

CHAPTER 1020
OPEN CONTAINERS OF WINE
H.F. 2069

AN ACT prohibiting the transportation of an open container of wine in a motor vehicle and incorporating a penalty.

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

Section 1. Section 123.28, unnumbered paragraph 2, Code Supplement 1985, is amended to read as follows:

A person driving a motor vehicle shall not knowingly possess in a motor vehicle upon a public street or highway an open or unsealed bottle, can, jar, or other receptacle containing an alcoholic beverage, wine, or beer with the intent to consume the alcoholic beverage, wine, or beer while the motor vehicle is upon a public street or highway. Evidence that an open or unsealed receptacle containing an alcoholic beverage, wine, or beer was found during an authorized search in the glove compartment, utility compartment, console, front passenger seat, or any unlocked portable device and within the immediate reach of the driver while the motor vehicle is upon a public street or highway is evidence from which the court or jury may infer that the driver intended to consume the alcoholic beverage, wine, or beer while upon the public street or highway if the inference is supported by corroborative evidence. However, an open or unsealed receptacle containing an alcoholic beverage, wine, or beer may be transported at any time in the trunk of the motor vehicle or in some other area of the interior of the motor vehicle not designed or intended to be occupied by the driver and not readily accessible to the driver while the motor vehicle is in motion. A person convicted of a violation of this paragraph is guilty of a simple misdemeanor.

Approved March 18, 1986

CHAPTER 1021
PUBLIC EMPLOYEE'S LEAVE OF ABSENCE
S.F. 199

AN ACT relating to leaves of absence for a public employee who is a candidate for elective public office.

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

Section 1. Section 19A.18, unnumbered paragraph 8, Code 1985, is amended by striking the paragraph.

Sec. 2. Chapter 55, Code 1985, is amended by adding the following new section:

NEW SECTION. LEAVE OF ABSENCE FOR PUBLIC EMPLOYEE.

Any public employee who becomes a candidate for any elective public office shall, upon request of the employee and commencing any time within thirty days prior to a contested primary, special, or general election and continuing until after the day following that election, automatically be given a period of leave. If the employee is under chapter 19A, the employee may choose to use accrued vacation leave, accrued compensatory leave or leave without pay to cover these periods. The appointing authority may authorize other employees to use accrued vacation leave or accrued compensatory leave instead of leave without pay to cover these periods. An employee who is a candidate for any elective public office shall not campaign while on duty as an employee.

This section does not apply to employees of the federal government or to a public employee whose position is financed by federal funds if the application of this section would be contrary to federal law or result in the loss of the federal funds.

Sec. 3. Section 400.29, subsection 4, Code 1985, is amended by striking the subsection.

Sec. 4. This Act, being deemed of immediate importance, takes effect from and after its publication in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa, and in The Daily Nonpareil, a newspaper published in Council Bluffs, Iowa and is retroactive to May 3, 1986.

Approved March 20, 1986

I hereby certify that the foregoing Act, Senate File 199, was published in the Iowa City Press-Citizen, Iowa City, on March 26, 1986, and in The Daily Nonpareil, Council Bluffs, on March 27, 1986.

MARY JANE ODELL, *Secretary of State*

CHAPTER 1022
BOARD OF NURSING EXAMINERS
S.F. 432

AN ACT relating to the makeup of the board of nursing examiners.

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

Section 1. Section 147.14, subsection 3, Code Supplement 1985, is amended to read as follows:

3. For nursing examiners, one four registered nurse representing the colleges and universities, one registered nurse representing the hospital conducted schools of nursing, one registered nurse representing the area community and vocational technical nursing department, one registered nurse practitioner, nurses, one of whom shall be actively engaged in practice, three of whom shall be nurse educators from nursing education programs; of these one in higher education, one in diploma education, and one in area community and vocational technical registered nurse education; one licensed practical nurse practitioner, actively engaged in practice, and two members not registered nurses or licensed practical nurses and who shall represent the general public. The representatives of the general public shall not be members of health care delivery systems. A majority of the members of the board shall constitute constitutes a quorum.

Approved March 20, 1986

CHAPTER 1023
FINANCING OF POLITICAL CAMPAIGNS
S.F. 540

AN ACT relating to the financing of political campaigns and the reporting of that financing.

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

Section 1. Section 56.2, Code 1985, is amended by adding the following new subsection:
NEW SUBSECTION. "Consultant" means a person who provides or procures services for