

CHAPTER 69
PUBLIC MEMBERS OF EXAMINING BOARDS

S. F. 390

AN ACT relating to the authority of public members of examining boards.

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

Section 1. Section one hundred fourteen point thirty-one (114.31), Code 1977, is amended to read as follows:

114.31 PUBLIC MEMBERS. The public members of the board shall not be allowed to participate in administering-or-grading any-portion-of-an-examination administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 2. Section one hundred fifteen point nineteen (115.19), Code 1977, is amended to read as follows:

115.19 PUBLIC MEMBERS. The public members of the board shall not be allowed to participate in administering-or-grading any-portion-of-an-examination administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 3. Section one hundred sixteen point three (116.3), subsection one (1), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

There is established a board of accountancy. The board of accountancy shall consist of seven members, five of whom shall be certified public accountants and two members who shall not be certified public accountants and who shall represent the general public. A certified member shall be actively engaged in practice as a certified public accountant and shall have been so engaged for five years preceding ~~his~~ appointment, the last two of which shall have been in Iowa. Professional associations or societies composed of certified public accountants may recommend the names of potential board members to the governor, but the governor shall not be bound by the recommendations. A board member shall not be required to be a member of any professional association or society composed of certified public accountants. Members shall be appointed by the governor, subject to the approval of two-thirds of the members of the senate. The term "board" as

used in this chapter means the board of accountancy established by this section. Within sixty days after July 1, 1975, the governor shall appoint the certified public accountant members of the board for terms as follows: Two members for a term ending June 30, 1976, and two members for a term ending June 30, 1977, one member for a term ending June 30, 1978. Within sixty days after July 1, 1975, the governor shall appoint the members representing the general public, one member for a term ending June 30, 1976 and one member for a term ending June 30, 1978. Upon the expiration of each of the terms and of each succeeding term, a successor shall be appointed for a term of three years. Members shall serve a maximum of three terms or nine years, whichever is less. Vacancies occurring in the membership of the board for any cause shall be filled in the same manner by the governor for the unexpired term and shall be subject to senate confirmation. The public members of the board of accountancy shall not be allowed to participate in ~~devising, administering or grading of examinations referred to in section 116.5~~ administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 4. Section one hundred seventeen point fifty-one (117.51), Code 1977, is amended to read as follows:

117.51 PUBLIC MEMBERS. The public members of the commission shall not be allowed to participate in ~~administering or grading any portion of an examination~~ administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 5. Section one hundred eighteen point twenty-six (118.26), Code 1977, is amended to read as follows:

118.26 PUBLIC MEMBERS. The public members of the board shall not be allowed to participate in ~~administering or grading any portion of an examination~~ administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 6. Section one hundred eighteen A point eight (118A.8), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

The board shall conduct examinations of applicants for certificates of registration as landscape architects -at least

once each year, or, if there are sufficient applications, at such additional times as the board may deem necessary. The examination shall determine the ability of the applicant to use and understand the theory and practice of landscape architecture and may be divided into such subjects as the board deems necessary. The board shall determine the annual cost of administering the examinations and shall set the fees accordingly. The public members of the board shall not be allowed to participate in administering-or-grading-any-portion-of-the-examination administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 7. Section one hundred twenty point sixteen (120.16), Code 1977, is amended to read as follows:

120.16 PUBLIC MEMBERS. The public members of the board shall not be allowed to participate in administering-or-grading any-portion-of-an-examination administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 8. Section one hundred thirty-five E point sixteen (135E.16), Code 1977, is amended to read as follows:

135E.16 PUBLIC MEMBERS. The public members of the board shall not be allowed to participate in administering-or-grading any-portion-of-an-examination administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 9. Section one hundred forty-seven point twenty-one (147.21), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

The public members of the board shall not be allowed to participate in administering-or-grading-any-portion-of-an examination administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 10. Section one hundred fifty-four A point five (154A.5), Code 1977, is amended to read as follows:

154A.5 PUBLIC MEMBERS. The public members of the board shall not be allowed to participate in administering-or-grading any-portion-of-an-examination, except that for the initial

~~examination-the-public-members-may-participate-in-administering and-grading-the-examination~~ administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 11. Section one hundred sixty-nine point fifty-five (169.55), Code 1977, is amended to read as follows:

169.55 PUBLIC MEMBERS. The public members of the board shall ~~not be allowed to participate in administering-or-grading any-portion-of-an-examination~~ administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

Sec. 12. Section six hundred ten point forty-eight (610.48), Code 1977, is amended to read as follows:

610.48 PUBLIC MEMBERS. The public members of the board ~~may shall be allowed to participate in the administration of-the-examination-and~~ administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers. The public members shall participate in the determination of whether or not each applicant meets the requisite character requirements. The public-members-shall-not-participate-in-the-grading-of-any-portion-of-the-examination-or-the-determination-of-whether-an-applicant-passed-or-failed-such-examination.

Approved June 29, 1977

CHAPTER 70 BARREL TAX REBATE

S. F. 394

AN ACT relating to the barrel tax rebate contained in chapter one hundred twenty-three (123) of the Code.

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

Section 1. Chapter one hundred twenty-three (123), division two (II), Code 1977, is amended by adding the following new section:

NEW SECTION. BARREL TAX REBATE.

1. Any class "A" permittee which owns and operates a