 rewritten	HF 628.5	E
148C.1	Subsection 1 rewritten	HF 628.6	E
148C.1	Subsection 5 amended	HF 628.7	E
148C.1	Subsection 7 stricken	HF 628.8	E
148C.2	Section repealed	HF 628.13	E
148C.3	Section rewritten	HF 628.9	E
148C.4	Section amended	HF 628.10	E
148C.5A	Section repealed	HF 628.13	E
148C.6A	Section repealed	HF 628.13	E
148C.7	Section repealed	HF 628.13	E
148C.11	Section amended	HF 628.11	E
149.5	Section amended	HF 503.1	J
152.1	Subsection 5, paragraph b rewritten	HF 641.4	J
152.1	Subsection 5, paragraph c amended	HF 641.5	J
152.2	Section amended	HF 534.197	J
152.3	Section amended	HF 534.286	J
152.3	Subsection 6 amended	HF 534.198	J
152.11	Section amended	HF 534.199	J
152C.5A	New section	HF 204.1	J
152C.7A	New section	HF 204.2	J
153.33	Subsection 2 amended	HF 534.200	J
153.33	Subsection 5, unnumbered paragraph 1 amended	SF 155.38	J
153.33	Subsection 5, paragraphs a, b, d, & h amended	SF 155.39	J
157.7	Section amended	HF 534.201	J
158.6	Section amended	HF 534.202	J
159.5	Subsections 12 & 15 stricken	HF 493.1	J
159.6	Subsection 8 amended	SF 155.40	7/1/05
159.6	Subsection 12 stricken	SF 394.23	J
159.21	Section amended	HF 534.286	J
159.23	Section amended	HF 534.286	J
159.40	New section	SF 395.2	J
159.41	New section	SF 395.3	J
159.42	New section	SF 395.4	J
159.43	New section	SF 395.5	J
159.44	New section	SF 395.6	J
159A.3	Subsection 4 stricken	SF 155.41	J
159A.3	Subsection 5 amended	SF 155.42	J
159A.7	Section amended	HF 534.286	J
161.7	Section amended	HF 534.286	J
161A.11	Section repealed	HF 492.2	J
161A.11	Section repealed	HF 493.2	J
161B.1	Subsection 2 amended	HF 171.40	J
161C.5	Section amended	HF 534.286	J
161D.8	Section amended	HF 636.45	E
161D.13	Section amended	HF 636.45	E
163.30	Subsection 2, unnumbered paragraph 1 amended	HF 171.41	J
163.30	Subsection 3, unnumbered paragraph 1 amended	HF 617.1	J
163.37	Subsection 3 amended	HF 648.2	J
169A.1	Subsection 1 amended	HF 624.2	E
169A.13A	Section amended	HF 534.286	J
169C.1	Subsection 3 amended	HF 624.3	E

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
170.1	New section	HF 624.4	E
170.2	New section	HF 624.5	E
170.3	New section	HF 624.6	E
170.4	New section	HF 624.7	E
170.5	New section	HF 624.8	E
170.6	New section	HF 624.9**	E
170.6	New section, subsection 1, paragraph b amended	SF 458.66	J
170.7	New section	HF 624.10	E
170.8	New section	HF 624.11	E
172D.3	Subsection 2, paragraph a amended	HF 171.42	J
173.3	Section amended	SF 155.43	7/1/05
174.24	New section	SF 458.110	VETO
175.3	Subsection 1 amended	SF 393.2	J
175.7	Subsection 1 amended	SF 393.3	J
175.7	Subsection 3 amended	HF 534.203	J
175.22	Section amended	HF 534.286	J
175.22	Subsection 3 amended	HF 534.286	J
179.5	Section amended	HF 534.286	J
179.5	Section amended	HF 534.286	J
181.13	Section amended	HF 534.286	J
183A.7	Section amended	HF 534.286	J
184.6	Unnumbered paragraph 1 amended	HF 240.1	J
184.13	Section amended	HF 534.286	J
184A.4	Section amended	HF 534.286	J
185.26	Section amended	HF 534.286	J
185C.26	Section amended	HF 534.286	J
186.5	Section amended	HF 534.286	J
189.1	Unnumbered paragraph 1 amended	SF 394.24	J
189.1	Subsections 1 & 6 amended	SF 394.25	J
189.2	Subsections 2, 3, & 4 amended	SF 394.26	J
189.2	Subsection 4 amended	HF 534.204	J
189.3	Section amended	SF 394.27	J
189.4	Section amended	SF 394.28	J
189.5	Section amended	SF 394.29	J
189.6	Section amended	SF 394.30	J
189.8	Section amended	SF 394.31	J
189.9	Unnumbered paragraph 1 amended	SF 394.32	J
189.13	Section amended	SF 394.33	J
189.14	Subsection 1 amended	SF 394.34	J
189.15	Section amended	SF 394.35	J
189.16	Subsection 2, paragraph a amended	SF 394.36	J
189.19	Unnumbered paragraph 1 amended	SF 394.37	J
189.19	Subsection 2 amended	SF 394.38	J
189.20	Section amended	SF 394.39	J
189.21	Section amended	SF 394.40	J
189.23	Section amended	SF 394.41	J
189.24	Section amended	SF 394.42	J
189.28	Section amended	SF 394.43	J
189.29	Section amended	SF 394.44	J
189A.2	Subsection 6A rewritten	HF 624.12	E

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
190.1	Unnumbered paragraph 1 amended	SF 394.45	J
190C.1	Section rewritten	HF 600.1	E
190C.1	Subsection 12 amended	HF 624.13	E
190C.1	Subsection 18 amended	HF 171.43	J
190C.1A	New section	HF 600.2	E
190C.1B	New section	HF 600.3	E
190C.2	Subsection 1 amended	HF 600.4	E
190C.2	Subsection 2, unnumbered paragraph 1 amended	HF 600.5	E
190C.2	Subsections 3, 4, 6, & 7 amended	HF 600.6	E
190C.2A	New section	HF 600.7	E
190C.2B	New section	HF 600.8	E
190C.3	Section rewritten	HF 600.9	E
190C.4	Section repealed	HF 600.20	E
190C.5	Section amended	HF 600.10	E
190C.6	Section amended	HF 600.11	E
190C.12	Section repealed	HF 600.20	E
190C.13	Section repealed	HF 600.20	E
190C.14	Section repealed	HF 600.20	E
190C.15	Section repealed	HF 600.20	E
190C.21	Section amended	HF 600.12	E
190C.22	Section amended	HF 600.13	E
190C.23	Section rewritten	HF 600.14	E
190C.24	Subsection 1 amended	HF 600.15	E
190C.24	Subsection 4 amended	HF 600.16	E
190C.25	Section amended	HF 600.17	E
190C.26	Section amended	HF 600.18	E
192.101A	Unnumbered paragraph 1 amended	SF 155.44	J
192.102	Section amended	SF 155.45	J
192.110	Subsection 1 amended	SF 155.46	J
202C.1	New section	HF 617.2	J
202C.2	New section	HF 617.3	J
202C.3	New section	HF 617.4	J
202C.4	New section	HF 617.5	J
203.1	New subsections 1A, 4A, & 8A	SF 394.1	J
203.1	Subsection 6, paragraph a amended	SF 394.2	J
203.1	Subsection 8, paragraph h stricken	SF 394.46	J
203.4	Section amended	SF 394.3	J
203.5	Unnumbered paragraph 2 amended	SF 394.47	J
203.8	Section amended	SF 394.4	J
203.9	Section amended	SF 394.5	J
203.10	Section rewritten	SF 394.6	J
203.11	Subsection 2 amended	SF 394.7	J
203.13	Section repealed	SF 394.21	J
203.15	Subsections 1, 2, 3, & 4 amended	SF 394.8	J
203.15	Subsection 6 amended	SF 394.9	J
203.15	Subsection 8, paragraph f amended	SF 394.10	J
203.15	Subsection 9 amended	SF 394.11	J
203.17	Subsection 2 stricken	SF 394.12	J
203A.	Chapter repealed	SF 394.50	J
203C.1	Subsection 2 amended	SF 394.13	J
203C.1	New subsections 3A & 6A	SF 394.14	J
203C.1	Subsection 7A, paragraph a amended	SF 394.15	J
203C.1	Subsection 18 rewritten	SF 394.16	J
203C.2	Section amended	SF 394.17	J
203C.6	Subsection 7 amended	SF 394.48	J
203C.10	Section rewritten	SF 394.18	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
203C.35	Section repealed	SF 394.22	J
203C.36	Subsections 1 & 2 amended	SF 394.19	J
203C.39	Subsection 3 amended	SF 394.20	J
206.2	New subsections 8A & 10A	HF 547.1	E
206.13	Section amended	HF 547.2	E
214A.2	Subsection 3, paragraph c stricken	HF 689.1	R 1/1/02
215.14	Section amended	HF 683.16	J
216A.2	Unnumbered paragraph 2 amended	HF 534.205	J
216A.145	Section amended	HF 534.206	J
216B.3	Subsections 14 & 17 amended	HF 534.207	J
217.12	Section amended	HF 636.45	E
217.23	Subsection 1 amended	HF 534.208	J
217.34	Section amended	HF 534.209	J
217.39	Section amended	HF 692.65	VETO
217A.1	New section	HF 667.36	IV
218.10	Section amended	HF 534.210	J
218.50	Section amended	HF 534.286	J
218.57	Section amended	HF 534.286	J
218.58	Subsections 3 & 5 amended	HF 534.211	J
218.85	Section amended	HF 534.212	J
218.86	Section amended	HF 534.286	J
218.87	Section amended	HF 534.286	J
218.89	Section repealed	HF 534.291	J
218.100	Section amended	HF 534.213	J
225.22	Section amended	HF 534.286	J
225.23	Section amended	HF 534.286	J
225.28	Section amended	HF 534.286	J
225.30	Section amended	HF 534.286	J
225C.5	Subsection 1, paragraph c amended	HF 387.3	E
225C.12	Section amended	HF 534.286	J
227.7	Section amended	HF 534.286	J
229.22	Subsection 2 amended	SF 361.3	J
229.22	Subsection 3 stricken	SF 361.4	J
229.35	Section amended	HF 534.286	J
229A.8A	Subsection 2, paragraph g amended	SF 155.47	J
229A.10	Subsection 1 amended	SF 155.48	J
230A.12	Unnumbered paragraph 1 amended	HF 171.44	J
231.3	Subsections 1, 3, & 4 amended	HF 386.1	J
231.4	Section amended	HF 386.2	J
231.13	Section amended	HF 386.3	J
231.14	Unnumbered paragraph 1, subsections 6, 7, 8, & 10 amended	HF 386.4	J
231.22	Unnumbered paragraph 1 amended	HF 534.214	J
231.23	Subsection 4 amended	HF 386.5	J
231.23A	New section	HF 386.6	J
231.24	Section repealed	HF 386.16	J
231.31	Section rewritten	HF 386.7	J
231.32	Section amended	HF 386.8	J
231.33	Section amended	HF 386.9	J
231.41	Section amended	HF 386.10	J
231.42	Unnumbered paragraph 1, subsections 1, 3, & 5 amended	HF 386.11	J

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V - various effective dates

Section	Action Taken	Hse/Sen File #	Effective
231.44	Subsections 2, 3, & 4 amended	HF 386.12	J
231.54	Section repealed	HF 386.16	J
231.56A	New section	SF 416.1**	J
231.56A	New section amended	SF 458.67	J
231.57	Section amended	HF 386.13	J
231.58	Subsection 4, paragraph a amended	HF 386.14	J
231.58	Subsection 4, paragraph d amended	HF 534.215	J
231.59	Section repealed	HF 386.16	J
231.60	Section repealed	HF 386.16	J
231.61	Section repealed	HF 672.20	J
231A.	Chapter repealed	HF 675.28	J
231B.1	Subsection 4 amended	HF 675.3	J
231B.2	Subsection 2, paragraph c amended	HF 675.4	J
231B.2	Subsections 3 & 5 amended	HF 675.5	J
231B.3	Subsection 2 amended	HF 675.6	J
231C.1	Section amended	HF 675.7	J
231C.2	New subsection 0A	HF 672.19	J
231C.2	Subsections 1 & 6 amended	HF 675.8	J
231C.2	New subsections 2A, 4A, 4B, 5A, 6A, & 7	HF 675.9	J
231C.3	Section rewritten	HF 675.10	J
231C.4	Section amended	HF 675.11	J
231C.5	Section rewritten	HF 675.12	J
231C.6	Section rewritten	HF 675.13	J
231C.7	New section	HF 675.14	J
231C.8	New section	HF 675.15	J
231C.9	New section	HF 675.16	J
231C.10	New section	HF 675.17	J
231C.11	New section	HF 675.18	J
231C.12	New section	HF 675.19	J
231C.13	New section	HF 675.20	J
231C.14	New section	HF 675.21	J
231C.15	New section	HF 675.22	J
231C.16	New section	HF 675.23	J
231C.17	New section	HF 675.24**	J
231C.17	New section, subsection 4 rewritten	HF 683.17	E
231C.18	New section	HF 675.25	J
231C.19	New section	HF 675.26	J
231D.1	New section	HF 672.1	J
231D.2	New section	HF 672.2	J
231D.3	New section	HF 672.3	J
231D.4	New section	HF 672.4	J
231D.5	New section	HF 672.5	J
231D.6	New section	HF 672.6	J
231D.7	New section	HF 672.7	J
231D.8	New section	HF 672.8	J
231D.9	New section	HF 672.9	J
231D.10	New section	HF 672.10	J
231D.11	New section	HF 672.11	J
231D.12	New section	HF 672.12	J
231D.13	New section	HF 672.13	J
231D.14	New section	HF 672.14	J
231D.15	New section	HF 672.15	J
231D.16	New section	HF 672.16	J
232.2	Subsection 4, paragraph f amended	HF 457.1	J
232.2	Subsection 22, paragraph b, new subparagraph (7)	HF 457.2	J
232.2	Subsection 22, new paragraph d	HF 457.3	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
232.7	New section	SF 354.1	J
232.35	Subsection 1 amended	HF 694.4	J
232.37	Subsection 4 amended	HF 694.5	J
232.52	Subsection 6, unnumbered paragraph 2 amended	HF 457.4	J
232.68	Unnumbered paragraph 1 amended	SF 155.49	J
232.69	Subsection 1, unnumbered paragraph 1 amended	HF 206.1	VETO
232.69	Subsection 1, paragraph b, new subparagraph (13)	HF 206.2	VETO
232.69	Subsection 3, paragraph b amended	HF 206.3	VETO
232.71B	Subsection 3 amended	SF 353.1	J
232.71B	Subsection 4, paragraph e amended	SF 155.50	J
232.71B	New subsection 7A	HF 558.1**	J
232.71B	New subsection 7A amended	SF 458.68	J
232.71B	Subsection 11, new paragraph h	SF 303.1	J
232.102	Subsection 1, unnumbered paragraph 2 amended	HF 457.5	J
232.103	Subsection 3 amended	HF 457.6	J
232.127	New subsection 10	HF 457.7	J
232.133	Subsection 2 amended	SF 224.1	J
232.183	Subsection 5, new paragraph d	HF 457.8	J
232.183	Subsection 7 stricken	HF 694.6	J
232B.1	New section	SF 354.2	J
232B.2	New section	SF 354.3	J
232B.3	New section	SF 354.4	J
232B.4	New section	SF 354.5	J
232B.5	New section	SF 354.6	J
232B.6	New section	SF 354.7	J
232B.7	New section	SF 354.8	J
232B.8	New section	SF 354.9	J
232B.9	New section	SF 354.10	J
232B.10	New section	SF 354.11	J
232B.11	New section	SF 354.12	J
232B.12	New section	SF 354.13	J
232B.13	New section	SF 354.14	J
232B.14	New section	SF 354.15	J
233B.14	Section amended	HF 534.286	J
234.6	Section amended	HF 534.286	J
234.8	Section amended	HF 534.216	J
234.35	Subsection 1, paragraph c amended	HF 667.37	J
234.35	New subsection 4	HF 457.9	J
235.7	New section	HF 457.10	J
235A.13	Unnumbered paragraph 1 amended	SF 155.51	J
235A.13	Subsection 8 amended	HF 489.1	J
235A.15	Subsection 2, paragraph b, new subparagraph (10)	SF 353.2	J
235A.15	Subsection 5 amended	HF 534.217	J
235B.3	Subsection 2, paragraph d amended	HF 675.27	J
235B.3	Subsection 5 amended	SF 416.2	J
235B.3	New subsection 6A	HF 558.2**	J
235B.3	New subsection 6A amended	SF 458.69	J
235B.6	Subsection 2, paragraph c, new subparagraph (8)	SF 416.3	J
235B.6	Subsection 2, paragraph e, new subparagraph (10)	SF 416.4	J
235B.6	Subsection 3 amended	SF 416.5	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
235B.9	Subsections 1, 2, & 3 amended	SF 416.6	J
236.2	New subsection 5A	SF 155.52	J
236.3	Unnumbered paragraph 2 amended	HF 694.7	J
236.3	Subsection 2 amended	SF 155.53	J
236.15B	Unnumbered paragraph 5 amended	HF 534.218	J
236.15B	Section repealed	SF 155.111	J
237.18	Section amended	HF 636.45	E
237.20	Unnumbered paragraph 1 amended	HF 694.8	J
237A.1	New subsection 10A	SF 351.1	J
237A.2	Subsection 1, unnumbered paragraph 1 amended	SF 155.54	J
237A.2	Subsection 5 amended	SF 351.2	J
237A.3	Section amended	SF 351.3	J
237A.3A	Subsection 2 amended	SF 351.4	J
237A.5	Subsection 2 amended	SF 351.5	J
237A.5	Subsections 3 & 6 stricken	SF 351.6	J
237A.13	Subsection 1, paragraph d amended	SF 351.7	J
237A.13	Subsection 4, new paragraph d	SF 351.8	J
237A.19	New subsection 3	SF 351.9	J
237A.20	Section amended	SF 351.10	J
237A.25	New section	HF 683.18	J
237A.29	Subsection 2, paragraph b amended	SF 351.11	J
237A.29	Subsection 2, paragraph d amended	SF 155.55	J
237A.29	Subsection 3, paragraphs a & b amended	SF 351.12	J
237A.29	Subsection 3, paragraph b amended	SF 155.56***	J
249.8	Section amended	HF 534.286	J
249A.3	Subsection 2, paragraph a amended	HF 489.2	J
249A.4	Subsection 7, new unnumbered paragraph	HF 479.1	J
249A.5	Subsection 2, paragraph b amended	HF 489.3	J
249A.12	Subsection 4, new paragraph c	HF 489.4	R 2/1/02
249A.12	New subsection 6	HF 560.1	J
249A.20A	New section	HF 619.3**	E
249A.20A	New section, new subsection 5A added	SF 458.161	J
249A.20B	New section	HF 619.4**	C
249A.20B	New section, new subsection 5A added	SF 458.162	J
249A.26A	New section	HF 489.5	J
249A.29A	New section	HF 619.5***	J
249A.32	New section	SF 453.55	J
249A.32	New section	HF 560.2	J
249B.3	Subsection 1, unnumbered paragraph 1 amended	HF 619.6	J
251.5	Section amended	HF 534.286	J
252A.5	Subsection 1 amended	HF 489.6	J
252A.6	Subsection 1 amended	HF 489.7	J
252B.5	Subsection 4 amended	HF 534.219	J
252B.5	Subsection 8 amended	HF 534.220	J
252B.22	Section amended	HF 534.286	J
255.1	Unnumbered paragraph 1 amended	HF 694.9	J
255.4	Section amended	HF 694.10	J
255.5	Section amended	HF 694.11	J
255.6	Section amended	HF 694.12	J
255.7	Section amended	HF 694.13	J
255.8	Section amended	HF 694.14	J
255.10	Section amended	HF 694.15	J
255.11	Section amended	HF 694.16	J
255.12	Section amended	HF 694.17	J
255.13	Section amended	HF 694.18	J
255.14	Section amended	HF 694.19	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
255.21	Section amended	HF 694.20	J
255.22	Section amended	HF 694.21	J
255.24	Section amended	HF 534.286	J
255.24A	Section amended	HF 534.286	J
255.24A	Section amended	HF 636.45	E
255.26	Section amended	HF 534.286	J
255.27	Section amended	HF 534.221	J
255.27	Section amended	HF 694.22	J
256.5A	Section amended	HF 549.1	J
256.7	Subsection 10 amended	SF 453.56	J
256.7	Subsection 21, unnumbered paragraph 1 amended	HF 549.2	J
256.9	Subsection 4 amended	HF 534.222	J
256.9	Subsection 50 amended	HF 549.3	J
256.9	New subsection 52	HF 549.4	J
256.9	New subsection 53	HF 549.5	VETO
256.12	Section amended	HF 534.286	J
256.18	Subsection 2, unnumbered paragraph 2 stricken	HF 549.6	J
256.18A	New section	HF 180.1	J
256.19	Section amended	HF 534.286	J
256.20	Section amended	HF 534.286	J
256.39	Subsection 8 stricken	HF 549.7	J
256.52	Subsection 3, paragraph d amended	HF 534.223	J
256.53	Section amended	HF 636.41	E
256.54	Subsection 1, unnumbered paragraph 1 amended	HF 534.224	J
256.54	Subsection 2, unnumbered paragraph 1 amended	HF 534.225	J
256A.3	Subsection 11 stricken	HF 171.45	J
256A.4	Subsection 1, unnumbered paragraph 1 amended	HF 549.8	J
256D.4	Section amended	HF 534.286	J
256D.4	Subsection 2, unnumbered paragraph 1 amended	SF 458.33	J
256D.5	Subsection 3 amended	SF 458.34	J
256D.9	Section amended	HF 549.9	E
256D.	Chapter repealed	HF 549.9	7/1/04
256F.3****	Subsection 1 amended	SF 172.1	A E
256F.4****	Subsections 1 & 3 amended	SF 172.2	A E
256F.11****	Section amended	SF 172.3	A E
256F.****	Chapter repealed	SF 172.3	A 7/1/11
257.3	Subsection 2 amended	HF 549.10	E
257.8	Subsection 1 amended	SF 211.1	A 7/1/04
257.11	Subsection 2, paragraph c, subparagraph (2) amended	HF 549.11	J
257.11	Subsection 5, paragraph b amended	SF 458.111	J
257.31	Subsection 5, paragraph d amended	SF 172.4	E
257.32	Section amended	HF 534.286	J
257.35	Subsection 2 amended	SF 453.40	E
257.35	New subsection 3	SF 453.41	E
257.37	Subsection 6 amended	SF 453.42	E
257B.1B	Section amended	HF 534.286	J
257B.11	Section amended	HF 534.286	J
257B.18	Section amended	HF 534.286	J
257B.35	Section amended	HF 534.286	J
257B.37	Section amended	HF 534.286	J

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R 00/00/00 - retroactive applicability

***** - Code Supplement 2001

****** - subsequently amended

******* - subsequently repealed

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Section	Action Taken	Hse/Sen File #	Effective
257B.39	Section amended	HF 534.286	J
257B.40	Section amended	HF 534.286	J
257B.42	Section amended	HF 534.286	J
257C.6	Subsection 11 amended	HF 534.226	J
257C.9	Subsection 3 amended	HF 534.286	J
257C.9	Subsection 4 amended	HF 534.286	J
258.17	Subsection 4 amended	HF 549.12	J
260C.14	Subsection 1 amended	HF 171.46	J
260C.14	New subsection 20	SF 458.112	J
260C.18A	New section	HF 683.76**	J
260C.18A	New section repealed	HF 683.93	6/30/10
260C.18B	Subsection 4 amended	HF 534.286	J
260C.19B	Section amended	HF 534.227	J
260C.24	Section amended	HF 534.286	J
260C.66	Section amended	HF 636.45	E
260F.9	New section	HF 683.77**	J
260F.9	New section repealed	HF 683.93	6/30/10
260F.101	New section	HF 683.78**	J
260F.101	New section repealed	HF 683.93	6/30/10
260G.3	Subsection 2 amended	HF 683.79**	J
260G.3	Subsection 2 amended	HF 683.93	6/30/10
260G.4B	Subsection 1 amended	SF 458.35	J
260G.101	New section	HF 683.80**	J
260G.101	New section repealed	HF 683.93	6/30/10
261.4	Section amended	HF 534.286	J
261.9	Subsection 1, unnumbered paragraph 1 amended	SF 458.113	J
261.9	Subsection 1, new paragraph g	SF 458.114	J
261.22	Section amended	HF 636.45	E
261.23	Subsection 4 amended	HF 171.47	J
261.25	Section amended	HF 636.45	E
261.25	Subsection 1 amended	HF 662.13	J
261.37	Subsection 7 amended	HF 534.228	J
261.86	New subsection 6	HF 662.14	R 7/1/02
261A.6	Subsection 10 amended	HF 534.229	J
262.9	Subsection 6 amended	HF 534.230	J
262.9	New subsection 29	SF 458.115	J
262.9	New subsection 29	HF 549.13	J
262.9	New subsection 29	HF 692.94**	J
262.9	New subsection 29 stricken	HF 692.114	6/30/10
262.22	Section amended	HF 534.286	J
262.25A	Subsection 1 amended	HF 534.231	J
262.25B	Section amended	HF 534.232	J
262.29	Section amended	HF 534.286	J
262.54	Section amended	HF 683.159	7/1/04
262.64A	Section amended	HF 636.45	E
262A.13	Section amended	HF 636.45	E
262B.1	Section amended	HF 692.95**	J
262B.1	Section amended	HF 692.114	6/30/10
262B.2	Section rewritten	HF 692.96**	J
262B.2	Rewritten section amended	HF 692.114	6/30/10
262B.3	Section amended	HF 692.97**	J
262B.3	Section amended	HF 692.114	6/30/10
262B.4	Section repealed	HF 692.100**	J
262B.4	Repealed section reenacted	HF 692.114	6/30/10
262B.5	Section amended	HF 692.98**	J
262B.5	Section amended	HF 692.114	6/30/10

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
262B.6	New section	HF 692.99**	VETO
262B.6	New section repealed	HF 692.114	6/30/10
262B.11	New section	HF 692.111**	J
262B.11	New section repealed	HF 692.114	6/30/10
262B.12	New section	HF 683.82**	J
262B.12	New section repealed	HF 683.93	6/30/10
263A.11	Section amended	HF 636.45	E
263A.13	Section amended	HF 636.45	E
266.8	Section repealed	SF 458.143	J
266.24	Section repealed	SF 458.143	J
266.25	Section repealed	SF 458.143	J
266.26	Section repealed	SF 458.143	J
266.39D	Section amended	HF 636.45	E
266.39F	Section amended	HF 636.45	E
270.5	Section amended	HF 534.286	J
270.6	Section amended	HF 534.286	J
270.7	Section amended	HF 534.286	J
272.2	Subsection 14, paragraph a amended	HF 171.48	J
272.2	Subsect. 14, para. b, subpara. (1), subpara. subdiv. (b), new subpara. subdiv. part (viii)	HF 549.14	J
272.2	New subsection 17	HF 549.15	J
272.11	Section amended	HF 534.286	J
272.15	New section	HF 549.16	J
272.25	Subsection 4 amended	HF 549.17	J
272.28	Section amended	HF 549.18	J
272C.3	Subsection 1, paragraph k amended	HF 641.6	J
272C.7	Section amended	HF 534.286	J
272C.7	Subsection 1 amended	HF 534.233	J
273.8	Subsection 2 rewritten	HF 549.19	J
273.8	New subsection 2A	HF 549.20	J
273.21	Subsection 2 amended	HF 549.21	J
273.21	Subsection 3, paragraph g amended	HF 549.22	J
273.21	Subsection 4 amended	HF 549.23	J
273.22	New subsection 4A	HF 549.24	J
273.22	Subsections 5 & 6 amended	HF 549.25	J
273.22	Subsection 7 stricken	HF 549.26	J
273.23	Subsections 2, 3, & 5 amended	HF 549.27	J
273.23	Subsection 11 amended	HF 549.28	J
273.27	Subsection 2 amended	HF 549.29	J
275.23A	Section amended	HF 636.44	E
277.23	Subsection 2 amended	SF 155.57	J
279.3	Unnumbered paragraph 2 amended	HF 549.30	J
279.7A	Section amended	SF 272.1	J
279.13	New subsection 4	HF 341.1	J
279.13	New subsection 4	HF 549.31	J
279.19B	New unnumbered paragraph	HF 341.2	J
279.23	Unnumbered paragraph 3 amended	HF 341.3	J
279.23	New unnumbered paragraph	HF 549.32	J
279.46	Section amended	HF 549.33	J
279.59	Section amended	SF 173.1	VETO

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J - effective July 1, 2003

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
280.12	New subsection 3	HF 180.2	J
280.14	Section amended	HF 549.34	J
282.18	Subsection 3 amended	HF 549.35	R 7/1/02
282.18	Subsection 4, paragraph b amended	SF 172.5	E
282.18	Subsection 7 amended	HF 549.36	J
282.28	Section amended	HF 534.286	J
282.28	Section repealed	SF 453.59	J
282.31	Section amended	HF 534.286	J
282.32	Section amended	SF 453.57	J
282.33	New section	SF 453.58	J
283.1	Section amended	HF 534.286	J
284.2	Subsections 1 & 3 amended	HF 549.37	J
284.3	Subsection 2, paragraph a amended	HF 171.49	J
284.3	Subsection 2, paragraphs a & b amended	HF 549.38	J
284.3	Subsection 3 amended	HF 549.39	J
284.4	Subsection 1, paragraphs c & d amended	HF 549.40	J
284.5	Subsection 3 amended	HF 662.15	J
284.5	Subsection 6 amended	HF 549.41	J
284.6	Subsection 5 amended	HF 549.42	J
284.7	Subsect. 1, para. a, subpara. (1), subpara. subdiv. (b) amended	HF 549.43	J
284.7	Subsection 2, paragraph a, subparagraph (1) amended	HF 549.44	J
284.7	Subsection 4 amended	HF 549.45	J
284.7	Subsection 6, paragraph a amended	HF 549.46	J
284.8	Subsection 2 amended	HF 549.47	J
284.9	Subsection 3 amended	HF 549.48	J
284.10	Subsections 4 & 5 amended	HF 549.49	J
284.11	Subsections 1 & 6 amended	HF 549.50	J
284.11	Subsection 2 amended	SF 155.58	J
284.11	Subsections 4, 5, & 7 amended	HF 171.50	J
284.12	Subsection 4 amended	SF 201.1	J
284.13	Subsection 1, paragraph a amended	SF 458.116	J
284.13	Subsection 1, paragraphs b, c, d, & e amended	HF 662.17	J
284.13	Subsection 1, paragraph f stricken	HF 662.16	J
284.13	Subsection 1, paragraph g, unnumbered paragraph 1 amended	SF 458.117	J
284.13	Subsection 1, paragraph g, unnumbered paragraph 1 amended	HF 662.18	VETO
284.13	Subsection 1, new paragraph i	HF 662.19	J
284.13	Subsection 3 stricken	HF 662.20	J
285.2	Section amended	HF 534.286	J
285.5	Subsection 9 amended	HF 549.51	VETO
285.10	Subsection 7, paragraph b amended	HF 549.52	J
292.2	Section amended	HF 636.45	E
292A.3A	New section	HF 683.92	J
294A.1	Unnumbered paragraph 1 amended	HF 549.53	J
294A.1	Subsection 3 stricken	HF 549.54	J
294A.3	Unnumbered paragraph 2 stricken	HF 549.55	J
294A.6	Section amended	HF 534.286	J
294A.9	Section amended	HF 534.286	J
294A.12	Section repealed	HF 549.70	J
294A.13	Section repealed	HF 549.70	J
294A.14	Section repealed	HF 549.70	J
294A.15	Section repealed	HF 549.70	J
294A.16	Section repealed	HF 549.70	J
294A.17	Section repealed	HF 549.70	J
294A.18	Section repealed	HF 549.70	J
294A.19	Section amended	HF 636.45	E
294A.19	Section repealed	HF 549.70	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
294A.20	Section repealed	HF 549.70	J
294A.22	Section amended	HF 534.286	J
294A.22	Unnumbered paragraph 3 amended	HF 549.56	J
294A.23	Section repealed	HF 549.70	J
294A.25	Subsection 1 amended	SF 458.9	J
294A.25	Subsections 5 & 6 amended	HF 662.21	E
294A.25	Subsection 6 stricken	SF 458.118	J
294A.25	Subsections 7, 8, & 9 amended	SF 458.119	J
294A.25	Subsection 10 amended	SF 458.36	J
298.3	Subsections 3 & 10 amended	HF 175.1	E
298.11	Section amended	HF 534.286	J
298.14	Section amended	HF 534.234	J
303.1A	Subsection 5 amended	HF 534.235	J
303.2	Subsection 2, paragraph d amended	HF 648.3	J
303.2	Subsection 2, paragraph i amended	HF 534.236	J
303.3B	New section	HF 692.110**	J
303.3B	New section repealed	HF 692.114	6/30/10
303.9	Subsection 2 amended	HF 534.237	J
303.9	Subsection 2 amended	HF 683.160	7/1/04
303.12	Section repealed	HF 648.21	J
303.13	Section repealed	HF 648.21	J
303.14	Section amended	HF 534.286	J
303.14	Section repealed	HF 648.21	J
303.15	Section repealed	HF 648.21	J
303A.6	Subsection 3 amended	HF 171.51	J
304.3	Subsections 8 & 9 amended	HF 534.238	J
304.	Chapter repealed	HF 648.20	J
304A.21	Subsection 5 amended	HF 171.52	J
304A.29	Section amended	HF 534.286	J
304B.1	New section	HF 648.4	J
304B.2	New section	HF 648.5	J
304B.3	New section	HF 648.6**	J
304B.3	New section, subsections 4, 8, & 9 amended	SF 458.70	J
304B.4	New section	HF 648.7	J
304B.5	New section	HF 648.8	J
304B.6	New section	HF 648.9	J
304B.7	New section	HF 648.10	J
304B.8	New section	HF 648.11	J
304B.9	New section	HF 648.12	J
304B.10	New section	HF 648.13	J
304B.11	New section	HF 648.14	J
304B.12	New section	HF 648.15	J
304B.13	New section	HF 648.16	J
304B.14	New section	HF 648.17	J
304B.15	New section	HF 648.18	J
304B.16	New section	HF 648.19	J
306.3	Subsection 5 amended	SF 451.1	J
306.4	New subsection 2A	SF 451.2	J
306.8A	New section	SF 451.3	J
306C.1	Subsection 5 stricken	SF 97.1	J

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VETO - entire bill section vetoed

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E - effective upon enactment

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J - effective July 1, 2003

R 00/00/00 - retroactive applicability

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
306C.2	Unnumbered paragraph 1 amended	SF 97.2	J
306C.3	Section amended	SF 97.3	J
306C.8	Section amended	SF 97.4	J
306C.10	Subsection 13 stricken	SF 97.5	J
306C.22	Section repealed	SF 97.6	J
307.12	Unnumbered paragraph 2 amended	HF 534.240	J
307.12	Subsection 2 amended	HF 534.239	J
307.20	Section amended	HF 636.45	E
307.21	Unnumbered paragraph 2 amended	HF 534.242	J
307.21	Subsection 4, paragraphs a & b amended	HF 534.241	J
307.22	Subsection 7 amended	SF 451.4	J
307.27	Subsection 8 amended	HF 171.53	J
307.40	Section amended	HF 636.45	E
307.46	Section amended	HF 636.45	E
307.47	Section amended	HF 636.45	E
308.1	Section amended	HF 171.54	J
309.57	Unnumbered paragraph 3 amended	SF 451.5	J
310.7	Section amended	HF 534.286	J
312.1	Subsection 4 amended	HF 683.161	7/1/04
312.2	Subsections 14 & 16 amended	HF 683.162	7/1/04
312.3	Subsection 2 amended	SF 451.6	J
312.3D	New section	SF 451.7	J
313.4	Subsection 3 amended	HF 534.243	J
313.4	New subsections 6 & 7	SF 451.8	J
313.7	Section amended	HF 534.286	J
313.18	Section amended	HF 534.286	J
313.19	Section amended	HF 534.286	J
313.20	Section amended	HF 534.286	J
313.28	Section amended	HF 534.286	J
314.3	Section amended	HF 534.286	J
315.7	Section amended	HF 534.286	J
321.1	Subsection 30 amended	HF 343.1	J
321.1	Subsection 60 amended	SF 134.2	J
321.19	Subsection 1, unnumbered paragraph 2 amended	SF 453.109	J
321.19	Subsection 1, unnumbered paragraph 2 amended	HF 534.244	J
321.20	Subsection 5 amended	HF 683.163	7/1/04
321.20B	Subsect. 4, para. b, subpara. (1), unnumb. para. 1 amended	HF 694.23	J
321.20B	Subsection 4, paragraph c amended	HF 694.24	J
321.20B	Subsection 5, paragraph b amended	HF 694.25	J
321.24	Subsections 1 & 3 amended	HF 683.164	7/1/04
321.24	Subsection 3 amended	SF 97.9	7/1/04
321.30	Subsection 13 amended	HF 534.245	J
321.31	Subsection 1, unnumbered paragraph 3 amended	HF 534.246	J
321.34	Subsection 3 amended	HF 290.1	J
321.34	Subsection 7, paragraph c amended	HF 683.165	7/1/04
321.34	Subsection 8, unnumbered paragraph 1 amended	HF 290.2	J
321.34	Subsection 8A, unnumbered paragraph 1 amended	HF 290.3	J
321.34	Subsection 10 amended	HF 656.2	J
321.34	Subsections 10 & 10A amended	HF 290.4	J
321.34	Subsection 11, paragraph a amended	HF 290.5	J
321.34	Subsection 11, paragraph c amended	HF 683.166	7/1/04
321.34	Subsection 11A, paragraph a amended	HF 290.6	J
321.34	Subsection 11A, paragraph c amended	HF 683.167	7/1/04
321.34	Subsection 11B, paragraph a amended	HF 290.7	J
321.34	Subsection 11B, paragraph c amended	HF 683.168	7/1/04
321.34	Subsection 12, paragraph a amended	HF 290.8	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
321.34	Subsection 13, paragraph d amended	HF 683.169	7/1/04
321.34	Subsection 15, unnumbered paragraph 1 amended	HF 290.9	J
321.34	Subsection 21, paragraph c amended	HF 683.170	7/1/04
321.34	Subsection 22, paragraph b amended	HF 683.171	7/1/04
321.34	New subsection 23	SF 127.1	J
321.35	Unnumbered paragraph 2 amended	HF 534.247	J
321.39	Subsections 2 & 3 amended	SF 134.3	J
321.40	Unnumbered paragraph 6 amended	HF 534.248	J
321.45	Subsection 2, paragraph a amended	SF 97.10	7/1/04
321.48	Subsection 2 amended	SF 97.11	J
321.50	Subsections 1, 2, & 3 amended	SF 97.12	7/1/04
321.50	Subsection 6 amended	SF 97.13	J
321.69	Subsections 2 & 3 amended	HF 502.1	J
321.69	Subsection 7, unnumbered paragraph 1 amended	HF 502.2	J
321.69	Subsections 8 & 9 amended	HF 502.3**	J
321.69	Subsection 9 amended	SF 458.71	J
321.69	New subsection 9A	HF 502.4	J
321.69	Subsection 10 amended	HF 502.5	J
321.149	Section amended	HF 534.249	J
321.178	Subsection 1, paragraph c amended	HF 171.55	J
321.183	New section	HF 623.1	J
321.189	Subsection 4 amended	HF 171.56	J
321.190	Subsection 1, paragraph a amended	HF 623.2	J
321.191	New subsection 10	SF 97.14**	J
321.191	New subsection 10 stricken	SF 97.26	7/1/08
321.192	New section	SF 97.15	J
321.210B	Section amended	HF 534.250	J
321.236	Subsection 1, paragraph a amended	SF 453.14	J
321.271	Section amended	SF 97.16	J
321.302	Section amended	HF 343.2	J
321.323A	Subsection 2 amended	HF 66.1	J
321.375	Subsection 2, unnumbered paragraph 1 amended	HF 549.57	J
321.375	Subsection 2, new paragraph e	HF 549.58	J
321.375	New subsection 3	HF 549.59	J
321.449	Subsection 1, unnumbered paragraph 1 amended	SF 97.17	J
321.449	Subsections 4 & 8 amended	SF 97.18	J
321.450	Subsection 4 amended	SF 97.19	J
321.484	Unnumbered paragraph 2 amended	HF 694.26	J
321.486	Subsection 1 amended	HF 343.3	J
321E.7	New subsection 1A	SF 97.20	E
321E.8	Section amended	SF 155.59	J
321F.9	Section amended	HF 683.172	7/1/04
321G.4	Unnumbered paragraph 1 amended	SF 155.60	J
321G.19	Subsection 1 amended	SF 155.61	J
321G.23A	New section	HF 584.1	J
321G.33	Subsections 1, 2, & 4 amended	SF 155.62	J
321J.2	Subsection 1, paragraph b amended	HF 65.1	J
321J.2	Subsection 2, paragraph a, subparagraph (1) amended	HF 683.48	J
321J.2	Subsection 2, paragraph a, subparagraph (3) amended	HF 65.2**	J

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321J.2	Subsect. 2, para. a, subpara. (3), new subpara. subdivs. (a) & (b) amended	SF 458.120	J
321J.4	Subsections 1 & 3 amended	HF 65.3**	J
321J.4	Subsection 1, new paragraphs a & b amended	SF 458.121	J
321J.4	Subsection 3, new paragraphs a & b amended	SF 458.122	J
321J.6	Subsection 1, paragraph g amended	HF 65.4	J
321J.12	Subsection 2 amended	HF 65.5 **	J
321J.12	Subsection 2, new paragraphs a & b amended	SF 458.123	J
321J.12	Subsection 5 amended	HF 65.6	J
321J.20	Subsection 6 amended	HF 65.7	J
321J.22	Subsection 2, paragraph d amended	HF 549.60	J
321K.1	New subsection 3	HF 343.4	J
321M.9	Subsection 1 amended	SF 97.21	J
322.19	Unnumbered paragraph 5 amended	SF 97.22	J
322D.1	Subsection 2 amended	HF 339.1	R 1/1/03
322D.1	Subsection 4, paragraphs b & e amended	HF 339.2	R 1/1/03
322D.1	Subsections 5 & 6 amended	HF 339.3	R 1/1/03
322D.1	New subsection 11	HF 339.4	R 1/1/03
322D.2	Section amended	HF 339.5	R 1/1/03
322D.3	Subsections 7 & 9 amended	HF 339.6	R 1/1/03
322D.10	New section	HF 339.7	R 1/1/03
322F.1	New subsections 0A, 1A, & 7A	HF 446.1	J
322F.1	Subsection 2 amended	HF 446.2	J
322F.1	Subsection 4 rewritten	HF 446.3	J
322F.2	Subsection 1 amended	HF 446.4	J
322F.3	Subsection 1, new paragraph f	HF 446.5	J
322F.5	Section amended	HF 446.6	J
322F.7	Subsection 7 amended	HF 446.7	J
322F.8	Subsection 1 amended	HF 446.8	J
322F.8	Subsection 2, paragraph b amended	HF 446.9	J
322F.9	Subsection 2 amended	HF 446.10	J
324A.5	Section amended	HF 534.286	J
324A.7	New section	SF 97.23	J
325A.7A	New section	SF 97.24	R 1/1/02
325A.7B	New section	SF 97.25	R 1/1/02
327B.1	Subsections 1, 2, & 3 amended	HF 171.57	J
327B.7	Section amended	HF 171.58	J
327C.22	Section amended	HF 171.59	J
327C.23	Section amended	HF 171.60	J
327D.67	Unnumbered paragraph 2 amended	HF 171.61	J
327D.72	Section amended	HF 171.62	J
327D.200	Section amended	HF 171.63	J
327D.201	Section amended	HF 171.64	J
327G.61	Subsection 2 amended	HF 171.65	J
327G.78	Unnumbered paragraph 1 amended	HF 171.66	J
327I.26	Section amended	HF 683.173	7/1/04
327J.3	Section amended	HF 636.45	E
328.26	Unnumbered paragraph 2 amended	HF 683.174	7/1/04
330.2	Section repealed	SF 97.7	J
331.209	Section amended	HF 636.44	E
331.210A	Subsection 2, new paragraph f	SF 390.1	VETO
331.231	Subsection 5 amended	SF 390.2	VETO
331.232	Subsection 3 amended	SF 390.3	VETO
331.234	Subsections 3 & 4 amended	SF 390.4	VETO
331.235	Section amended	SF 390.5	VETO
331.237	Subsection 1 amended	SF 390.6	VETO

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
331.237	Subsection 2, paragraph a amended	SF 390.7	VETO
331.237	New subsection 4	SF 390.8	VETO
331.238	New subsection 4	SF 390.9	VETO
331.244	New subsection 3	SF 390.10	VETO
331.247	Section amended	SF 390.11	VETO
331.248	Subsection 1 amended	SF 390.12	VETO
331.248	Subsection 2 amended	SF 390.13	VETO
331.248	New subsection 4	SF 390.14	VETO
331.249	Section amended	SF 390.15	VETO
331.250	Section amended	SF 390.16	VETO
331.251	Section amended	SF 390.17	VETO
331.252	Section amended	SF 390.18	VETO
331.254	Subsection 7 amended	SF 390.19	VETO
331.260	Subsection 2 amended	SF 390.20	VETO
331.261	Unnumbered paragraph 2 amended	SF 390.23	VETO
331.261	Subsection 2 amended	SF 390.21	VETO
331.261	Subsection 11 amended	SF 390.22	VETO
331.262	New subsections 1A, 1B, 1C, 1D, 1E, & 1F	SF 390.24	VETO
331.264	New section	SF 390.25**	VETO
331.264	New section, subsect. 1, unnum. para. 1, paras. a, b, c, & d amended	SF 458.179	VETO
331.302	Subsection 15 amended	SF 453.21	J
331.307	Subsection 1 amended	SF 453.22	J
331.342	Subsection 4 amended	SF 272.2	J
331.342	New subsection 11	SF 272.3	J
331.403	Subsection 3 amended	SF 453.2	J
331.424C	Section amended	SF 155.63	J
331.427	Subsection 1, unnumbered paragraph 1 amended	SF 453.3	J
331.427	New subsection 1A	HF 289.3	J
331.427	Subsection 2, paragraph k amended	HF 171.67	J
331.436	Section amended	SF 453.17	J
331.502	Subsection 3 stricken	HF 534.251	J
331.502	Subsection 3 stricken	HF 636.42	E
331.552	Subsection 5 amended	HF 534.252	J
331.552	New subsection 34	SF 134.4	J
331.553	Subsection 5 amended	HF 289.4	J
331.555	Section amended	HF 534.286	J
331.557	Subsection 3 amended	HF 683.175	7/1/04
331.602	Subsection 33 stricken	HF 311.1	J
331.605C	New section	SF 453.25**	J
331.605C	New section, subsections 1 & 2 amended	SF 458.124	J
331.605C	New section, subsection 4 amended	SF 458.125	J
331.607	Subsection 6 amended	HF 311.2	J
331.608	New subsection 5A	SF 94.2	J
331.608	Subsection 6 amended	SF 94.3	J
331.652	Subsection 8, paragraph d amended	HF 171.68	J
331.653	New subsection 23A	HF 694.27	J
331.756	Subsection 33 amended	SF 341.15	E
331.756	New subsection 83B	SF 353.3	J
331.909	Subsection 2 amended	HF 549.61	J
335.24	Section amended	HF 171.69	J

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A - applicability provisions

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***** - Code Supplement 2001

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VETO - entire bill section vetoed

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J - effective July 1, 2003

R 00/00/00 - retroactive applicability

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V - various effective dates

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
346.27	New subsection 26	SF 453.26	J
356.7	Section amended	HF 650.1**	J
356.7	Subsection 1 amended	SF 458.72	J
357A.15	Unnumbered paragraph 2 amended	HF 683.176	7/1/04
362.5	Subsection 5 amended	SF 272.4	J
362.5	New subsection 13	SF 272.5	J
364.3	Subsection 6 amended	SF 453.23	J
364.22	Subsection 1, unnumbered paragraph 1 amended	SF 453.24	J
368.1	New subsection 10A	HF 595.1	E
368.4	Section amended	HF 595.2	E
368.7	Subsection 1 amended	HF 595.3	E
368.11	Unnumbered paragraph 5 amended	HF 595.5	E
368.11	New unnumbered paragraph	HF 595.6	E
368.11	New subsection 14	HF 595.4	E
368.25	Section amended	HF 595.7	E
368.26	New section	HF 595.8	E
372.1	New subsections 7 & 8	SF 390.26	VETO
372.2	Unnumbered paragraph 1 amended	SF 390.27	VETO
372.4	Section amended	SF 230.1	E
384.3	Section amended	HF 636.45	E
384.22	Unnumbered paragraph 2 amended	SF 453.4	J
384.62	Section amended	SF 134.5	J
384.63	Subsection 3 amended	HF 171.70	J
384.67	Section amended	SF 134.6	J
384.84	New subsection 9	HF 683.19	J
390.8	New section	SF 405.1	J
392.6	Unnumbered paragraph 1 amended	SF 357.1	J
392.6	Unnumbered paragraph 3 amended	SF 357.2	J
403.23	Section amended	HF 636.45	E
403.23	Subsection 1 rewritten	SF 453.18	J
403.23	Subsections 2 & 3 amended	SF 453.19	J
403.23	Section repealed	SF 453.11	J
404A.4	Subsection 2 amended	SF 441.2	R 1/1/03
404A.4	Subsection 4 amended	HF 683.90**	J
404A.4	Subsection 4 amended	HF 683.93	6/30/10
404A.4	New subsection 5	SF 441.3	R 1/1/03
404A.5	Section amended	HF 636.45	E
405A.1	Section repealed	SF 453.11	J
405A.2	Section repealed	SF 453.11	J
405A.3	Section repealed	SF 453.11	J
405A.4	Section repealed	SF 453.11	J
405A.5	Section repealed	SF 453.11	J
405A.6	Section repealed	SF 453.11	J
405A.7	Section repealed	SF 453.11	J
405A.8	Section repealed	SF 453.11	J
405A.9	Section amended	HF 534.286	J
405A.9	Section repealed	SF 453.11	J
405A.10	Section amended	HF 534.253	J
405A.10	Section repealed	SF 453.11	J
421.6	Section repealed	HF 534.291	J
421.10	Section amended	HF 683.177	7/1/04
421.17	Section amended	HF 636.45	E
421.17	Subsections 21, 23, 24, 25, 26, 28, 29, 30, & 33 stricken	HF 534.254	J
421.17	Subsection 22B amended	HF 683.178	7/1/04
421.17	Subsection 27 stricken	SF 453.110	J
421.17	Subsection 29, paragraph j amended	HF 683.179	7/1/04

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
421.17	Subsection 33, new paragraph aa	SF 438.3	J
421.17	Subsection 34, paragraph i amended	HF 683.180	7/1/04
421.26	Section amended	HF 683.181	7/1/04
421.28	Section amended	HF 683.182	7/1/04
421.31	Section repealed	HF 534.291	J
421.32	Section repealed	HF 534.291	J
421.33	Section repealed	HF 534.291	J
421.34	Section repealed	HF 534.291	J
421.35	Section repealed	HF 534.291	J
421.36	Section repealed	HF 534.291	J
421.37	Section repealed	HF 534.291	J
421.38	Section repealed	HF 534.291	J
421.39	Section repealed	HF 534.291	J
421.40	Section repealed	HF 534.291	J
421.41	Section repealed	HF 534.291	J
421.42	Section repealed	HF 534.291	J
421.43	Section repealed	HF 534.291	J
421.44	Section repealed	HF 534.291	J
421.45	Section repealed	HF 534.291	J
421B.11	Unnumbered paragraph 3 amended	HF 171.71	J
421B.11	Unnumbered paragraph 3 amended	HF 683.183	7/1/04
422.3	Subsection 5 amended	SF 442.3	R 1/1/02
422.4	Subsection 1, paragraphs b & c amended	HF 692.48	VETO
422.4	Subsection 16 amended	HF 692.49	VETO
422.5	Subsection 1, paragraphs a, b, c, d, e, f, g, h, & i amended	HF 692.44	VETO
422.5	Subsection 1, paragraphs a, b, c, d, e, f, g, h, & i amended	HF 692.46	VETO
422.5	Subsection 1, paragraph k, subparagraph (1) amended	SF 442.4	R 9/10/01
422.5	Subsection 1 rewritten	HF 692.50	VETO
422.5	Subsection 2 rewritten	HF 692.51	VETO
422.5	Subsection 5 amended	HF 692.52	VETO
422.5	Subsection 7 stricken	HF 692.53	VETO
422.7	Subsect. 21, para. a, subpara. (1), unnumb. para. 1 amended	HF 683.184	7/1/04
422.7	New subsection 39	SF 442.5	R 9/10/01
422.7	New subsections 39, 40, & 41	HF 674.5	R 1/1/03
422.7	New subsection 42	HF 674.6	R 9/10/01
422.7	Section rewritten	HF 692.54	VETO
422.8	Subsection 2, paragraph a amended	HF 692.55	VETO
422.8	Subsection 4 stricken	HF 692.56	VETO
422.9	Subsection 1 amended	HF 692.57	VETO
422.9	Subsection 2, paragraph b stricken	HF 692.58	VETO
422.9	Subsection 2, new paragraph j	SF 442.6	R 9/10/01
422.9	Subsection 2, new paragraph j	HF 674.7	R 1/1/03
422.9	Subsections 6 & 7 stricken	HF 692.59	VETO
422.10	Subsection 3 amended	SF 442.7	R 1/1/02
422.11B	Subsection 1 amended	HF 692.60	VETO
422.11B	Section repealed	HF 692.63	VETO
422.11H	New section	HF 683.84**	R 1/1/03
422.11H	New section repealed	HF 683.93	6/30/10
422.11H	New section	HF 692.112**	J
422.11H	New section repealed	HF 692.114	6/30/10

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V - various effective dates

Section	Action Taken	Hse/Sen File #	Effective
422.12A	Subsection 2 amended	HF 534.255	J
422.13	Subsection 1, paragraph c & subsection 1A amended	HF 692.61	VETO
422.16	Subsection 1, unnumbered paragraph 4 amended	SF 453.111	J
422.20	Subsection 3, unnumbered paragraph 1 amended	HF 534.256	J
422.21	Unnumbered paragraph 2 amended	HF 674.8	A E
422.21	Unnumbered paragraph 5 amended	HF 692.62	VETO
422.32	New subsection 6A	SF 442.8	R 1/1/02
422.33	Subsection 5, paragraph d amended	SF 442.9	R 1/1/02
422.33	New subsection 14	HF 683.85**	R 1/1/03
422.33	New subsection 14 stricken	HF 683.93	6/30/10
422.33	New subsection 14	HF 692.113**	J
422.33	New subsection 14 stricken	HF 692.114	6/30/10
422.34	Subsection 2, new unnumbered paragraph	HF 674.9A	E
422.35	New subsection 19	SF 442.10	R 9/10/01
422.42	Section repealed	HF 683.151	7/1/04
422.43	Subsection 2 amended	SF 453.112	J
422.43	Section repealed	HF 683.151	7/1/04
422.44	Section repealed	HF 683.151	7/1/04
422.45	Subsect. 61, para. b, subparas. (2), (3), (4), & (5) amended	HF 692.132	VETO
422.45	New subsection 64	SF 458.126	J
422.45	New subsection 64	HF 654.1	R 7/1/97
422.45	Section repealed	HF 683.151	7/1/04
422.46	Section repealed	HF 683.151	7/1/04
422.47	Section repealed	HF 683.151	7/1/04
422.48	Section repealed	HF 683.151	7/1/04
422.49	Section repealed	HF 683.151	7/1/04
422.50	Section repealed	HF 683.151	7/1/04
422.51	Section repealed	HF 683.151	7/1/04
422.52	Section repealed	HF 683.151	7/1/04
422.53	Section repealed	HF 683.151	7/1/04
422.54	Section repealed	HF 683.151	7/1/04
422.55	Section repealed	HF 683.151	7/1/04
422.56	Section repealed	HF 683.151	7/1/04
422.57	Section repealed	HF 683.151	7/1/04
422.58	Section repealed	HF 683.151	7/1/04
422.59	Section repealed	HF 683.151	7/1/04
422.60	New subsection 7	HF 683.86**	R 1/1/03
422.60	New subsection 7 stricken	HF 683.93	6/30/10
422.65	Section repealed	SF 453.11	J
422.72	Section amended	HF 636.45	E
422.72	Subsection 3, unnumbered paragraph 1 amended	HF 534.257	J
422.73	Subsection 1 stricken	HF 683.185	7/1/04
422.120	Subsection 1, paragraph b, subparagraph (3) amended	HF 692.66	VETO
422A.1	Unnumbered paragraphs 1, 3, 7, & 8 amended	HF 683.186	7/1/04
422B.8	Section amended	HF 683.187	7/1/04
422B.8	Unnumbered paragraph 1 amended	SF 453.113	J
422B.9	Subsections 1 & 2 amended	HF 683.188	7/1/04
422C.2	Subsections 4 & 6 amended	HF 683.189	7/1/04
422C.3	Section amended	HF 683.190	7/1/04
422C.4	Section amended	HF 683.191	7/1/04
422E.1	Subsection 1 amended	HF 683.192	7/1/04
422E.1	Subsections 2 & 3 amended	SF 445.1	E
422E.2	Subsection 3 amended	SF 445.2	E
422E.2	New subsection 3A	SF 445.3	E
422E.2	Subsection 4 amended	SF 445.4	E
422E.3	Subsections 1, 2, & 3 amended	HF 683.193	7/1/04

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
422E.3	Subsection 2 amended	SF 453.114	J
422E.3	Subsection 4 amended	SF 445.5	E
422E.3	Subsection 5, unnumbered paragraph 1 amended	SF 445.6	E
422E.3	Subsection 7 amended	SF 445.7	E
422E.3A	New section	SF 445.8**	E
422E.3A	New section, subsection 2, paragraph a amended	HF 683.20	J
422E.3A	New section, subsection 2, paragraph b, subparagraph (1) amended	HF 683.21	J
422E.3A	New section, subsection 3, paragraph a amended	HF 683.22	J
422E.3A	New section, subsection 3, paragraph b, subparagraph (3) rewritten	HF 683.23	J
422E.3A	New section, subsection 5 amended	HF 683.24	J
422E.3A	New section, subsection 6, unnumbered paragraph 1 amended	HF 683.25	J
422E.4	Unnumbered paragraphs 1 & 2 amended	SF 445.9	E
422E.6	New section	SF 445.10	E
422E.	Chapter repealed	SF 445.10	6/30/23
423.4	New subsection 9A	SF 458.127	J
423.	Old chapter repealed	HF 683.151	7/1/04
423.1	New section	HF 683.94	7/1/04
423.2	New section	HF 683.95	7/1/04
423.3	New section	HF 683.96	I V
423.4	New section	HF 683.97	7/1/04
423.5	New section	HF 683.98	7/1/04
423.6	New section	HF 683.99	7/1/04
423.7	New section	HF 683.100	7/1/04
423.8	New section	HF 683.101	7/1/04
423.9	New section	HF 683.102	7/1/04
423.10	New section	HF 683.103	7/1/04
423.11	New section	HF 683.104	7/1/04
423.12	New section	HF 683.105	7/1/04
423.13	New section	HF 683.106	7/1/04
423.14	New section	HF 683.107	7/1/04
423.15	New section	HF 683.108	7/1/04
423.16	New section	HF 683.109	7/1/04
423.17	New section	HF 683.110	7/1/04
423.18	New section	HF 683.111	7/1/04
423.19	New section	HF 683.112	7/1/04
423.20	New section	HF 683.113	7/1/04
423.21	New section	HF 683.114	7/1/04
423.22	New section	HF 683.115	7/1/04
423.23	New section	HF 683.116	7/1/04
423.24	New section	HF 683.117	7/1/04
423.25	New section	HF 683.118	7/1/04
423.26	New section	HF 683.119	7/1/04
423.27	New section	HF 683.120	7/1/04
423.28	New section	HF 683.121	7/1/04
423.29	New section	HF 683.122	7/1/04
423.30	New section	HF 683.123	7/1/04
423.31	New section	HF 683.124	7/1/04
423.32	New section	HF 683.125	7/1/04
423.33	New section	HF 683.126	7/1/04
423.34	New section	HF 683.127	7/1/04

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
423.35	New section	HF 683.128	7/1/04
423.36	New section	HF 683.129	7/1/04
423.37	New section	HF 683.130	7/1/04
423.38	New section	HF 683.131	7/1/04
423.39	New section	HF 683.132	7/1/04
423.40	New section	HF 683.133	7/1/04
423.41	New section	HF 683.134	7/1/04
423.42	New section	HF 683.135	7/1/04
423.43	New section	HF 683.136	7/1/04
423.44	New section	HF 683.137	7/1/04
423.45	New section	HF 683.138	7/1/04
423.46	New section	HF 683.139	7/1/04
423.47	New section	HF 683.140	7/1/04
423.48	New section	HF 683.141	7/1/04
423.49	New section	HF 683.142	7/1/04
423.50	New section	HF 683.143	7/1/04
423.51	New section	HF 683.144	7/1/04
423.52	New section	HF 683.145	7/1/04
423.53	New section	HF 683.146	7/1/04
423.54	New section	HF 683.147	7/1/04
423.55	New section	HF 683.148	7/1/04
423.56	New section	HF 683.149	7/1/04
423.57	New section	HF 683.150	7/1/04
424.19	New section	HF 516.1	J
424.	Chapter repealed	HF 516.1	6/30/14
425.1	Subsection 1 amended	HF 534.258	J
425.23	Subsection 4, paragraph b amended	HF 692.67	VETO
425.30	Section amended	HF 683.194	7/1/04
425.31	Section amended	HF 683.195	7/1/04
426B.1	Subsection 2 amended	HF 171.72	J
426B.2	Subsections 1 & 3 amended	SF 275.1	R 1/1/03
426B.5	Subsection 2, paragraph d, subparagraphs (1) & (6) amended	SF 458.1	J
427.1	Subsection 1 amended	HF 665.1	A J
427.1	Subsection 1, new unnumbered paragraph	HF 665.2	A J
427.1	Subsection 19, unnumbered paragraph 8 amended	HF 671.1	A 1/1/04
427.1	Subsection 22, unnumbered paragraphs 2 & 5 amended	SF 444.1	A 1/1/04
427.1	Subsection 22, new unnumbered paragraph	SF 444.2	A 1/1/04
427.1	Subsection 24 amended	SF 444.3	A 1/1/04
427A.12	Section repealed	SF 453.11	J
427B.19	Subsection 3, unnumbered paragraph 1 amended	SF 453.5	J
427B.19	Subsection 3, paragraph c amended	SF 453.6	J
427B.19A	Subsection 1 amended	SF 453.7**	J
427B.19A	Subsection 1 amended	SF 458.37	J
427B.19B	Section repealed	SF 453.11	J
427B.19C	Section amended	SF 453.8	J
432.1	Subsection 5 amended	HF 171.73	J
432.12D	New section	HF 683.87**	R 1/1/03
432.12D	New section repealed	HF 683.93	6/30/10
432.13	Unnumbered paragraph 2 amended	HF 534.259	J
435.26	Subsection 1, paragraph a amended	HF 171.74	J
435.26A	New section	SF 134.7**	E
435.26A	New section, subsections 2 & 5 amended	SF 458.128**	E
435.26A	New section, subsection 5 amended	HF 683.26	J
437A.3	New subsection 4A	SF 275.2	R 1/1/03
437A.3	Subsection 10, new unnumbered paragraph	SF 275.3	R 1/1/03
437A.3	Subsection 13, new unnumbered paragraph	SF 275.4	R 1/1/03

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
437A.3	Subsect. 21, para. a, subpara. (1), subpara. subdiv. (am) amended	SF 275.5	R 1/1/03
437A.3	New subsection 27A	SF 275.6	R 1/1/03
437A.5	Subsection 1, new paragraph c	SF 275.7	R 1/1/03
437A.5	Subsection 6 amended	SF 275.8	R 1/1/03
437A.7	New subsection 1A	SF 275.9	R 1/1/03
437A.8	Subsection 4, new paragraph d	SF 275.10	R 1/1/03
437A.15	Subsection 3, paragraph a amended	SF 275.11	R 1/1/03
437A.15	Subsection 3, new paragraph f	SF 275.12	R 1/1/03
437A.15	Subsection 7 amended	SF 275.13	R 1/1/03
437A.19	Subsection 2, paragraph f amended	SF 275.14	R 1/1/03
441.19	Subsections 1 & 2 amended	HF 692.1***	A 7/1/05
441.20	New section	HF 692.2***	A 7/1/05
441.21	Section rewritten	HF 692.3***	A 7/1/05
441.21A	New section	HF 692.4***	A 7/1/05
441.23	Section amended	HF 692.5***	A 7/1/05
441.24	Section amended	HF 692.6***	A 7/1/05
441.26	Unnumbered paragraph 3 amended	HF 692.7***	A 7/1/05
441.26	Unnumbered paragraphs 4 & 5 amended	HF 692.8***	A 7/1/05
441.35	Subsection 1 stricken	HF 692.9***	A 7/1/05
441.35	Unnumbered paragraph 2 stricken	HF 692.10***	A 7/1/05
441.36	Section amended	HF 692.11***	A 7/1/05
441.37	Subsection 1, paragraphs a & b amended	HF 692.12***	A 7/1/05
441.39	Section amended	HF 692.13***	A 7/1/05
441.42	Section amended	HF 692.14***	A 7/1/05
441.43	Section amended	HF 692.15***	A 7/1/05
441.45	Subsections 1 & 2 amended	HF 692.16***	A 7/1/05
441.47	New unnumbered paragraph	HF 692.17***	A 7/1/05
441.47A	New section	HF 692.18***	A 7/1/05
441.50	Section amended	HF 692.19***	A 7/1/05
441.73	Subsection 4 amended	SF 453.9	J
443.1	Section amended	HF 692.20***	A 7/1/05
443.2	Section amended	HF 692.21***	A 7/1/05
443.3	Section amended	HF 692.22***	A 7/1/05
443.6	Section amended	HF 692.23***	A 7/1/05
443.7	Section amended	HF 692.24***	A 7/1/05
443.9	Section amended	HF 692.25***	A 7/1/05
443.12	Section amended	HF 692.26***	A 7/1/05
443.13	Section amended	HF 692.27***	A 7/1/05
443.14	Section amended	HF 692.28***	A 7/1/05
443.15	Section amended	HF 692.29***	A 7/1/05
443.17	Section amended	HF 692.30***	A 7/1/05
443.18	Section amended	HF 692.31***	A 7/1/05
443.19	Section amended	HF 692.32***	A 7/1/05
443.21	Section amended	HF 692.33***	A 7/1/05
443.22	Section amended	HF 692.34***	A 7/1/05
443.23	Section repealed	SF 155.112	J
443A.1	New section	HF 692.35***	A 7/1/05
443A.2	New section	HF 692.36***	A 7/1/05
444.1	Section amended	HF 692.37***	A 7/1/05
444.2	Section amended	HF 692.38***	A 7/1/05

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***** - Code Supplement 2001

****** - subsequently amended

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******** - sections are listed in 2002 Acts, chapter

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
444.3	Section amended	HF 692.39 ***	A 7/1/05
444.9	New section	HF 692.40 ***	A 7/1/05
445.5	Subsection 1, unnumbered paragraph 1 amended	SF 134.8	J
445.57	New unnumbered paragraph	HF 289.5	J
446.9	Subsections 1 & 2 amended	SF 155.64	J
450.1	Section rewritten	SF 366.1	A J
450.2	Section rewritten	SF 366.2	A J
450.3	Subsection 2 amended	SF 366.3	A J
450.4	Subsection 8 amended	HF 692.68	VETO
450.20	Unnumbered paragraph 1 amended	SF 366.4	A J
450.84	Section amended	HF 534.260	J
450.91	Section repealed	SF 366.23	A J
452A.2	New subsection 20A	SF 458.129	J
452A.17	Subsection 1, paragraph a, subparagraph (3) amended	HF 344.1	J
452A.66	Unnumbered paragraph 1 amended	HF 683.196	7/1/04
452A.72	Section amended	HF 534.286	J
452A.77	Unnumbered paragraph 1 amended	HF 534.261	J
453A.2	New subsection 5A	SF 401.1	A E
453A.2	New subsection 5B	SF 458.130	J
453A.2A	New section	SF 401.2	E
453A.22	Subsection 2 amended	SF 401.3	A E
453A.22	New subsections 2A & 2B	SF 401.4**	E
453A.22	New subsection 2B repealed	SF 401.6	4/11/04
453C.1	Subsection 10 amended	SF 458.131	E
453C.2	Subsection 2, paragraph b, subparagraph (2) amended	SF 458.132	E
453D.1	New section	SF 375.1	E
453D.2	New section	SF 375.2	E
453D.3	New section	SF 375.3	A E
453D.4	New section	SF 375.4	E
453D.5	New section	SF 375.5	E
453D.6	New section	SF 375.6	E
453D.7	New section	SF 375.7	E
453D.8	New section	SF 375.8	E
453D.9	New section	SF 375.9	E
455A.4	Subsection 1, paragraph e amended	HF 534.262	J
455B.105	Subsection 3 amended	SF 155.65	J
455B.107	Section amended	HF 534.286	J
455B.171	Subsection 15 stricken	SF 155.66	J
455B.183	Section amended	SF 155.67	J
455B.183	New subsection 4	SF 343.1	VETO
455B.183A	Section amended	HF 534.286	J
455B.183A	Section amended	HF 636.45	E
455B.183A	Subsection 1 amended	SF 237.1	J
455B.187	Unnumbered paragraph 1 amended	SF 155.68	J
455B.187	New unnumbered paragraph	SF 237.2	J
455B.190A	Subsection 5, new paragraph c	SF 237.3	J
455B.246	Section amended	HF 534.286	J
455B.455	Section amended	HF 683.197	7/1/04
455B.484	Subsections 2 & 3 amended	HF 171.75	J
455B.488	Section amended	HF 171.76	J
455B.518	Subsection 4 amended	HF 171.77	J
455D.9	New subsection 1A	SF 458.133	VETO
455D.11I	Subsection 4 amended	SF 155.69	J
455G.3	Subsection 1 amended	HF 683.198	7/1/04
455G.3	Subsection 5 amended	HF 534.263	J
455G.4	Section amended	HF 636.45	E

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
455G.4	Subsection 1, unnumbered paragraph 2 amended	HF 516.3	J
455G.4	Subsection 1, new paragraph dd	HF 516.2	J
455G.4	New subsection 6	HF 516.4	J
455G.5	Section amended	HF 534.286	J
455G.6	Subsection 4 amended	HF 683.199	7/1/04
455G.6	New subsection 17	HF 516.5	J
455G.8	Subsection 2 amended	HF 683.200	7/1/04
455G.9	Subsection 2 amended	HF 683.201	7/1/04
455H.208	Section amended	HF 171.78	J
456A.17	New unnumbered paragraph	HF 254.1	E
456A.19	Section amended	HF 534.286	J
456A.19	Unnumbered paragraphs 1 & 2 amended	HF 171.79	J
456A.21	Section amended	HF 534.286	J
456A.21	Subsections 1 & 2 amended	HF 171.80	J
456A.21	Subsection 3, paragraph a amended	HF 171.81	J
457A.1	Section amended	HF 492.1	J
457A.2	Subsection 2 amended	SF 155.70	J
459.102	Subsection 6, paragraphs h & i amended	SF 396.1	E
459.102	Subsection 11 rewritten	HF 644.1	E
459.102	New subsections 11A, 15A, 19A, & 23A	HF 644.2	E
459.102	Subsection 18 amended	SF 155.71	J
459.102	Subsection 26 amended	HF 380.1	E
459.102	Subsection 29 amended	HF 171.82	J
459.102	Subsection 40 amended	SF 155.72	J
459.103	Subsection 2 amended	HF 644.3	E
459.301	Subsection 1, paragraph a amended	SF 155.73	J
459.303	Subsection 2 amended	SF 155.74	J
459.303	Subsection 5, paragraph a, unnumbered paragraph 1 amended	HF 171.83	J
459.307	Unnumbered paragraph 1 amended	SF 392.1	E
459.308	Subsection 3 amended	SF 392.2	E
459.309	Section amended	SF 155.75	J
459.310	Subsection 1, unnumbered paragraph 1 amended	SF 392.3	E
459.310	Subsection 1, paragraph a amended	HF 171.84	J
459.310	Subsection 1, paragraph c, subparagraph (2) amended	HF 171.85	J
459.310	Subsection 2 amended	SF 392.4	E
459.310	New subsection 3A	SF 392.5	E
459.312	Subsect. 10, para. a, subpara. (2), subpara. subdiv. (b), subpara. subdiv. part (i) amended	HF 171.86	J
459.314A	New section	HF 644.4	1/1/04
459.314B	New section	HF 644.5	E
459.315	Subsections 1 & 2 rewritten	HF 644.6	E
459.315	Subsection 3, paragraph a amended	HF 644.7	E
459.315	Subsection 4, unnumbered paragraph 1 amended	HF 644.8	E
459.315	Subsection 4, paragraph b amended	HF 644.9	E
459.315	New subsection 4A	HF 683.27	J
459.315	Subsection 5, paragraph a amended	HF 644.10	E
459.315	Subsection 6 amended	HF 644.11	E
459.315A	New section	HF 644.12	E
459.316	Subsection 1, paragraph d amended	HF 644.13	E
459.316	Subsection 1, new paragraph e	HF 644.14	E

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
459.316	Subsection 2 amended	HF 644.15	E
459.316	Subsection 3 amended	HF 644.16	E
459.401	Section amended	HF 534.286	J
459.401	Subsection 2, unnumbered paragraph 1 amended	HF 644.17	E
459.401	Subsection 2, paragraph a, subparagraph (3) rewritten	HF 644.18**	E
459.401	Subsection 2, paragraph a, new subparagraph (3A) amended	SF 458.73	J
459.401	Subsection 2, new paragraph c	HF 644.19	E
459.401	Subsection 5 amended	HF 644.20	E
459.501	Section amended	HF 534.286	J
459.501	Subsection 2 amended	SF 155.76	J
459.501	Subsection 2 amended	HF 380.2	E
459.501	Subsection 5, paragraph a stricken	HF 380.3	E
459.503A	New section	HF 380.4	E
459.505	Subsection 2, paragraph b amended	HF 534.264	J
459.604	Subsection 1, unnumbered paragraph 2 amended	HF 171.87	J
460.303	Section amended	HF 534.286	J
462A.12	Subsection 6 amended	SF 155.77	J
466.5	Subsection 4, unnumbered paragraph 1 amended	HF 171.88	J
468.165	Section repealed	SF 134.9	J
473.11	Section amended	HF 534.286	J
474.1	Unnumbered paragraph 2 amended	HF 534.265	J
474.10	Section amended	HF 534.266	J
475A.3	Subsection 2 amended	HF 534.267	J
476.1D	Subsection 1 amended	SF 368.1	J
476.6	Subsection 1 amended	SF 368.2	J
476.6	Subsections 2, 3, & 4 stricken	SF 368.3	J
476.23	Subsection 1 amended	HF 659.1	E
476.33	New subsection 5	SF 458.134	J
476.43	Subsection 1 amended	HF 659.2	E
476.44	Subsection 2 amended	HF 659.3	E
476.45	Section amended	HF 659.4	E
476.51	Section amended	SF 368.4	J
476.53	New subsection 2A	HF 391.2	J
476.53	Subsection 3, paragraph b amended	HF 659.5	E
476.53	Subsections 3 & 4 amended	HF 391.3	J
476.53	New subsection 5	HF 391.4	J
476.97	Subsection 3, paragraph a, subparagraph (5) amended	SF 368.5	J
476.97	New subsection 12	SF 368.6	J
476.105	New section	SF 368.7	J
476A.23	Subsection 3, paragraph b amended	SF 155.78	J
476A.23	Subsection 3, unnumbered paragraph 2 amended	SF 155.79	J
481A.1	New subsection 16A	HF 624.14	E
481A.1	Subsection 20, paragraph h amended	HF 624.15	E
481A.1	New subsection 33A	HF 624.16	E
481A.68	Subsection 2 amended	HF 85.1	J
481A.124	Subsection 2 amended	HF 624.17	E
481A.130	New subsection 3	HF 624.18	E
481B.5	Subsections 2, 3, & 4 amended	HF 171.89	J
482.12	Subsection 1, paragraph a rewritten	HF 412.1	J
483A.1	Subsection 1, paragraphs a, l, & s amended	SF 348.1	A 12/15/03
483A.1	Subsection 1, paragraph k amended	HF 680.1	E
483A.1	Subsection 1, new paragraph t	HF 680.2	E
483A.1	Subsection 2, paragraphs a, b, & s amended	SF 348.2	A 12/15/03
483A.1	Subsection 2, paragraph l amended	HF 680.3	E
483A.1	Subsection 2, new paragraph t	SF 348.3	A 12/15/03
483A.1	Subsection 2, new paragraph t	HF 680.4	E

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
483A.1A	Subsection 7, paragraph d amended	HF 411.1	J
483A.3A	Section rewritten	SF 348.4	A 12/15/03
483A.6	Section amended	SF 348.5	A 12/15/03
483A.8	New subsection 6	SF 397.1	J
483A.20	Section amended	HF 680.5	E
483A.24A	New section	SF 397.2	J
484B.3	New unnumbered paragraph	HF 624.19	E
484B.12	Section amended	HF 624.20	E
490.202	Subsection 2, paragraphs d & f amended	SF 155.80	J
490.724	Subsection 5 amended	SF 155.81	J
490.727	Subsection 2 amended	SF 155.82	J
490.825	Subsection 3 amended	HF 171.90	J
490.831	Subsection 3, paragraphs a & b amended	SF 155.83	J
490.851	Subsection 1 amended	SF 155.84	R 1/1/03
490.856	Subsection 2 amended	SF 155.85	J
490.1323	Subsection 3 amended	SF 155.86	J
490.1324	Subsection 2, paragraph c amended	SF 155.87	J
490.1404	Subsection 1 amended	SF 155.88	J
490.1701	New unnumbered paragraph	SF 340.1	J
490.1701	Subsection 1 amended	HF 171.91	J
490.1701	Subsection 3, paragraph b amended	SF 340.2	J
490.1703	Subsection 1 amended	SF 340.3	J
490A.707	Section amended	SF 340.4	J
490A.1508	Section amended	HF 171.92	J
491.5	Subsection 8 rewritten	SF 340.5	J
491.5	New subsection 9	SF 340.6	J
491.16A	New section	SF 340.7	J
496C.14	Unnumbered paragraph 7 amended	SF 340.8	J
496C.16	Section amended	SF 340.9	J
496C.19	Section amended	SF 340.10	J
497.33	Section amended	SF 340.11	J
498.35	Section amended	SF 340.12	J
499.37	Section amended	SF 340.13	J
499.43B	New section	HF 634.1	J
499.59	Section amended	SF 340.14	J
501.407	Section amended	SF 340.15	J
501.411	Section amended	SF 340.16	J
501.412	Section amended	SF 340.17	J
501.413	Section amended	SF 340.18	J
501.414	Section amended	SF 340.19	J
501.415	Section amended	SF 340.20	J
501.416	Section amended	SF 340.21	J
501.417	Section amended	SF 340.22	J
501.418	Section amended	SF 340.23	J
501.419	Section amended	SF 340.24	J
501.420	New section	SF 340.25	J
502.102	Subsection 13, paragraph c amended	SF 155.89	J
502.202	Subsection 19, unnumbered paragraph 1 amended	SF 155.90	J
502.601	Subsection 1 amended	HF 534.268	J
504A.63	Section amended	HF 534.286	J

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
504A.100	Subsection 2 amended	HF 171.93	J
504B.1	Section amended	HF 171.94	J
504B.6	Unnumbered paragraph 1 amended	HF 171.95	J
505.4	Unnumbered paragraph 2 amended	HF 534.269	J
505.7	Section amended	HF 636.45	E
505.7	New subsection 9	SF 458.135	J
505.8	Subsection 6 amended	HF 647.2	J
505.24	New section	HF 647.3	J
505A.1	New section	HF 647.54**	J
505A.1	New section , article V, section 2, paragraph a, subparagraph (3) amended	SF 458.74	J
507.5	Section amended	HF 534.270	J
507A.4	Subsection 9, new paragraph e	HF 647.4**	J
507A.4	Subsection 9, new paragraph e amended	HF 683.39	J
507B.3	Section amended	HF 647.5	J
508.11	Unnumbered paragraph 1 amended	HF 647.6	J
508.31A	Section amended	HF 647.7**	J
508.31A	Subsection 2, paragraph a, new subparagraph (4) amended	HF 683.28	J
508.31A	Subsection 2, paragraph b amended	SF 458.75	J
508.38	Subsection 2, unnumbered paragraph 1 rewritten	HF 647.8	J
508.38	Subsection 2, paragraphs a & b rewritten	HF 647.9	J
508.38	Subsections 3 & 11 rewritten	HF 647.10	J
508 E.3A	Subsection 1, paragraph b amended	SF 155.91	J
509.19	Subsection 1, paragraphs a & c amended	HF 647.11	J
509A.15	Subsection 4 rewritten	HF 647.12	J
510A.2	Subsections 3, 4, & 5 amended	HF 647.13	J
510A.2	New subsection 5A	HF 647.14	J
510A.2	Subsection 7 stricken	HF 647.15	J
510A.4	Subsection 1, paragraph b, subparagraph (2) amended	HF 647.16	J
510A.4	Subsection 2, paragraph g amended	HF 647.17	J
510A.4	Subsection 4 amended	HF 647.18	J
510A.5	Section amended	HF 647.19	J
511.8	Subsection 20, new unnumbered paragraph	HF 647.20	J
511.27	Section amended	HF 647.21	J
511.30	Section repealed	HF 647.51	J
511.40	New section	HF 647.22	J
512B.33	Section amended	HF 647.23	J
513C.3	Section amended	HF 171.131	J
513C.7	Subsection 4, paragraph b amended	HF 647.24	J
513C.10	Subsection 1, paragraph a amended	HF 647.25	R 7/1/95
513C.10	Subsection 6 amended	HF 647.26	R 7/1/95
514.1	Unnumbered paragraph 1 amended	HF 171.96	J
514.2	Section amended	HF 171.97	J
514.2A	New section	HF 647.27	J
514.5	Unnumbered paragraph 1 amended	HF 171.98	J
514B.3	Subsection 10 amended	HF 647.28	J
514B.12	Unnumbered paragraph 1 amended	HF 647.29	J
514B.33	New subsection 1A	HF 647.30	J
514C.4	Subsection 1, unnumbered paragraph 1 amended	HF 543.1	J
514C.4	Subsection 2, paragraphs a & c amended	HF 543.2	J
514C.4	Subsection 4 amended	HF 543.3	J
514D.5	Subsections 3 & 4 amended	HF 386.15	J
514E.1	Section amended	HF 171.131	J
514I.1	Section amended	HF 171.131	J
514I.2	Section amended	HF 171.131	J
514I.3	Section amended	HF 171.131	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
514I.4	Section amended	HF 171.131	J
514I.4	New subsection 1A	HF 667.38	J
514I.4	Subsection 4 amended	HF 565.1	J
514I.5	Section amended	HF 171.131	J
514I.5	Subsection 1, unnumbered paragraph 1 amended	HF 565.2	J
514I.5	Subsection 7, paragraphs d & e amended	HF 565.3	J
514I.5	Subsection 7, paragraph i stricken	HF 565.4	J
514I.5	Subsection 7, paragraph l, unnumbered paragraph 1 amended	HF 565.5	J
514I.5	Subsection 8, paragraph h amended	HF 565.6	J
514I.5	Subsection 8, paragraph m stricken	HF 565.7	J
514I.5	New subsection 9	HF 667.39	J
514I.6	Section amended	HF 171.131	J
514I.6	Subsection 3 stricken	HF 565.8	J
514I.7	Section amended	HF 171.131	J
514I.7	Subsection 2, paragraph c amended	HF 565.9	J
514I.7	Subsection 2, paragraph h stricken	HF 565.10	J
514I.8	Section amended	HF 171.131	J
514I.8	Subsection 2, paragraph e amended	HF 565.11	J
514I.9	Section amended	HF 171.131	J
514I.10	Section amended	HF 565.12	J
514I.11	Section amended	HF 171.131	J
514J.7	Subsection 8 amended	HF 647.31	J
514J.10	Section amended	HF 647.32	J
514J.13	Section amended	HF 647.33	J
515.35	Subsection 4, paragraph m, new unnumbered paragraph	HF 647.34	J
515.63	Unnumbered paragraph 1 amended	HF 647.35	J
515.73	Section amended	HF 647.36	J
515.78	Section repealed	HF 647.51	J
515.92	Section amended	HF 647.37	J
515.129	Section amended	HF 534.286	J
515.133	Section amended	HF 647.38	J
515.134	Section amended	HF 647.39	J
515B.2	Subsection 2 amended	HF 647.40	J
515B.8	Subsection 1 amended	HF 647.41	J
515B.9	Subsection 1 rewritten	HF 647.42	J
515B.16	Section amended	HF 647.43	J
515D.5	Subsection 1, unnumbered paragraph 1 amended	HF 647.44	J
515D.10	Section amended	HF 647.45	J
515E.3	New unnumbered paragraph	HF 647.46	J
515F.3	Unnumbered paragraph 2 amended	HF 599.10	E
515F.30	New section	HF 599.1	E
515F.31	New section	HF 599.2	E
515F.32	New section	HF 599.3	E
515F.33	New section	HF 599.4	E
515F.34	New section	HF 599.5	E
515F.35	New section	HF 599.6	E
515F.36	New section	HF 599.7	E
515F.37	New section	HF 599.8	E
515F.38	New section	HF 599.9	E
518.18	Unnumbered paragraph 2 amended	SF 458.136	E

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518.23	Subsection 2, paragraph a amended	HF 647.47	J
518A.29	Subsection 2, paragraph a amended	HF 647.48	J
518A.35	Section amended	SF 458.137	E
518A.43	Section repealed	HF 647.51	J
518B.2	Section amended	HF 534.286	J
518B.5	Section amended	HF 534.286	J
521C.3	Subsection 4, paragraph b amended	HF 647.49	J
523.7	Section amended	HF 647.50	J
523A.602	Subsection 2, paragraph b amended	HF 616.1	J
524.207	Section amended	HF 636.45	E
524.209	Section amended	HF 534.286	J
524.212	Section amended	SF 372.40	10/1/03
524.541	Unnumbered paragraph 1 amended	HF 215.1	J
533.24	New unnumbered paragraph	HF 683.88**	R 1/1/03
533.24	New unnumbered paragraph stricken	HF 683.93	6/30/10
533.62	Section amended	HF 534.286	J
533.67	Section amended	HF 636.45	E
533B.	Chapter repealed	SF 372.41	10/1/03
533C.101	New section	SF 372.1	10/1/03
533C.102	New section	SF 372.2	10/1/03
533C.103	New section	SF 372.3	10/1/03
533C.201	New section	SF 372.4	10/1/03
533C.202	New section	SF 372.5	10/1/03
533C.203	New section	SF 372.6	10/1/03
533C.204	New section	SF 372.7	10/1/03
533C.205	New section	SF 372.8	10/1/03
533C.206	New section	SF 372.9	10/1/03
533C.301	New section	SF 372.10	10/1/03
533C.302	New section	SF 372.11	10/1/03
533C.303	New section	SF 372.12	10/1/03
533C.304	New section	SF 372.13	10/1/03
533C.401	New section	SF 372.14	10/1/03
533C.402	New section	SF 372.15	10/1/03
533C.501	New section	SF 372.16	10/1/03
533C.502	New section	SF 372.17	10/1/03
533C.503	New section	SF 372.18	10/1/03
533C.504	New section	SF 372.19	10/1/03
533C.505	New section	SF 372.20	10/1/03
533C.506	New section	SF 372.21	10/1/03
533C.507	New section	SF 372.22	10/1/03
533C.601	New section	SF 372.23	10/1/03
533C.602	New section	SF 372.24	10/1/03
533C.701	New section	SF 372.25	10/1/03
533C.702	New section	SF 372.26	10/1/03
533C.703	New section	SF 372.27	10/1/03
533C.704	New section	SF 372.28	10/1/03
533C.705	New section	SF 372.29	10/1/03
533C.706	New section	SF 372.30	10/1/03
533C.707	New section	SF 372.31	10/1/03
533C.708	New section	SF 372.32	10/1/03
533C.801	New section	SF 372.33	10/1/03
533C.802	New section	SF 372.34	10/1/03
533C.803	New section	SF 372.35	10/1/03
533C.901	New section	SF 372.36	10/1/03
533C.902	New section	SF 372.37	10/1/03
533C.903	New section	SF 372.38	10/1/03

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
533C.904	New section	SF 372.39	10/1/03
534.403	Section amended	HF 534.286	J
537.1301	Subsection 4, paragraph b amended	SF 155.92	J
537.1303	Subsection 10 amended	HF 171.99	J
537.2502	Subsections 3 & 6 amended	HF 692.125	J
537.2601	Subsection 1 amended	HF 692.126	J
537.3311	Section amended	HF 395.1	J
537A.4	Unnumbered paragraph 2 amended	SF 453.115	J
541A.2	Subsection 7, unnumbered paragraph 1 amended	HF 692.69	VETO
541A.3	Section amended	HF 534.286	J
541A.3	Subsection 2 amended	HF 692.70	VETO
541A.5	Section amended	HF 534.286	J
542.7	Subsection 8, unnumbered paragraph 1 amended	HF 171.100	J
542.8	Subsection 17 amended	HF 171.101	J
542.13	Subsection 16, paragraph d amended	SF 155.93	J
542.19	Subsection 1, paragraph a amended	SF 155.94	J
543D.7	Subsection 2 stricken	SF 119.1	J
543D.19	Subsection 1 amended	SF 119.2	J
543D.19	Subsection 2 rewritten	SF 119.3	J
544B.1	Subsection 2 amended	HF 171.102	J
544B.12	Section amended	SF 155.95	J
546.10	Section amended	HF 534.286	J
554.3512	Subsection 1 rewritten	SF 376.1	J
554.3513	Subsection 1, paragraph b amended	HF 319.1	J
554.9701	Section amended	SF 155.96	R 7/1/01
554.9706	Subsection 2, paragraph a amended	HF 171.103	J
554.11103	Section amended	HF 171.104	J
554D.118	Subsection 4 amended	SF 155.97	J
554D.120	Subsection 4 amended	SF 155.98	J
556.1	Subsection 3 amended	SF 155.99	J
556.3A	New section	SF 236.1	E
556.9	Subsection 1 amended	SF 236.2	J
556.11	Unnumbered paragraph 1 amended	SF 180.4	J
556.11	Subsection 2, paragraphs a & c amended	SF 180.1	J
556.11	Subsection 4 amended	SF 236.3	E
556.11	Subsection 5 amended	SF 180.2**	J
556.11	Subsection 5 amended	HF 683.40	J
556.11	New subsection 9	SF 180.3	J
556.12	Subsection 1 amended	SF 236.4	E
556.12	Subsection 2, paragraph c stricken	SF 180.5	J
556.12	Subsections 3, 4, 5, & 6 amended	SF 180.6	J
556.17	Subsections 1 & 5 amended	SF 180.7	J
557.7	Section amended	HF 450.1	VETO
557.22	Section amended	HF 311.3	J
558.1A	Section repealed	SF 155.113	J
558.68A	New section	HF 450.2	VETO
562A.27	New subsection 5	SF 359.2	J
568.16	Section amended	HF 534.286	J
568.20	Section amended	HF 534.286	J
568.24	Section amended	HF 534.286	J

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J - effective July 1, 2003

V - various effective dates

IV - part of bill section vetoed

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00/00/00 - specified effective date

R 00/00/00 - retroactive applicability

***** - Code Supplement 2001

****** - subsequently amended

******* - subsequently repealed

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
569.4	Section amended	HF 534.286	J
570A.1	New subsections 2A & 3A	SF 379.1	J
570A.1	Subsections 3, 4, 11, & 12 amended	SF 379.2	J
570A.2	Subsection 1 amended	SF 379.3	J
570A.3	Section amended	SF 379.4	J
570A.4	Section rewritten	SF 379.5	J
570A.5	Section amended	SF 379.6	J
570A.6	Section rewritten	SF 379.7	J
570A.7	Section repealed	SF 379.8	J
570A.8	Section repealed	SF 379.8	J
570A.9	Section repealed	SF 379.8	J
570A.10	Section repealed	SF 379.8	J
570A.11	Section repealed	SF 379.8	J
571.1	Section repealed	SF 379.14	J
571.1A	New section	SF 379.9	J
571.1B	New section	SF 379.10	J
571.2	Section repealed	SF 379.14	J
571.3	Section rewritten	SF 379.11	J
571.3A	New section	SF 379.12	J
571.4	Section repealed	SF 379.14	J
571.5	Section amended	SF 379.13	J
571.6	Section repealed	SF 379.14	J
581.1	Section repealed	SF 379.21	J
581.1A	New section	SF 379.15	J
581.2	Section rewritten	SF 379.16	J
581.2A	New section	SF 379.17	J
581.3	Section rewritten	SF 379.18	J
581.4	Section amended	SF 379.19	J
598.7A	Subsection 5 amended	SF 155.100	J
598.21	New subsection 10A	HF 694.28	J
600.1	New unnumbered paragraph	SF 354.16	J
600.13	Subsection 1 amended	SF 155.101	J
600A.3	New unnumbered paragraph	SF 354.17	J
602.1204	Subsection 3 amended	HF 534.271	J
602.1204	Subsection 3 amended	HF 636.43	E
602.1215	Subsection 1 amended	HF 694.29	J
602.1301	Section amended	HF 636.45	E
602.1302	Section amended	HF 636.45	E
602.1304	Section amended	HF 534.286	J
602.1501	Subsection 4 amended	HF 694.30	J
602.1604	Section amended	HF 694.31	J
602.1611	Subsection 2 stricken	HF 694.32	J
602.4102	Subsection 4 amended	SF 224.2	J
602.4202	Section amended	HF 636.44	E
602.6105	Subsection 3 amended	HF 694.33	J
602.6107	Section rewritten	HF 694.34	J
602.6109	Section rewritten	HF 694.35	J
602.6111	Section rewritten	HF 694.36	J
602.6112	New section	HF 694.37	J
602.6201	Subsection 8 amended	HF 694.38	J
602.6201	New subsections 11 & 12	HF 694.39**	J
602.6201	New subsection 12 stricken	HF 694.63	7/1/08
602.6301	Section amended	HF 694.40	J
602.6303	Section repealed	HF 694.62	J
602.6304	Subsections 1, 2, & 3 amended	HF 694.41**	J
602.6304	Subsections 1, 2, & 3 amended	HF 694.64	7/1/06

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
602.6305	Subsection 1 amended	HF 694.42	J
602.6403	Subsection 3 amended	HF 694.43**	J
602.6403	Subsection 3 amended	HF 694.64	7/1/06
602.7103B	Subsections 2 & 3 amended	HF 694.44**	J
602.7103B	Subsections 2 & 3 amended	HF 694.64	7/1/06
602.8102	Subsection 4 amended	HF 534.286	J
602.8102	Subsection 9 amended	HF 694.45	J
602.8102	Subsection 11 amended	HF 694.46	J
602.8102	Subsection 58A amended	HF 534.272	J
602.8102	Subsection 82 amended	SF 379.20	J
602.8105	Subsection 1, paragraph e amended	SF 155.102	J
602.8106	Subsection 1, paragraphs b, c, d, & e amended	HF 694.47	J
602.8107	Subsection 4, unnumbered paragraph 2 amended	HF 534.273	J
602.8108	Section amended	HF 636.45	E
602.9104	Section amended	HF 534.286	J
602.9109	Section amended	HF 534.286	J
607A.9	Section amended	HF 311.4	J
614.1	Subsection 12 amended	HF 549.62	J
616.10	Section amended	HF 171.105	J
618.3	Subsection 1 amended	HF 545.1	J
618.5	Section amended	HF 171.106	J
618.9	Section amended	HF 171.107	J
618.11	Section amended	HF 534.274	J
624.20	Section amended	HF 694.48	J
625.29	Subsection 1, paragraph g amended	HF 534.275	J
625A.9	Section amended	HF 692.115	J
631.1	New subsection 7	SF 453.20	J
631.5	Subsection 6 amended	HF 694.49	J
631.6	Subsection 1, paragraph c amended	HF 694.50	J
633.15	Section repealed	HF 694.62	J
633.20B	Subsections 2 & 3 amended	HF 694.51**	J
633.20B	Subsections 2 & 3 amended	HF 694.64	7/1/06
633.47	Section amended	HF 694.52	J
633.63	Subsection 3 amended	HF 171.108	J
633.301	Section amended	HF 694.53	J
633.479	Unnumbered paragraph 2 amended	HF 694.54	J
633.480	Section amended	HF 694.55	J
633.481	Section amended	HF 694.56	J
633.527	Section amended	SF 366.5	J
633.545	Section amended	HF 534.286	J
633.1102	Subsection 3 amended	SF 366.6	J
633.1105	Section amended	SF 366.7	J
633.1108	New section	SF 366.8	J
633.2102	Section amended	SF 366.9	J
633.2103	Subsections 2 & 3 amended	SF 366.10	J
633.2103	New subsection 4	SF 366.11	J
633.4105	Subsection 2, paragraph b, subparagraph (1) amended	SF 155.103	J
633.4105	Subsection 2, paragraph b, subparagraph (2) amended	SF 366.12	J
633.4107	Subsection 2, new paragraph ee	SF 366.13	J
633.4207	Section rewritten	SF 366.14	J

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Section	Action Taken	Hse/Sen File #	Effective
633.4213	Subsections 1, 3, 6, & 7 amended	SF 366.15	J
633.4214	Subsection 3, paragraph c amended	HF 171.109	J
633.4214	Subsection 3, paragraph c, subparagraph (3) amended	SF 366.16	J
633.4506	Subsection 2, paragraph c amended	SF 366.17	J
633.4701	Subsection 5 amended	SF 366.18	J
633.4701	New subsections 6, 7, 8, & 9	SF 366.19	J
633.6105	New subsection 6	SF 366.20	J
633.6301	Subsections 3, 4, & 5 amended	SF 366.21	J
633.6308	New section	SF 366.22	J
635.7	Section amended	HF 694.57	J
637.601	Unnumbered paragraph 1 amended	HF 171.110	J
637.603	Subsection 2, unnumbered paragraph 1 amended	SF 155.104	J
637.605	Subsection 2 amended	HF 171.111	J
637.605	Subsection 3, unnumbered paragraph 1 amended	SF 155.105	J
641.5	Section amended	HF 534.286	J
648.1A	New section	SF 359.3	J
648.6	Section amended	SF 359.4	J
648.22A	Section amended	SF 359.5	J
656.2	Subsection 2, paragraph a, unnumbered paragraph 3 amended	HF 171.112	J
663.44	Section amended	HF 534.286	J
668.12	Section amended	HF 692.116	VETO
668.13	Subsection 3 amended	HF 694.58	J
668 A.1	Subsection 1 amended	HF 692.117	VETO
668A.2	New section	HF 692.118	VETO
668A.3	New section	HF 692.119	VETO
669.14	Subsection 11, unnumbered paragraph 1 amended	SF 394.49	J
670.4	Subsections 14 & 15 amended	HF 584.2	J
679B.7	Section amended	HF 534.286	J
691.1	Section amended	HF 534.276	J
692.1	New subsection 12A	HF 216.1	E
692.8	Unnumbered paragraph 2 amended	HF 216.2	E
692.8A	Section amended	HF 216.3	E
692.18	Unnumbered paragraph 2 amended	HF 216.4	E
692A.1	Subsection 10 amended	HF 549.63	J
692A.13	New subsection 9	HF 558.3**	J
692A.13	New subsection 9 amended	SF 458.76	J
701.11	New section	SF 402.1	J
702.11	Subsection 2, paragraph d amended	HF 549.64	J
708.2	New subsection 4A	SF 402.2	J
709.15	Section amended	HF 549.65	J
709.19	Subsection 1 amended	HF 171.113	J
714B.10	Subsection 1 amended	SF 453.116	J
715A.6	Subsection 2 amended	HF 504.1	J
715A.6	New subsection 3	HF 504.2	J
715A.8	Subsection 2 amended	HF 170.1	J
715A.10	New section	HF 504.3	J
716.6B	Subsection 1, paragraph a amended	HF 505.1	J
717.1	Subsection 2 amended	HF 624.21	E
717A.2	Subsection 3, paragraph a amended	SF 155.106	J
717D.1	Section amended	HF 171.114	J
725.9	Subsection 5 amended	SF 453.117	J
725.15	Section amended	SF 453.118	J
725.16	Section amended	HF 594.4	E
728.12	Subsections 1 & 2 amended	SF 221.1	J
728.12	Subsection 3, unnumbered paragraph 1 amended	SF 221.2	J
802.2A	Subsection 2 amended	HF 549.66	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
802.5	Section amended	HF 171.115	J
803.3	New subsection 4A	HF 650.2	J
804.28	Section amended	HF 534.286	J
805.6	Subsection 1, paragraph c, subparagraph (3) stricken	HF 343.5	J
805.8A	Subsection 1, paragraph a amended	SF 453.15	J
805.8A	Subsection 3, paragraph e amended	HF 171.116	J
805.8A	Subsection 4, paragraph b amended	HF 171.117	J
805.8A	Subsection 10, paragraph b amended	HF 171.118	J
805.13	Subsection 1 amended	HF 650.3	J
809A.14	Subsection 4, unnumbered paragraph 1 amended	HF 171.119	J
809A.17	Subsection 4 amended	HF 534.277	J
811.2A	New section	HF 683.49	J
815.11	Section amended	HF 349.5	J
820.24	Section amended	HF 534.286	J
901.4	Section amended	HF 683.50	J
901.5	New subsection 7A	HF 404.1**	J
901.5	New subsection 7A, paragraph d amended	SF 458.77	J
901.5	Subsection 13 stricken	SF 422.8	J
901.5B	New section	SF 422.9	J
901B.1	Subsection 1, paragraph c, subparagraph (5) amended	HF 683.51	J
902.3A	Section repealed	SF 422.22	J
902.4	Section amended	HF 694.59	J
902.11	Unnumbered paragraph 1 amended	SF 422.10	J
902.12	Unnumbered paragraph 1 amended	SF 422.11	J
902.12	Subsection 5, unnumbered paragraph 2 amended	SF 422.12	J
903.2	Section amended	HF 694.60	J
903.4	Section amended	SF 422.13	J
903A.2	Subsection 1, paragraph a amended	HF 683.52	J
903A.3	Subsection 2 amended	HF 683.53	J
903B.1	Subsection 4, paragraph h amended	HF 549.67	J
904.108	Subsection 1, paragraph e amended	HF 534.278	J
904.108	Subsection 3 amended	HF 534.279	J
904.108	Subsection 6 amended	HF 551.1	J
904.116	Section amended	HF 636.45	E
904.117	New section	HF 683.54	J
904.302	New subsection 7A	HF 665.3	A J
904.303	Unnumbered paragraph 1 amended	HF 534.280	J
904.311	Section amended	HF 534.286	J
904.312B	Section amended	HF 534.281	J
904.315	Unnumbered paragraph 1 amended	HF 534.282	J
904.503	Subsection 2 amended	HF 683.55	J
904.507A	Section amended	HF 534.286	J
904.508	Subsection 2 amended	HF 683.56	J
904.508A	Section amended	HF 683.57	J
904.513	Subsection 1, paragraph b, subparagraph (4) amended	HF 683.58	J
904.702	Unnumbered paragraph 1 amended	HF 683.59	J
904.705	Unnumbered paragraph 2 amended	HF 665.4	A J
904.706	Section amended	HF 636.45	E
904.706	Unnumbered paragraph 1 amended	HF 534.283	J
904.808	Subsection 1, paragraph b amended	HF 534.284	J

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V - various effective dates

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
904A.4B	Subsection 3 amended	HF 534.285	J
905.6	Section amended	HF 636.45	E
905.6	New subsection 9	SF 422.14	J
905.8	Section amended	HF 636.45	E
905.11	New section	SF 422.15	J
906.4	New unnumbered paragraph	SF 422.16	J
906.5	Section amended	HF 636.45	E
907.3	Subsection 1, paragraph m stricken	SF 422.17	J
907.3	Subsection 2, paragraph g stricken	SF 422.18	J
907.3	Subsection 3, paragraph g stricken	SF 422.19	J
907.4	Section amended	HF 694.61	J
907.4	Section amended	HF 683.60	J
907.9	Subsections 1, 2, & 4 amended	HF 683.61	J
907B.2	Article I, subsection 7 amended	HF 171.120	J
907B.2	Article IV, subsection 10 amended	HF 171.121	J
907B.2	Article VII, subsection 7, paragraph j amended	HF 171.122	J
907B.4	New section	HF 683.62	J
910.1	Subsection 4 amended	SF 155.107	J
910.3	Section amended	HF 650.4	J
910.3B	Section amended	HF 683.63	J
910.9	Unnumbered paragraph 3 amended	HF 650.5	J
915.13	Subsection 1, new paragraph h	SF 422.20	J
915.14	Section amended	SF 422.21	J
915.35	Subsection 4 amended	SF 353.4	J
915.100	Subsection 2, paragraph c amended	HF 683.64	J

2003 ACTS (FIRST EXTRAORDINARY SESSION) - Listed by Bill Number

<u>Bill/Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
HF683.	Division VII - sections 76 through 80 repealed	HF 683.93	6/30/10
HF683.	Division VIII - section 81 repealed	HF 683.93	6/30/10
HF683.	Division IX - section 82 repealed	HF 683.93	6/30/10
HF683.	Division X - sections 83 through 89 repealed	HF 683.93	6/30/10
HF683.	Division XI - section 90 repealed	HF 683.93	6/30/10
HF692.46	Section repealed	HF 692.71	VETO
HF692.47	Section repealed	HF 692.71	VETO
HF692.	Division I - sections 1 through 42 repealed	HF 692.43	6/30/05
HF692.	Division VI - sections 76 through 86 repealed	HF 692.114	6/30/10
HF692.	Division VII - section 87 repealed	HF 692.114	6/30/10
HF692.	Division VIII - sections 88 through 93 repealed	HF 692.114	6/30/10
HF692.	Division IX- sections 94 through 100 repealed	HF 692.114	6/30/10
HF692.	Division X - sections 101 through 106 repealed	HF 692.114	6/30/10
HF692.	Division XI - sections 107 through 109 repealed	HF 692.114	6/30/10
HF692.	Division XII - section 110 repealed	HF 692.114	6/30/10
HF692.	Division XIII - sections 111 through 113 repealed	HF 692.114	6/30/10

2003 ACTS - Listed by Bill Number

<u>Bill/Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
HF65.2	Section amended	SF 458.120	J
HF65.3	Section amended	SF 458.121	J
HF65.3	Section amended	SF 458.122	J
HF65.5	Section amended	SF 458.123	J
HF171.31	Section amended	SF 458.59	J
HF171.112	Section amended	HF 683.44	J
HF289.1	Section rewritten	SF 458.58	J
HF289.2	Section amended	HF 683.35	J

<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
HF381.1	Section amended	HF 683.37	J
HF396.1	Section amended	SF 458.64	J
HF396.5	Section amended	SF 458.65	J
HF404.1	Section amended	SF 458.77	J
HF502.3	Section amended	SF 458.71	J
HF534.18	Section amended	SF 458.57	J
HF534.87	Section amended	HF 683.34	J
HF558.1	Section amended	SF 458.68	J
HF558.2	Section amended	SF 458.69	J
HF558.3	Section amended	SF 458.76	J
HF601.2	Section rewritten	SF 458.81	J
HF619.2	Section amended	SF 458.160	J
HF619.3	Section amended	SF 458.161	J
HF619.4	Section amended	SF 458.162	J
HF619.5	Section rewritten	SF 458.163	J
HF619.7	Subsection 4, paragraph b amended	SF 458.164	J
HF619.9	Section amended	SF 458.165	J
HF619.12	Subsections 2 & 3 amended	SF 458.166	J
HF619.12	Subsection 4 rewritten	SF 458.167	J
HF624.9	Section amended	SF 458.66	J
HF624.22	Section amended	SF 458.82	J
HF644.18	Section amended	SF 458.73	J
HF647.4	Section amended	HF 683.39	J
HF647.7	Section amended	SF 458.75	J
HF647.7	Section amended	HF 683.28	J
HF647.54	Section amended	SF 458.74	J
HF648.1	Section repealed	SF 458.83	J
HF648.6	Section amended	SF 458.70	J
HF650.1	Section amended	SF 458.72	J
HF655.5	Subsection 1 amended	HF 683.10	J
HF655.24	Section amended	SF 458.44	J
HF655.31	Section amended	HF 683.11	J
HF655.34	Section amended	SF 458.45	J
HF662.5	Subsection 8, paragraphs a & b amended	HF 683.45	J
HF662.6	Unnumbered paragraph 2 amended	HF 683.46	J
HF667.2	Subsection 8 amended	HF 683.12	J
HF667.13	Subsection 2 amended	HF 683.6	J
HF667.27	Subsection 1, unnumbered paragraph 2 amended	HF 683.32	J
HF667.41	Section amended	SF 458.3	J
HF674.3	Section amended	HF 683.36	R 1/1/03
HF674.5	Section rewritten	HF 692.54	VETO
HF674.6	Section rewritten	HF 692.54	VETO
HF675.24	Section amended	HF 683.17	E
HF694.1	Section repealed	HF 694.64	7/1/06
HF694.39	Section amended	HF 694.63	7/1/08
HF694.41	Section repealed	HF 694.64	7/1/06
HF694.43	Section repealed	HF 694.64	7/1/06
HF694.44	Section repealed	HF 694.64	7/1/06
HF694.51	Section repealed	HF 694.64	7/1/06
SF97.21	Section repealed	SF 97.27	7/1/05

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<u>Section</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
SF134.7	Section amended	SF 458.128	E
SF134.7	Section amended	HF 683.26	J
SF155.56	Section repealed	SF 458.79	J
SF180.2	Section amended	HF 683.40	J
SF390.25	Section amended	SF 458.179	VETO
SF401.5	Subsection 1 amended	HF 683.29	R 4/11/03
SF416.1	Section amended	SF 458.67	J
SF438.3	Section repealed	HF 683.41	J
SF439.4	Subsection 1, paragraphs b & g amended	HF 683.8	J
SF439.10	Subsection 1, unnumbered paragraph 2 amended	SF 458.20	J
SF442.4	Section rewritten	HF 692.50	VETO
SF442.5	Section rewritten	HF 692.54	VETO
SF445.8	Section amended	HF 683.20	J
SF445.8	Section amended	HF 683.21	J
SF445.8	Section amended	HF 683.22	J
SF445.8	Section amended	HF 683.23	J
SF445.8	Section amended	HF 683.24	J
SF445.8	Section amended	HF 683.25	J
SF453.7	Section amended	SF 458.37	J
SF453.11	Section amended	HF 683.42	J
SF453.25	Section amended	SF 458.124	J
SF453.25	Section amended	SF 458.125	J
SF453.28	Section repealed	SF 458.42	J
SF453.30	Section rewritten	SF 458.138	J
SF453.32	Section amended	SF 458.85	J
SF453.32	Section amended	SF 458.86	J
SF453.32	Section amended	HF 683.14	J
SF453.33	Section amended	SF 458.87	J
SF453.35	Section amended	SF 458.139	J
SF453.44	Subsection 8 amended	SF 458.80	J
SF453.49	Subsection 1, unnumbered paragraph 1 amended	SF 458.141	J
SF453.71	Section amended	SF 458.108	J
SF453.72	Section amended	SF 458.60	J
SF453.75	Section amended	SF 458.61	J
SF453.90	Section amended	SF 458.62	J
SF453.91	Section amended	SF 458.63	J
SF453.93	Section amended	SF 458.109	J
SF453.104	Section amended	HF 683.38	J
SF453.121	Section amended	SF 458.142	J
SF458.8	Section amended	HF 683.9	J
SF458.21	Unnumbered paragraph 3 amended	HF 683.30	J
SF458.48	Unnumbered paragraphs 1 & 2 amended	HF 683.1	J
SF458.85	Section amended	HF 683.14	J
SF458.100	Section amended	HF 683.15	J
SF458.128	Section amended	HF 683.26	J
SF458.149	Section amended	HF 683.31	J
SF458.159	Section amended	HF 683.43	E

2002 ACTS (SECOND EXTRAORDINARY SESSION) AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1001.6	Section amended	SF 452.15	J
1001.28	Section amended	SF 458.31	J
1001.33	Section amended	SF 458.40	J
1001.39	Section amended	SF 36.5	E
1003.9	Subsection 1 amended	SF 458.43	E

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1003.102	Subsection 2, paragraph g amended	HF 667.57	E
1003.110	New unnumbered paragraph	SF 458.168	E
1003.121	Unnumbered paragraph 2 amended	SF 36.2	E
1003.125	Subsection 4, unnumbered paragraph 1 amended	SF 36.3	E
1003.126	Subsections 1 & 2 amended	SF 36.4	E
1003.126	Subsection 3, paragraph d amended	HF 667.42	E
1003.131	New unnumbered paragraph	HF 667.43	E
1003.155	Subsect. 1, para. a, unnum. para. 1; para. b, unnum. para. 1; paras. c, d, e, & f; para. g, unnum. para. 1; paras. h & i amended	SF 36.6	E
1003.156	Subsection 1, unnumbered paragraph 1 amended	SF 36.7	E
1003.157	Subsection 1, paragraphs a, b, c, & h amended	SF 36.8	E
1103.160	Section amended	SF 36.9	E
1003.165	Subsect. 1; subsect. 2, unnum. para. 1; subsect. 3, para. a; subsect. 4, para. a; subsect. 5, para. a amended	SF 36.10	E
1003.170	Section amended	SF 439.17	E

2002 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1017.2	Section amended	SF 155.40	7/1/05
1017.3	Section amended	SF 155.43	7/1/05
1017.4	Section amended	HF 171.123	J
1047.14	Section repealed	HF 341.4	J
1047.17	Section repealed	HF 341.4	J
1047.20	Section amended	HF 341.5	J
1093.3	Section rewritten	HF 171.124	R 4/8/02
1106.1	Section repealed	HF 456.1	E
1106.2	Section repealed	HF 456.2	E
1119.108	Section amended	HF 171.125	R 7/1/02
1124.3	Section amended	SF 172.1	E
1124.4	Section amended	SF 172.2	E
1124.11	Section amended	SF 172.3	E
1124.12	Section rewritten	SF 172.4	E
1124.13	Section rewritten	SF 172.5	E
1124.14	Section amended	SF 172.6	E
1124.16	Section rewritten	SF 172.7	E
1125.1	Subsection 2, paragraphs b & d amended	HF 667.40	J
1132.9	Section rewritten	HF 171.126	R 7/1/02
1137.68	Subsection 2, new unnumbered paragraph	SF 155.108	J
1140.28	Section rewritten	HF 171.127	R 5/2/02
1145.7	Section amended	HF 576.5	E
1145.10	Subsection 2 amended	HF 576.6	E
1149.2	Section rewritten	HF 171.128	R 5/2/02
1170.10	New subsection 3	HF 397.1	R 7/1/02
1173.1	Subsection 5, unnumbered paragraph 1 rewritten	SF 36.1	E
1173.18	Section amended	SF 458.39	E
1174.8	Section amended	SF 458.38	J
1175.41	Bill section amending clause amended	HF 171.129	J
1175.96	Section amended	SF 172.6	E

EFFECTIVE DATE - Effective date indicates the date from which the bill section is to be applied, not necessarily the date specified in the Act.

A - applicability provisions

IV - part of bill section vetoed

***** - Code Supplement 2001

C - conditional effective date

VETO - entire bill section vetoed

****** - subsequently amended

E - effective upon enactment

00/00/00 - specified effective date

******* - subsequently repealed

J - effective July 1, 2003

00/00/00R - retroactive applicability

******** - sections are listed in 2002 Acts, chapter

V - various effective dates

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1175.104	Section amended	HF 667.41	J
1175.104	Subsections 2, 4, & 5 amended	SF 458.3	J

2001 ACTS (SECOND EXTRAORDINARY SESSION) AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
6.26	Section amended	SF 155.109	E

2001 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
34.1	Section repealed	HF 456.1	E
34.2	Section repealed	HF 456.2	E
55.31	Section rewritten	HF 171.130	J
123.6	Subsection 2 amended	HF 689.2	R 1/1/02
174.1	Subsection 2 amended	SF 458.38	J
186.21	Section amended	SF 439.17	E

2000 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1189.32	Section repealed	HF 456.1	E
1189.33	Section repealed	HF 456.2	E
1216.2	Subsection 10 amended	HF 652.3	J
1225.13	Section amended	SF 452.16	J
1229.25	Section amended	SF 439.17	E

1999 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
198.2	Subsection 9 amended	HF 652.4	E
202.25	Section amended	SF 439.17	E
204.6	Unnumbered paragraph 2 amended	SF 452.16	J

1998 ACTS AMENDED

<u>Chap/Sec</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
1101.15	Subsection 2 amended	SF 439.17	E

IOWA ADMINISTRATIVE CODE AMENDED

<u>Agency</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
567	Rule 28.1 as rewritten is nullified	SJR 5.1	E
567	Rule 28.2 nullified	SJR 5.2	E
571	Rule 98.2, subrule 1, paragraph b, subparagraph (2), last sentence nullified	HJR 5.1	E
571	Rule 106.7, subrule 1, paragraph b, last sentence nullified	HJR 5.2	E

PROPOSED CONSTITUTIONAL AMENDMENTS

<u>Article</u>	<u>Action Taken</u>	<u>Hse/Sen File #</u>	<u>Effective</u>
II	New section 5	HJR 3.1	Upon approval of voters

2003 SENATE COMMITTEES

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 Hosch, Vice Chair
 Fraise, Ranking Member
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 Gaskill
 Houser
 Johnson
 Kibbie
 Putney
 Ragan
 Seng
 Veenstra
 Zieman

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 Kramer, Vice Chair
 Dvorsky, Ranking Member
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 Black
 Bolkcom
 Connolly
 Dotzler
 Fraise
 Gaskill
 Hatch
 Horn
 Houser
 McKibben
 McKinley
 Miller
 Schuerer
 Seng
 Seymour
 Shull
 Sievers
 Tinsman
 Veenstra
 Warnstadt
 Zieman

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 Dearden, Ranking Member
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 Dotzler
 Horn
 Johnson
 Kettering
 McKibben
 Seymour
 Wieck

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 Wieck, Vice Chair
 Warnstadt, Ranking Member
 Beall
 Behn
 Bolkcom
 Brunkhorst
 Gronstal
 Kettering
 Larson
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 Redfern
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 Sievers
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 Dotzler
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 McKinley
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 Brunkhorst
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 Holveck
 Hosch
 Kreiman
 Larson
 Quirnbach
 Redfern
 Rehberg

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 Connolly
 Dearden
 McKibben

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 Brunkhorst, Vice Chair
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 Dvorsky
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 Boettger
 Hatch
 Holveck
 Horn
 Hosch
 Kreiman
 McKinley
 Schuerer
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 Fraise
 Holveck
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 Kettering
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 McKibben
 Miller
 Putney
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 Brunkhorst
 Dearden
 Drake
 Holveck
 Kettering
 Kibbie
 Lundby
 Miller
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 Gaskill
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 Ragan
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Connolly
 Dotzler
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 Lamberti
 Larson

McCoy
 McKinley
 Miller
 Quirmbach

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 Rehberg
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 Rayhons
 Stevens
 Struyk
 Swaim
 Whitaker

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 Reasoner
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Hanson
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