

power not registered as a motor vehicle in Iowa. References in this chapter to "mobile home" includes "manufactured homes" and "modular homes" as those terms are defined in section 435.1, if the manufactured homes or modular homes are located in a mobile home park.

Sec. 24. EFFECTIVE DATE — APPLICABILITY. This Act takes effect July 1, 1994, however, the tax provisions of this Act take effect January 1, 1995, and apply to mobile homes, manufactured homes, or modular homes which are subject to the annual tax imposed pursuant to section 435.22 or to assessment and taxation as real estate as otherwise provided by law.

Sec. 25. REPEALER. Section 435.34, Code 1993, is repealed.

Approved April 25, 1994

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## CHAPTER 1111

### NONRESIDENT DEER AND TURKEY HUNTING LICENSES

*S.F. 2206*

**AN ACT** relating to the licensing of nonresident hunters of deer and turkey and providing effective and applicability date provisions.

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

Section 1. Section 483A.7, subsection 3, Code 1993, is amended to read as follows:

3. A nonresident wild turkey hunter is required to have only a nonresident wild turkey hunting license and a wildlife habitat stamp. The commission shall annually limit to ~~six hundred~~ two thousand licenses the number of nonresidents allowed to have wild turkey hunting licenses. The number of nonresident wild turkey hunting licenses shall be determined as provided in section 481A.38. The commission shall allocate the nonresident wild turkey hunting licenses issued among the zones based on the populations of wild turkey. A nonresident applying for a wild turkey hunting license must exhibit proof of having successfully completed a hunter safety and ethics education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

Sec. 2. Section 483A.8, subsection 3, Code 1993, is amended to read as follows:

3. A nonresident deer hunter is required to have only a nonresident deer license and a wildlife habitat stamp. The commission shall annually limit to ~~one five thousand two hundred~~ licenses the number of nonresidents allowed to have deer hunting licenses. The number of nonresident deer hunting licenses shall be determined as provided in section 481A.38. The commission shall allocate the nonresident deer hunting licenses issued among the zones based on the populations of deer. However, a nonresident applicant may request one or more hunting zones, in order of preference, in which the applicant wishes to hunt. If the request cannot be fulfilled, the applicable fees shall be returned to the applicant. A nonresident applying for a deer hunting license must exhibit proof of having successfully completed a hunter safety and ethics education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

Sec. 3. Section 483A.30, Code 1993, is amended by striking the section and inserting in lieu thereof the following:

#### 483A.30 NONRESIDENT DEER AND TURKEY LICENSE FEES.

Notwithstanding any limitation on full-time equivalent or permanent positions imposed as otherwise provided by law or by the department of management or any point limitation on personnel imposed by the department of management, the department of natural resources

shall use the revenues received from the nonresident deer and wild turkey hunting license fees to employ as many new full-time conservation officers as possible with the revenues received until ninety-nine conservation officers are employed in nonsupervisory positions.

Sec. 4. **EFFECTIVE DATE.** This Act takes effect December 15, 1994, and applies to the 1995 license year and each subsequent license year.

Approved April 25, 1994

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## CHAPTER 1112

### HUMAN SERVICES — ENFORCEMENT — LIENS — REPORTS

*S.F. 2250*

**AN ACT** relating to the department of human services by establishing debt liens based upon the inappropriate obtaining of benefits from the department of human services and reporting of assets and income of a medical assistance recipient by a conservator.

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

Section 1. **NEW SECTION. 10A.108 LIEN OF ENTITLEMENT BENEFITS INAPPROPRIATELY OBTAINED FROM THE DEPARTMENT OF HUMAN SERVICES — DEBT ESTABLISHED — COLLECTION — ACTION AUTHORIZED.**

1. If a person refuses or neglects to repay benefits inappropriately obtained from the department of human services, the amount inappropriately obtained, including any interest, penalty, or costs attached to the amount, constitutes a debt and is a lien in favor of the state upon all property and any rights or title to or interest in property, whether real or personal, belonging to the person for the period established in subsection 2, with the exception of property which is exempt from execution pursuant to chapter 627.

A lien under this section shall not attach to any amount of inappropriately obtained benefits, or portions of the benefits, attributable to errors by the department of human services. Liens shall only attach to the amounts of inappropriately obtained benefits or portions of the benefits which were obtained due to false, misleading, incomplete, or inaccurate information submitted by a person in connection with the application for or receipt of benefits.

2. a. The lien attaches at the time the notice of the lien is filed under subsection 3, and continues for ten years from that date, unless released or otherwise discharged at an earlier time.

b. The lien may be extended, within ten years from the date of attachment, if a person files a notice with the county recorder or other appropriate county official of the county in which the property is located at the time of filing the extension. From the time of the filing of the notice, the lien period shall be extended for ten years to apply to the property in the county in which the notice is filed, unless released or otherwise discharged at an earlier time. The number of extensions is not limited.

c. The director shall discharge any lien which is allowed to lapse and may charge off any account and release the corresponding lien before the lien has lapsed if the director determines, under uniform rules prescribed by the director, that the account is uncollectible or collection costs involved would not warrant collection of the amount due.

3. To preserve the lien against subsequent mortgagees, purchasers, or judgment creditors, for value and without notice of the lien, on any property located in a county, the director shall file a notice of the lien with the recorder of the county in which the property is located at the time of filing of the notice.

4. The county recorder of each county shall prepare and maintain in the recorder's office an index of liens of debts established based upon benefits inappropriately obtained from and