

b. "Local legislation" means any ordinance, motion, resolution, amendment, regulation, or rule adopted by a local governmental entity.

2. The provisions of this chapter and rules adopted by the department pursuant to this chapter shall preempt local legislation adopted by a local governmental entity relating to the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, or manufacture of a pesticide. A local governmental entity shall not adopt or continue in effect local legislation relating to the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, or manufacture of a pesticide, regardless of whether a statute or rule adopted by the department applies to preempt the local legislation. Local legislation in violation of this section is void and unenforceable.

3. This section does not apply to local legislation of general applicability to commercial activity.

Approved February 1, 1994

CHAPTER 1003

SCHOOL FINANCE — STATE PERCENT OF GROWTH *S.F. 2041*

AN ACT establishing the state percent of growth for the school budget year beginning July 1, 1994, for purposes of the state school foundation program and providing effective and applicability date provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **STATE PERCENT OF GROWTH.** There is established pursuant to section 257.8, subsection 1, for the school budget year beginning July 1, 1994, for the state school foundation program a state percent of growth equal to two and eighty-five hundredths percent.

Sec. 2. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment and is applicable for computing state aid under the state school foundation program for the school budget year beginning July 1, 1994.

Approved February 10, 1994

CHAPTER 1004

COMPENSATION OF DEPUTY COUNTY SHERIFFS *S.F. 218*

AN ACT relating to the compensation of deputy county sheriffs.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 331.904, subsection 2, Code 1993, is amended to read as follows:

2. Each deputy sheriff shall receive an annual base salary as determined by the board. Upon certification by the sheriff, the board shall review, and may modify, the annual base salary of each deputy before certifying it to the auditor. The annual base salary of a first or second deputy sheriff shall not exceed eighty-five percent of the annual base salary of the sheriff. The

annual base salary of any other deputy sheriff shall not exceed the annual base salary of the first or second deputy sheriff except that in counties over two hundred fifty thousand population, the annual base salary of any additional deputies shall not exceed seventy-five percent of the annual base salary of the sheriff. ~~The total annual compensation including the annual base salary, overtime pay, longevity pay, shift differential pay, or other forms of supplemental pay and fringe benefits received by a deputy sheriff shall be less than the total annual compensation including fringe benefits received by the sheriff.~~ As used in this subsection, "base salary" means the basic compensation excluding overtime pay, longevity pay, shift differential pay, or other supplemental pay and fringe benefits.

Approved February 11, 1994

CHAPTER 1005

HUMAN SERVICES — FAMILY INVESTMENT PROGRAM — EMERGENCY SOCIAL SERVICES

S.F. 2034

AN ACT relating to department of human services provisions involving the family investment program and appropriating federal flood relief supplemental social services block grant funds and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. WELFARE REFORM WAIVER MODIFICATION.

1. The department of human services shall submit a waiver or waiver modification request to the United States department of health and human services as necessary to revise a provision of the federal waiver granted pursuant to the request submitted to the federal government in accordance with 1993 Iowa Acts, chapter 97, section 3, subsection 1, paragraph "b". The request shall be to revise the provision involving the fifty percent earned income work incentive deduction used by the department. Under the revision, the department would allow the work incentive deduction only when calculating the amount of a family investment program grant and when determining continuing eligibility for the program. When used to determine continuing eligibility, the deduction would only be applied if countable income, after applicable deductions other than the work incentive deduction are subtracted, is below the family investment program standard of need in the current month or was below the standard of need in a month during a period of continuous eligibility for the family investment program as defined in administrative rules.

2. It is the intent of the general assembly that implementation of the provisions of subsection 1 shall limit the application of the earned income work incentive deduction so that the deduction does not apply to certain family investment program-related medical assistance eligibility groups in which the income limits used for eligibility are greater than income limits used for the family investment program. It is further the intent of the general assembly that the implementation of the provisions of subsection 1 shall not substantially affect eligibility for the family investment program.

3. The department shall implement the provisions of this section on the first day of the month following federal approval of the provisions or March 1, 1994, whichever date is later.

4. The department may adopt emergency rules to implement the provisions of this section; however, the department shall implement the provisions of this section on the date required pursuant to subsection 3.