

CHAPTER 76**RISK MANAGEMENT DIVISION ELIMINATED***H.F. 256*

AN ACT relating to the elimination of the risk management division of the department of general services.

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

Section 1. Section 18.3, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 10. Determining which risk exposures shall be self-insured or assumed by the state with respect to loss and loss exposures of state government.

Sec. 2. Section 18.6, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 11. In carrying out the requirements of section 64.6, the state may purchase an individual or a blanket surety bond insuring the fidelity of state officers. The department may self-assume or self-insure fidelity exposures for state officials and employees. A state official is deemed to have furnished surety if the official has been covered by a program of insurance or self-insurance established by the department. To the extent possible, all bonded state employees shall be covered under one or more blanket bonds or position schedule bonds.

Sec. 3. Section 18.12, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 14A. The management of state property loss exposures and state liability risk exposures shall be reviewed by the director for the capitol complex. Insurance coverage may include self-insurance or any type of insurance protection sold by insurers, including but not limited to, full coverage, partial coverage, coinsurance, reinsurance, and deductible insurance coverage.

Sec. 4. Section 18.115, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The state vehicle dispatcher is responsible for insuring motor vehicles owned by the state. Insurance coverage may be through a self-insurance program administered by the division or purchased from an insurer. If the determination is made to utilize a self-insurance program the vehicle dispatcher shall maintain loss and exposure data for the vehicles under the dispatcher's jurisdiction. Each agency shall provide to the division all requested motor vehicle loss and loss exposure information.

Sec. 5. Section 64.6, Code 1989, is amended to read as follows:

64.6 STATE OFFICERS — BONDS.

State officials are not required to obtain bonds, but may be covered under a blanket bond for state employees. The blanket bond purchases shall be made in an amount and with the level of assumption of risk by the state that is determined by the ~~risk management division~~ of the department of general services. The state shall pay the reasonable cost of bonds under this section.

Sec. 6. Section 304A.21, subsection 3, Code 1989, is amended to read as follows:

3. "Division Department" means the ~~division of risk management~~ of the department of general services.

Sec. 7. Section 304A.25, Code 1989, is amended to read as follows:

304A.25 REVIEW AND DETERMINATION AS TO QUALIFICATION FOR INDEMNITY COVERAGE.

1. Every application received by the administrator shall be submitted to the department of general services which, ~~through its division of risk management,~~ shall review the application and determine whether the applicant qualifies for indemnity coverage under this division. The criteria for qualification shall be prescribed by rule of the department of general services and shall include but are not limited to:

- a. Physical security of the applicant's exhibition facilities and of the means of transportation of the items.
 - b. Experience and qualifications of the applicant's director, curator, registrar or other staff.
 - c. Eligibility of the applicant's exhibition facilities for commercial insurance coverage of art objects and artifacts exhibited there.
 - d. Availability of proper equipment to protect art objects and artifacts from damage from extremes of temperature or humidity or exposure to glare, dust or corrosion.
2. The division department may consult with experts as necessary to carry out its duties under this section.
3. If the division of risk management of the department of general services is not staffed for risk management, the department shall utilize the services of a consultant in carrying out the division's department's duties under this chapter.

Sec. 8. Section 304A.29, subsection 1, Code 1989, is amended to read as follows:

1. Claims for losses covered by indemnity agreements under this division shall be submitted to the department of general services which, ~~through its division of risk management,~~ shall review the claims. If the division department determines that the loss is covered by the agreement, the division department shall certify the validity of the claim and authorize payment of the amount of loss, less any deductible portion, to the lender.

Sec. 9. Section 507D.3, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The commissioner of insurance is authorized to institute programs, order the institution of programs within the private sector, or to contract with or delegate authority to the ~~risk management division~~ of the department of general services for the institution of programs relating to insurance assistance including, but not limited to, the following:

Sec. 10. Sections 18.160 through 18.169, Code 1989, are repealed.

Approved May 1, 1989

CHAPTER 77

WASTE REDUCTION CENTER

H.F. 329

AN ACT relating to the name of and liabilities arising from activities of the small business assistance center at the University of Northern Iowa.

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

Section 1. Section 268.4, Code 1989, is amended to read as follows:

268.4 ~~SMALL BUSINESS ASSISTANCE IOWA WASTE REDUCTION CENTER FOR THE SAFE AND ECONOMIC MANAGEMENT OF SOLID WASTE AND HAZARDOUS SUBSTANCES.~~

1. The ~~small business assistance Iowa waste reduction center~~ for the safe and economic management of solid waste and hazardous substances is established at the University of Northern Iowa. The University of Northern Iowa, in cooperation with the department of natural resources, shall develop and implement a program which provides the following:

- a. Information regarding the safe use and economic management of solid waste and hazardous substances to small businesses which generate the substances.
- b. Dissemination of information to public and private agencies regarding state and federal solid waste and hazardous substances regulations, and assistance in achieving compliance with the regulations.