

CHAPTER 1086

PROFESSIONAL AND OCCUPATIONAL LICENSES

S. F. 277

AN ACT relating to the establishment and administration of professional and occupational licensing boards, to abolish all trust funds and special funds of professional and occupational licensing boards and allowing certain additional fees, and providing penalties.

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

1 SECTION 1. NEW SECTION. The following principles shall be used
2 by the general assembly in determining whether a procedure should be
3 established and the type of procedure which should be established, for
4 the state licensure of an occupation or profession:

5 1. The state shall engage in licensing procedures for those profes-
6 sions and occupations where it believes it can assure an objective and
7 measurable level of competence concerning the public health, safety,
8 and well-being which other sources cannot effectively provide.

9 2. The examining board shall pursue a meaningful examination and
10 enforcement procedure which upholds the level of competency of the
11 licensee to insure that the public interest is protected.

1 SEC. 2. Section one hundred fourteen point three (114.3), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **114.3 Establishment of board.** There is established a board of en-
5 gineering examiners which shall consist of five members who are reg-
6 istered professional engineers and two members who are not regis-
7 tered professional engineers and who shall represent the general pub-
8 lic. Members shall be appointed by the governor subject to the ap-
9 proval of two-thirds of the members of the senate. A registered
10 member shall be actively engaged in the practice of engineering and
11 shall have been so engaged for five years preceding his appointment,
12 the last two of which shall have been in Iowa. No two registered
13 members of the board shall be from the same branch of the profession
14 of engineering. Professional associations or societies composed of
15 registered engineers may recommend the names of potential board
16 members to the governor, but the governor shall not be bound by the
17 recommendations. A board member shall not be required to be a
18 member of any professional association or society composed of pro-
19 fessional engineers.

1 SEC. 3. Section one hundred fourteen point four (114.4), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **114.4 Terms of office.** Appointments shall be for three-year terms
5 and shall commence on July first of the year in which the appointment
6 is made. Vacancies shall be filled for the unexpired term by appoint-
7 ment of the governor and shall be subject to senate confirmation.
8 Members shall serve no more than three terms or nine years, which-
9 ever is least.

1 SEC. 4. Section one hundred fourteen point eight (114.8), Code
2 1973, is amended to read as follows:

3 **114.8 Compensation and expenses.** Members of the board shall set
4 their own per diem compensation at a rate not exceeding forty dollars
5 per day for the time actually spent in traveling to and from, and in
6 attending ~~sessions~~ *duly authorized functions* of the board and its
7 committees, and shall receive all necessary traveling and incidental
8 expenses incurred in the discharge of their duties within the limits of
9 their available funds, but in no event shall the state be chargeable with
10 any expense incurred under the provisions of this chapter *appropriated*
11 *to the board.*

1 SEC. 5. Section one hundred fourteen point nine (114.9), Code
2 1973, is amended to read as follows:

3 **114.9 Organization of the board—meetings—quorum.** The board
4 shall elect annually from its members a chairman and a vice-chairman.
5 The ~~secretary of the executive council, or one of his assistants, to be~~
6 ~~designated by him, shall act as secretary of said board.~~ *The board shall*
7 *employ a secretary whose salary shall be set by the general assembly.*
8 The board shall hold at least one ~~stated meeting on the first Tuesday~~
9 ~~of December~~ of each year *at the seat of government*, and ~~special meet-~~
10 ~~ings shall be called at other times by the secretary at the request of the~~
11 ~~chairman or three four members of the board.~~ At any meeting of the
12 board, ~~three~~ *a majority of the members* shall constitute a quorum. The
13 board shall have power to employ such legal, technical and clerical
14 assistants and incur such expense as may be necessary to properly
15 carry out the provisions of this chapter *within the limits of funds*
16 *appropriated to the board.*

1 SEC. 6. Section one hundred fourteen point twelve (114.12), Code
2 1973, is amended to read as follows:

3 **114.12 Engineering examiners fund Disposition of fees.** The sec-
4 retary shall collect and account for all fees provided for by this chapter
5 and pay the same to the ~~state treasurer of state~~ *who shall keep such*
6 ~~moneys in a separate fund to be known as the fund of the board of~~
7 ~~engineering examiners, which shall be continued from year to year and~~
8 ~~shall be drawn on only to defray expenditures as provided in this chap-~~
9 ~~ter deposit the fees in the general fund of the state.~~

1 SEC. 7. Section one hundred fourteen point thirteen (114.13),
2 Code 1973, is amended to read as follows:

3 **114.13 Applications and examination fees.** Applications for regis-
4 tration shall be on forms prescribed and furnished by the board, shall
5 contain statements made under oath, showing the applicant's educa-
6 tion and detail summary of his technical work *and the board shall not*
7 *require that a recent photograph of the applicant be attached to the*
8 *application form. An applicant shall not be ineligible for registration*
9 *because of age, citizenship, sex, race, religion, marital status, or na-*
10 *tional origin, although the application form may require citizenship*
11 *information. The board may consider the past felony record of an ap-*
12 *plicant only if the felony conviction relates directly to the practice of*
13 *engineering or land surveying. The board may require that an appli-*
14 *cant submit character references, but an applicant for examination in*
15 *fundamentals or for examination in land surveying shall not submit a*
16 *character reference from a registered professional engineer. Appli-*
17 *cations for examination in fundamentals, in professional engineering,*
18 *and in land surveying shall be accompanied by not less than three*

19 references having personal knowledge of the applicant's character and
 20 ability and an application fee of ten dollars fees in amounts determined
 21 by the board. Applications for examination in professional engineering
 22 shall be accompanied by not less than five references having personal
 23 knowledge of the applicant's character and engineering experience,
 24 three of which references shall be from professional engineers, and an
 25 application fee of fifteen dollars. Applications for examination in land
 26 surveying shall be accompanied by not less than five references having
 27 personal knowledge of the applicant's character and land surveying
 28 experience, three of which references shall be from land surveyors, or
 29 professional engineers, or both, and an application fee of fifteen dollars.
 30 All fees deposited shall be retained by the board. The board shall deter-
 31 mine the annual cost of administering the examinations and shall set
 32 the fees accordingly.

1 SEC. 8. Section one hundred fourteen point fourteen (114.14), sub-
 2 section two (2), paragraph d, Code 1973, is amended to read as fol-
 3 lows:

4 d. Successfully passing a written, oral, or written and oral exami-
 5 nation designed to determine the proficiency and qualifications to en-
 6 gage in the practice of land surveying. No applicant shall be entitled
 7 to take this examination until the applicant shows the necessary prac-
 8 tical experience in land surveying work.

9 ~~Provided, that no person shall be eligible for registration as a pro-~~
 10 ~~essional engineer, or land surveyor, who is not of good character and~~
 11 ~~reputation.~~

1 SEC. 9. Section one hundred fourteen point fifteen (114.15), Code
 2 1973, is amended to read as follows:

3 **114.15 Examinations—report required.** Examinations for regis-
 4 tration shall be given at stated or called meetings of the board as often
 5 as deemed necessary by the board, but no less than one time per year.
 6 The scope of the examinations and the methods of procedure shall be
 7 prescribed by the board. Any written examination may be given by
 8 representatives of the board. All examinations in theory shall be in
 9 writing and the identity of the person taking the examination shall be
 10 concealed until after the examination papers have been graded. For
 11 examinations in practice, the identity of the person taking the exami-
 12 nation shall also be concealed as far as possible. As soon as practicable,
 13 after the close of each examination, a report shall be filed in the office
 14 of the secretary of the board by the members conducting such exami-
 15 nations board. Said The report shall show the action of the board upon
 16 each application, whereupon and the secretary of the board shall notify
 17 each applicant of the result of his examination. Applicants who fail
 18 the examination once shall be allowed to take the examination at the
 19 next scheduled time. Thereafter, the applicant shall be allowed to take
 20 the examination at the discretion of the board. An applicant who has
 21 failed the examination may request in writing information from the
 22 board concerning his examination grade and subject areas or questions
 23 which he failed to answer correctly, except that if the board admin-
 24 isters a uniform, standardized examination, the board shall only be
 25 required to provide the examination grade and such other information
 26 concerning the applicant's examination results which are available to
 27 the board.

1 SEC. 10. Section one hundred fourteen point seventeen (114.17),
2 Code 1973, is amended to read as follows:

3 **114.17 Certificate.** To any applicant who shall have passed the ex-
4 amination as a professional engineer and who shall have paid an addi-
5 tional fee of ~~ten dollars~~, the board shall issue a certificate of registra-
6 tion as a professional engineer signed by the chairman and secretary
7 of the board under the seal of such board, which certificate shall
8 authorize the applicant to practice professional engineering as defined
9 in this chapter. *The amount of the fee shall be determined by the*
10 *board pursuant to section sixteen (16) of this Act.* Such certificate
11 shall not carry with it the right to practice land surveying, unless
12 specifically so stated in said certificate, which permission shall be
13 granted by the board without additional fee in cases where the appli-
14 cant duly qualifies as a land surveyor as prescribed by the rules of said
15 board.

1 SEC. 11. Section one hundred fourteen point eighteen (114.18),
2 Code 1973, is amended to read as follows:

3 **114.18 Expirations and renewals.** Certificates of registration shall
4 expire ~~on the last day of the month of December following their issu-~~
5 ~~ance or renewal and shall become invalid on that date unless renewed~~
6 *annually as determined by the board.* It shall be the duty of the secre-
7 tary of the board to notify every person registered under this chapter,
8 of the date of expiration of his certificate and the amount of the fee
9 that shall be required for its renewal for one year; such notice shall be
10 mailed at least one month in advance of the date of the expiration of
11 said certificate. Renewal may be effected ~~at any time during the month~~
12 ~~of December~~ by the payment of a fee of ~~ten dollars~~ *the amount of*
13 *which shall be determined by the board.* The failure on the part of any
14 registrant to renew his certificate annually in the month of ~~December~~
15 *expiration* as required above shall not deprive such a person of the
16 right of renewal; ~~but the fee to be paid for the renewal of a certifi-~~
17 ~~cate after the month of December shall be increased four dollars per~~
18 ~~year for each year or fraction of a year that payment of renewal is~~
19 ~~delayed; provided, however, that the maximum fee for delayed renewal~~
20 ~~shall not exceed ten dollars.~~ *A person who fails to renew his certificate*
21 *by the expiration date shall be allowed to do so within thirty days*
22 *following its expiration, but the board may assess a reasonable pen-*
23 *alty.* For the duration of any war in which the United States is
24 engaged the board may, in its discretion, defer the collection of renewal
25 fees without penalty, which have or may become due from registered
26 professional engineers who are employed in the war effort, and resid-
27 ing outside the state, or who are members of the armed forces of the
28 United States, and may renew the engineering certificates of said
29 registered professional engineers.

1 SEC. 12. Section one hundred fourteen point nineteen (114.19),
2 Code 1973, is amended to read as follows:

3 **114.19 Land surveyor's certificate.** To any applicant who shall
4 have passed the examination as a land surveyor and who shall have
5 paid an additional fee of ~~ten dollars~~ *as set by the board*, the board shall
6 issue a certificate of registration signed by its chairman and secretary
7 under the seal of the board, which certificate shall authorize the appli-
8 cant to practice land surveying as defined in this chapter and to admin-

9 ister oaths to his assistants and to witnesses produced for examination,
10 with reference to facts connected with land surveys being made by
11 such land surveyor.

1 SEC. 13. Section one hundred fourteen point twenty (114.20), un-
2 numbered paragraphs two (2) and three (3), Code 1973, are amended
3 to read as follows:

4 A temporary permit to practice engineering or land surveying may
5 be granted to a person registered in another state, as prescribed by
6 the rules of the board, provided that before practicing within this
7 state he shall have applied for registration and shall have paid the fee
8 prescribed by ~~this section~~ *the board*.

9 The application for registration shall be accompanied by a fee of
10 ~~twenty five dollars as determined by the board~~. After the board deter-
11 mines the applicant qualified under this section, a certificate of regis-
12 tration shall be issued upon receipt of an additional ~~ten dollars fee as~~
13 ~~determined by the board~~. ~~All fees deposited shall be retained by the~~
14 ~~board~~. ~~All fees collected shall be transmitted to the treasurer of state~~
15 ~~and deposited in the general fund of the state~~.

1 SEC. 14. Section one hundred fourteen point twenty-one (114.21),
2 Code 1973, is amended to read as follows:

3 **114.21 Suspension or revocation of certificate.** The board shall
4 have the power by a ~~four-fifths~~ *five-sevenths* vote of the entire board
5 to suspend for a period not exceeding two years, or to revoke the cer-
6 tificate of registration of, or to reprimand any registrant who is found
7 guilty of any fraud or deceit in obtaining a registration, any fraud or
8 deceit in his practice, or any gross negligence, incompetence, or mis-
9 conduct in his practice, or who is found to have been convicted of any
10 felony *that would affect his ability to practice professional engineering*
11 *or land surveying* ~~or of any misdemeanor involving moral turpitude~~.

1 SEC. 15. Section one hundred fourteen point twenty-three
2 (114.23), Code 1973, is amended to read as follows:

3 **114.23 Expenditures.** Warrants for the payment of expenses and
4 compensations provided by this chapter shall be issued by the state
5 comptroller *drawn upon funds appropriated to the board* upon presen-
6 tation of vouchers drawn by the chairman and secretary of the board,
7 *authorized by the board*, and approved by said comptroller, ~~but at no~~
8 ~~time shall the total amount of warrants exceed the total amount of the~~
9 ~~examination and registration fees collected as herein provided~~.

1 SEC. 16. Chapter one hundred fourteen (114), Code 1973, is
2 amended by adding the following new sections:

3 **NEW SECTION. Fees.** The board shall set the fees for application,
4 registration, and renewal of registration based upon the administra-
5 tive costs of sustaining the board. The fees shall include, but shall
6 not be limited to, the costs for:

- 7 1. Per diem, expenses and travel for board members.
- 8 2. Office facilities, supplies, and equipment.
- 9 3. Legal, technical and clerical assistance.

10 **NEW SECTION. Public members.** The public members of the board
11 shall not participate in administering or grading any portion of an
12 examination.

13 **NEW SECTION. Disclosure of confidential information.** A member
14 of the board shall not disclose information relating to the following:

- 15 1. Criminal history or prior misconduct of the applicant.
16 2. Information relating to the contents of the examination.
17 3. Information relating to the examination results other than final
18 score except for information about the results of an examination
19 which is given to the person who took the examination.

20 A member of the board who willfully communicates or seeks to com-
21 municate such information, and any person who willfully requests,
22 obtains, or seeks to obtain such information, is guilty of a public of-
23 fense which is punishable by a fine not exceeding one hundred dollars
24 or by imprisonment in the county jail for not more than thirty days.

1 SEC. 17. Section one hundred fifteen point one (115.1), Code 1973,
2 is amended by striking the section and inserting in lieu thereof the
3 following:

4 **115.1 Establishment of board.** There is established a board of ex-
5 aminers of shorthand reporters which shall consist of three certified
6 shorthand reporters and two persons who are not certified shorthand
7 reporters and who shall represent the general public. Members shall
8 be appointed by the governor subject to the approval of two-thirds of
9 the members of the senate. A certified member shall be actively en-
10 gaged in the practice of certified shorthand reporting and shall have
11 been so engaged for five years preceding his appointment, the last two
12 of which shall have been in Iowa. Professional associations or socie-
13 ties composed of certified shorthand reporters may recommend the
14 names of potential board members to the governor, but the governor
15 shall not be bound by the recommendations. A board member shall
16 not be required to be a member of any professional association or
17 society composed of certified shorthand reporters.

1 SEC. 18. Section one hundred fifteen point two (115.2), Code 1973,
2 is amended by striking the section and inserting in lieu thereof the
3 following:

4 **115.2 Terms of office.** Appointments shall be for three-year terms
5 and shall commence on July first of the year in which the appointment
6 is made. Vacancies shall be filled for the unexpired term by appoint-
7 ment of the governor and shall be subject to senate confirmation.
8 Members shall serve a maximum of three terms or nine years, which-
9 ever is less.

1 SEC. 19. Section one hundred fifteen point three (115.3), Code
2 1973, is amended to read as follows:

3 **115.3 Examination Meetings and board expenses.** The board of
4 examiners shall fix stated times for the examination of the candidates
5 and shall hold at least one meeting each year at the seat of government.
6 A majority of the members of the board shall constitute a quorum. The
7 board members shall set their own per diem compensation at a rate not
8 exceeding forty dollars per day for each day actually engaged in the
9 discharge of their duties, and their necessary traveling expenses, such
10 per diem and expenses to be paid from such funds as may accrue here-
11 under within the limits of their available funds appropriated to the
12 board.

1 SEC. 20. Section one hundred fifteen point seven (115.7), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **115.7 Collection of fees.** A secretary may be employed to collect
5 and account for all fees and pay them to the treasurer of state who
6 shall deposit the fees in the general fund of the state. The salary of
7 the secretary shall be set by the general assembly. The board shall
8 set the fees for examination and for certification and renewal of cer-
9 tification. The fee for examination shall be based on the annual cost
10 of administering the examinations. The fees for certification and re-
11 newal shall be based upon the administrative costs of sustaining the
12 board which shall include, but shall not be limited to, the costs for:

- 13 1. Per diem, expenses and travel for board members.
- 14 2. Office facilities, supplies, and equipment.
- 15 3. Clerical assistance.

1 SEC. 21. Chapter one hundred fifteen (115), Code 1973, is amended
2 by adding the following new sections:

3 **NEW SECTION. Applications.** Applications for certification shall
4 be on forms prescribed and furnished by the board and the board shall
5 not require that the application contain a recent photograph of the
6 applicant. An applicant shall not be ineligible for certification be-
7 cause of age, citizenship, sex, race, religion, marital status, or national
8 origin although the application may require citizenship information.
9 The board may consider the past felony record of an applicant only
10 if the felony conviction relates directly to the practice of certified
11 shorthand reporting. Character references may be required, but shall
12 not be obtained from certified shorthand reporters.

13 **NEW SECTION. Expirations and renewals.** Certification shall ex-
14 pire annually as determined by the board. The board shall notify
15 every person certified under this chapter of the date of expiration of
16 his certificate and the amount of the fee required for its renewal for
17 one year. The notice shall be mailed at least one month in advance of
18 the expiration date. A person who fails to renew his certificate by
19 the expiration date shall be allowed to do so within thirty days follow-
20 ing its expiration, but the board may assess a reasonable penalty.

21 **NEW SECTION. Examination.** The board may administer as many
22 examinations per year as are necessary, but shall administer at least
23 one examination per year. The scope of the examinations and the
24 methods of procedure shall be prescribed by the board. Any written
25 examination may be conducted by representatives of the board. All
26 examinations in theory shall be in writing and the identity of the per-
27 son taking the examination shall be concealed until after the examina-
28 tion papers have been graded. For examinations in practice, the iden-
29 tity of the person taking the examination shall also be concealed as
30 far as possible. Applicants who fail the examination once shall be
31 allowed to take the examination at the next scheduled time. There-
32 after, the applicant shall be allowed to take the examination at the
33 discretion of the board. An applicant who has failed the examination
34 may request in writing information from the board concerning his
35 examination grade and subject areas or questions which he failed to
36 answer correctly, except that if the board administers a uniform,
37 standardized examination, the board shall only be required to provide

38 the examination grade and such other information concerning the ap-
39 plicant's examination results which are available to the board.

40 **NEW SECTION. Expenditures.** Warrants for the payment of ex-
41 penses and compensations provided by this chapter shall be issued by
42 the state comptroller drawn upon funds appropriated to the board
43 upon presentation of vouchers drawn by the chairman of the board
44 and authorized by the members of the board.

45 **NEW SECTION. Public members.** The public members of the board
46 shall not participate in administering or grading any portion of an
47 examination.

48 **NEW SECTION. Disclosure of confidential information.** A member
49 of the board shall not disclose information relating to the following:

- 50 1. Criminal history or prior misconduct of the applicant.
- 51 2. Information relating to the contents of the examination.
- 52 3. Information relating to the examination results other than final
53 score except for information about the results of an examination
54 which is given to the person who took the examination.

55 A member of the board who willfully communicates or seeks to com-
56 municate such information, and any person who willfully requests,
57 obtains, or seeks to obtain such information, is guilty of a public of-
58 fense which is punishable by a fine not exceeding one hundred dollars
59 or by imprisonment in the county jail for not more than thirty days.

1 **SEC. 22.** Section one hundred sixteen point one (116.1), Code 1973,
2 is amended by striking the section and inserting in lieu thereof the
3 following:

4 **116.1 Establishment of board.** There is established a board of
5 accountancy which shall consist of five members who have been reg-
6 istered as certified public accountants for at least five years, the last
7 two of which were in this state, and two members who are not certi-
8 fied public accountants and who shall represent the general public.
9 Members shall be appointed by the governor subject to the approval
10 of two-thirds of the members of the senate.

11 Professional associations or societies composed of certified public
12 accountants may recommend the names of potential board members
13 to the governor, but the governor shall not be bound by the recom-
14 mendations. Board members shall not be required to be members of
15 a professional association or society of certified public accountants.

16 Appointments shall be for three-year terms and shall commence on
17 July first of the year in which the appointment is made. Vacancies
18 shall be filled for the unexpired term by appointment of the governor
19 and shall be subject to senate confirmation. Members shall serve no
20 more than three terms or nine years.

1 **SEC. 23.** Section one hundred sixteen point two (116.2), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **116.2 Duties.** The board shall:

- 5 1. Adopt, print, publish, and distribute reasonable rules not incon-
6 sistent with the provisions of this chapter for the guidance of the pub-
7 lic, registered practitioners, and applicants for examination.
- 8 2. Compel the attendance of witnesses, administer oaths, and take
9 testimony when such procedures are necessary.
- 10 3. Require proof in all matters pertaining to the administration of
11 this chapter.

12 4. Keep a record of all its proceedings including applications for ex-
13 aminations, registration, and certificates to practice showing the rea-
14 sons for the refusal of any such application or for the revocation or
15 suspension of any registration or certificate to practice.

16 5. Preserve testimony taken in all hearings provided for in this
17 chapter. Testimony may be oral or by deposition and when oral the
18 questions and answers shall be taken down by a certified shorthand
19 reporter and full transcripts made for the use of the parties inter-
20 ested.

21 6. Make a biennial report to the governor of its proceedings, with
22 an account of all moneys received, a list of the names of all practition-
23 ers whose certificates to practice have been revoked or suspended, and
24 such other information as it may deem proper or the governor request.

25 7. Pay all fees collected to the treasurer of state to be deposited in
26 the general fund of the state.

1 SEC. 24. Section one hundred sixteen point four (116.4), Code
2 1973, is amended to read as follows:

3 **116.4 No Compensation—expenses.** Members of the board of ac-
4 countancy shall set their own per diem compensation at a rate not
5 exceeding forty dollars per day for each day actually engaged in the
6 discharge of their duties, and the members thereof shall be allowed the
7 necessary traveling, printing and other expenses incident to the dis-
8 charge of their duties within the limits of ~~their available~~ funds *appro-*
9 *riated to the board.* Bills for the per diem and expense of the board
10 or its members shall be audited and allowed by the state comptroller
11 and shall be paid from the ~~fees received under the provisions of this~~
12 ~~chapter~~ *funds appropriated to the board.*

1 SEC. 25. Section one hundred sixteen point five (116.5), Code 1973,
2 is amended to read as follows:

3 **116.5 Annual meetings.** The board shall hold an annual meeting
4 during the first week in July of each year, ~~and a special meeting within~~
5 ~~sixty days after this chapter takes effect,~~ for the purpose of electing
6 from its ~~accountant~~ members, a chairman, a secretary and a treasurer;
7 and it shall meet ~~not less than four times at least one time each year,~~
8 ~~at least two of which meetings shall be held at the statehouse at the~~
9 ~~seat of government.~~ *Two A majority of the members shall constitute a*
10 *quorum except as otherwise provided.*

1 SEC. 26. Section one hundred sixteen point eight (116.8), unnum-
2 bered paragraphs one (1) and three (3), are amended to read as fol-
3 lows:

4 All applicants for registration and certificates to practice account-
5 ancy, except persons actually engaged in such practice at the date of
6 the passage of this chapter, and except as provided in section 116.10,
7 and all persons who desire to become certified public accountants shall
8 be required to take ~~a the~~ written examination ~~to be conducted author-~~
9 ~~ized by the board of accountancy which may be administered by any~~
10 ~~representative of the board,~~ and upon satisfactorily passing the same
11 shall receive certificates as certified public accountants and shall be
12 entitled to practice as such upon the payment of annual fees as in this
13 chapter provided.

14 Examinations as above provided shall be ~~conducted by the board of~~
15 ~~accountancy administered~~ at least once each year ~~in May or November,~~

16 ~~or both~~, and as many times as the board may deem expedient. All
 17 examinations in theory shall be in writing and the identity of the
 18 person taking the examination shall be concealed until after the exami-
 19 nation papers have been graded. For examinations in practice, the
 20 identity of the person taking the examination shall also be concealed
 21 as far as possible. Applicants who fail to pass the examination once
 22 may take the examination at its next scheduled time. Thereafter, the
 23 applicant shall be allowed to take the examination at the discretion of
 24 the board. An applicant who has failed the examination may request
 25 in writing information from the board concerning his examination
 26 grade and subject areas or questions which he failed to answer cor-
 27 rectly, except that if the board administers a uniform, standardized
 28 examination, the board shall only be required to provide the examina-
 29 tion grade and such other information concerning the applicant's
 30 examination results which are available to the board.

1 SEC. 27. Section one hundred sixteen point nine (116.9), unnum-
 2 bered paragraph one (1), Code 1973, as amended by Acts of the Sixty-
 3 fifth General Assembly, 1973 Session, chapter one hundred forty (140),
 4 section seven (7), is amended to read as follows:

5 Every applicant for the examination provided for in section 116.8
 6 must be over eighteen years of age, a resident of this state, a citizen
 7 of the United States or have declared his or her intention to become
 8 such, of good moral character, a graduate of a high school having at
 9 least a four-year course of study or its equivalent as determined by the
 10 board of accountancy, or shall pass a preliminary examination to be
 11 given by the board at least thirty days before the regular examination;
 12 and shall be a graduate of a college or university commerce course
 13 majoring in accounting, or an undergraduate student majoring in
 14 accounting in his or her final semester immediately preceding gradu-
 15 ation and upon the recommendation of the appropriate college or
 16 university officials.

17 The board shall prescribe application forms and shall not require
 18 that a recent photograph of the applicant be attached to the application
 19 form.

20 An applicant shall not be ineligible because of age, citizenship, sex,
 21 race, religion, marital status, or national origin, although the applica-
 22 tion form may require citizenship information. The board may con-
 23 sider the past felony record of an applicant only if the felony convic-
 24 tion relates directly to the practice of accountancy. Character refer-
 25 ences may be required, but shall not be obtained from certified public
 26 accountants.

1 SEC. 28. Section one hundred sixteen point eleven (116.11), un-
 2 numbered paragraph one (1), Code 1973, is amended by striking the
 3 paragraph.

1 SEC. 29. Section one hundred sixteen point twelve (116.12), Code
 2 1973, is amended by striking the section and inserting in lieu thereof
 3 the following:

4 **116.12 Fees.** The board of accountancy shall establish fees for ex-
 5 amination of applicants; for registration of certified public account-
 6 ant certificates granted by other states and foreign countries; for issu-
 7 ance of certificates to practice; for registration of firm, assumed, asso-
 8 ciation or corporate names; for registration of certified public ac-

9 countants not in practice; for registration of senior accountants en-
10 titled to practice. The board shall determine the annual cost of
11 administering the examination and set the fees accordingly.

12 Other fees shall be based upon the administrative costs of sustain-
13 ing the board. The fees shall include, but shall not be limited to, the
14 costs for:

- 15 1. Per diem, expenses and travel for board members.
- 16 2. Office facilities, supplies, and equipment.
- 17 3. Clerical assistance.

1 SEC. 30. Section one hundred sixteen point thirteen (116.13), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **116.13 Renewal of certificates.** Registrations and certificates shall
5 be subject to renewal annually as determined by the board. The board
6 shall notify every person certified or registered under this chapter of
7 the date of expiration of his certificate or registration and the amount
8 of the fee required for its renewal for one year. The notice shall be
9 mailed at least one month in advance of the expiration date. A person
10 who fails to renew his certificate or registration by the expiration date
11 shall be allowed to do so within thirty days following its expiration,
12 but the board may assess a reasonable penalty.

1 SEC. 31. Section one hundred sixteen point fourteen (116.14), un-
2 numbered paragraph one (1), Code 1973, is amended to read as fol-
3 lows:

4 The board of accountancy shall *may* revoke and cancel the registra-
5 tion or certificate to practice of any person upon proof that the holder
6 thereof has been convicted of a felony or any lesser offense involving
7 dishonesty or fraud; or has been principal or accessory to the issuance
8 or certification of false or fraudulent financial or related statements;
9 or has obtained registration and certificate to practice or either by
10 means of false statements or representations; or may suspend such
11 registration and certificates or either upon proof that the holder
12 thereof has been guilty of unprofessional or unethical conduct in con-
13 nection with the practice of accountancy. Such suspension shall be for
14 such period of time, not exceeding one year, as in the discretion of the
15 board shall be deemed appropriate.

1 SEC 32. Chapter one hundred sixteen (116), Code 1973, is
2 amended by adding the following new sections:

3 **NEW SECTION. Treasurer.** The treasurer of the accountancy board
4 shall upon assuming office file with the auditor of state a good and suf-
5 ficient bond in a company authorized to do business in this state in the
6 penal sum of five thousand dollars.

7 **NEW SECTION. Public members.** The public members of the board
8 shall not participate in administering or grading any portion of an
9 examination.

10 **NEW SECTION. Disclosure of confidential information.** A member
11 of the board shall not disclose information relating to the following:

- 12 1. Criminal history or prior misconduct of the applicant.
- 13 2. Information relating to the contents of the examination.
- 14 3. Information relating to the examination results other than final
15 score except for information about the results of an examination
16 which is given to the person who took the examination.

17 A member of the board who willfully communicates or seeks to com-
18 municate such information, and any person who willfully requests,
19 obtains, or seeks to obtain such information, is guilty of a public of-
20 fense which is punishable by a fine not exceeding one hundred dollars
21 or by imprisonment in the county jail for not more than thirty days.

22 **NEW SECTION. Continuing education.** The board shall prescribe
23 continuing education requirements, subject to approval under the pro-
24 visions of chapter seventeen A (17A) of the Code, for all certified pub-
25 lic accountants holding certificates and all other certified public ac-
26 countants working under certificates to engage in the practice of
27 public accounting in this state, and compliance by certified public ac-
28 countants shall be a condition to the renewal of a certificate to practice
29 under section one hundred sixteen point thirteen (116.13) of the Code.

1 **SEC. 33.** Section one hundred seventeen point two (117.2), Code
2 1973, is amended to read as follows:

3 **117.2 Individual licenses necessary.** No copartnership, association,
4 or corporation shall be granted a license, unless every member or
5 officer of ~~sueh~~ the copartnership, association, or corporation, who
6 actively participates in the brokerage business of ~~sueh~~ the copartner-
7 ship, association, or corporation, shall hold a license as a real estate
8 broker *or salesman*, and unless every employee who acts as a salesman
9 for ~~sueh~~ the copartnership, association, or corporation shall hold a
10 license as a real estate *broker or salesman*. *At least one member or*
11 *officer of each copartnership, association, or corporation shall be a real*
12 *estate broker.*

1 **SEC. 34.** Section one hundred seventeen point eight (117.8), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **117.8 Commission established.** There is established the Iowa real
5 estate commission which shall consist of three members licensed under
6 this chapter and two members not licensed under this chapter and who
7 shall represent the general public. At least one of the licensed mem-
8 bers shall be a licensed real estate salesman, except that if the licensed
9 real estate salesman becomes a licensed real estate broker during his
10 term of office, he shall be allowed to complete his term, but shall not
11 be eligible for reappointment on the commission as a licensed real
12 estate salesman. A licensed member shall be actively engaged in the
13 real estate business and shall have been so engaged for five years pre-
14 ceding his appointment, the last two of which shall have been in Iowa.
15 Professional associations or societies of real estate brokers or real
16 estate salesmen may recommend the names of potential commission
17 members to the governor, but the governor shall not be bound by their
18 recommendations. A commission member shall not be required to
19 be a member of any professional association or society composed of
20 real estate brokers or salesmen. Commissioners shall be appointed by
21 the governor subject to the approval of two-thirds of the members of
22 the senate. Appointments shall be for three-year terms and shall
23 commence on July first of the year in which the appointment is made.
24 A commissioner shall serve no more than three terms or nine years,
25 whichever is less. No more than one commissioner shall be appointed
26 from a county. A commissioner shall not hold any other elective or
27 appointive state or federal office. Vacancies shall be filled for the

28 unexpired term by appointment of the governor and shall be subject
29 to senate confirmation. A majority of the commissioners shall consti-
30 tute a quorum.

1 SEC. 35. Section one hundred seventeen point twelve (117.12),
2 Code 1973, is amended to read as follows:

3 **117.12 Compensation of commissioners.** Members of the commis-
4 sion shall set their own per diem compensation at a rate not exceed-
5 ing forty dollars per day for each day actually engaged in the dis-
6 charge of their duties and their actual and necessary expenses in the
7 performance of duties pertaining to their office within the limits of
8 the available funds *appropriated to the commission.*

1 SEC. 36. Section one hundred seventeen point fourteen (117.14),
2 Code 1973, is amended to read as follows:

3 **117.14 Fees and expenses.** All fees and charges collected by the
4 commission under the provisions of this chapter shall be paid into the
5 general fund in the state treasury. All expenses incurred by the com-
6 mission under the provisions of this chapter, including compensation
7 to the director, clerks, and assistants shall be paid out of the general
8 fund in the state treasury. ~~The commission shall be subject to the~~
9 ~~provisions of chapter 8 and shall be subject to the provisions of section~~
10 ~~8.23.~~

1 SEC. 37. Section one hundred seventeen point fifteen (117.15),
2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
3 1973 Session, chapter one hundred forty (140), section eight (8), is
4 amended to read as follows:

5 **117.15 Qualifications.** Licenses shall be granted only to persons
6 who are trustworthy and competent to transact the business of a real
7 estate broker or salesman in such manner as to safeguard the interests
8 of the public and only after satisfactory proof has been presented to
9 the commission. ~~The~~ *Except as provided in section one hundred seven-*
10 *teen point twenty (117.20) of the Code, an applicant for a real estate*
11 *broker's or salesman's license must be a person whose application has*
12 *not been rejected for licensure in this or any other state within six*
13 *months prior to the date of application, or whose real estate license*
14 *has not been revoked in this or any other state within two years prior*
15 *to date of application. Every applicant for a license as a real estate*
16 *broker or salesman shall be of the age of eighteen years or over and a*
17 *citizen of the United States. Provided, however, that any person not*
18 *a citizen of the United States may be eligible for a license if due proof*
19 *is made to the commission that he has declared his intention to become*
20 *a citizen of the United States. Every applicant for a license as a real*
21 *estate broker or salesman shall be of the age of eighteen years or over.*
22 *Provided, however, an applicant shall not be ineligible because of citi-*
23 *zenship, sex, race, religion, marital status, or national origin, although*
24 *the application form may require citizenship information. The com-*
25 *mission may consider the past felony record of an applicant only if the*
26 *felony conviction relates directly to the practice of real estate selling.*
27 *Character references may be required but shall not be obtained from*
28 *licensed real estate brokers or salesmen.*

29 Every applicant for a license as a real estate broker shall have been
30 a licensed real estate salesman for a period of at least twelve months

31 preceding the date of application; or he shall have had experience sub-
 32 stantially equal to that which a licensed real estate salesman would
 33 ordinarily receive during a period of twelve months, whether as a
 34 former broker or salesman, a manager of real estate, or otherwise.
 35 Notwithstanding the foregoing provisions, if the commission shall find
 36 that any applicant could not acquire employment as a licensed real
 37 estate salesman because of conditions existing in the area where he
 38 resides, then, the foregoing provisions shall be waived by the com-
 39 mission.

40 The foregoing paragraph shall not apply to persons licensed to prac-
 41 tice law in the state of Iowa.

1 SEC. 38. Section one hundred seventeen point sixteen (117.16),
 2 Code 1973, is amended to read as follows:

3 **117.16 Application forms—sworn statement.** Every applicant for
 4 a real estate broker's license shall apply therefor in writing upon
 5 blanks prepared or furnished by the real estate commission. Such
 6 application shall be accompanied by the recommendation of at least two
 7 citizens, real estate owners, not related to the applicant, who have
 8 owned real estate for a period of one year or more and have known the
 9 applicant for a period of six months, in the county in which said
 10 applicant resides, or has his place of business, which recommendation
 11 shall certify that the applicant bears a good reputation for honesty,
 12 truthfulness, fair dealing and competency, and recommending that a
 13 license be granted to the applicant. *The real estate commission shall*
 14 *not require that a recent photograph of the applicant be attached to*
 15 *the application.*

16 Every applicant for a license shall furnish a *sworn statement infor-*
 17 *mation* setting forth his present address, both of business and resi-
 18 dence, a complete list of all former places where he may have resided
 19 or been engaged in business for a period of sixty days or more, during
 20 the last five years, accounting for such entire period, and the length
 21 of such residence, together with the name and address of at least one
 22 real estate owner in each of said counties where he may have resided
 23 or have been engaged in business and whether he has been convicted
 24 of a criminal offense involving moral turpitude, and if so, what offense.

25 The commission shall prepare and furnish written application
 26 blanks for salesman's license, to contain request for such information
 27 as the commission may require. *The commission shall not require that*
 28 *a recent photograph of the applicant be attached to the application.*
 29 The application shall be accompanied by a written statement by the
 30 broker in whose service he is about to enter, stating that in his opinion
 31 the applicant is honest, truthful, and of good reputation, and recom-
 32 mending that the license be granted to the applicant.

1 SEC. 39. Section one hundred seventeen point nineteen (117.19),
 2 Code 1973, is amended to read as follows:

3 **117.19 License denied—hearing.** If the commission, after an ap-
 4 plication in proper form has been filed with it, accompanied by the
 5 proper fee and the applicant's certification of trustworthiness, com-
 6 petence, and integrity, shall deny a license to the applicant, upon his
 7 application in writing, and within a period of thirty days of such
 8 denial, he shall be entitled to a hearing as provided in section 117.35.

1 SEC. 40. Section one hundred seventeen point twenty (117.20),
2 Code 1973, is amended to read as follows:

3 **117.20 Written examination.** *Examinations for registration shall*
4 *be given as often as deemed necessary by the board, but no less than*
5 *one time per year. Each applicant for a license must pass a written*
6 *examination ~~conducted by said~~ authorized by the commission or its*
7 *authorized representative which and administered by the commission*
8 *or persons designated by the commission. The examination shall be of*
9 *scope and wording sufficient in the judgment of the commission to*
10 *establish the competency and trustworthiness of the applicant to act*
11 *as a real estate broker or salesman in such manner as to protect the*
12 *interests of the public. An examination for a real estate broker shall*
13 *be of a more exacting nature than that for a real estate salesman and*
14 *require higher standards of knowledge of real estate. All examinations*
15 *in theory shall be in writing and the identity of the person taking the*
16 *examination shall be concealed until after the examination papers have*
17 *been graded. For examinations in practice, the identity of the person*
18 *taking the examination shall also be concealed as far as possible. A*
19 *person who fails to pass either written examination once may take the*
20 *examination at the next scheduled time. Thereafter, the applicant shall*
21 *be allowed to take the examination at the discretion of the commission.*
22 *An applicant who has failed either examination may request in writing*
23 *information from the commission concerning his examination grade*
24 *and subject areas or questions which he failed to answer correctly,*
25 *except that if the commission administers a uniform, standardized*
26 *examination, the commission shall only be required to provide the*
27 *examination grade and such other information concerning the appli-*
28 *cant's examination results which are available to the commission.*

1 SEC. 41. Section one hundred seventeen point twenty-seven
2 (117.27), Code 1973, is amended by striking the section and inserting
3 in lieu thereof the following:

4 **117.27 Fees.** The commission shall set annual fees for examina-
5 tion and licensing of real estate brokers and real estate salesmen. The
6 commission shall determine the annual cost of administering the ex-
7 amination and shall set the examination fee accordingly. The com-
8 mission shall set the fees for the real estate broker's licenses and for
9 real estate salesmen's licenses based upon the administrative costs
10 of sustaining the commission. The fees shall include, but shall not be
11 limited to, the costs for:

- 12 1. Per diem, expenses, and travel for commission members.
- 13 2. Office facilities, supplies, and equipment.
- 14 3. Director, assistants, and clerical assistance.

1 SEC. 42. Section one hundred seventeen point twenty-eight
2 (117.28), Code 1973, is amended to read as follows:

3 **117.28 Expiration of license.** Every license shall expire as of
4 ~~December 31 of the year of issuance~~ *annually as determined by the*
5 *commission. A person who fails to renew his license by the expiration*
6 *date shall be allowed to do so within thirty days following its expira-*
7 *tion, but the commission may assess a reasonable penalty. The commis-*
8 *sion shall upon the written request of the applicant on forms prescribed*
9 *by the commission, and payment of the annual fee therefor as herein*
10 *required, issue a new license for each ensuing year in the absence of*

11 any reason or condition which might warrant the revocation of a
12 license after a hearing as provided in sections 117.34 and 117.35.

1 SEC. 43. Section one hundred seventeen point twenty-nine
2 (117.29), Code 1973, is amended to read as follows:

3 **117.29 Revocation of license.** The revocation of a broker's license
4 shall automatically suspend every real estate salesman's license
5 granted to any person by virtue of his employment by the broker
6 whose license has been revoked, pending a change of employer and the
7 issuance of a new license. Such new license shall be issued upon pay-
8 ment of a fee of ~~three dollars~~ *in an amount determined by the com-*
9 *mission based upon the administrative costs involved*, if granted dur-
10 ing the same year in which the original license was granted.

1 SEC. 44. Section one hundred seventeen point thirty-one (117.31),
2 Code 1973, is amended to read as follows:

3 **117.31 Place of business.** Every real estate broker, except as pro-
4 vided in section 117.22, shall maintain a place of business in this state.
5 If the real estate broker maintains more than one place of business
6 within the state, a duplicate license shall be issued to such broker for
7 each branch office maintained. Provided, that if such broker be a
8 copartnership, association, or corporation, a duplicate shall be issued
9 to the members or officers thereof, and a ~~single fee of one dollar in each~~
10 ~~case determined by the commission~~ shall be paid for each duplicate
11 license.

1 SEC. 45. Section one hundred seventeen point thirty-three
2 (117.33), Code 1973, is amended to read as follows:

3 **117.33 Salesmen—change of employment.** When any real estate
4 salesman shall be discharged or shall terminate his employment with
5 the real estate broker by whom he is employed, it shall be the duty
6 of such real estate broker to immediately deliver or mail by certified
7 mail to the commission such real estate salesman's license on the re-
8 verse side of which the employing broker shall set out the date and
9 cause of termination of employment. The real estate broker shall at
10 the time of mailing such real estate salesman's license to the commis-
11 sion address a communication to the last known residence address of
12 such real estate salesman stating that his license has been delivered
13 or mailed to the commission. A copy of such communication to the
14 real estate salesman shall accompany the license when mailed or de-
15 livered to the commission. It shall be unlawful for any real estate
16 salesman to perform any of the acts contemplated by this chapter
17 either directly or indirectly under authority of said license from and
18 after the date of receipt of said license by the commission; provided,
19 that another license shall not be issued to such real estate salesman
20 until he shall return his former pocket card to the commission or shall
21 satisfactorily account to them for the same. The commission shall
22 upon presentation of evidence by the salesman that he has been em-
23 ployed by another broker issue another license and pocket card for the
24 balance of the current year showing each change of employment. A
25 fee of ~~three dollars~~ *as determined by the commission* will be charged
26 for the issuance of such a license. Not more than one license shall be
27 issued to any real estate salesman for the same period of time.

1 SEC. 46. Chapter one hundred seventeen (117), Code 1973, is
2 amended by adding the following new sections:

3 **NEW SECTION. Meetings.** The commission shall hold at least one
4 meeting per year at the seat of government and shall elect a chairman
5 annually. A majority of the members of the commission shall con-
6 stitute a quorum.

7 **NEW SECTION. Public members.** The public members of the com-
8 mission shall not participate in administering or grading any portion
9 of an examination.

10 **NEW SECTION. Disclosure of confidential information.** A member
11 of the board shall not disclose information relating to the following:

12 1. Criminal history or prior misconduct of the applicant.

13 2. Information relating to the contents of the examination.

14 3. Information relating to the examination results other than final
15 score except for information about the results of an examination
16 which is given to the person who took the examination.

17 A member of the board who willfully communicates or seeks to com-
18 municate such information, and any person who willfully requests,
19 obtains, or seeks to obtain such information, is guilty of a public of-
20 fense which is punishable by a fine not exceeding one hundred dollars
21 or by imprisonment in the county jail for not more than thirty days.

1 SEC. 47. Section one hundred eighteen point one (118.1), Code
2 1973, is amended by striking the section and inserting in lieu thereof
3 the following:

4 **118.1 Appointment of board—removal.** There is established the
5 board of architectural examiners which shall consist of five members
6 who possess a certificate of registration issued under section one hun-
7 dred eighteen point nine (118.9) of the Code and who have been in
8 active practice of architecture for not less than five years, the last two
9 of which shall have been in Iowa, and two members who do not pos-
10 sess a certificate of registration issued under section one hundred
11 eighteen point nine (118.9) of the Code and who shall represent the
12 general public. Members shall be appointed by the governor subject
13 to the approval of two-thirds of the members of the senate.

14 Professional associations or societies composed of registered archi-
15 tects may recommend the names of potential board members to the
16 governor but the governor shall not be bound by the recommendations.
17 A board member shall not be required to be a member of any profes-
18 sional association or society composed of registered architects. Ap-
19 pointments shall be for three-year terms and shall commence on July
20 first of the year in which the appointment is made. Vacancies shall
21 be filled for the unexpired term by appointment of the governor and
22 shall require senate confirmation. Members shall serve no more than
23 three terms or nine years, whichever is less.

1 SEC. 48. Section one hundred eighteen point two (118.2), Code
2 1973, is amended to read as follows:

3 **118.2 Officers.** During the month of July of each year the board
4 shall elect from its members a president, vice-president, and secretary.
5 The duties of the officers shall be such as are usually performed by
6 such officers. ~~All meetings~~ *At least one meeting* of the board, except
7 as provided in section 118.13, shall be held at the seat of government.
8 ~~The members of the board shall serve without pay.~~

1 SEC. 49. Section one hundred eighteen point five (118.5), Code
2 1973, is amended to read as follows:

3 118.5 Duties. The board shall be ~~charged with the duty of enforcing~~
4 ~~ing enforce~~ the provisions of this chapter and may incur such expense
5 as shall be necessary ~~thereto within the limits of funds appropriated~~
6 ~~to the board~~, and shall make rules for the examination of applicants
7 for the certificate of registration provided by this chapter, and shall,
8 after due public notice, hold ~~at least two~~ meetings each year, ~~not less~~
9 ~~than three months apart~~, for the purpose of examining applicants for
10 registration and the transaction of business pertaining to the affairs
11 of the board ~~as such~~. *Examinations shall be given as often as deemed*
12 *necessary, but not less than one time per year*. No action at any meet-
13 ing can be taken without ~~three the affirmative votes in accord of a~~
14 *majority of the members of the board*.

1 SEC. 50. Section one hundred eighteen point eight (118.8), un-
2 numbered paragraphs one (1) and two (2), Code 1973, as amended by
3 Acts of the Sixty-fifth General Assembly, 1973 Session, chapter one
4 hundred forty (140), section nine (9), are amended to read as fol-
5 lows:

6 Any person, being at least eighteen years of age and of good moral
7 character, may apply for a certificate of registration or ~~for such~~ *may*
8 *apply to take an examination as shall be requisite for such certification*
9 *under this chapter; but before receiving such certificate, this applicant*
10 *shall submit satisfactory evidence of having completed the course in a*
11 *high school or the equivalent thereto, and of having subsequently*
12 *thereto completed such courses in mathematics, history and languages*
13 *as may be prescribed by the board. The board shall not require that*
14 *the application contain a recent photograph of the applicant.*

15 Upon complying with the above requirements, the applicant shall
16 satisfactorily pass an examination in such technical and professional
17 subjects as shall be prescribed by the board. *The examination may be*
18 *conducted by representatives of the board. All examinations in theory*
19 *shall be in writing and the identity of the person taking the examina-*
20 *tion shall be concealed until after the examination papers have been*
21 *graded. For examinations in practice, the identity of the person taking*
22 *the examination shall also be concealed as far as possible. If the appli-*
23 *cant fails to pass the examination once, he may retake the examination*
24 *at the next scheduled time. Thereafter the applicant may take the*
25 *examination at the discretion of the board. An applicant who has*
26 *failed the examination may request in writing information from the*
27 *board concerning his examination grade and subject areas or questions*
28 *which he failed to answer correctly, except that if the board admin-*
29 *isters a uniform, standardized examination, the board shall only be*
30 *required to provide the examination grade and such other information*
31 *concerning the applicant's examination results which are available to*
32 *the board. In lieu of examination, the board may accept satisfactory*
33 *evidence of the applicant's knowledge of architectural practice and of*
34 *any one of the qualifications set forth under subsections 1, 2, and 3 of*
35 *this section.*

1 SEC. 51. Section one hundred eighteen point nine (118.9), Code
2 1973, is amended to read as follows:

3 **118.9 Registration.** When the applicant has complied with the re-
 4 requirements as set forth in section 118.8, to the satisfaction of at least
 5 ~~three~~ *four* members of the board, and has paid the fees prescribed ~~in~~
 6 ~~section 118.11~~ *by the board*, the secretary shall enroll the applicant's
 7 name and address in the roster of registered architects and issue to
 8 him a certificate of registration, signed by the officers of the board,
 9 which certificate shall entitle him to practice as an architect in the
 10 state of Iowa.

1 SEC. 52. Section one hundred eighteen point ten (118.10), Code
 2 1973, is amended by striking the section and inserting in lieu thereof
 3 the following:

4 **118.10 Renewals.** Certificates of registration shall expire annually
 5 as determined by the board. Registered architects shall renew their
 6 certificates of registration and pay a renewal fee in the manner pre-
 7 scribed by the board. A person who fails to renew his certificate of
 8 registration by the expiration date shall be allowed to do so within
 9 thirty days following its expiration, but the board may assess a rea-
 10 sonable penalty.

1 SEC. 53. Section one hundred eighteen point eleven (118.11), Code
 2 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
 3 Session, chapter one hundred sixty-one (161), section one (1), is
 4 amended by striking the section and inserting in lieu thereof the fol-
 5 lowing:

6 **118.11 Fees.** The board shall set the fees for examination, for a
 7 certificate of registration as a registered architect, and for renewal
 8 of a certificate. The fee for examination shall be based on the annual
 9 cost of administering the examinations. The fee for a certificate of
 10 registration and for renewal of a certificate shall be based upon the
 11 administrative costs of sustaining the board which shall include, but
 12 shall not be limited to, the costs for:

- 13 1. Per diem, expenses, and travel for board members.
- 14 2. Office facilities, supplies, and equipment.
- 15 3. Clerical assistance.

16 All fees shall be paid to the treasurer of state and deposited in the
 17 general fund of the state.

1 SEC. 54. Section one hundred eighteen point twelve (118.12), Code
 2 1973, is amended to read as follows:

3 **118.12 Payment of expenses.** The members of the board shall set
 4 their own per diem compensation at a rate not exceeding forty dollars
 5 per day for each day actually engaged in the discharge of their duties,
 6 and shall be reimbursed for the actual expenses incurred in attending
 7 the meetings of the board and for office supplies, printing, and clerical
 8 hire, and other necessary expenses incurred in carrying out the provi-
 9 sions of this chapter, within the limits of the ~~available moneys in the~~
 10 ~~fund of the board of architectural examiners~~ *only funds appropriated*
 11 *to the board*. Warrants for payments of expenses of the board shall be
 12 issued by the state comptroller and paid by the treasurer of state upon
 13 presentation of vouchers regularly drawn by the president and secre-
 14 tary of the board, ~~provided, however, that at no time shall the total~~
 15 ~~amount of vouchers exceed the total amount in the fund of the board~~
 16 ~~of architectural examiners and authorized by the board.~~

1 SEC. 55. Chapter one hundred eighteen (118), Code 1973, is
2 amended by adding the following new sections:

3 NEW SECTION. An applicant shall not be ineligible for registration
4 because of age, citizenship, sex, race, religion, marital status, or na-
5 tional origin, although the application form may require citizenship
6 information. The board may consider the past felony record of an
7 applicant only if the felony conviction relates directly to the practice
8 of architecture. Character references may be required but shall not
9 be obtained from registered architects.

10 NEW SECTION. **Public members.** The public members of the board
11 shall not participate in administering or grading any portion of an
12 examination.

13 NEW SECTION. **Disclosure of confidential information.** A member
14 of the board shall not disclose information relating to the following:

- 15 1. Criminal history or prior misconduct of the applicant.
- 16 2. Information relating to the contents of the examination.
- 17 3. Information relating to the examination results other than final
18 score except for information about the results of an examination
19 which is given to the person who took the examination.

20 A member of the board who willfully communicates or seeks to com-
21 municate such information, and any person who willfully requests,
22 obtains, or seeks to obtain such information, is guilty of a public of-
23 fense which is punishable by a fine not exceeding one hundred dollars
24 or by imprisonment in the county jail for not more than thirty days.

1 SEC. 56. Section one hundred twenty point three (120.3), subsec-
2 tion one (1), Code 1973, is amended by striking the subsection and in-
3 serting in lieu thereof the following:

4 1. There is established a board of watchmaking examiners which
5 shall consist of five members who possess certificates of registration
6 as watchmakers and two members who do not possess certificates of
7 registration as watchmakers and who shall represent the general pub-
8 lic. Members shall be appointed by the governor, subject to the ap-
9 proval of two-thirds of the members of the senate. A registered mem-
10 ber shall be actively engaged in the practice of watchmaking and shall
11 have been so engaged for five years preceding his appointment, the
12 last two of which shall have been in Iowa. Professional associations
13 or societies composed of registered watchmakers may recommend the
14 names of potential board members to the governor, but the governor
15 shall not be bound by the recommendations. A board member shall
16 not be required to be a member of any professional association or
17 society composed of professional watchmakers.

18 Appointments shall be for three-year terms and shall commence on
19 July first of the year in which the appointment is made. Vacancies
20 shall be filled for the unexpired term by appointment of the governor
21 and shall be subject to senate confirmation. Members shall serve a
22 maximum of three terms or nine years, whichever is less.

1 SEC. 57. Section one hundred twenty point three (120.3), subsec-
2 tions two (2) and three (3), Code 1973, are amended to read as fol-
3 lows:

4 2. The board shall choose, annually, one of its members as chairman
5 and one as secretary who shall severally have power to administer
6 oaths and take affidavits, certifying thereto under the seal of the board.

7 The board shall meet ~~at least once every six months or whenever a~~
8 ~~majority of the board shall call a meeting at Des Moines, at the place~~
9 ~~to be designated by the chairman as often as deemed necessary by the~~
10 ~~chairman or a majority of the board and shall meet at least one time~~
11 ~~per year at the seat of government.~~ A majority of the board shall con-
12 stitute a quorum. The secretary shall give bond in the sum of five thou-
13 sand dollars. The secretary shall keep a full record of the proceedings
14 of the board which shall be open for inspection at all reasonable times.
15 Members of the board shall set their own per diem compensation at a
16 rate not exceeding forty dollars per day for each day actually engaged
17 in the discharge of their duties, and they shall be paid their actual
18 traveling expenses within the limits of ~~their available funds appro-~~
19 ~~priated to the board;~~ the secretary in addition to such per diem and
20 expenses may be paid annually a salary to be fixed by the board, ~~but~~
21 ~~such salary shall not exceed fifteen hundred dollars general assembly.~~
22 ~~The per diem allowed each member of the board shall not exceed the~~
23 ~~sum of three hundred dollars in any year.~~

24 3. The board shall have power to adopt rules and regulations to
25 carry out the intent of this chapter. The secretary shall collect the
26 fees and shall pay the same ~~quarterly~~ to the treasurer of the state ~~to be~~
27 ~~deposited in the general fund of the state and funds shall be appropri-~~
28 ~~ated to the board to administer the provisions of this chapter.~~

1 SEC. 58. Section one hundred twenty point three (120.3), Code
2 1973, is amended by striking subsections four (4) and five (5).

1 SEC. 59. Section one hundred twenty point six (120.6), Code 1973,
2 is amended by striking the section and inserting in lieu thereof the
3 following:

4 **120.6 Applications.** Applications for certification shall be on forms
5 prescribed and furnished by the board and the board shall not require
6 that the application contain a recent photograph of the applicant. An
7 applicant shall not be ineligible for certification because of age, citizen-
8 ship, sex, race, religion, marital status, or national origin although the
9 application may require citizenship information. The board may con-
10 sider the past felony record of an applicant only if the felony convic-
11 tion relates directly to the practice of watchmaking or watch repair-
12 ing. Character references may be required, but shall not be obtained
13 from registered watchmakers. Applications for examination shall be
14 filed with the board at least ten days before the time set for the exam-
15 ination and shall be accompanied by the prescribed fees.

16 The applicant shall meet at least one of the following criteria:

17 1. Completion of at least three years' previous experience at the
18 bench under the supervision of a watchmaker, holding a certificate
19 under the provisions of this chapter;

20 2. Completion of at least one year schooling in a recognized watch-
21 maker's school, together with one year experience at the bench under
22 the provisions of this chapter;

23 3. Completion of at least two years' schooling in a recognized
24 watchmaker's school; or

25 4. Completion in another state of three or more years' employment
26 as a watchmaker whether or not the other state requires a watchmak-
27 er's certificate or license. The showing of service in another state

28 shall be accompanied by proper affidavits from responsible persons in
29 the other state.

1 SEC. 60. Section one hundred twenty point seven (120.7), Code
2 1973, is amended to read as follows:

3 120.7 Examination. An applicant to be entitled to a certificate
4 otherwise provided in this chapter shall pass an examination before
5 the board, which examination shall be confined to such knowledge,
6 practical ability, and skill as is essential in the proper repairing of
7 watches, clocks, and time-recording instruments, and shall include an
8 examination of theoretical knowledge of watch construction and re-
9 pair, and also a practical demonstration of the applicant's skill in the
10 manipulation of watchmaker's tools. The board shall make rules and
11 regulations for conducting examinations, and shall define the standards
12 of workmanship and skill. *All examinations in theory shall be in writ-
13 ing and the identity of the person taking the examination shall be
14 concealed until after the examination papers have been graded. For
15 examinations in practice, the identity of the person taking the examina-
16 tion shall also be concealed as far as possible. In case of failure at any
17 examination, the applicant shall have the privilege of taking another
18 examination at any other examination period upon the payment of a
19 fee of ten dollars and the board shall conduct such examinations at
20 least twice in each year.*

21 *The board may administer as many examinations per year as are
22 necessary, but shall administer at least one examination per year.
23 Any written examination may be conducted by representatives of the
24 board. Applicants who fail the examination once shall be allowed to
25 take the examination at the next scheduled time. Thereafter, the appli-
26 cant shall be allowed to take the examination at the discretion of the
27 board. An applicant who has failed the examination may request in
28 writing information from the board concerning his examination grade
29 and subject areas or questions which he failed to answer correctly,
30 except that if the board administers a uniform, standardized exami-
31 nation, the board shall only be required to provide the examination
32 grade and such other information concerning the applicant's examina-
33 tion results which are available to the board.*

1 SEC. 61. Section one hundred twenty point eight (120.8), subsec-
2 tions two (2) and four (4), Code 1973, are amended to read as fol-
3 lows:

4 2. A watchmaker who is not a resident of the state may, in the dis-
5 cretion of the board, be issued a certificate without the examination
6 upon the payment of a fee of ~~fifteen dollars~~ *in an amount determined*
7 *by the board based upon the cost of issuing the certificate* and upon
8 filing a written application with the board, together with evidence of
9 five years' practice as a watchmaker in some other state immediately
10 previous to the time of the application by furnishing such evidence in
11 connection with his skill as a watchmaker as the board may require.
12 The board, upon presentation by an applicant of a license or certificate
13 to practice watchmaking issued to the applicant upon examination by
14 the duly constituted authority of another state which by its laws
15 licenses or regulates watchmakers, and which by its laws would grant
16 a certificate of license under similar circumstances and conditions, may
17 in its discretion, issue a certificate of registration to said applicant

18 without examination upon payment of a fee of fifteen dollars in an
 19 amount determined by the board based upon the cost of issuing the
 20 certificate.

21 4. Every certificate of registration shall expire on the thirtieth day
 22 of June following the date of issuance of such certificate annually, and
 23 shall be renewed annually as determined by the board upon application
 24 by the holder thereof, without examination. Application for such
 25 renewal shall be made in writing to the department, accompanied by
 26 a renewal fee of ten dollars in an amount determined by the board
 27 based upon the cost of renewing the certificate, at least thirty days
 28 prior to the expiration of such certificate. Every renewal shall be dis-
 29 played in connection with the original certificate. Every year or not
 30 later than May 1, the board shall notify each certificate holder by
 31 mail of the expiration of his certificate. Any watchmaker who allows
 32 his certificate to lapse by failing to renew the same as hereinbefore
 33 provided, may obtain reinstatement thereof without examination, in
 34 the discretion of the board, if he applies therefor within three years
 35 following the expiration date of his certificate and pays the renewal
 36 fees then due. A person who fails to renew his certificate by the ex-
 37 piration date shall be allowed to do so within thirty days following its
 38 expiration, but the board may assess a reasonable penalty.

1 SEC. 62. Section one hundred twenty point nine (120.9), Code
 2 1973, is amended to read as follows:

3 **120.9 Apprentice watchmakers.** Any person sixteen years of age
 4 or over, of good moral character, apprenticed to a registered watch-
 5 maker, may pursue the trade of watchmaking upon obtaining from the
 6 board a certificate of registration as an apprenticed watchmaker, which
 7 certificate shall be conspicuously displayed at all times in the place of
 8 employment of such apprentice. No apprentice certificate shall be
 9 renewed unless the application therefor shall be accompanied by a
 10 sworn statement of the employer or employers as to the length of time
 11 the applicant has been actually employed under his certificate in the
 12 pursuit of the watchmaking trade. Apprentice watchmakers shall pay
 13 a fee of five dollars in an amount determined by the board for the cer-
 14 tificate which shall expire on June 30 of each year annually and shall
 15 pay a renewal fee of five dollars annually in an amount determined by
 16 the board. A person who fails to renew his certificate by the expira-
 17 tion date shall be allowed to do so within thirty days following its
 18 expiration, but the board may assess a reasonable penalty. Any appli-
 19 cant for a certificate of registration as a watchmaker who fails to pass
 20 the examination provided for herein may in the discretion of the board
 21 be issued a certificate as an apprentice watchmaker.

1 SEC. 63. Section one hundred twenty point eleven (120.11), Code
 2 1973, is amended to read as follows:

3 **120.11 Duplicates.** A duplicate of any certificate provided by this
 4 chapter shall be issued upon filing with the secretary a sworn state-
 5 ment that the original certificate has been lost or destroyed, and upon
 6 payment of two dollars a fee in an amount determined by the board for
 7 the issuance of the same.

1 SEC. 64. Chapter one hundred twenty (120), Code 1973, is
 2 amended by adding the following new sections:

3 NEW SECTION. **Public members.** The public members of the board
4 shall not participate in administering or grading any portion of an
5 examination.

6 NEW SECTION. **Disclosure of confidential information.** A member
7 of the board shall not disclose information relating to the following:

- 8 1. Criminal history or prior misconduct of the applicant.
- 9 2. Information relating to the contents of the examination.
- 10 3. Information relating to the examination results other than final
11 score except for information about the results of an examination which
12 is given to the person who took the examination.

13 A member of the board who willfully communicates or seeks to com-
14 municate such information, and any person who willfully requests, ob-
15 tains, or seeks to obtain such information, is guilty of a public of-
16 fense which is punishable by a fine not exceeding one hundred dollars
17 or by imprisonment in the county jail for not more than thirty days.

18 NEW SECTION. **Fees.** The secretary shall collect and account for
19 all fees and pay them to the treasurer of state who shall deposit the
20 fees in the general fund of the state. The board shall set the fees for
21 examination and for certification and renewal of certification. The
22 fees for examination shall be based upon the annual cost of adminis-
23 tering the examinations. The fees for certification and renewal shall
24 be based upon the administrative costs of sustaining the board which
25 shall include, but shall not be limited to, the costs for:

- 26 1. Per diem, expenses and travel for board members.
- 27 2. Office facilities, supplies, and equipment.
- 28 3. Clerical assistance.

1 SEC. 65. Section one hundred forty-seven point one (147.1), sub-
2 sections two (2) and three (3), Code 1973, are amended to read as
3 follows:

4 2. "Licensed" or "*certified*" when applied to a physician and sur-
5 geon, podiatrist, osteopath, osteopathic physician and surgeon, *psy-*
6 *chologist or associate psychologist*, chiropractor, nurse, dentist, dental
7 hygienist, optometrist, pharmacist, physical therapist, practitioner of
8 cosmetology, practitioner of barbering, funeral director or embalmer
9 shall mean a person licensed under this title.

10 3. "Profession" shall mean medicine and surgery, podiatry, osteop-
11 athy, osteopathic medicine and surgery, *psychology*, chiropractic,
12 nursing, dentistry, dental hygiene, optometry, pharmacy, physical
13 therapy, cosmetology, barbering, funeral directing or embalming.

1 SEC. 66. Section one hundred forty-seven point two (147.2), Code
2 1973, is amended to read as follows:

3 147.2 **License required.** No person shall engage in the practice of
4 medicine and surgery, podiatry, osteopathy, osteopathic medicine and
5 surgery, *psychology*, chiropractic, physical therapy, nursing, dentistry,
6 dental hygiene, optometry, pharmacy, cosmetology, barbering, funeral
7 directing or embalming as defined in the following chapters of this
8 title, unless he shall have obtained from the state department of
9 health a license for that purpose.

1 SEC. 67. Section one hundred forty-seven point three (147.3),
2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
3 1973 Session, chapter one hundred forty (140), section thirteen (13),

4 is amended by striking the section and inserting in lieu thereof the
5 following:

6 **147.3 Qualifications.** An applicant for a license to practice a pro-
7 fession under this title shall not be ineligible because of age, citizen-
8 ship, sex, race, religion, marital status, or national origin, although the
9 application form may require citizenship information. Any board may
10 consider the past felony record of an applicant only if the felony con-
11 viction relates directly to the practice of medicine, podiatry, oste-
12 opathy, osteopathy and surgery, chiropractic, nursing, psychology,
13 optometry, pharmacy, physical therapy, cosmetology, barbering, or
14 funeral directing or embalming for which the applicant requests to be
15 licensed. Character references may be required, but shall not be ob-
16 tained from licensed members of the profession.

1 SEC. 68. Section one hundred forty-seven point eight (147.8),
2 Code 1973, is amended to read as follows:

3 **147.8 Record of licenses.** The name, ~~age, nativity,~~ location, num-
4 ber of years of practice of the person to whom a license is issued to
5 practice a profession, the number of the certificate, and the date of
6 registration thereof shall be entered in a book kept in the office of the
7 department to be known as the registry book, and the same shall be
8 open to public inspection.

1 SEC. 69. Section one hundred forty-seven point nine (147.9), Code
2 1973, is amended to read as follows:

3 **147.9 Change of residence.** When any person licensed to practice
4 a profession under this title changes his residence he shall notify the
5 department ~~and such change shall be noted in the registry book.~~

1 SEC. 70. Section one hundred forty-seven point ten (147.10), Code
2 1973, is amended to read as follows:

3 **147.10 Renewal.** Every license to practice a profession shall ex-
4 pire ~~on the thirtieth day of June following the date of issuance of such~~
5 ~~license annually as determined by the board,~~ and shall be renewed
6 annually upon application by the licensee, without examination. Appli-
7 cation for such renewal shall be made in writing to the department
8 accompanied by the ~~legal~~ *required* fee at least thirty days prior to the
9 expiration of such license. Every renewal shall be displayed in con-
10 nection with the original license. Every year the department shall
11 notify each licensee by mail of the expiration of his license. *Failure*
12 *to renew the license within a reasonable time after the expiration shall*
13 *not invalidate the license, but a reasonable penalty may be assessed by*
14 *the board. This section and section 147.11 shall not apply to dentists*
15 *and dental hygienists.*

1 SEC. 71. Section one hundred forty-seven point twelve (147.12),
2 Code 1973, is amended to read as follows:

3 **147.12 Examining boards.** For the purpose of giving examina-
4 tions to applicants for licenses to practice the professions for which
5 a license is required by this title, the governor shall appoint, *subject*
6 *to the approval of two-thirds of the members of the senate,* a board of
7 examiners for each of ~~said~~ the professions. *The board members shall*
8 *not be required to be members of professional societies or associations*
9 *composed of members of their professions.*

1 SEC. 72. Section one hundred forty-seven point thirteen (147.13),
2 Code 1973, is amended to read as follows:

3 147.13 **Designation of boards.** The examining boards provided in
4 section 147.12 shall be designated as follows: For medicine and sur-
5 gery, and osteopathy, and osteopathic medicine and surgery, medical
6 examiners; *for psychology, psychology examiners*; for podiatry, podia-
7 try examiners; for chiropractic, chiropractic examiners; for physical
8 therapists, physical therapy examiners; for nursing, board of nurs-
9 ing; for dentistry and dental hygiene, dental examiners; for optom-
10 etry, optometry examiners; for cosmetology, cosmetology examiners;
11 for barbering, barber examiners; for pharmacy, pharmacy examiners;
12 for funeral directing and embalming, funeral director and embalmer
13 examiners.

1 SEC. 73. Section one hundred forty-seven point fourteen (147.14),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 147.14 **Composition of boards.** The boards of examiners shall con-
5 sist of the following:

6 1. For podiatry, physical therapy, cosmetology, barbering, and
7 funeral directing and embalming, three members each, licensed to
8 practice the profession for which the board conducts examinations,
9 and two members who are not licensed to practice the profession for
10 which the board conducts examinations and who shall represent the
11 general public. A quorum shall consist of a majority of the members
12 of the board.

13 2. For medical examiners, five members licensed to practice medi-
14 cine and surgery, two members licensed to practice osteopathic medi-
15 cine and surgery, and two members not licensed to practice either
16 medicine and surgery or osteopathic medicine and surgery, and who
17 shall represent the general public. A majority of members of the
18 board shall constitute a quorum.

19 3. For nursing examiners, one registered nurse representing the
20 colleges and universities, one registered nurse representing the hospital
21 conducted schools of nursing, one registered nurse representing the
22 area community and vocational technical nursing department, one
23 registered nurse practitioner, one licensed practical nurse practitioner,
24 and two members not registered nurses or licensed practical nurses and
25 who shall represent the general public. The representatives of the
26 general public shall not be members of health care delivery systems.
27 A majority of the members of the board shall constitute a quorum.

28 4. For dental examiners, five members shall be licensed to practice
29 dentistry, two members shall be licensed to practice dental hygiene
30 and two members not licensed to practice dentistry or dental hygiene
31 and who shall represent the general public. A majority of the mem-
32 bers of the board shall constitute a quorum. No member of the dental
33 faculty of the school of dentistry at the state university of Iowa shall
34 be eligible to be appointed.

35 5. For pharmacy examiners, five members licensed to practice phar-
36 macy and two members who are not licensed to practice pharmacy and
37 who shall represent the general public. A majority of the members
38 of the board shall constitute a quorum.

39 6. For optometry examiners, five members licensed to practice op-
40 tometry and two members who are not licensed to practice optometry

41 and who shall represent the general public. A majority of the mem-
42 bers of the board shall constitute a quorum.

43 7. Five members who are licensed to practice psychology and two
44 members not licensed to practice psychology and who shall represent
45 the general public. Of the five members who are licensed to practice
46 psychology, one member shall be primarily engaged in graduate teach-
47 ing in psychology, two members who render services in psychology,
48 one member representing areas of applied psychology who may be
49 affiliated with training institutions and who devote a major part of
50 their time in rendering service in psychology, and one member pri-
51 marily engaged in research psychology. Members of the initial board
52 shall meet the education requirements specified in this Act. A major-
53 ity of the members of the board shall constitute a quorum.

54 8. For chiropractic examiners, five members licensed to practice
55 chiropractic and two members who are not licensed to practice chiro-
56 practic and who shall represent the general public. A majority of the
57 members of the board shall constitute a quorum.

1 SEC. 74. Section one hundred forty-seven point sixteen (147.16),
2 Code 1973, is amended to read as follows:

3 ~~147.16 Practice requirement for Examiners.~~ Each *licensed* exam-
4 iner shall be actively engaged in the practice of his profession and shall
5 have been so engaged in this state for a period of five years just pre-
6 ceding his appointment, ~~except physical therapy examiners and nurse~~
7 ~~examiners who shall be so actively engaged for a period of five years,~~
8 ~~but only the last two of which need shall be in this state.~~

1 SEC. 75. Section one hundred forty-seven point eighteen (147.18),
2 Code 1973, is amended to read as follows:

3 ~~147.18 Disqualifications.~~ No examiner shall be an officer or mem-
4 ber of the instructional staff of any school in which any profession reg-
5 ulated by this title is taught, or be connected therewith in any manner,
6 ~~and no funeral director and embalmer or optometry~~ *except nurse exam-*
7 *iners.* No examiner shall be connected in any manner with any whole-
8 sale or jobbing house dealing in ~~optical or embalming supplies, and no~~
9 ~~cosmetology examiner shall be connected with any wholesale or jobbing~~
10 ~~house dealing in supplies sold to practitioners of cosmetology, and no~~
11 ~~barber examiner shall be connected with any wholesale or jobbing house~~
12 ~~dealing in supplies sold to practitioners of barbering, providing, how-~~
13 ~~ever, that the foregoing shall not apply to nurse examiners.~~

1 SEC. 76. Section one hundred forty-seven point nineteen (147.19),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 ~~147.19 Terms of office.~~ The board members shall serve three-year
5 terms, which shall commence on July first of the year in which the
6 appointment is made. Any vacancy in the membership of an examin-
7 ing board shall be filled by appointment of the governor and shall be
8 subject to senate confirmation. A member shall serve no more than
9 three terms or nine years.

1 SEC. 77. Section one hundred forty-seven point twenty (147.20),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 **147.20 Nomination of examiners.** The regular state association or
5 society for each profession may recommend the names of potential
6 board members to the governor, but the governor shall not be bound
7 by the recommendations.

1 SEC. 78. Section one hundred forty-seven point twenty-one
2 (147.21), Code 1973, is amended by striking the section and inserting
3 in lieu thereof the following:

4 **147.21 Examination information.** The public members of the board
5 shall not participate in administering or grading any portion of an
6 examination.

7 A member of the board shall not disclose information relating to
8 the following:

- 9 1. Criminal history or prior misconduct of the applicant.
- 10 2. Information relating to the contents of the examination.
- 11 3. Information relating to the examination results other than final
12 score except for information about the results of an examination
13 which is given to the person who took the examination.

14 A member of the board who willfully communicates or seeks to com-
15 municate such information, and any person who willfully requests,
16 obtains, or seeks to obtain such information, is guilty of a public of-
17 fense which is punishable by a fine not exceeding one hundred dollars
18 or by imprisonment in the county jail for not more than thirty days.

1 SEC. 79. Section one hundred forty-seven point twenty-four
2 (147.24), Code 1973, is amended to read as follows:

3 **147.24 Compensation.** Members of an examining board shall, in
4 addition to necessary traveling and hotel expenses, set their own per
5 diem compensation at a rate not exceeding forty dollars per day for
6 each day actually engaged in the discharge of their duties, including
7 compensation for the time spent in traveling to and from the place of
8 conducting the examination and for a reasonable number of days for
9 the preparation of examination questions and the reading of papers,
10 in addition to the time actually spent in conducting examinations
11 within the limits of their available funds appropriated to the depart-
12 ment and allocated to each examining board or funds appropriated to
13 an examining board.

1 SEC. 80. Section one hundred forty-seven point twenty-six
2 (147.26), Code 1973, is amended to read as follows:

3 **147.26 Supplies and examination quarters.** The department shall
4 furnish each examining board with all articles and supplies required
5 for the public use and necessary to enable said board to perform the
6 duties imposed upon it by law. Such articles and supplies shall be ob-
7 tained by the department in the same manner in which the regular
8 supplies for the department are obtained and the same shall be con-
9 sidered and accounted for as if obtained for the use of the department
10 the costs shall be assessed to the examining board. When examinations
11 are held at the state university, the necessary articles and supplies for
12 conducting the same shall be furnished by the university authorities.
13 The director of the department of general services shall furnish each
14 examining board with suitable quarters in which to conduct the exami-
15 nation and the cost of the quarters shall be assessed to the examining
16 board.

1 SEC. 81. Section one hundred forty-seven point twenty-eight
2 (147.28), Code 1973, is amended to read as follows:

3 147.28 **National organization.** Each examining board may main-
4 tain a membership in the national organization of the state examining
5 boards of its profession *to be paid from funds appropriated to the*
6 *board.*

7 *There is hereby annually appropriated out of the funds in the state*
8 *treasury not otherwise appropriated a sum sufficient to pay the fees*
9 *necessary for each such state examining board to maintain member-*
10 *ship in its national organization, but such sum shall not exceed two*
11 *hundred dollars for any year. The amount of said fees shall be certi-*
12 *fied to the state comptroller by the commissioner of public health, and*
13 *the comptroller is hereby authorized to draw warrants and the trea-*
14 *surer of state to pay same for this purpose.*

1 SEC. 82. Section one hundred forty-seven point twenty-nine
2 (147.29), Code 1973, is amended to read as follows:

3 147.29 **Applications.** Any person desiring to take the examination
4 for a license to practice a profession shall make application to the state
5 department of health at least fifteen days before the examination, on
6 a form provided by the ~~department~~ *board*. Such application shall be
7 accompanied by the examination fee and such documents and affidavits
8 as are necessary to show the eligibility of the candidate to take such
9 examination. All applications shall be in accordance with the rules of
10 the department and shall be signed ~~and verified by the oath of the~~
11 applicant. *The board shall not require that a recent photograph of the*
12 *applicant be attached to the application.*

1 SEC. 83. Section one hundred forty-seven point thirty-four
2 (147.34), Code 1973, is amended by striking the section and inserting
3 in lieu thereof the following:

4 147.34 **Examinations.** Examinations for each profession licensed
5 under this title shall be conducted at least one time per year at such
6 time as the department may fix in cooperation with each examining
7 board. Examinations may be given at the state university of Iowa at
8 the close of each school year for professions regulated by this title and
9 examinations may be given at other schools located in the state at
10 which any of the professions regulated by this title are taught. At
11 least one session of each examining board shall be held annually at
12 the seat of government and the locations of other sessions shall be
13 determined by the examining board, unless otherwise ordered by the
14 department. Applicants who fail to pass the examination once shall
15 be allowed to take the examination at the next scheduled time. There-
16 after, applicants shall be allowed to take the examination at the dis-
17 cretion of the board. Examinations may be given by an examining
18 board which are prepared and scored by persons outside the state,
19 and examining boards may contract for such services. An examin-
20 ing board may make an agreement with examining boards in other
21 states for administering a uniform examination. An applicant who
22 has failed an examination may request in writing information from
23 the examining board concerning his examination grade and subject
24 areas or questions which he failed to answer correctly, except that if
25 the examining board administers a uniform, standardized examination,
26 the examining board shall only be required to provide the examination

27 grade and such other information concerning the applicant's examina-
28 tion results which are available to the examining board.

1 SEC. 84. Section one hundred forty-seven point thirty-nine
2 (147.39), Code 1973, is amended to read as follows:

3 **147.39 Clerk.** Upon the request of any examining board, the de-
4 partment shall detail some employee to act as clerk of any examina-
5 tion given by said examining board. Such clerk shall have charge of
6 the candidates during the examination and perform such other duties
7 as the examining board may direct. If the duties of such clerk are
8 performed away from the seat of government, he shall receive his
9 necessary travel and ~~hotel~~ expenses, which shall be paid from the
10 appropriations to the ~~department~~ *examining board* in the same
11 manner in which other similar expenses are paid. *The department*
12 *shall be reimbursed by the examining board for costs incurred.*

1 SEC. 85. Section one hundred forty-seven point forty (147.40),
2 Code 1973, is amended to read as follows:

3 **147.40 Certification of applicants.** Every examination shall be
4 passed upon in accordance with the established rules of the examin-
5 ing board and shall be satisfactory to at least a majority of the *pro-*
6 *fessional* members of ~~said the~~ board. *In the case of the board of dental*
7 *examiners, only licensed dentist members of the board shall determine*
8 *whether an applicant has passed the examination to practice as a*
9 *licensed dentist.* After each examination, the examining board shall
10 certify the names of the successful applicants to the state department
11 of health in the manner prescribed by it. The department shall then
12 issue the proper license and make the required entry in the registry
13 book.

1 SEC. 86. Section one hundred forty-seven point forty-one (147.41),
2 Code 1973, is amended to read as follows:

3 **147.41 Partial examinations.** Any examining board may ~~give~~ *pro-*
4 *vide for* a partial examination for a license to practice a profession to
5 any applicant who has completed a portion of his professional course.
6 For such purpose said board shall establish by rule:

7 1. The portion of such course which shall be completed prior to such
8 examination.

9 2. The subjects to be covered by such examination and the subjects to
10 be covered by the final examination to be taken by such applicant after
11 the completion of his professional course and prior to the issuance of
12 his license, but the subjects covered in the partial and final examina-
13 tions shall be the same as those specified in this title for the regular
14 examination.

1 SEC. 87. Section one hundred forty-seven point fifty-five (147.55),
2 Code 1973, is amended by striking subsections three (3) and five (5)
3 and inserting the following in lieu thereof:

4 3. Knowingly making misleading, deceptive, untrue, or fraudulent
5 representations in the practice of his profession or engaging in uneth-
6 ical conduct or practice harmful to the public. Proof of actual injury
7 need not be established.

8 5. Conviction of a felony. A copy of the record of conviction or
9 plea of guilty shall be conclusive evidence.

1 SEC. 88. Section one hundred forty-seven point seventy-four
2 (147.74), Code 1973, is amended by adding the following new unnum-
3 bered paragraph:

4 NEW UNNUMBERED PARAGRAPH. A psychologist who possesses a
5 doctoral degree and who represents himself as a certified practicing
6 psychologist may use the prefix "doctor" but shall add after his name
7 the word "psychologist".

1 SEC. 89. Section one hundred forty-seven point eighty (147.80),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 147.80 License—examination—renewal fees. An examining board
5 shall set the fees for the examination of applicants, which fees shall
6 be based upon the annual cost of administering the examinations. An
7 examining board shall set the annual fees required for any of the fol-
8 lowing based upon the cost of sustaining the board and the actual costs
9 of licensing:

10 1. License to practice dentistry issued upon the basis of an exami-
11 nation given by the board of dental examiners, license to practice
12 dentistry issued under a reciprocal agreement, resident dentist's
13 license, renewal of a license to practice dentistry.

14 2. License to practice pharmacy issued upon the basis of an exami-
15 nation given by the board of pharmacy examiners, license to practice
16 pharmacy issued under a reciprocal agreement, renewal of a license to
17 practice pharmacy.

18 3. License to practice medicine and surgery or osteopathic medi-
19 cine and surgery issued upon the basis of an examination given by the
20 board of medical examiners, license to practice medicine and surgery,
21 osteopathic medicine and surgery or osteopathy issued by endorsement
22 or under a reciprocal agreement, renewal of a license to practice medi-
23 cine and surgery, osteopathic medicine and surgery, or osteopathy.

24 4. Certificate to practice psychology or associate psychology issued
25 on the basis of an examination given by the board of psychology ex-
26 aminers, or certificate to practice psychology or associate psychology
27 issued under a reciprocity agreement or by endorsement, renewal of a
28 certificate to practice psychology or associate psychology.

29 5. License to practice chiropractic issued on the basis of an exami-
30 nation given by the board of chiropractic examiners. License to prac-
31 tice chiropractic issued by endorsement or under a reciprocal agree-
32 ment, renewal of a license to practice chiropractic.

33 6. License to practice podiatry issued upon the basis of an exami-
34 nation given by the board of podiatry examiners, license to practice
35 podiatry issued under a reciprocal agreement, renewal of a license to
36 practice podiatry.

37 7. License to practice physical therapy issued upon the basis of an
38 examination given by the board of physical therapy examiners, license
39 to practice physical therapy issued under a reciprocal agreement, re-
40 newal of a license to practice physical therapy.

41 8. For a license to practice optometry issued upon the basis of an
42 examination given by the board of optometry examiners, license to
43 practice optometry issued under a reciprocal agreement, renewal of a
44 license to practice optometry.

45 9. License to practice dental hygiene issued upon the basis of an
46 examination given by the board of dental examiners, license to prac-

47 tice dental hygiene issued under a reciprocal agreement, renewal of a
48 license to practice dental hygiene.

49 10. License to practice funeral directing and embalming issued
50 upon the basis of an examination given by the board of funeral direct-
51 ing and embalming examiners, license to practice funeral directing
52 and embalming issued under a reciprocal agreement, renewal of a
53 license to practice funeral directing, renewal of a license to practice
54 embalming.

55 11. License to practice nursing issued upon the basis of an exami-
56 nation given by the board of nurse examiners, license to practice
57 nursing based on an endorsement from another state, territory or for-
58 eign country, renewal of a license to practice nursing.

59 12. A nurse who does not engage in nursing during the year suc-
60 ceeding the annual expiration of the license shall notify the board to
61 place the nurse upon the inactive list and the nurse shall not be re-
62 quired to pay the renewal fee so long as he remains inactive and so
63 notifies the board. To resume nursing, the nurse shall notify the
64 board and remit the renewal fee for the current annual period.

65 13. License to practice cosmetology issued upon the basis of an ex-
66 amination given by the board of cosmetology examiners, license to
67 practice cosmetology under a reciprocal agreement, renewal of a license
68 to practice cosmetology, permit to practice as an apprentice in cosme-
69 tology, license to conduct a school teaching cosmetology.

70 14. License to practice barbering on the basis of an examination
71 given by the board of barber examiners, license to practice barbering
72 under a reciprocal agreement, renewal of a license to practice barber-
73 ing, inspection by the state department of health and an original bar-
74 ber school license, renewal of a barber school license, transfer of
75 license upon change of ownership of a barber shop or barber school,
76 inspection by the department and an original barber shop license, re-
77 newal of a barber shop license, original barber school instructor's
78 license, renewal of a barber school instructor's license, original appren-
79 tice barber's license, renewal of an apprentice barber's license.

80 15. For a certified statement that a licensee is licensed in this state.

81 16. Duplicate license, which shall be so designated on its face, upon
82 satisfactory proof the original license issued by the department has
83 been destroyed or lost.

1 SEC. 90. Section one hundred forty-seven point eighty-two
2 (147.82), Code 1973, is amended by striking the section and inserting
3 in lieu thereof the following:

4 147.82 Fees. All fees shall be collected by the department of
5 health and shall be paid to the treasurer of state and deposited in the
6 general fund of the state, except as provided in sections one hundred
7 forty-seven point ninety-four (147.94), and one hundred forty-seven
8 point one hundred two (147.102).

1 SEC. 91. Section one hundred forty-seven point one hundred
2 (147.100), Code 1973, is amended by striking the section and inserting
3 in lieu thereof the following:

4 147.100 Expirations and renewals. Licenses shall expire annu-
5 ally as determined by the examining board. A person who fails to
6 renew his license by the expiration date shall be allowed to do so
7 within thirty days following its expiration, but the examining board
8 may assess a reasonable penalty.

1 SEC. 92. Section one hundred forty-seven point one hundred two
2 (147.102), Code 1973, is amended to read as follows:

3 147.102 **Physicians and surgeons, *psychologists, chiropractors and***
4 **osteopaths.** Notwithstanding the provisions of this title, every appli-
5 cation for a license to practice medicine and surgery, *psychology,*
6 *chiropractic, osteopathy, or osteopathic medicine and surgery,* shall be
7 made ~~direct~~ *directly* to the secretary of the examining board of such
8 profession, and every reciprocal agreement for the recognition of any
9 such license issued in another state shall be negotiated by the examin-
10 ing board for such profession, and all examination, license, and re-
11 newal fees received from such persons licensed to practice any of such
12 professions shall be paid to and collected by the secretary of the
13 examining board of such profession, ~~which secretary shall turn the~~
14 ~~same over to the department of health on the first day of January,~~
15 ~~1925, and quarterly thereafter who shall transmit the fees to the trea-~~
16 ~~surer of state who shall deposit the fees in the general fund of the~~
17 ~~state. The salary of the secretary shall be set by the general assembly.~~

1 SEC. 93. Section one hundred forty-seven point one hundred three
2 (147.103), Code 1973, is amended by striking the section and inserting
3 in lieu thereof the following:

4 147.103 **Inspector.** The medical examiners may appoint an inspec-
5 tor, who shall not be a member of the examining board, to administer
6 and aid in the enforcement of the provisions of the law relating to
7 those licensed to practice medicine and surgery, osteopathic medicine
8 and surgery, and osteopathy. The amount of compensation for the
9 inspector shall be determined pursuant to chapter nineteen A (19A) of
10 the Code.

1 SEC. 94. Section one hundred forty-seven point one hundred five
2 (147.105), Code 1973, is amended by striking the section and insert-
3 ing in lieu thereof the following:

4 147.105 **Executive director.** The board of nurse examiners may
5 appoint a full-time executive director who shall not be a member of
6 the board, and the provisions of section one hundred forty-seven point
7 twenty-two (147.22) of the Code shall not apply. The salary of the
8 executive director shall be set by the general assembly.

1 SEC. 95. Section one hundred forty-seven point one hundred
2 seven (147.107), unnumbered paragraph one (1), Code 1973, is
3 amended to read as follows:

4 Every application for a license to practice nursing in this state shall
5 be made direct to the ~~secretary~~ *executive director* of the board of nurse
6 examiners, and upon the granting of any such license the ~~secretary~~
7 *executive director* shall certify to the department of health that such
8 license has been granted. Every reciprocal agreement for the recog-
9 nition of any such license issued in another state shall be negotiated by
10 the board. Notwithstanding the provisions of sections 147.44 to 147.54,
11 inclusive, the conditions for the recognition of any such license issued
12 in another state shall be determined by the board, and it may certify
13 for a license to practice nursing in this state without examinations an
14 applicant who has been duly licensed as a nurse under the laws of an-
15 other state, territory or foreign country, if in the opinion of the board
16 the applicant meets all the qualifications required for a registered or
17 licensed practical nurse under section 152.3. All examination, license

18 and renewal fees received from such persons licensed to practice nurs-
 19 ing shall be paid to and collected by the secretary of the board, who
 20 shall remit to the treasurer of state ~~quarterly~~ all fees collected, and at
 21 the same time render to the state comptroller an itemized and verified
 22 report showing the source from which said fees were obtained. All
 23 such fees collected and remitted shall be placed in a special fund
 24 deposited by the treasurer of state and the state comptroller to be
 25 known as the "Nurses' fund", to be used by the board in the general
 26 fund of the state. Funds shall be appropriated to administer and
 27 enforce the laws relating to the practice of nursing, to elevate the
 28 standards of schools of nursing, and to promote the educational and
 29 professional standards of nurses and nursing in this state, and no part
 30 of such expense shall be paid out of the state treasury. Any remainder
 31 in said fund at the end of each fiscal year, after all expense in carrying
 32 out the provisions of sections 147.105 to 147.110, inclusive, have been
 33 paid, or a sum sufficient for payment thereof set apart, shall be paid into
 34 the general fund of the state. Said fund shall be subject at all times
 35 to the warrant of the state comptroller, drawn upon written requisition
 36 of the chairman of the board and attested by the secretary, for
 37 the payment of all salaries and other expenses necessary to carry out
 38 the provisions of said sections, but in no event shall the total expenses
 39 therefor exceed the total fees collected and deposited to the credit of
 40 said fund.

1 SEC. 96. Section one hundred forty-seven point one hundred eight
 2 (147.108), Code 1973, is amended to read as follows:

3 147.108 Assistants—payment. Subject to the approval of the com-
 4 missioner of public health, the board may appoint such assistants and
 5 inspectors as may be necessary to properly administer and enforce the
 6 provisions of sections 147.105 to 147.110, inclusive, shall be appointed
 7 pursuant to chapter nineteen A (19A). They shall perform such duties
 8 as the board shall assign to them. The amount of salary or compensa-
 9 tion of the secretary and such appointees shall be fixed by the executive
 10 council.

1 SEC. 97. Section one hundred forty-seven point one hundred four-
 2 teen (147.114), Code 1973, is amended by striking the section and in-
 3 serting in lieu thereof the following:

4 147.114 Inspector. An inspector may be appointed by the board of
 5 dental examiners pursuant to the provisions of chapter nineteen A
 6 (19A) of the Code.

1 SEC. 98. Section one hundred forty-seven point one hundred six-
 2 teen (147.116), Code 1973, is amended by striking the section and in-
 3 serting in lieu thereof the following:

4 147.116 Inspector. An inspector may be appointed by the board of
 5 optometry examiners pursuant to the provisions of chapter nineteen A
 6 (19A) of the Code.

1 SEC. 99. Section one hundred forty-seven point one hundred nine-
 2 teen (147.119), Code 1973, is amended by striking the section and in-
 3 serting in lieu thereof the following:

4 147.119 Composition of board. There is established a state board
 5 of examiners for nursing home administrators which shall consist of

6 nine members appointed by the governor subject to the approval of
7 two-thirds of the members of the senate as follows:

8 1. Four members shall be licensed nursing home administrators, one
9 of whom shall be an administrator of a nonproprietary nursing home.

10 2. Three members shall be persons who are licensed members of any
11 of the professions concerned with the care and treatment of chroni-
12 cally ill or elderly patients, who are not nursing home administrators
13 or nursing home owners.

14 3. Two members who are not licensed nursing home administrators
15 or are not licensed persons under chapter one hundred forty-seven
16 (147) of the Code and who shall represent the general public. The
17 members shall be interested in the problems of elderly patients and
18 nursing home care, but shall have no financial interest in any nursing
19 home.

20 The board shall be within the department of health for administra-
21 tive purposes. The department shall furnish the board with the nec-
22 essary facilities and employees to perform the duties required by this
23 division, but shall be reimbursed for all costs incurred from funds
24 appropriated to the board.

25 A licensed member shall be actively engaged in the practice of his
26 profession and shall have been so engaged for five years preceding his
27 appointment, the last two of which shall have been in Iowa. Profes-
28 sional societies composed of licensed members may recommend the
29 names of potential board members to the governor, but the governor
30 shall not be bound by the recommendations.

31 A board member shall not be required to be a member of any pro-
32 fessional association or society composed of nursing home administra-
33 tors or any licensed profession.

34 Appointments shall be for three-year terms and shall commence on
35 July first of the year in which the appointment is made. Vacancies
36 shall be filled for the unexpired term by appointment of the governor
37 and shall be subject to senate confirmation. Members shall serve no
38 more than three terms or nine years, whichever is least.

1 SEC. 100. Section one hundred forty-seven point one hundred
2 twenty (147.120), subsection one (1), Code 1973, as amended by Acts
3 of the Sixty-fifth General Assembly, 1973 Session, chapter one hun-
4 dred forty (140), section fourteen (14), is amended to read as fol-
5 lows:

6 1. ~~He~~ *The applicant* is at least eighteen years of age, of good moral
7 character and unless he is of sound mental health and physically able to
8 perform the duties.

1 SEC. 101. Section one hundred forty-seven point one hundred
2 twenty-two (147.122), Code 1973, is amended to read as follows:

3 147.122 **License fees.** Each person licensed as a nursing home ad-
4 ministrator shall be required to pay a license fee in an amount to be
5 fixed by the board, which fee shall not exceed thirty dollars per year.
6 Said license shall expire on the thirty-first day of December of the year
7 following its issuance annually, and shall be renewable annually and
8 upon payment of the license fee. *A person who fails to renew his*
9 *license by the expiration date shall be allowed to do so within thirty*
10 *days following its expiration, but the board may assess a reasonable*
11 *penalty.*

1 SEC. 102. Section one hundred forty-seven point one hundred
2 twenty-three (147.123), Code 1973, is amended to read as follows:
3 **147.123 Fund created.** All fees collected under the provisions of
4 this division shall be paid ~~monthly~~ to the treasurer of state who shall
5 ~~keep the same in a special fund to be known as the state board of~~
6 ~~examiners for nursing home administrators fund, which fund may~~
7 ~~deposit the fees in the general fund of the state. Funds shall be appro-~~
8 ~~priated to the board to be used and expended by the board to pay the~~
9 compensation and travel expenses of members and employees of the
10 board, and other expenses necessary for the board to administer and
11 carry out the provisions of this division.

1 SEC. 103. Section one hundred forty-seven point one hundred
2 twenty-six (147.126), subsections one (1) and two (2), Code 1973,
3 are amended to read as follows:

4 1. Develop, impose, and enforce standards which must be met by
5 individuals in order to receive a license as a nursing home administra-
6 tor, which standards shall be designed to insure that nursing home
7 administrators will be individuals who ~~are of good character and are~~
8 ~~otherwise suitable, and who, by training or experience in the field of~~
9 institutional administration, are qualified to serve as nursing home
10 administrators.

11 2. Develop and apply appropriate techniques, including examination
12 and investigations, for determining whether an individual meets such
13 standards. *The board may administer as many examinations per year*
14 *as are necessary, but shall administer at least one examination per*
15 *year. Any written examination may be given by representatives of the*
16 *board. Applicants who fail the examination once shall be allowed to*
17 *take the examination at the next scheduled time. Thereafter, the appli-*
18 *cant shall be allowed to take the examination at the discretion of the*
19 *board. An applicant who has failed the examination may request in*
20 *writing information from the board concerning his examination in grade*
21 *and subject areas or questions which he failed to answer correctly,*
22 *except that if the board administers a uniform, standardized examina-*
23 *tion, the board shall only be required to provide the examination grade*
24 *and such other information concerning the applicant's examination*
25 *results which are available to the board.*

1 SEC. 104. Section one hundred forty-seven point one hundred
2 twenty-four (147.124), Code 1973, is amended to read as follows:

3 **147.124 Organization of board.** The board shall elect from its
4 membership a chairman, vice-chairman, and secretary-treasurer, and
5 shall adopt rules and regulations to govern its proceedings. ~~Each~~
6 ~~member shall receive, as compensation for his services, an amount~~
7 ~~agreed upon by the board but not to exceed that of other state boards~~
8 *Members of the board shall set their own per diem compensation at a*
9 *rate not exceeding forty dollars per day for each day actually engaged*
10 *in the discharge of their duties. The board shall hold at least one meet-*
11 *ing per year at the seat of government. All members shall be allowed*
12 necessary travel expenses, as may be approved by the board, which
13 shall be payable in the same manner as travel expenses of other state
14 officials.

1 SEC. 105. Chapter one hundred forty-seven (147), Code 1973, is
2 amended by adding the following new sections:

3 **NEW SECTION. Applications.** Applications for licensure shall be
 4 on forms prescribed and furnished by the board and shall not contain
 5 a recent photograph of the applicant. An applicant shall not be ineli-
 6 gible for licensure because of age, citizenship, sex, race, religion, mari-
 7 tal status, or national origin although the application may require
 8 citizenship information. The board may consider the past felony rec-
 9 ord of an applicant only if the felony conviction relates directly to the
 10 practice of nursing home administration. Character references may
 11 be required, but shall not be obtained from licensed nursing home ad-
 12 ministrators.

13 **NEW SECTION. Fees.** The board shall set the fees for examina-
 14 tion, licensure and renewal of licensure. The fees for examination
 15 shall be based upon the annual cost of administering the examina-
 16 tions. The fees for licensure and renewal of licensure shall be based
 17 on the administrative costs of sustaining the board which shall in-
 18 clude, but shall not be limited to, the following:

- 19 1. Per diem, expenses, and travel for board members.
- 20 2. Office facilities, supplies, and equipment.
- 21 3. Clerical assistance.

22 **NEW SECTION. Public members.** The public members of the board
 23 shall not participate in administering or grading any portion of an
 24 examination.

25 **NEW SECTION. Disclosure of confidential information.** A member
 26 of the board shall not disclose information relating to the following:

- 27 1. Criminal history or prior misconduct of the applicant.
- 28 2. Information relating to the contents of the examination.
- 29 3. Information relating to the examination results other than final
 30 score except for information about the results of an examination
 31 which is given to the person who took the examination.

32 A member of the board who willfully communicates or seeks to com-
 33 municate such information, and any person who willfully requests,
 34 obtains, or seeks to obtain such information, is guilty of a public of-
 35 fense which is punishable by a fine not exceeding one hundred dollars
 36 or by imprisonment in the county jail for not more than thirty days.

1 **SEC. 106.** Section one hundred forty-eight point three (148.3),
 2 subsection four (4), Code 1973, is amended by striking the subsection.

1 **SEC. 107.** Section one hundred forty-eight point four (148.4),
 2 Code 1973, is amended to read as follows:

3 **148.4 Certificates of national board.** The state department of
 4 health may, with the approval of the medical examiners, accept in lieu
 5 of the examination prescribed in section 148.3 a certificate of exami-
 6 nation issued by the national board of medical examiners of the
 7 United States of America, but every applicant for a license upon the
 8 basis of such certificate shall be required to pay the fee prescribed *by*
 9 *the board* for licenses issued under reciprocal agreements.

1 **SEC. 108.** Section one hundred forty-eight point five (148.5), Code
 2 1973, is amended to read as follows:

3 **148.5 Resident physician's license.** Any physician, who is a gradu-
 4 ate of a medical school and is serving only as a resident physician and
 5 who is not licensed to practice medicine and surgery in this state, shall
 6 be required to obtain from the medical examiners a temporary or spe-
 7 cial license to practice as a resident physician. The license shall be

8 designated "Resident Physician License" and shall authorize the licen-
 9 see to serve as a resident *physician* only, under the supervision of a
 10 licensed practitioner of medicine and surgery, in an institution ap-
 11 proved for this purpose by the medical examiners. Such license shall
 12 be valid for one year and may be annually renewed at the discretion
 13 of the medical examiners. The fee for this license shall be ~~twenty-five~~
 14 ~~dollars set by the board to cover the administrative costs of issuing~~
 15 ~~the license,~~ and if extended beyond one year, an annual renewal fee
 16 ~~of five dollars per year as set by the board~~ shall be required. The
 17 medical examiners shall determine in each instance those eligible for
 18 this license, whether or not examinations shall be given, and the type
 19 of examinations. No requirements of the law pertaining to regular
 20 permanent licensure shall be mandatory for this resident licensure
 21 except as specifically designated by the medical examiners. The grant-
 22 ing of a resident physician's license does not in any way indicate that
 23 the person so licensed is necessarily eligible for regular licensure, nor
 24 are the medical examiners in any way obligated to so license such
 25 individual. The medical examiners shall revoke ~~said~~ the license at any
 26 time they shall determine either that the caliber of work done by a
 27 licensee or the type of supervision being given such licensee does not
 28 conform to reasonable standards established by the medical examiners.

1 SEC. 109. Section one hundred forty-eight point ten (148.10), un-
 2 numbered paragraph two (2), Code 1973, is amended to read as fol-
 3 lows:

4 The temporary certificate shall be issued for one year and, at the
 5 discretion of the medical examiners may be renewed, but no person
 6 shall be entitled to practice medicine and surgery or osteopathic medi-
 7 cine and surgery in excess of three years while holding a temporary
 8 certificate. The fee for this license shall be ~~fifty dollars set by the~~
 9 ~~medical examiners~~ and if extended beyond one year an annual renewal
 10 fee of ~~fifty dollars~~ shall be ~~required set by the medical examiners.~~ *The*
 11 *fees shall be based on the administrative costs of issuing and renewing*
 12 *the licenses.* The medical examiners may cancel a temporary certificate
 13 at any time, without a hearing, for reasons deemed sufficient to the
 14 medical examiners.

1 SEC. 110. Section one hundred forty-eight A point four (148A.4),
 2 Code 1973, as amended by Acts of the Sixty-fifth General Assembly,
 3 1973 Session, chapter one hundred forty (140), section fifteen (15),
 4 is amended by striking subsection one (1) and renumbering the re-
 5 maining subsections.

1 SEC. 111. Section one hundred fifty A point three (150A.3), sub-
 2 section one (1), paragraph d, Code 1973, is amended by striking the
 3 paragraph.

1 SEC. 112. Section one hundred fifty A point nine (150A.9), Code
 2 1973, is amended to read as follows:

3 **150A.9 Resident license.** Any osteopathic physician and surgeon
 4 who is a graduate of a college of osteopathic medicine and surgery
 5 approved by the medical examiners and is serving only as a resident
 6 osteopathic physician and surgeon and who is not licensed to practice
 7 osteopathic medicine and surgery in this state, shall be required to
 8 obtain from the medical examiners a temporary or special license to

9 practice as a resident osteopathic physician and surgeon. The license
 10 shall be designated "Resident Osteopathic Physician and Surgeon
 11 License", and shall authorize the licensee to serve as a resident only,
 12 under the supervision of a licensed practitioner of osteopathic medi-
 13 cine and surgery, in an institution approved for this purpose by the
 14 medical examiners. Such license shall be valid for one year and may
 15 be annually renewed at the discretion of the medical examiners. The
 16 fee for this license shall be ~~twenty-five dollars set by the board and~~
 17 ~~based on the cost of issuing the license,~~ and if extended beyond one
 18 year, an annual renewal fee of ~~five dollars per year~~ shall be required.
 19 The medical examiners shall determine in each instance those eligible
 20 for this license, whether or not examinations shall be given, and the
 21 type of examinations. No requirements of the law pertaining to regu-
 22 lar permanent licensure shall be mandatory for this resident licensure
 23 except as specifically designated by the medical examiners. The grant-
 24 ing of a resident osteopathic physician and surgeon's license does not
 25 in any way indicate that the person so licensed is necessarily eligible
 26 for regular licensure, nor are the medical examiners in any way obli-
 27 gated to so license such individual. The medical examiners shall revoke
 28 said license at any time they shall determine either that the caliber of
 29 work done by the licensee or the type of supervision being given such
 30 licensee does not conform to reasonable standards established by the
 31 medical examiners.

1 SEC. 113. Section one hundred fifty-two point three (152.3), Code
 2 1973, is amended to read as follows:

3 152.3 Licenses. Licenses to practice nursing shall be issued in
 4 two classifications, (1) a license to practice nursing as a registered
 5 nurse; and (2) a license to practice nursing as a licensed practical
 6 nurse.

7 Notwithstanding the provisions of section 147.3, every applicant for
 8 a license to practice nursing as a registered nurse shall:

9 1. ~~Have attained the age of eighteen years;~~

10 2. ~~Be of good moral character;~~

11 3 1. Be a graduate of an accredited high school or the equivalent
 12 and have completed a course of study in, and hold a diploma issued by
 13 a school of nursing for registered nurses approved by the board of
 14 nurse examiners; and

15 4 2. Pass an examination prescribed by the board of nurse exam-
 16 iners which shall include but not be limited to the subjects of medical
 17 nursing, surgical nursing, nursing of children, obstetric and gynecologic
 18 nursing, psychiatric nursing and communicable disease nurs-
 19 ing.

20 Notwithstanding the provisions of section 147.3, every applicant for
 21 a license to practice nursing as a licensed practical nurse shall:

22 1. ~~Have attained the age of eighteen years;~~

23 2. ~~Be of good moral character;~~

24 3 1. Be a graduate of an accredited high school or the equivalent
 25 and have successfully completed a course of integrated study in and
 26 hold a diploma from a school of nursing for licensed practical nurses
 27 approved by the board of nurse examiners or have successfully com-
 28 pleted at least one year of a course of study in a school of nursing for
 29 registered nurses and have completed all clinical training as is required
 30 for a licensed practical nurse; and

31 4 2. Pass an examination on subjects relating to the duties and ser-
 32 vices of a licensed practical nurse as defined in section 152.1. Said
 33 examination, however, shall be based only on the subjects of sanitation,
 34 hygiene and the practical application of bedside practice which shall
 35 reflect a fair test of the applicant's ability to care for patients in bed-
 36 side practice.

37 Upon making application therefor, any person meeting the require-
 38 ments as to age and character specified above, shall be entitled to take
 39 the examination for a license as a licensed practical nurse without the
 40 educational training required above, if he has reputably performed the
 41 duties and services of a licensed practical nurse as defined in section
 42 152.1, for a period of at least two years in the five years immediately
 43 preceding the date of such application. Such application shall be made
 44 on or before July 4, 1951, and the statements of the applicant must be
 45 verified by affidavits of two physicians licensed under this title.

1 SEC. 114. Section one hundred fifty-three point twenty-one
 2 (153.21), Code 1973, is amended to read as follows:

3 153.21 Reciprocity license. The board may issue a license without
 4 examination to an applicant who is a citizen of the United States or
 5 who has officially declared his intention to become such and who fur-
 6 nishes satisfactory proof that he is a graduate from an accredited
 7 dental school or college of a state, territory or district of the United
 8 States, who holds a license from a similar dental board under equal or
 9 substantially equal requirements to those of this state, and who for
 10 five consecutive years immediately prior to the filing of his application
 11 in this state has been in a legal and reputable practice of dentistry in
 12 such other state, territory or district of the United States, and who
 13 furnishes such other evidence as to his qualifications and lawful prac-
 14 tice as the board may deem necessary to require. No license shall be
 15 issued under this section unless the state, territory or district from
 16 which the applicant comes shall accord equal rights to dentists of Iowa
 17 holding a license from the state board of dentistry.

1 SEC. 115. Section one hundred fifty-three point twenty-two
 2 (153.22), Code 1973, is amended to read as follows:

3 153.22 Resident dentist license. Any dentist, who is a graduate of
 4 an accredited dental school and is serving only as a resident, intern or
 5 graduate student dentist and who is not licensed to practice dentistry
 6 in this state, shall be required to obtain from the board of dentistry a
 7 temporary or special license to practice as a resident, intern or gradu-
 8 ate dentist. The license shall be designated "Resident Dentist License"
 9 and shall authorize the licensee to serve as a resident, intern or gradu-
 10 ate student only, under the supervision of a licensed practitioner of
 11 dentistry, in an institution approved for this purpose by the board.
 12 Such license shall be valid for one year and may be annually renewed
 13 at the discretion of the board for a period not to exceed three addi-
 14 tional years. The fee for this license shall be ten dollars, and if ex-
 15 tended beyond one year, an and the annual renewal fee of ten dollars
 16 per year shall be required set by the board based upon the cost of
 17 issuance of the license. The board shall determine in each instance
 18 those eligible for this license, whether or not examinations shall be
 19 given, and the type of examination. No requirements of the law per-
 20 taining to regular permanent licensure shall be mandatory for this

21 resident licensure except as specifically designated by the board. The
 22 granting of a resident dentist's license does not in any way indicate
 23 that the person so licensed is necessarily eligible for regular licensure,
 24 nor is the board in any way obligated to so license such individual. The
 25 board may revoke said license at any time it shall determine either that
 26 the caliber of work done by a licensee or the type of supervision being
 27 given such licensee does not conform to reasonable standards estab-
 28 lished by the board.

1 SEC. 116. Section one hundred fifty-three point twenty-three
 2 (153.23), Code 1973, is amended to read as follows:

3 **153.23 Notice of intention not to renew license.** If, prior to the re-
 4 newal of any license to practice dentistry or dental hygiene, the board
 5 is informed upon oath or affirmation lawfully administered, that any
 6 such applicant has during the term of his last license or the last re-
 7 newal thereof violated any of the provisions of this chapter *or chap-*
 8 *ter one hundred forty-seven (147) of the Code* or committed any of the
 9 acts of unprofessional conduct as defined in this chapter, or if any
 10 member of the board certifies in writing that he is credibly informed
 11 that such violation of law or act of unprofessional conduct has been so
 12 committed by such applicant, then the board shall notify such appli-
 13 cant, by certified letter, with postage prepaid, mailed to his address as
 14 shown by the records of said board that such information or certificate
 15 has come to the attention of the board, and that on a day and hour
 16 specified the applicant may appear before the board at such place
 17 stated in such notice and show cause why said license should be re-
 18 newed. In such event the renewal of such license shall not be made
 19 prior to the date so fixed and the making of such a showing by the
 20 applicant.

1 SEC. 117. Section one hundred fifty-three point thirty-four
 2 (153.34), subsection two (2), Code 1973, is amended to read as fol-
 3 lows:

4 **2. His** *The conviction of a felony if the felony conviction relates*
 5 *directly to the practice of dentistry or dental hygiene or of a misde-*
 6 *meanor involving moral turpitude, in either of which cases case a*
 7 certified copy of the court record where such conviction appears shall
 8 be conclusive evidence, upon receipt of which the board shall revoke or
 9 suspend the license of the person so convicted.

1 SEC. 118. Section one hundred fifty-three point thirty-six (153.36),
 2 Code 1973, is amended to read as follows:

3 **153.36 Statutes not applicable to dentistry.** Sections ~~147.1 through~~
 4 ~~147.16, 147.18 through 147.26, 147.29 through 147.32, 147.34 through~~
 5 ~~one hundred forty-seven point forty-four (147.44) through 147.71,~~
 6 ~~inclusive, except section one hundred forty-seven point fifty-seven~~
 7 ~~(147.57); and 147.80, subsections 1, 5, 7, 8, 15 and 16, 147.81, 147.82,~~
 8 ~~147.87 through 147.92, 147.104, 147.114 and 147.115 inclusive, shall~~
 9 not apply to the practice of dentistry.

1 SEC. 119. Section one hundred fifty-four point six (154.6), Code
 2 1973, is amended to read as follows:

3 **154.6 Expiration and renewal of licenses.** Every license to prac-
 4 tice optometry shall expire ~~on the thirtieth day of June of each year~~
 5 *annually*. Application for renewal of such license shall be made in

6 writing to the department of health at least thirty days prior to the
 7 annual expiration date, accompanied by the legal *required* renewal fee
 8 and the affidavit of the licensee or other proof satisfactory to the
 9 department and to the Iowa state board of optometry examiners, that
 10 said applicant has attended, since the issuance of the last license to
 11 said applicant, an educational program or clinic as conducted by the
 12 Iowa optometric association, or its equivalent, for a period of at least
 13 two days. The attendance requirement at said educational program or
 14 clinic shall not be conditioned upon membership in said Iowa opto-
 15 metric association. Nonmembers shall be admitted to said annual
 16 educational program or clinic upon payment of their pro rata share
 17 of the cost. In lieu of attendance at the said annual educational pro-
 18 gram or clinic, it shall be the duty of the board of optometry examiners
 19 to recognize and approve attendance at local optometric study group
 20 meetings as shall, in the judgment of said board, constitute an equiva-
 21 lent to attendance at the annual educational program of said associa-
 22 tion.

1 SEC. 120. Section one hundred fifty-four point seven (154.7), Code
 2 1973, is amended to read as follows:

3 154.7 **Notice of expiration.** Notice of expiration of the annual
 4 license to practice optometry shall be given by the state department
 5 of health to all certificate holders by mailing said notice to the last
 6 known address of such licensee ~~on or before the fifteenth day of April~~
 7 ~~of each year~~ *at least seventy-five days prior to the expiration date*, and
 8 said notice shall contain a statement of the educational program
 9 attendance requirement and the amount of legal fee required as a
 10 condition to the renewal of the license for the coming year. Subject to
 11 the provisions of this chapter, said license shall be renewed without
 12 examination.

1 SEC. 121. Section one hundred fifty-five point five (155.5), Code
 2 1973, as amended by Acts of the Sixty-fifth General Assembly, 1973
 3 Session, chapter one hundred forty (140), sections sixteen (16), is
 4 amended by striking subsections one (1) and two (2) and renumber-
 5 ing the remaining subsections.

1 SEC. 122. Section one hundred fifty-five point twelve (155.12), un-
 2 numbered paragraph one (1), Code 1973, is amended to read as fol-
 3 lows:

4 Licenses shall be obtained from the board for each and every place
 5 of business. Applications shall be upon such forms and shall contain
 6 such information as the board may reasonably require. Each applica-
 7 tion for license shall be made by the pharmacist-owner to the secre-
 8 tary of the board, accompanied by the license fee, which shall be paid
 9 over into the state treasury and credited to the general fund if the
 10 license is issued. The license fee for a pharmacy license or a wholesale
 11 drug license shall be ~~twenty-five dollars~~ *set by the board and based*
 12 *upon the administrative costs of issuing the licenses*. These licenses
 13 shall be due annually ~~on the first day of each January~~. The board
 14 shall issue a license upon receipt of an application accompanied by the
 15 license fee and after approval thereof by the board.

1 SEC. 123. Section one hundred fifty-five point thirteen (155.13),
2 unnumbered paragraph one (1), Code 1973, is amended to read as fol-
3 lows:

4 Each license issued under this chapter unless sooner suspended or
5 revoked, shall be renewable annually, on ~~January 1, of each year~~ upon
6 payment of the annual license fee. The board shall have the authority
7 to deny, suspend or revoke a license in any case where it finds that
8 there has been a substantial failure to comply with the provisions of
9 this chapter or the regulations promulgated hereunder, or the viola-
10 tion thereof, and in addition the board shall have the power to deny,
11 suspend or revoke a license, when the applicant or licensee, or any
12 employee, providing the offense is committed on licensed premises or
13 is in the conduct of the business licensed, is guilty of any of the fol-
14 lowing facts or offenses:

1 SEC. 124. Section one hundred fifty-six point four (156.4), subsec-
2 tion three (3), Code 1973, is amended to read as follows:

3 3. Applications for the examination for a funeral director's license
4 shall be in writing and verified on a blank to be prescribed and fur-
5 nished by the board.

6 ~~Accompanying the application shall be affidavits from at least two~~
7 ~~reputable freeholders of the county in which the applicant resides or~~
8 ~~proposes to conduct the practice of a funeral director to the effect that~~
9 ~~the applicant is of good moral character, of temperate habits, and a~~
10 ~~citizen of the United States.~~

1 SEC. 125. Section one hundred fifty-six point five (156.5), subsec-
2 tion two (2), Code 1973, is amended to read as follows:

3 2. Applications for the examination for an embalmer's license shall
4 be in writing and verified on a blank to be prescribed and furnished
5 by the board. ~~Accompanying the application shall be affidavits from at~~
6 ~~least two reputable freeholders of the county in which the applicant~~
7 ~~resides or proposes to conduct the practice of an embalmer to the effect~~
8 ~~that the applicant is of good moral character, of temperate habits, and~~
9 ~~a citizen of the United States.~~

1 SEC. 126. Section one hundred fifty-six point eight (156.8), Code
2 1973, is amended to read as follows:

3 **156.8 Studentship.** The board of funeral director and embalmer
4 examiners shall, by rule approved by the state department of health,
5 provide for studentships in funeral directing and embalming, and shall
6 regulate the registration and training thereof; and no applicant shall
7 be eligible to take the funeral directors' or embalmers' examinations
8 who has not first been legally registered as a student. For such reg-
9 istration a fee of ~~five dollars set by the board to cover registration~~
10 ~~costs~~ shall be collected from the applicant for each license.

1 SEC. 127. Section one hundred fifty-seven point five (157.5), Code
2 1973, is amended to read as follows:

3 **157.5 Electrolysis.** If an applicant desires a license authorizing
4 him to remove superfluous hair by the use of the electric needle, he
5 shall present a diploma, as evidence of having completed such a course
6 in a school recognized by the board of cosmetology examiners which
7 teaches a special course in the practice of the use of the electric needle.
8 The board of cosmetology examiners shall give to such applicant an

9 examination in the use of the electric needle for which the applicant
10 shall pay a fee of ~~ten dollars~~ to the department *as set by the board and*
11 *based upon the cost of administering the examination.*

1 SEC. 128. Section one hundred fifty-seven point eight (157.8), Code
2 1973, is amended to read as follows:

3 157.8 Assistants. The commissioner of public health, with the
4 approval of the cosmetology examiners, shall appoint such inspectors
5 and clerical assistants and incur such other expense as may be neces-
6 sary to properly administer and enforce the provisions of law relating
7 to the practice of cosmetology. ~~There is hereby annually appropriated~~
8 ~~out of the cosmetology fund in the state treasury a sum sufficient to~~
9 ~~pay the compensation and the expenses of said examiners, inspectors~~
10 ~~and clerical assistants, and other necessary expense. Provided, how-~~
11 ~~ever, that the entire cost of the administration and enforcement of the~~
12 ~~provisions of law relating to the practice of cosmetology shall not~~
13 ~~exceed in any one year, the receipts under such laws for such year~~
14 ~~together with the balance held by the treasurer of state in the cos-~~
15 ~~metology fund from preceding years. The costs and expenses of inspec-~~
16 ~~tors and clerical assistants shall be paid from funds appropriated to~~
17 ~~the cosmetology examiners.~~

1 SEC. 129. Section one hundred fifty-seven point fourteen (157.14),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 157.14 Fees. All fees collected by the department for the cosme-
5 tology examiners shall be transmitted to the treasurer of state to be
6 deposited in the general fund of the state. Funds shall be appropri-
7 ated to the cosmetology examiners.

1 SEC. 130. Section one hundred fifty-eight point three (158.3), sub-
2 section two (2), Code 1973, is amended by striking the subsection and
3 renumbering the remaining subsections.

1 SEC. 131. Section one hundred fifty-eight point nine (158.9), Code
2 1973, is amended to read as follows:

3 158.9 Inspectors and assistants. The commissioner of public
4 health, with the approval of the barber examiners, shall appoint such
5 necessary inspectors and clerical assistants as may be necessary to
6 properly administer and enforce the provisions of this chapter. *The*
7 *costs of necessary inspectors and clerical assistants shall be paid to the*
8 *commissioner from funds appropriated to the barber examiners. The*
9 ~~entire cost of the administration and enforcement of this chapter shall~~
10 ~~not exceed in any year the receipts by virtue of this chapter for such~~
11 ~~year.~~

1 SEC. 132. Section one hundred fifty-eight point eleven (158.11),
2 subsection two (2), unnumbered paragraph five (5), Code 1973, is
3 amended to read as follows:

4 The state department of health shall collect, in addition to the in-
5 spection fee and the annual individual license fee required by section
6 147.80, an inspection fee of ~~ten dollars~~ *in an amount set by the barber*
7 *examiners based upon the inspection costs and administrative costs for*
8 *every barber shop or barber school changing ownership before it may*
9 *open for business or before the new owner assumes the control and*
10 *management of the same. The remodeling and reopening of a barber*

11 shop on the same site as an existing shop and under the same owner-
 12 ship shall not for the purpose of this section be considered as a new
 13 shop.

1 SEC. 133. Section one hundred sixty-nine point six (169.6), Code
 2 1973, is amended to read as follows:

3 **169.6 Renewal.** Every license issued under this chapter shall
 4 expire ~~on the thirtieth day of June following the date of issuance~~
 5 *annually*, and shall be renewed annually upon application by the licen-
 6 see, ~~without examination.~~ *A person who fails to renew his license by*
 7 *the expiration date shall be allowed to do so within thirty days follow-*
 8 *ing its expiration, but the board may assess a reasonable penalty.*
 9 Application for such renewal shall be made in writing to the depart-
 10 ment of agriculture, accompanied by the ~~legal~~ *required* fee, at least
 11 thirty days prior to the expiration of such license. ~~Any licensee fail-~~
 12 ~~ing to pay his license fee before the thirtieth day of June each year,~~
 13 ~~in addition to the delinquent fee, shall pay to the department of agri-~~
 14 ~~culture the sum of five dollars before said license shall be renewed;~~
 15 ~~provided, that in the event said license fee is not paid within ninety~~
 16 ~~days after the thirtieth day of June of any year, then and in that event~~
 17 ~~the board may revoke said license to practice veterinary medicine in~~
 18 ~~the state of Iowa.~~ The department shall notify each licensee by mail
 19 of the expiration of his license. Every renewal shall be displayed in
 20 connection with the original license. A licensed veterinarian of the
 21 state of Iowa who is called into military duty for the United States
 22 government is exempt from paying the ~~one dollar~~ renewal fee for such
 23 license but said license must be renewed within one year from date of
 24 discharge or the license shall be revoked.

1 SEC. 134. Section one hundred sixty-nine point ten (169.10), sub-
 2 section one (1), Code 1973, as amended by Acts of the Sixty-fifth Gen-
 3 eral Assembly, 1973 Session, chapter one hundred forty (140), section
 4 seventeen (17), is amended by striking the subsection and renumber-
 5 ing the remaining subsections.

1 SEC. 135. Section one hundred sixty-nine point ten (169.10), sub-
 2 section three (3), Code 1973, is amended to read as follows:

3 3. Pass satisfactorily an examination in veterinary medicine, sur-
 4 gery, and dentistry. ~~The state department of agriculture, with the~~
 5 ~~approval of the veterinary medical examiners, may accept in lieu of~~
 6 ~~the requirements in this subsection of this section, certificate of satis-~~
 7 ~~factory examination issued by the national board of veterinary medical~~
 8 ~~examiners of the United States of America, but every applicant for a~~
 9 ~~license upon the basis of such certificate shall be required to pay the~~
 10 ~~prescribed fee for a license issued in another state. The state depart-~~
 11 ~~ment of agriculture, with the approval of the veterinary medical exam-~~
 12 ~~iners, may also require applicants to take and pass the examination~~
 13 ~~issued by the national board of veterinary medical examiners of the~~
 14 ~~United States of America, and such applicants shall pay the fee re-~~
 15 ~~quired for such national board examination in addition to the fees~~
 16 ~~required by this chapter the board. The board may administer as many~~
 17 ~~examinations per year as are deemed necessary, but shall administer at~~
 18 ~~least one examination per year. Any written examination may be con-~~
 19 ~~ducted by representatives of the board. All examinations in theory~~
 20 ~~shall be in writing and the identity of the person taking the examina-~~

21 *tion shall be concealed until after the examination papers have been*
 22 *graded. For examinations in practice, the identity of the person taking*
 23 *the examination shall also be concealed as far as possible.*

1 SEC. 136. Section one hundred sixty-nine point eleven (169.11),
 2 Code 1973, is amended by striking the section and inserting in lieu
 3 thereof the following:

4 **169.11 Fees.** The board of veterinary medical examiners shall set
 5 the fee for examination of applicants, which fee shall be based upon
 6 the annual cost of administering the examination.

7 The board shall set the fees for a license to practice veterinary med-
 8 icine issued upon the basis of the examination, a license to practice
 9 veterinary medicine issued upon the basis of a license issued in an-
 10 other state, renewal of a license to practice veterinary medicine, certi-
 11 fied statement that a licensee is licensed to practice in this state,
 12 issuance of a duplicate license when the original is lost or destroyed.
 13 The fees shall be based upon the administrative costs of sustaining the
 14 board and shall include, but shall not be limited to, the following:

- 15 1. Per diem, expenses, and travel of board members.
- 16 2. Costs to the department of agriculture for administration of the
 17 chapter.

1 SEC. 137. Section one hundred sixty-nine point twelve (169.12),
 2 Code 1973, is amended by striking the section and inserting in lieu
 3 thereof the following:

4 **169.12 Reexaminations.** An applicant who fails the examination
 5 once shall be allowed to take the examination at the next scheduled
 6 time. Thereafter, the applicant shall be allowed to take the examina-
 7 tion at the discretion of the board. An applicant who has failed the
 8 examination may request in writing information from the board con-
 9 cerning his examination grade and subject areas or questions which he
 10 failed to answer correctly, except that if the board administers a uni-
 11 form, standardized examination, the board shall only be required to
 12 provide the examination grade and such other information concerning
 13 the applicant's examination results which are available to the board.

1 SEC. 138. Section one hundred sixty-nine point fifteen (169.15),
 2 Code 1973, is amended to read as follows:

3 **169.15 Examining board.** For the purpose of ~~giving administering~~
 4 examinations to applicants for license to practice veterinary medicine,
 5 the ~~department of agriculture~~ *governor* shall appoint, *subject to the*
 6 *approval of two-thirds of the members of the senate*, a board of ~~three~~
 7 *five* examiners, *three* who shall be licensed veterinarians and *two* who
 8 *shall not be licensed veterinarians and who shall represent the general*
 9 *public*. Such board shall be known as the board of veterinary medical
 10 examiners. Each *licensed* examiner shall be actively engaged in veteri-
 11 nary medicine and shall have been so engaged ~~in this state~~ for a period
 12 of five years just preceding his appointment, *the last two of which*
 13 *shall have been in Iowa*. No member of the board shall be employed
 14 by any wholesale or jobbing house dealing in supplies, equipment or
 15 instruments used or useful in the practice of veterinary medicine.
 16 The chief of the division of animal industry of the department shall
 17 serve as secretary to the board of veterinary medical examiners.

18 *Professional associations or societies composed of licensed veteri-*
 19 *narians may recommend the names of potential board members to the*
 20 *governor, but the governor shall not be bound by the recommendations.*

1 SEC. 139. Section one hundred sixty-nine point sixteen (169.16),
 2 Code 1973, is amended to read as follows:

3 169.16 **Term.** The members of the examining board shall be ap-
 4 pointed for a term of three years. The term of each examiner shall
 5 commence on July 1 in the year of appointment and the terms of the
 6 members of the board shall be rotated in such a manner that one exam-
 7 iner shall retire each year and a successor be appointed to take his
 8 place. ~~The regular state veterinary medical association or society or~~
 9 ~~its managing board may submit each year to the department of agri-~~
 10 ~~culture a list of six persons of recognized ability in the veterinary med-~~
 11 ~~ical profession, who have the qualifications prescribed for examiners.~~
 12 ~~If such list is submitted, the department of agriculture in making an~~
 13 ~~appointment to the board of examiners shall select one of the persons~~
 14 ~~so named. Members shall serve no more than three terms or nine~~
 15 ~~years, whichever is less.~~

1 SEC. 140. Section one hundred sixty-nine point eighteen (169.18),
 2 Code 1973, is amended to read as follows:

3 169.18 **Compensation.** Members of the examining board shall, in
 4 addition to necessary traveling and ~~hotel~~ *other* expenses, set their own
 5 per diem compensation at a rate not exceeding forty dollars per day
 6 for each day actually engaged in the discharge of their duties including
 7 compensation for the time spent traveling to and from the place of
 8 conducting the examination and for a reasonable number of days for
 9 the preparation of examination and the reading of papers, in addition
 10 to the time actually spent in conducting examinations within the limits
 11 of available funds *appropriated to the board.*

1 SEC. 141. Section one hundred sixty-nine point nineteen (169.19),
 2 Code 1973, is amended to read as follows:

3 169.19 **Supplies.** The department of agriculture shall furnish the
 4 examining board with all articles and supplies required for the public
 5 use and necessary to enable said board to perform the duties imposed
 6 upon it by law. Such articles and supplies shall be obtained by the
 7 department in the same manner in which the regular supplies for the
 8 department are obtained, ~~and the same shall be considered and ac-~~
 9 ~~counted for as if obtained for the use of said department and the~~
 10 ~~department shall assess the costs to the examining board for the costs~~
 11 ~~of such articles and supplies. The board shall also reimburse the de-~~
 12 ~~partment for administrative costs incurred in issuing and renewing~~
 13 ~~the licenses.~~

1 SEC. 142. Section one hundred sixty-nine point twenty-one
 2 (169.21), Code 1973, is amended to read as follows:

3 169.21 **Meetings.** The board shall meet at least once a year *at the*
 4 *seat of government, and oftener if necessary, at the capitol, and shall*
 5 *hold additional meetings for the purpose of holding administering*
 6 *examinations. A majority shall constitute a quorum.*

1 SEC. 143. Section one hundred sixty-nine point twenty-two
 2 (169.22), unnumbered paragraph one (1), Code 1973, is amended to
 3 read as follows:

4 The department may designate members of the examining board
5 and the secretary thereof to attend either:

1 SEC. 144. Section one hundred sixty-nine point twenty-three
2 (169.23), Code 1973, is amended to read as follows:

3 **169.23 Applications.** Any person desiring to take the examination
4 for a license to practice veterinary medicine shall make application to
5 the department of agriculture, on a form provided by the department,
6 at least fifteen days before the examination. Such application shall
7 be accompanied by the license fee *set by the board* and such documents
8 and affidavits as are necessary to show the eligibility of the candidate
9 to take such examination. *The board shall not require that a recent*
10 *photograph of the applicant be attached to the application form.* All
11 applications shall be in accordance with the rules of the examining
12 board and shall be signed and verified by the oath of by the applicant.

13 *An applicant shall not be ineligible for licensure because of age, citi-*
14 *zenship, sex, race, religion, marital status, or national origin although*
15 *the application form may require citizenship information. The board*
16 *may consider the past felony record of an applicant only if the felony*
17 *conviction relates directly to the practice of veterinary medicine.*
18 *Character references may be required, but shall not be obtained from*
19 *licensed veterinarians.*

1 SEC. 145. Section one hundred sixty-nine point thirty-six (169.36),
2 subsection five (5), Code 1973, is amended by striking the subsection
3 and inserting in lieu thereof the following:

4 5. Conviction of a felony.

1 SEC. 146. Section one hundred sixty-nine point forty-nine
2 (169.49), Code 1973, is amended to read as follows:

3 **169.49 Inspector—examiners fund.** The examining board is au-
4 thorized to employ an inspector, who shall not be a member of the ex-
5 amining board, at such per diem compensation as shall be fixed by the
6 executive council and payable from a special fund in the office of the
7 treasurer of the state known as the state board of veterinary exam-
8 iners fund funds appropriated to the examining board.

9 The department shall annually add four dollars to the renewal fee
10 provided in this chapter for a person licensed to practice veterinary
11 medicine. Such additional amount shall be considered as a part of the
12 regular renewal fee and payment of same by a licensee shall be a pre-
13 requisite to the renewal of his license. The funds derived from the addi-
14 tional renewal fee collected under this section shall be placed in a special
15 fund by the treasurer of the state and the state comptroller to be known
16 as the "State Board of Veterinary Examiners Fund", to be used by the
17 examining board to assist in administering and enforcing the laws
18 relating to the practice of veterinary medicine, and no part of such
19 expense shall be paid out of the state treasury. Any remainder in said
20 fund at the end of each fiscal year shall be paid into the general fund
21 of the state. Said fund shall be subject at all times to the warrant of
22 the state comptroller, drawn upon written requisition of the chairman
23 of the examining board and attested by the secretary, Funds shall be
24 appropriated for the payment of all salaries, per diem expense, and
25 other expenses necessary to administer and aid in the enforcement of
26 the provisions of law relating to the practice of veterinary medicine,

27 ~~but in no event shall the total expenses therefor exceed the total fees~~
 28 ~~collected and deposited to the credit of said fund.~~

1 SEC. 147. Chapter one hundred sixty-nine (169), Code 1973, is
 2 amended by adding the following new section:

3 NEW SECTION. **Public members.** The public members of the board
 4 shall not participate in administering or grading any portion of an
 5 examination.

6 NEW SECTION. **Disclosure of confidential information.** A member
 7 of the board shall not disclose information relating to the following:

- 8 1. Criminal history or prior misconduct of the applicant.
- 9 2. Information relating to the contents of the examination.
- 10 3. Information relating to the examination results other than final
 11 score except for information about the results of an examination
 12 which is given to the person who took the examination.

13 A member of the board who willfully communicates or seeks to com-
 14 municate such information, and any person who willfully requests, ob-
 15 tains, or seeks to obtain such information, is guilty of a public of-
 16 fense which is punishable by a fine not exceeding one hundred dollars
 17 or by imprisonment in the county jail for not more than thirty days.

1 SEC. 148. Section four hundred fifty-five B point fifty-three
 2 (455B.53), Code 1973, is amended to read as follows:

3 455B.53 **Board.** ~~The commission~~ *governor shall appoint, subject*
 4 *to the approval of two-thirds of the members of the senate, a board of*
 5 *certification consisting of the following five members:*

6 1. One member who is a waterworks operator holding a valid cer-
 7 tificate of the highest classification issued by the department.

8 2. One member who is a waste waterworks operator holding a valid
 9 certificate of the highest classification issued by the department.

10 3. One member employed by the department who is qualified in
 11 water and waste waterworks operation.

12 4. ~~One member who is a university or college faculty member and~~
 13 ~~whose major field is related to water supply or waste water collection~~
 14 ~~and treatment~~ *Two members who shall not be certificated waterworks*
 15 *operators or certificated waste waterworks operators, but who shall*
 16 *be interested and knowledgeable in water supply or waste water collec-*
 17 *tion and treatment, and who shall represent the general public.*

18 5. ~~One member who is an employee of a municipality required to~~
 19 ~~employ a certified operator and who holds a position of city manager,~~
 20 ~~city engineer, director of public works, or an equivalent position.~~

21 *The members prescribed in subsections one (1), two (2), and three*
 22 *(3) of this section shall have been engaged in the practice of their*
 23 *professions for five years preceding their appointments, the last two*
 24 *years of which shall have been in Iowa.*

25 *Professional associations or societies composed of waterworks oper-*
 26 *ators or waste waterworks operators may recommend the names of*
 27 *potential board members to the governor, but the governor shall not*
 28 *be bound by the recommendations. Members of the board shall not be*
 29 *required to be members of any such associations or societies.*

30 The members of the board shall be appointed for three-year terms.
 31 Any vacancy shall be filled by appointment for the unexpired term.
 32 *Members shall be limited to serving three terms or nine years, which-*
 33 *ever is less.*

1 SEC. 149. Section four hundred fifty-five B point fifty-five
2 (455B.55), Code 1973, as amended by Acts of the Sixty-fifth General
3 Assembly, 1973 Session, chapter one hundred twenty-four (124), sec-
4 tion nineteen (19), is amended to read as follows:

5 **455B.55 Organization.** The initial board of certification shall or-
6 ganize and elect a chairman from its membership. Thereafter, a chair-
7 man shall be elected at the last meeting of the fiscal year which shall
8 be the annual meeting of the board. The member of the board em-
9 ployed by the department shall serve as secretary and maintain its
10 records. *The cost of such assistance shall be paid by the board to the*
11 *department from funds appropriated to the board. At least one meet-*
12 *ing of the board per year shall be held at the seat of government.*
13 Additional meetings may be held at the call of the chairman. ~~Three~~ *A*
14 *majority of members shall constitute a quorum. The members of the*
15 *board shall be paid a forty-dollar per diem set their own per diem com-*
16 *penstation at a rate not exceeding forty dollars per day and shall be*
17 *reimbursed for actual and necessary expenses and travel incurred*
18 *while discharging their official duties. All per diem and expense*
19 *moneys paid to the members shall be paid from funds appropriated to*
20 *the board.*

21 *A member of the board who is employed by this state shall not*
22 *receive per diem compensation.*

1 SEC. 150. Section four hundred fifty-five B point fifty-six
2 (455B.56), Code 1973, is amended to read as follows:

3 **455B.56 Examination.** The ~~commission~~ board shall hold at least
4 one examination each year for the purpose of examining candidates
5 for certification at a time and place designated by the ~~commission~~
6 board. *Any written examination may be given by representatives of*
7 *the board. All examinations in theory shall be in writing and the iden-*
8 *tity of the person taking the examination shall be concealed until after*
9 *the examination papers have been graded. For examinations in prac-*
10 *tice, the identity of the person taking the examination shall also be*
11 *concealed as far as possible. Those applicants whose competency is*
12 *acceptable to the ~~commission~~ board shall be recommended to the execu-*
13 *tive director for certification. Applicants who fail the examination*
14 *shall be allowed to take the examination at the next scheduled time.*
15 *Thereafter, the applicant shall be allowed to take the examination at*
16 *the discretion of the board. An applicant who has failed the examina-*
17 *tion may request in writing information from the board concerning his*
18 *examination grade and subject areas or questions which he failed to*
19 *answer correctly, except that if the board administers a uniform,*
20 *standardized examination, the board shall only be required to provide*
21 *the examination grade and such other information concerning the*
22 *applicant's examination results which are available to the board.*

1 SEC. 151. Section four hundred fifty-five B point fifty-seven
2 (455B.57), Code 1973, line four (4), is amended by striking the word
3 "commission"* and inserting in lieu thereof the words "~~commission~~
4 board".

1 SEC. 152. Section four hundred fifty-five B point fifty-eight
2 (455B.58), Code 1973, is amended to read as follows:

*According to enrolled Act

3 **455B.58 Duration.** Certificates shall continue in effect for one year
4 from the date of issuance unless sooner revoked by the executive direc-
5 tor, but such certificates shall remain the property of the department
6 and the certificate shall so state. *A person who fails to renew his cer-*
7 *tificate by the expiration date shall be allowed to do so within thirty*
8 *days following its expiration, but the board may assess a reasonable*
9 *penalty.*

1 **SEC. 153.** Section four hundred fifty-five B point sixty-one
2 (455B.61), Code 1973, as amended by Acts of the Sixty-fifth General
3 Assembly, 1973 Session, chapter two hundred sixty-two (262), section
4 one (1), is amended to read as follows:

5 **455B.61 Fee.** The executive director, with the approval of the
6 board submitted through the commission, is authorized to charge a fee
7 for certificates issued under the provisions of this part 2 of division
8 III, but such fees shall not exceed five dollars for an initial certificate,
9 ~~nor more than three dollars for the annual renewal certificate.~~ *The fee*
10 *for the certificates and for renewal shall be based on the costs of ad-*
11 *ministering and enforcing the provisions of part two (2) of division*
12 *three (III) of this chapter and to pay the expenses of the board. The*
13 *department shall be reimbursed by the board for all costs incurred. The*
14 *board shall set a fee for the examination which shall be based upon the*
15 *annual cost of administering the examinations. All such fees collected*
16 *shall be remitted to the treasurer of state, who shall hold such moneys*
17 *in a special fund to be known as the "operators certification fund". Any*
18 *moneys in the operators certification fund are appropriated to the*
19 *department to be used to administer and enforce the provisions of said*
20 *part and to pay the expenses of the board. Such fund shall be subject*
21 *at all times to the warrant of the state comptroller, drawn upon writ-*
22 *ten requisition of the executive director deposit the funds in the gen-*
23 *eral fund of the state. Funds shall be appropriated from the general*
24 *fund to the board.*

1 **SEC. 154.** Chapter four hundred fifty-five B (455B), Code 1973,
2 is amended by adding the following new sections:

3 **NEW SECTION. Applications.** Applications for certification shall
4 be on forms prescribed and furnished by the board and shall not con-
5 tain a recent photograph of the applicant. An applicant shall not be
6 ineligible for certification because of age, citizenship, sex, race, reli-
7 gion, marital status, or national origin although the application may
8 require citizenship information. The board may consider the past
9 felony record of an applicant only if the felony conviction relates
10 directly to the practice of operation of waterworks or waste water-
11 works. Character references may be required, but shall not be
12 obtained from certificate holders.

13 **NEW SECTION. Disclosure of confidential information.** A member
14 of the board shall not disclose information relating to the following:

- 15 1. Criminal history or prior misconduct of the applicant.
- 16 2. Information relating to the contents of the examination.
- 17 3. Information relating to the examination results other than final
18 score except for information about the results of an examination which
19 is given to the person who took the examination.

20 A member of the board who willfully communicates or seeks to com-
21 municate such information, and any person who willfully requests,
22 obtains, or seeks to obtain such information, is guilty of a public of-

23 fense which is punishable by a fine not exceeding one hundred dollars
24 or by imprisonment in the county jail for not more than thirty days.

1 SEC. 155. Section six hundred ten point one (610.1), Code 1973,
2 is amended to read as follows:

3 **610.1 Admission to practice.** The power to admit persons to prac-
4 tice as attorneys and counselors in the courts of this state, or any of
5 them, is vested exclusively in the supreme court *which shall adopt and*
6 *promulgate rules to carry out the intent and purpose of this chapter.*

1 SEC. 156. Section six hundred ten point two (610.2), Code 1973,
2 as amended by Acts of the Sixty-fifth General Assembly, 1973 Ses-
3 sion, chapter one hundred forty (140), section fifty (50), is amended
4 to read as follows:

5 **610.2 Qualifications for admission.** Every applicant for such ad-
6 mission ~~must shall~~ be at least eighteen years of age, of good moral
7 character, ~~and an~~ a person of honesty, integrity, trustworthiness, truth-
8 fulness and one who appreciates and will adhere to a code of conduct
9 for lawyers as adopted by the supreme court. He shall be an inhabitant
10 of this state, and ~~must shall~~ have actually and in good faith pursued a
11 regular course of study of the law for at least three full years, either
12 in the office of a member of the bar in regular practice of this state or
13 other state, or of a judge of a court of record thereof, or in and shall
14 have graduated from some reputable law school in the United States,
15 or partly in such office and partly in such law school; but, in reckoning
16 such period of study, the school year of any such law school, consisting
17 of not less than thirty-six weeks exclusive of vacations, shall be con-
18 sidered equivalent to a full year. Every such applicant for admission
19 must also have actually and in good faith acquired a general education
20 substantially equivalent to that involved in the completion of a high
21 school course of study of at least four years in extent.

22 *The application form shall not contain a recent photograph of the*
23 *applicant. An applicant shall not be ineligible for registration because*
24 *of age, citizenship, sex, race, religion, marital status, or national origin*
25 *although the application form may require citizenship information.*
26 *The board may consider the past record of guilty pleas and convictions*
27 *of public offenses of an applicant. Character references may be re-*
28 *quired; however, such references shall not be restricted to lawyers.*

1 SEC. 157. Section six hundred ten point three (610.3), Code 1973,
2 is amended by striking the section and inserting in lieu thereof the fol-
3 lowing:

4 **610.3 Board of law examiners.** There is established a board of
5 law examiners which shall consist of five persons admitted to practice
6 law in this state and two persons not admitted to practice law in this
7 state who shall represent the general public. Members shall be ap-
8 pointed by the supreme court. A member admitted to practice law
9 shall be actively engaged in the practice of law in this state.

1 SEC. 158. Section six hundred ten point four (610.4), Code 1973,
2 is amended by striking the section and inserting in lieu thereof the
3 following:

4 **610.4 Examinations.** Every applicant shall be examined by the
5 board concerning his learning and skill in the law. The sufficiency of
6 the education of the applicant may be determined by written examina-

7 tion or in such other manner as the board shall prescribe. The board
8 shall hold at least one meeting each year at the seat of government.
9 Examinations shall be given as often as deemed necessary as deter-
10 mined by the court, but shall be conducted at least one time per year.
11 All examinations in theory shall be in writing and the identity of the
12 person taking the examination shall be concealed until after the ex-
13 amination papers have been graded. For examinations in practice, the
14 identity of the person taking the examination shall also be concealed
15 as far as possible.

16 An applicant who fails the examination once shall be allowed to take
17 the examination at the next scheduled time. Thereafter, the appli-
18 cant shall be allowed to take the examination at the discretion of the
19 court. An applicant who has failed the examination may request in
20 writing information from the court concerning his examination grade
21 and subject areas or questions which he failed to answer correctly, ex-
22 cept that if the court administers a uniform, standardized examina-
23 tion, the court shall only be required to provide the examination grade
24 and such other information concerning the applicant's examination re-
25 sults which are available to the court.

1 SEC. 159. Section six hundred ten point five (610.5), Code 1973, is
2 amended by striking the section and inserting in lieu thereof the fol-
3 lowing:

4 **610.5 Term of office.** Appointments shall be for three-year terms
5 and shall commence on July first of the year in which the appointment
6 is made. Vacancies shall be filled for the unexpired term by appoint-
7 ment of the supreme court. Members shall serve no more than three
8 terms or nine years, whichever is less.

1 SEC. 160. Section six hundred ten point six (610.6), Code 1973, is
2 amended to read as follows:

3 **610.6 Oath—compensation.** The members thus appointed shall
4 take and subscribe an oath to be administered by one of the judges of
5 the supreme court to faithfully and impartially discharge the duties of
6 the office, and shall receive such compensation as may be allowed by the
7 supreme court out of the fund arising from the examination fees here-
8 inafter provided for receive their actual and necessary expenses.

1 SEC. 161. Section six hundred ten point seven (610.7), Code 1973,
2 is amended to read as follows:

3 **610.7 Temporary appointments—compensation.** The supreme court
4 may also appoint from time to time, when necessary, temporary exam-
5 iners to assist the ~~commission board~~, who shall serve for one examina-
6 tion only, and shall receive such compensation as the court may allow,
7 their actual and necessary expenses to be paid from the fund aforesaid
8 funds appropriated to the board.

9 *The members of the board authorized to grade examinations shall*
10 *make the final decision on passage or failure of each applicant, subject*
11 *to the rules of the supreme court. The board shall, also, recommend to*
12 *the supreme court for admission to practice law in this state all appli-*
13 *cants who pass the examination and who meet the requisite character*
14 *requirements. The supreme court shall make the final decision in deter-*
15 *mining who shall be admitted.*

1 SEC. 162. Section six hundred ten point eight (610.8), Code 1973,
2 is amended by striking the section and inserting in lieu thereof the
3 following:

4 **610.8 Fees.** The board shall set the fees for examination and for
5 admission. The fees for examination shall be based upon the annual
6 cost of administering the examinations. The fees for admission shall
7 be based upon the costs of conducting an investigation of the appli-
8 cant and the administrative costs of sustaining the board, which shall
9 include but shall not be limited to:

10 1. Expenses and travel for board members and temporary exam-
11 iners.

12 2. Office facilities, supplies, and equipment.

13 3. Clerical assistance.

14 Fees shall be collected by the board and transmitted to the trea-
15 surer of state who shall deposit the fees in the general fund of the
16 state.

1 SEC. 163. Section six hundred ten point ten (610.10), Code 1973,
2 is amended by striking the section and inserting in lieu thereof the fol-
3 lowing:

4 **610.10 Practitioners from other states.** Any person who is a resi-
5 dent of this state, and has been admitted to the bar of any other state
6 in the United States or the District of Columbia, may, in the discre-
7 tion of the court, be admitted to practice in this state without exam-
8 ination or proof of a period of study. The person, in his application
9 for admission to practice law in this state, in addition to all other re-
10 quirements stated in this chapter, shall establish that he has practi-
11 cised law for five full years under license in such jurisdiction within
12 the seven years immediately preceding the date of his application and
13 still holds a license to practice law. The teaching of law as a full-
14 time instructor in a recognized law school in this state or some other
15 state shall for the purpose of this section be deemed the practice of
16 law. Any person who has discharged actual legal duties as a mem-
17 ber of the armed services of the United States shall be deemed to
18 have practiced law for the purposes of this section if certified to as
19 such by the judge advocate general of the service. The court may
20 charge an investigation fee based upon the cost of conducting the
21 investigation as determined by the court.

1 SEC. 164. Section six hundred ten point twenty-three (610.23),
2 Code 1973, is amended by striking the section and inserting in lieu
3 thereof the following:

4 **610.23 Revocation of license.** The supreme court may revoke or
5 suspend the license of an attorney to practice law in this state.

1 SEC. 165. Section six hundred ten point twenty-four (610.24), sub-
2 section one (1), Code 1973, is amended to read as follows:

3 1. When he has been convicted of a felony, ~~or of a misdemeanor~~
4 ~~involving moral turpitude; in either of which cases the~~ *The record of*
5 conviction is conclusive evidence.

1 SEC. 166. Chapter six hundred ten (610), Code 1973, is amended
2 by adding the following new sections:

3 **NEW SECTION. Renewals.** The right to practice law in this state
4 after July 1, 1975, shall be renewed annually by the supreme court upon

5 such conditions as the court shall determine. Any moneys received
6 from those persons admitted to practice law and which are designated
7 for a client security fund or similar fund created by the supreme court
8 shall be separately retained and administered by said court in accord-
9 ance with rules promulgated by it.

10 **NEW SECTION. Client security fund not an insurance company.** A
11 client security fund established by the supreme court is not an insur-
12 ance company and the insurance laws of this state and the rules and
13 regulations of the commissioner of insurance are not applicable to such
14 a client security fund.

15 **NEW SECTION. Officers.** The board shall organize following its ap-
16 pointment and shall elect a chairman and vice chairman.

17 **NEW SECTION. Public members.** The public members of the board
18 may participate in the administration of the examination and shall
19 participate in the determination of whether or not each applicant
20 meets the requisite character requirements. The public members shall
21 not participate in the grading of any portion of the examination or
22 the determination of whether an applicant passed or failed such exam-
23 ination.

24 **NEW SECTION. Disclosure of confidential information.** A member
25 of the board shall not disclose information relating to the following:

- 26 1. Criminal history or prior misconduct of the applicant.
- 27 2. Information relating to the contents of the examination.
- 28 3. Information relating to the examination results other than final
29 score except for information about the results of an examination
30 which is given to the person who took the examination.

31 A member of the board who willfully communicates or seeks to com-
32 municate such information, and any person who willfully requests, ob-
33 tains, or seeks to obtain such information, is guilty of a public of-
34 fense which is punishable by a fine not exceeding one hundred dollars
35 or by imprisonment in the county jail for not more than thirty days.

1 **SEC. 167. NEW SECTION. Definition.** "Practice of psychology"
2 means the application of established principles of learning, motiva-
3 tion, perception, thinking, and emotional relations to problems of be-
4 havior adjustment, group relations, and behavior modification, by per-
5 sons trained in psychology for compensation or other personal gain.
6 The application of principles includes, but is not limited to: counseling
7 and the use of psychological remedial measures with persons, in groups
8 or individually, with adjustment or emotional problems in the areas
9 of work, family, school and personal relationships; measuring and
10 testing personality, intelligence, aptitudes, public opinion, attitudes,
11 and skills; and the teaching of such subject matter, and the conducting
12 of research on the problems relating to human behavior.

1 **SEC. 168. NEW SECTION. Practice not authorized.** This Act shall
2 not authorize the practice of medicine and surgery by any person not
3 licensed pursuant to chapter one hundred forty-eight (148) of the
4 Code, the practice of osteopathy by any person not licensed pursuant
5 to chapter one hundred fifty (150) of the Code, or the practice of oste-
6 opathic medicine and surgery by any person not licensed pursuant to
7 chapter one hundred fifty A (150A) of the Code.

1 **SEC. 169. NEW SECTION. Persons not required to qualify.** The
2 provisions of this Act shall not apply to the following persons:

3 1. School psychologists certified by the department of public instruc-
4 tion practicing and functioning within the scope of their employment
5 in either a public or private school or performing as certified school
6 psychologists at any time in either private practice or the public sec-
7 tor, provided they use the title "certified school psychologist".

8 2. An employee of an accredited academic institution while per-
9 forming his teaching, training, and research duties.

10 3. An employee of a federal, state, county or local governmental in-
11 stitution or agency or nonprofit institution or agency, or a research
12 facility, while performing duties of his office or position with such
13 institution, agency, or facility.

14 4. A student of psychology, psychological intern or person prepar-
15 ing for the practice of psychology in a training institution or facility
16 approved by the board, provided he is designated by the title "psycho-
17 logical trainee" or any similar title, clearly indicating training status.

18 5. A practicing psychologist for a period not to exceed ten consecu-
19 tive business days or fifteen business days in any ninety-day period,
20 if his residence and his major practice are outside the state, and he
21 gives the board a summary of his intention to practice in the state of
22 Iowa, if he is certified or licensed in the state in which he resides under
23 requirements the board considers to be equivalent of requirements for
24 licensing under this Act, or he resides in a state which does not cer-
25 tify or license psychologists and the board considers his professional
26 qualifications to be the equivalent of requirements for licensing under
27 this Act.

1 SEC. 170. NEW SECTION. **Acts prohibited.** Commencing July 1,
2 1974,* a person who is not certified under this Act shall not represent
3 himself as a certified practicing psychologist, use a title or description,
4 including the term "psychology" or any of its derivatives, such as
5 "psychologist" or "psychological" or modifiers such as "practicing" or
6 "certified" in a manner which implies that he is certified under this
7 Act, or offer to practice or practice psychology, except as otherwise
8 permitted in this Act. The use by a person who is not certified under
9 this Act of such terms is not prohibited by this Act, except when
10 such terms are used in connection with an offer to practice or the
11 practice of psychology.

1 SEC. 171. NEW SECTION. **Scope of Act.** Nothing in this Act shall
2 be construed to prevent qualified members of other professional groups
3 such as physicians, osteopaths, optometrists, chiropractors, members
4 of the clergy, authorized christian science practitioners, attorneys at
5 law, social workers or guidance counselors from performing functions
6 of a psychological nature consistent with the accepted standards of
7 their respective professions, if they do not use any title or description
8 stating or implying that they are psychologists or are certified to
9 practice psychology.

1 SEC. 172. NEW SECTION. **Requirements for certification.** Except
2 as provided in this section, an applicant for certification as a psychol-
3 ogist or as an associate psychologist shall meet the following require-
4 ments in addition to those specified in chapter one hundred forty-seven
5 (147) of the Code:

*This Act effective July 1, 1975, see section 201 hereof

6 1. A certified psychologist shall possess a doctoral degree in psy-
7 chology or its equivalent from an institution approved by the board
8 and shall have completed at least one year of supervised professional
9 experience following the granting of the doctoral degree, or predoc-
10 toral experience, as may be acceptable to the board; or shall possess
11 a masters degree in psychology or its equivalent from an institution
12 approved by the board and have completed at least five years of pro-
13 fessional experience, at least two of which shall have been under the
14 supervision of a licensed psychologist, as may be acceptable to the
15 board.

16 2. A certified associate psychologist shall possess a masters degree
17 in psychology or its equivalent from an institution approved by the
18 board.

19 3. Have passed an examination administered by the board to assure
20 his professional competence.

21 4. Have not failed the examination required in subsection three (3)
22 of this section within the six months next preceding the date of the
23 examination.

24 The examinations required in this section may, at the discretion of
25 the board, be waived for holders by examination of licenses or certifi-
26 cates from states whose requirements are substantially equivalent to
27 those of this Act, and for holders by examination of specialty diplo-
28 mas from the American board of professional psychology.

29 Any person who within one year after July 1, 1974 meets the re-
30 quirements specified in subsections one (1) and two (2) of this sec-
31 tion shall receive certification without having passed the examina-
32 tion required in subsection three (3) of this section. Any person hold-
33 ing a certificate from the board of examiners of the Iowa psychologi-
34 cal association on July 1, 1974 who applies for certification before July
35 1, 1975 shall receive certification.

1 SEC. 173. NEW SECTION. **Voluntary surrender of certification.**
2 The commissioner of public health may accept the voluntary surrender
3 of certification if accompanied by a written statement of intention.
4 The voluntary surrender, when accepted, shall have the same force and
5 effect as an order of revocation.

1 SEC. 174. NEW SECTION. **System of health manpower statistics.**
2 The division for records and statistics within the state department of
3 health shall establish and maintain a system of health manpower statis-
4 tics which shall include the collection, preservation, revision and dis-
5 semination of statistical data to enable the department or other agen-
6 cies concerned with delivery of health care services in this state to
7 determine the total number, employment status, location of practice
8 or place of employment, areas of professional specialization and ages
9 of licensed health care practitioners and other pertinent information
10 bearing on the availability of trained and licensed personnel in health
11 care fields to provide services in this state. The statistical data shall
12 be computed and available upon request at least biannually in the form
13 of a report to agencies, both public and private, which are concerned
14 with the delivery of health care in this state.

15 The department shall enter into cooperative arrangements with and
16 seek the technical expertise of agencies collecting and producing health
17 manpower statistics in order to eliminate duplication in the collection
18 of health manpower information and to assist in the standardization

19 and coordination of procedures relating to the collection of health man-
20 power statistics.

21 Examining boards collecting information necessary for the division
22 for records and statistics to carry out the provisions of this section
23 shall provide the department with the information which may be gath-
24 ered by means including, but not limited to, questionnaires forwarded
25 to applicants for a license or renewal of a license.

1 SEC. 175. NEW SECTION. **Additional fee.** In addition to any
2 other fee provided by law, a fee may be set by the respective examin-
3 ing boards for each license and renewal of a license to practice medi-
4 cine, surgery, podiatry, osteopathy, osteopathic medicine and surgery,
5 chiropractic, nursing, dentistry, dental hygiene, optometry, pharmacy,
6 physical therapy, and veterinary medicine, which fee shall be based on
7 the annual cost of collecting information for use by the department of
8 health in the administration of the system of health manpower statist-
9 ics established by this Act. The fee shall be collected, transmitted
10 to the treasurer of state and deposited in the general fund of the state
11 in the manner in which license and renewal fees of the respective pro-
12 fessions are collected, transmitted, and deposited in the general fund.

1 SEC. 176. NEW SECTION. **Definitions.** As used in this Act, unless
2 the context otherwise requires:

3 1. "Board" means the Iowa board of landscape architectural exam-
4 iners established pursuant to section one hundred seventy-eight (178)
5 of this Act.

6 2. "Landscape architect" means a person who engages in the prac-
7 tice of landscape architecture as defined in this section.

8 3. The "practice of landscape architecture" means the performance
9 of professional services such as consultations, investigations, recon-
10 naissance, research, planning, design, or responsible supervision in con-
11 nection with projects involving the arranging of land and the elements
12 thereon for public and private use and enjoyment, including the align-
13 ment of roadways and the location of buildings, service areas, parking
14 areas, walkways, steps, ramps, pools, and other structures, and the
15 grading of the land, surface and subsoil drainage, erosion control,
16 planting, reforestation, and the preservation of the natural landscape
17 and aesthetic values, in accordance with accepted professional stand-
18 ards of public health, welfare, and safety. This practice shall include
19 the location and arrangement of such tangible objects and features as
20 are incidental and necessary to the purposes outlined in this Act but
21 shall not include the design of structures or facilities with separate
22 and self-contained purposes for habitation or industry, or the design
23 of public streets and highways, utilities, storm and sanitary sewers,
24 and sewage treatment facilities, such as are ordinarily included in the
25 practice of engineering or architecture; and shall not include the mak-
26 ing of land surveys or final land plats for official approval or recording.
27 Nothing contained in this Act shall preclude a licensed landscape
28 architect from performing any of the services described in this sec-
29 tion in connection with the settings, approaches or environment for
30 buildings, structures or facilities. Nothing contained in this Act shall
31 be construed as authorizing a landscape architect to engage in the
32 practice of architecture, engineering, or land surveying.

1 SEC. 177. NEW SECTION. **Registration required.** A person shall
2 not use the title of landscape architect or any title or device indicating
3 or representing in any manner that such person is a landscape architect
4 or is practicing landscape architecture unless such person is a regis-
5 tered landscape architect as provided in section one hundred eighty-six
6 (186) of this Act. Every holder of a registration certificate as a reg-
7 istered landscape architect shall display it in a conspicuous place in his
8 principal office.

1 SEC. 178. NEW SECTION. **Establishment of board.** There is es-
2 tablished a board of landscape architectural examiners which shall con-
3 sist of five members who are registered landscape architects and two
4 members who are not registered landscape architects and who shall
5 represent the general public. Members shall be appointed by the gov-
6 ernor, subject to the approval of two-thirds of the members of the
7 senate. A registered member shall be actively engaged in the practice
8 of landscape architecture or the teaching of landscape architecture in
9 an accredited college or university, and shall have been so engaged
10 for five years preceding his appointment, the last two of which shall
11 have been in Iowa. Professional associations or societies composed of
12 registered landscape architects may recommend the names of poten-
13 tial board members to the governor, but the governor shall not be
14 bound by the recommendations. A board member shall not be required
15 to be a member of any professional association or society composed of
16 professional landscape architects.

17 Appointments shall be for three-year terms and shall commence on
18 July first of the year in which the appointment is made. Vacancies
19 shall be filled for the unexpired term by appointment of the governor
20 and shall be subject to senate confirmation. Members shall serve no
21 more than three terms or nine years, whichever is less.

22 The initial five members of the board appointed by the governor as
23 registered landscape architects shall meet the qualifications prescribed
24 in this Act and shall become registered as landscape architects imme-
25 diately upon confirmation of their respective appointments without
26 examination.

1 SEC. 179. NEW SECTION. **Organization of the board—meetings—**
2 **quorum.** The board shall elect annually from its members a chairman,
3 vice chairman, and secretary. The duties of the officers shall be such
4 as are usually performed by such officers. The board shall hold at
5 least one meeting each year at the seat of government, and meetings
6 shall be called at other times by the secretary at the request of the
7 chairman or four members of the board. A majority of the members
8 shall constitute a quorum. No action at any meeting can be taken
9 without the affirmative votes of a majority of the members of the
10 board.

1 SEC. 180. NEW SECTION. **Duties.** The board shall enforce the pro-
2 visions of sections one hundred seventy-six (176) through one hun-
3 dred ninety-six (196) of this Act and may employ technical and clerical
4 assistants and incur such expense as may be necessary within the
5 limits of funds appropriated to the board. The board shall make rules
6 for the examination of applicants for the certificate of registration,
7 and shall, after public notice, conduct examinations of applicants for
8 registration. The board shall keep a record of its proceedings. The

9 board shall adopt and have an official seal which shall be affixed to all
10 certificates of registration granted and the board may make such other
11 rules, not inconsistent with law, necessary for the proper performance
12 of its duty. The board shall maintain a roster showing the name, place
13 of business and residence, and the date and number of the certificate
14 of registration of every registered landscape architect in this state.

1 SEC. 181. NEW SECTION. **Annual report.** Before the first day of
2 July of each year the board shall submit to the governor a report of
3 its transactions for the preceding year, together with a complete state-
4 ment of the receipts and expenditures of the board. This report shall
5 include the roster of registered landscape architects. A copy of this
6 report shall be filed with the secretary of state.

1 SEC. 182. NEW SECTION. **Compensation and expenses.** Members
2 of the board shall set their own per diem compensation at a rate not
3 exceeding forty dollars per day for the time actually spent in traveling
4 to and from, and in attending meetings of the board and its commit-
5 tees, and shall receive all necessary traveling and incidental expenses
6 incurred in the discharge of their duties within the limits of funds
7 appropriated to the board. Warrants for payments of expenses of
8 the board shall be issued by the state comptroller and paid by the
9 treasurer of state upon presentation of vouchers signed by the chair-
10 man or vice chairman and secretary and authorized by the board.

1 SEC. 183. NEW SECTION. **Examination.** The board shall con-
2 duct examinations of applicants for certificates of registration as land-
3 scape architects at least once each year, or, if there are sufficient ap-
4 plications, at such additional times as the board may deem necessary.
5 The examination shall determine the ability of the applicant to use
6 and understand the theory and practice of landscape architecture and
7 may be divided into such subjects as the board deems necessary. The
8 board shall determine the annual cost of administering the examina-
9 tions and shall set the fees accordingly. The public members of the
10 board shall not participate in administering or grading any portion of
11 the examination.

12 An applicant who has failed the examination may request in writ-
13 ing information from the board concerning his examination grade and
14 subject areas or questions which he failed to answer correctly, except
15 that if the board administers a uniform, standardized examination,
16 the board shall only be required to provide the examination grade and
17 such other information concerning the applicant's examination results
18 which are available to the board.

1 SEC. 184. NEW SECTION. **Applications.** Any person may apply
2 for a certificate of registration or may apply to take an examination
3 for such certification. Applications for registration shall be on forms
4 prescribed and furnished by the board, shall contain statements made
5 under oath, showing the applicant's education and detail summary of
6 his pertinent practical landscape architectural work and experience.
7 The board shall not require that a recent photograph of the applicant
8 be attached to the application form. An applicant shall not be inelig-
9 ible for registration because of age, citizenship, sex, race, religion, mar-
10 ital status, or national origin. The board may consider the past felony
11 record of an applicant only if the felony conviction relates directly to

12 the practice of landscape architecture. Character references may be
13 required but shall not be obtained from landscape architects. An
14 application for examination shall be accompanied by an examination
15 fee in the amount determined by the board. Each applicant for regis-
16 tration as a landscape architect shall meet one of the following re-
17 quirements:

18 1. Graduation from a course in landscape architecture in a school,
19 college, or university offering an accredited minimum four-year curric-
20 ulum in landscape architecture, and a minimum of three years of prac-
21 tical experience in landscape architectural work which in the opinion of
22 the board is of satisfactory character, at least one year of which must
23 be under the supervision of a registered landscape architect or a per-
24 son who becomes a registered landscape architect within one year after
25 the effective date of this Act.

26 2. Graduation from a nonaccredited course of landscape architecture
27 of a minimum of four years in a school, college or university and a
28 minimum of four years of practical experience in landscape architec-
29 tural work which in the opinion of the board is of satisfactory charac-
30 ter, at least one year of which must be under the supervision of a reg-
31 istered landscape architect or a person who becomes a registered land-
32 scape architect within one year after the effective date of this Act.

33 3. A minimum of ten years of practical experience in landscape
34 architectural work which in the opinion of the board is of satisfactory
35 character to properly prepare the applicant for the examination.

36 A satisfactorily completed year of study in an accredited course of
37 landscape architecture in an accredited school, college, or university
38 may be accepted in lieu of one year of practical experience.

39 A master's degree from an accredited school, college, or university
40 may be accepted in lieu of one year of practical experience.

41 Any four-year college or university degree may be accepted in lieu
42 of two years of practical experience.

1 SEC. 185. NEW SECTION. **Foreign registrants.** Any applicant who
2 holds a license or certificate to practice landscape architecture issued
3 to him upon examination by a board of examiners in any other state,
4 territory, or possession of the United States, the District of Columbia,
5 or of any foreign country, if the requirements for such license or cer-
6 tificate were, at the time it was issued, in the opinion of the board,
7 equal to or higher than the requirements of this state, may be regis-
8 tered without further examination.

1 SEC. 186. NEW SECTION. **Registration.** When an applicant has
2 complied with the application requirements of this Act and has passed
3 the examination to the satisfaction of a majority of the registered
4 members of the board, or is a foreign registrant and has qualified for
5 registration under this Act, and has paid the required registration fee,
6 the secretary shall enroll the applicant's name and address in the ros-
7 ter of registered landscape architects and issue to him a certificate of
8 registration, signed by the officers of the board.

1 SEC. 187. NEW SECTION. **Seal.** Every registered landscape ar-
2 chitect shall have a seal, approved by the board, which shall contain
3 the name of the landscape architect and the words "Registered Land-
4 scape Architect, State of Iowa", and such other words or figures as the
5 board may deem necessary. All landscape architectural plans and

6 specifications, prepared by such landscape architect or under the su-
7 pervision of such landscape architect, shall be dated and bear the legi-
8 ble seal of such registered landscape architect. Nothing contained in
9 this section shall be construed to permit the seal of a landscape archi-
10 tect to serve as a substitute for the seal of a licensed architect, a
11 licensed professional engineer or land surveyor whenever the seal of an
12 architect, engineer or land surveyor is required under the laws of this
13 state.

1 SEC. 188. NEW SECTION. **Renewals.** Certificates of registration
2 shall expire annually as determined by the board. Registered land-
3 scape architects shall renew their certificates of registration and pay a
4 renewal fee in the manner and amount prescribed by the board. A
5 person who fails to renew his certificate by the expiration date shall
6 be allowed to do so within thirty days following its expiration, but the
7 board may assess a reasonable penalty.

1 SEC. 189. NEW SECTION. **Fees.** The board shall set the fees for
2 a certificate of registration as a registered landscape architect, and for
3 renewal of a certificate. The fee for a certificate of registration and
4 for renewal of a certificate shall be based upon the administrative costs
5 of sustaining the board which shall include, but shall not be limited to,
6 the costs for:

- 7 1. Per diem, expenses, and travel for board members.
- 8 2. Office facilities, supplies, and equipment.
- 9 3. Clerical assistance.

10 All fees shall be collected by the secretary, paid to the treasurer of
11 state and deposited in the general fund of the state.

1 SEC. 190. NEW SECTION. **Suspension or revocation of certificate.**
2 The board may, by a five-sevenths vote of the entire board, suspend
3 for a period not exceeding two years, or revoke the certificate of reg-
4 istration of, or reprimand any registrant who is found guilty of:

- 5 1. Any fraud or deceit in obtaining a registration;
- 6 2. Any fraud or deceit in his practice;
- 7 3. Any gross negligence, incompetence, or misconduct in his prac-
8 tice; or
- 9 4. Who is found to have been convicted of any felony that would
10 affect his ability to practice landscape architecture.

1 SEC. 191. NEW SECTION. **Procedure.** Any person may file charges
2 with the board against a landscape architect or the board may initiate
3 charges. Such charges shall be in writing, sworn to if by a complain-
4 ant other than the board, and filed with the board. Unless the charges
5 are dismissed by the board as unfounded or trivial, the board shall hold
6 a hearing within sixty days after the date on which they are filed.
7 The board shall fix the time and place for such hearing and shall cause
8 a copy of the charges, together with a notice of the time and place fixed
9 for the hearing, to be served on the accused at least thirty days be-
10 fore the date fixed for the hearing. Where personal service cannot be
11 effected, service may be effected by publication. At such hearing, the
12 accused shall have the right to appear personally or by counsel, to
13 cross-examine witnesses against him, and to produce evidence and wit-
14 nesses in his defense. After the hearing, the board may suspend or
15 revoke the certificate of registration. The board may restore the cer-

16 tificate of registration to any person whose certificate of registration
 17 has been revoked. Application for the restoration of a certificate of
 18 registration shall be made in such manner, form and content as the
 19 board may prescribe.

1 SEC. 192. NEW SECTION. **Attorney general to assist and wit-**
 2 **nesses.** The board is entitled to the counsel and services of the attor-
 3 **ney general** or such assistants as he may so designate. The board may
 4 compel the attendance of witnesses, pay witness fees and mileage, and
 5 take testimony and affidavits and administer oaths concerning any
 6 matter within its jurisdiction.

1 SEC. 193. NEW SECTION. **Unlawful practice.** Any person who
 2 uses the words landscape architect or any word or any letters or figures
 3 indicating or tending to imply that the person using the same is a
 4 landscape architect, without having a valid certificate of registration
 5 as a landscape architect issued pursuant to this Act, is guilty of a
 6 misdemeanor and upon conviction may be sentenced to pay a fine of
 7 not more than five hundred dollars or be imprisoned for not more than
 8 three months, or be subject to both such fine and imprisonment.

1 SEC. 194. NEW SECTION. **Injunction.** In addition to any other
 2 remedies, and on the petition of the board or any person, any person
 3 violating any of the provisions of sections one hundred seventy-six
 4 (176) through one hundred ninety-six (196) of this Act may be re-
 5 strained and permanently enjoined from committing or continuing
 6 the violations.

1 SEC. 195. NEW SECTION. **Scope of Act.** Nothing contained in
 2 this Act shall be construed:

- 3 1. To apply to a professional engineer duly registered under the
 4 laws of this state.
- 5 2. To apply to an architect registered under the laws of this state.
- 6 3. To prevent a registered architect or professional engineer from
 7 doing landscape planning and designing.
- 8 4. To affect or prevent the practice of land surveying by a land sur-
 9 veyor registered under the laws of this state.
- 10 5. To apply to the business conducted in this state by any planner,
 11 agriculturist, soil conservationist, horticulturist, tree expert, arborist,
 12 forester, nurseryman or landscape nurseryman, gardener, landscape
 13 gardener, landscape contractor, garden or lawn caretaker, tiling con-
 14 tractor, grader or cultivator of land, golf course designer or contrac-
 15 tor, or similar business. However, such person shall not use the
 16 designation landscape architect or any title or device indicating or
 17 representing that such person is a landscape architect or is practicing
 18 landscape architecture unless such person is registered under the pro-
 19 visions of section one hundred eighty-six (186) of this Act.

1 SEC. 196. NEW SECTION. **Examination not required.** Any person
 2 who within one year after the effective date of this Act meets the
 3 application requirements of section one hundred eighty-four (184) of
 4 this Act shall upon application receive a certificate of registration
 5 without examination upon payment of the registration fee, provided
 6 that the practical experience in landscape architectural work need not
 7 have been under the supervision of a registered landscape architect but

8 shall be of such a nature as in the opinion of the board to satisfactorily qualify the applicant.

1 SEC. 197. Section four hundred ninety-six C point two (496C.2),
2 subsection one (1), Code 1973, is amended to read as follows:

3 1. "Profession" means the profession of certified public accountancy,
4 architecture, chiropractic, dentistry, professional engineering, land
5 surveying, *landscape architecture*, law, medicine and surgery, optom-
6 etry, osteopathy, osteopathic medicine and surgery, podiatry, or vet-
7 erinary medicine.

1 SEC. 198. Sections one hundred fourteen point five (114.5), one
2 hundred seventeen point seventeen (117.17), one hundred twenty point
3 five (120.5), one hundred forty-seven point fifteen (147.15), one hun-
4 dred forty-seven point seventeen (147.17), one hundred forty-seven
5 point twenty-seven (147.27), one hundred forty-seven point thirty-
6 one (147.31), one hundred forty-seven point thirty-eight (147.38),
7 one hundred forty-seven point fifty-six (147.56), one hundred forty-
8 seven point one hundred one (147.101), one hundred forty-seven point
9 one hundred fifteen (147.115), one hundred forty-seven point one
10 hundred seventeen (147.117), one hundred fifty-three point one
11 (153.1), one hundred fifty-three point two (153.2), one hundred fifty-
12 three point three (153.3), one hundred fifty-three point four (153.4),
13 one hundred fifty-three point five (153.5), one hundred fifty-three
14 point six (153.6), one hundred fifty-three point seven (153.7), one
15 hundred fifty-three point eight (153.8), one hundred fifty-three point
16 nine (153.9), one hundred fifty-three point ten (153.10), one hun-
17 dred fifty-three point eleven (153.11), one hundred fifty-three point
18 twelve (153.12), one hundred fifty-eight point eight (158.8), one hun-
19 dred sixty-nine point twenty-four (169.24), one hundred sixty-nine
20 point twenty-five (169.25), four hundred fifty-five B point fifty-four
21 (455B.54), six hundred ten point nine (610.9), and six hundred ten
22 point twelve (610.12), Code 1973, are repealed.

1 SEC. 199. The treasurer of state shall transfer to and deposit in
2 the general fund of the state any unencumbered balances as of June
3 30, 1975 in the following funds: Fund of the board of engineering ex-
4 aminers, funds carried to the credit of and subject to withdrawal by
5 the board of accountancy, fund of the board of architectural examiners,
6 watchmakers' fund, chiropractic examining board fund, state
7 board of medical examiners fund, nurses' fund, state board of dental
8 examiners fund, board of dentistry fund, state board of physical therapy
9 examiners fund, state board of optometry examiners fund, state
10 board of examiners for nursing home administrators fund, state board
11 of veterinary examiners fund, operators certification fund, and special
12 fund retained by the clerk of the supreme court.

1 SEC. 200. All terms of persons serving on examining boards on
2 July 1, 1974 shall terminate on June 30, 1975. The governor may extend
3 the term of any person whose term expires on June 30, 1974 until
4 June 30, 1975. Effective July 1, 1975 the governor shall appoint
5 members to all examining boards for terms commencing July 1, 1975
6 as follows:

7 1. For five member boards, the three licensed members shall serve
8 one-year, two-year and three-year terms respectively and the two pub-
9 lic members shall serve one-year and three-year terms respectively.

10 2. For seven member boards, two of the five licensed members
11 shall serve one-year terms, one shall serve a two-year term, and two
12 shall serve a three-year term respectively and the two public members
13 shall serve two-year and three-year terms respectively.

14 3. For the board of medical examiners, three members licensed to
15 practice medicine and surgery shall serve two-year terms, one shall
16 serve a one-year term, and one shall serve a three-year term; one
17 member licensed to practice osteopathic medicine and surgery shall
18 serve a one-year term and one shall serve a three-year term; one mem-
19 ber representing the general public shall serve a one-year term and one
20 shall serve a three-year term.

21 4. For the board of examiners for nursing home administrators,
22 two licensed nursing home administrators shall serve one-year terms,
23 one shall serve a two-year term, and one shall serve a three-year term;
24 one professional member shall serve a one-year term, one shall serve a
25 two-year term, and one shall serve a three-year term; one member
26 representing the general public shall serve a one-year term and one
27 shall serve a three-year term.

28 5. For the board of certification, the member who is a waterworks
29 operator shall serve a one-year term, the member who is a waste wa-
30 terworks operator shall serve a two-year term, the member who is em-
31 ployed by the department shall serve a three-year term, and one mem-
32 ber representing the general public shall serve a one-year term and one
33 member shall serve a three-year term.

34 6. The provisions of this section shall not be applicable to the board
35 of law examiners.

1 SEC. 201. The provisions of this Act shall become effective July
2 1, 1975 except for section two hundred (200) of this Act, which shall
3 become effective July 1, 1974.

1 SEC. 202. Since the various professional and occupational examin-
2 ing boards were required by House Concurrent Resolution 18 of the
3 Sixty-fifth General Assembly, 1973 Session, to submit to the general
4 assembly their recommendations concerning continuing education re-
5 quirements for their licensed, registered, or certified members, and the
6 recommendations were duly submitted to the Sixty-fifth General As-
7 sembly, 1974 Session, the legislative council is directed to establish a
8 study committee consisting of legislative members of both political
9 parties and both houses of the general assembly to study the recom-
10 mendations of the various professional and occupational licensing
11 boards which were submitted to the Sixty-fifth General Assembly,
12 1974 Session, and to make recommendations, accompanied by legisla-
13 tive bill drafts to implement the recommendations, to the legislative
14 council and the general assembly meeting in the year 1975.

Approved May 28, 1974