

seventy because of that person's age. This paragraph does not prohibit the following:

a. The involuntary retirement of a person who has attained the age of sixty-five and has for the two prior years been employed in a bona fide executive or high policy-making position and who is entitled to an immediate, nonforfeitable annual retirement benefit from a pension, profit-sharing, savings or deferred compensation plan of the employer which equals twenty-seven thousand dollars. This retirement benefit test may be adjusted according to the regulations prescribed by the United States secretary of labor pursuant to Public Law ninety-five dash two hundred fifty-six (95-256), section three (3).

b. The involuntary retirement of a person covered by a collective bargaining agreement which was entered into by a labor organization and was in effect on September 1, 1977. This exemption does not apply after the termination of that agreement or January 1, 1980, whichever first occurs.

NEW UNNUMBERED PARAGRAPH. A health insurance program provided by an employer may exclude coverage of abortion, except where the life of the mother would be endangered if the fetus were carried to term or where medical complications have arisen from an abortion.

NEW UNNUMBERED PARAGRAPH. An employee welfare plan may provide life, disability or health insurance benefits which vary by age based on actuarial differences if the employer contributes equally for all the participating employees or may provide for employer contributions differing by age if the benefits for all the participating employees do not vary by age.

Approved June 10, 1979

CHAPTER 36

ARSON INVESTIGATION

S. F. 339

AN ACT relating to investigation of arson and providing immunity and penalties.

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

Section 1. NEW SECTION. DEFINITIONS.

1. "Authorized agencies" means:
 - a. The state fire marshal.
 - b. The commissioner of public safety.
 - c. The county attorney responsible for prosecutions in the county where a fire occurs.
 - d. The attorney general.
 - e. The federal bureau of investigation or other federal agency requesting information on a fire loss.

f. The United States attorney's office when authorized or charged with investigation of a fire or prosecution for arson.

2. "Relevant information" means information having any tendency to make the existence of a fact that is of consequence to the investigation or determination of the issue more probable or less probable than it would be without the information.

3. "Insurance company" includes, but is not limited to, the Iowa fair plan and its member insurance companies.

Sec. 2. NEW SECTION. DISCLOSURE OF INFORMATION.

1. An authorized agency may, in writing, require an insurance company to release to the agency relevant information or evidence requested by the agency which the company has in its possession relating to a fire loss. Relevant information includes but is not limited to:

a. Insurance policy information relating to a fire loss under investigation including information on the policy application.

b. Policy premium payment records.

c. History of previous claims made by the insured.

d. Material relating to the investigation of the loss, including statements of any person, proof of loss, and other evidence relevant to the investigation.

2. When an insurance company has reason to believe that a fire loss insured by the company was caused by something other than an accident, the company shall, in writing, notify any authorized agency and provide it with all material possessed by the company relevant to an investigation of the fire loss or a prosecution for arson.

3. An authorized agency provided with information pursuant to this section may provide the information to any other authorized agency for purposes of an investigation of a fire loss or a prosecution for arson.

4. An insurance company providing information to an authorized agency pursuant to subsections one (1) and two (2) of this section may request information relevant to the fire loss investigation from an authorized agency and shall be given the information within a reasonable time not exceeding thirty days.

5. No civil action nor criminal prosecution may arise from any action taken pursuant to this section by an insurance company, a person acting in an insurance company's behalf, or an authorized agency, provided no malice is shown against the insured.

Sec. 3. NEW SECTION. CONFIDENTIALITY--SUBPOENA.

1. An authorized agency or insurance company which receives information furnished pursuant to section two (2) of this Act, shall hold the information in confidence until such time as its release is required pursuant to a criminal or civil proceeding.

2. An authorized agency or its personnel, may be subpoenaed to testify in litigation concerning a fire loss in which an insurance company is named as a party.

Sec. 4. NEW SECTION. PENALTY.

1. A person or agency who intentionally or knowingly refuses to release information requested pursuant to this Act is guilty of a simple misdemeanor.

2. A person who fails to hold in confidence information required to be held in confidence by section three (3) of this Act is guilty of a simple misdemeanor.

Sec. 5. NEW SECTION. CONCURRENT POWERS. The provisions of this Act do not affect or repeal an ordinance of a municipality relating to fire prevention or the control of arson, but the jurisdiction of the state fire marshal and the commissioner of public safety in the municipality is concurrent with that of the municipal and county authorities.

Sec. 6. If any provision of this Act is declared invalid the whole Act is void, and to this end the provisions of this Act are not severable.

Sec. 7. This Act is effective January first following its enactment.

Approved April 12, 1979

CHAPTER 37
LIQUEFIED NATURAL GAS

H. F. 257

AN ACT relating to the regulation of liquefied natural gas.

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

Section 1. Section one hundred one point one (101.1), Code 1979, is amended to read as follows:

101.1 RULES BY FIRE MARSHAL.

1. The state fire marshal is hereby empowered and directed to formulate and adopt and from time to time amend or revise and to promulgate, in conformity with and subject to the conditions set forth in this chapter, reasonable rules for the safe transportation, storage, handling and use of flammable liquids and, liquefied petroleum gases and liquefied natural gases.

PARAGRAPH DIVIDED.

2. For ~~purpose~~ purposes of this chapter:

PARAGRAPH DIVIDED.

a. "Flammable liquid" means a liquid having a flash point below 200 F. and a Reid vapor pressure not exceeding forty p.s.i. absolute.

PARAGRAPH DIVIDED.

b. "Liquefied petroleum gas" means material composed predominantly of any of the following hydrocarbons, or mixtures of the same: Propane, propylene, butanes (normal butane or isobutane) and butylenes.

c. "Liquefied natural gas" means a fuel in the liquid state composed predominantly of methane and which may contain minor quantities of ethane, propane, nitrogen, or other components normally found in natural gas.

Approved April 20, 1979