

2. Provide direct or indirect financial support to or for the benefit of any other person; ~~except as provided in subsection 1 or for. However, the council may do any of the following:~~

a. Provide support to an organization carrying out a purpose related to the increased consumption and utilization of eggs or egg products.

b. Execute contracts for services related to research, promotional, or public relations programs, or for the carrying out the duties of the council as provided in section 196A.11.

c. Pay for administrative expenses of the council.

3. Act, directly or indirectly, in any capacity in marketing or making contracts for the marketing of eggs or egg ~~by products~~ products.

4. Act, directly or indirectly, in any capacity in selling or contracting for the selling of eggs, egg products, or egg-by-product equipment used in the manufacturing of egg products.

5. a. Make any contribution of council moneys, either directly or indirectly, to any political party or organization or in support of a political candidate for public office, or make.

b. Make payments to a political candidate including but not limited to a member of Congress or the general assembly for honorariums, speeches, or for any other purposes above actual and necessary expenses.

Sec. 12. Section 196A.19, unnumbered paragraph 2, Code 1997, is amended to read as follows:

Moneys collected, deposited in the fund, and transferred to the council as provided in this chapter are subject to audit by the auditor of state. The moneys transferred to the council shall be used by the council first for the payment of collection expenses, second for payment of the costs and expenses arising in connection with conducting referendums, and third ~~for market development to carry out the duties of the council as provided in section 196A.11.~~ Moneys remaining after a the council is abolished and the imposition of an assessment is terminated pursuant to a referendum is held when a majority of the voters do not favor extending the assessment conducted pursuant to section 196A.4C shall continue to be expended in accordance with this chapter until exhausted.

Sec. 13. TRANSFER. The Code editor shall transfer chapter 196A to or near chapter 184 and shall renumber the chapter's sections to enhance the chapter's readability.

Sec. 14. Section 196A.25, Code 1997, is repealed.

Approved April 1, 1998

CHAPTER 1039

STATE EMPLOYEE DEFERRED COMPENSATION TRUST FUND

S.F. 2350

AN ACT establishing a state employee deferred compensation trust fund.

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

Section 1. NEW SECTION. 19A.12C IOWA STATE EMPLOYEE DEFERRED COMPENSATION TRUST FUND.

1. There is hereby created in the office of the treasurer of state a special fund, separate and apart from all other public moneys or funds of this state, to be known as the "Iowa State Employee Deferred Compensation Trust Fund", hereafter called the "fund". The fund shall consist of all moneys deposited in the fund pursuant to this section, any other assets that

must be held in trust for the exclusive benefit of participants in the state's deferred compensation program as required by section 457 of the federal Internal Revenue Code, and interest and earnings thereon, and shall be used for the exclusive benefit of participants in a deferred compensation program established by the state under section 509A.12.

2. The director is the trustee of the fund and shall administer the fund. Any loss to the fund shall be charged against the fund and the director shall not be personally liable for such loss. In addition, the director is the trustee of any trusts referenced in section 457(g) of the federal Internal Revenue Code. Any loss to the trusts shall be charged against the trusts and the director shall not be personally liable for such loss.

3. By January 1, 1999, any compensation or portion of compensation reduced by a participant in conjunction with a deferred compensation program established by the state under section 509A.12 and any earnings or income thereon shall be held in trust and used for the exclusive benefit of the participant or the participant's beneficiary as provided by section 457 of the federal Internal Revenue Code.

4. For purposes of this section, custodial accounts, annuity contracts, and any other contracts referenced in section 457(g) of the federal Internal Revenue Code shall be treated as trusts for purposes of section 457 of the federal Internal Revenue Code.

5. Moneys in the fund are not subject to section 8.33. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund.

Approved April 1, 1998

CHAPTER 1040

SOIL AND WATER CONSERVATION PRACTICES — FINANCIAL INCENTIVES — COST-SHARE MONEYS

S.F. 2324

AN ACT relating to the allocation of cost-share moneys as financial incentives to encourage summer construction of permanent soil and water conservation practices.

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

Section 1. Section 161A.73, subsection 2, paragraph b, Code 1997, is amended to read as follows:

b. The allocation of cost-share moneys as financial incentives to encourage summer construction of permanent soil and water conservation practices. The practices must be constructed on or after June 1 but not later than ~~August~~ September 15. The commissioners may also provide for the payment of moneys on a prorated basis to compensate persons for the production loss on an area disturbed by construction, according to rules which shall be adopted by the division. The commissioners shall not allocate cost-share moneys to support summer construction during a fiscal year in which applications for cost-share moneys required to establish permanent soil and water conservation practices, other than established by summer construction, equal the total amount available to support the nonsummer construction practices. The financial incentives shall not exceed sixty percent of the estimated cost of establishing the practice as determined by the commissioners, or sixty percent of the actual cost of establishing the practice, whichever is less.

Approved April 2, 1998