

Sec. 4. Section 96.11, subsection 7, paragraph c, subparagraph (9), Code Supplement 1987, is amended by striking the subparagraph.

Sec. 5. 1987 Iowa Acts, chapter 222, section 10, is repealed.

Sec. 6. **APPLICABILITY.** Section 3 of this Act applies retroactively to contribution rates for calendar year 1988 and subsequent calendar years.

Sec. 7. **EFFECTIVE DATE.** Sections 3 and 6 of this Act, being deemed of immediate importance, take effect upon enactment.

Approved March 9, 1988

CHAPTER 1015

VIETNAM VETERANS MEMORIAL

S.F. 2089

AN ACT establishing the eligibility of Iowans for inclusion of their names on the Iowa Vietnam veterans memorial.

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

Section 1. Section 35A.6, Code 1987, is amended by adding the following new subsection:
NEW SUBSECTION. 4. Establish, by rule, the qualifications of Iowa veterans whose names are eligible for inclusion on the Iowa Vietnam veterans memorial. The qualifications adopted by the commission shall be the same qualifications, to the extent possible, as used for selecting veterans' names for inclusion on the national Vietnam veterans memorial in Washington, District of Columbia.

Approved March 15, 1988

CHAPTER 1016

WATER TREATMENT SYSTEMS

S.F. 2267

AN ACT relating to residential water treatment systems, incorporating a penalty, and providing effective dates.

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

Section 1. Section 714.16, subsection 1, Code Supplement 1987, is amended by adding the following new lettered paragraphs.

NEW LETTERED PARAGRAPH. h. "Water treatment system" means a device or assembly for which a claim is made that it will improve the quality of drinking water by reducing one or more contaminants through mechanical, physical, chemical, or biological processes or combinations of the processes. As used in this paragraph and in subsection 2, paragraph "h", each model of a water treatment system shall be deemed a distinct water treatment system.

NEW LETTERED PARAGRAPH. i. "Contaminant" means any particulate, chemical, microbiological, or radiological substance in water which has a potentially adverse health effect

and for which a maximum contaminant level (MCL) has been specified in the national primary drinking water regulations.

NEW LETTERED PARAGRAPH. j. "Label", as used in subsection 2, paragraph "h", means the written, printed, or graphic matter permanently affixed or attached to or printed on the water treatment system.

NEW LETTERED PARAGRAPH. k. "Manufacturer's performance data sheet" means a booklet, document, or other printed material containing, at a minimum, the information required pursuant to section 714.16, subsection 2, paragraph "h".

NEW LETTERED PARAGRAPH. l. "Seller", as used in subsection 2, paragraph "h", means the person offering the water treatment system for sale, lease, or rent.

NEW LETTERED PARAGRAPH. m. "Buyer", as used in subsection 2, paragraph "h", means the person to whom the water system is being sold, leased, or rented.

NEW LETTERED PARAGRAPH. n. "Consummation of sale" means completion of the act of selling, leasing, or renting.

NEW LETTERED PARAGRAPH. o. "Consumer information pamphlet" means a publication which explains water quality, health effects, quality expectations for drinking water, and the effectiveness of water treatment systems.

Sec. 2. Section 714.16, subsection 2, Code Supplement 1987, is amended by adding the following new lettered paragraphs:

NEW LETTERED PARAGRAPH. h. It is an unlawful practice for a person to sell, lease, rent, or advertise the sale, lease, or rental of a water treatment system in this state, for which claims or representations of removing health-related contaminants are made, unless the water treatment system:

(1) Has been performance tested by a third-party testing agency that has been authorized by the Iowa department of public health. The testing agency shall use approved methods of performance testing determined to be appropriate by the state hygienic laboratory.

(2) Has met the performance testing requirements specified in the testing protocol.

(3) Bears a conspicuous and legible label stating, "IMPORTANT NOTICE—Read the Manufacturer's Performance Data Sheet" and is accompanied by a manufacturer's performance data sheet.

The manufacturer's performance data sheet shall be given to the buyer and shall be signed and dated by the buyer and the seller prior to the consummation of the sale of the water treatment system. The manufacturer's performance data sheet shall contain information including, but not limited to:

(a) The name, address, and telephone number of the seller.

(b) The name, brand, or trademark under which the unit is sold, and its model number.

(c) Performance and test data including, but not limited, to the list of contaminants certified to be reduced by the water treatment system; the test influent concentration level of each contaminant or surrogate for that contaminant; the percentage reduction or effluent concentration of each contaminant or surrogate; where applicable, the maximum contaminant level (MCL) specified in the national primary drinking water regulations; where applicable, the approximate capacity in gallons; where applicable, the period of time during which the unit is effective in reducing contaminants based upon the contaminant or surrogate influent concentrations used for the performance tests; where applicable, the flow rate, pressure, and operational temperature of the water during the performance tests.

(d) Installation instructions.

(e) The recommended operational procedures and requirements necessary for the proper operation of the unit including, but not limited to, electrical requirements; maximum and minimum pressure; flow rate; temperature limitations; maintenance requirements; and where applicable, replacement frequencies.

(f) The seller's limited warranty.

(4) Is accompanied by the consumer information pamphlet compiled by the Iowa department of public health.

The consumer information pamphlet provided to the buyer of a water treatment system shall be compiled by the Iowa department of public health, reviewed annually, and updated as necessary. The consumer information pamphlet shall be distributed to persons selling water treatment systems and the costs of the consumer information pamphlet shall be borne by persons selling water treatment systems. The Iowa department of public health shall adopt rules pursuant to chapter 17A and charge all fees necessary to administer this section.

NEW LETTERED PARAGRAPH. i. It is an unlawful practice for a person to sell, lease, rent, or advertise the sale, lease, or rental of a water treatment system in this state for which false or deceptive claims or representations of removing health-related contaminants are made.

NEW LETTERED PARAGRAPH. j. It is an unlawful practice for a person to make any representation or claim that the seller's water treatment system has been approved or endorsed by any agency of the state.

Sec. 3. This Act takes effect July 1, 1988, except that the labeling requirements contained in section 714.16, subsection 2, paragraph "h" do not take effect until July 1, 1989.

However, currently available water treatment systems without testing protocols shall comply within one year after the establishment of the appropriate testing protocols but no later than July 1, 1990.

Approved March 29, 1988

CHAPTER 1017

FORECLOSURE MORATORIUM

S.F. 2061

AN ACT relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985, and providing for the retroactive applicability of the Act and an effective date.

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

Section 1. **FORECLOSURE MORATORIUM EXTENDED.** Notwithstanding section 654.15, subsection 2, the declaration of economic emergency made by the governor on October 1, 1985, is in effect until March 30, 1989. Any person eligible to file an application under section 654.15, subsection 2, must file for the continuance by March 30, 1989. Notwithstanding the provisions of the declaration of economic emergency made by the governor on October 1, 1985, real estate used for small business is eligible for a moratorium continuance.

Sec. 2. **REPEALS.**

1. 1986 Iowa Acts, chapter 1216, sections 11 and 12 are repealed.
2. 1987 Iowa Acts, chapter 81, section 1, is repealed.

Sec. 3. **APPLICABILITY AND EFFECTIVE DATE.**

1. If this Act is enacted on or after March 30, 1988, the Act is retroactive to March 30, 1988, and is applicable on and after that date.
2. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 29, 1988