

3. After the original record is reproduced and after approval of a majority of the judges of the district court by court order, destroy the original records including, but not limited to, dockets, journals, scrapbooks, files, and marriage license applications. The order shall state the specific records which are to be destroyed. An original court file shall not be destroyed until ~~after ten years from the date a decree or judgment entry is signed and entered of record and after the contents have been reproduced, but if the matter is dismissed with prejudice before judgment or decree, the original file may be destroyed one year from the date of the dismissal and after its reproduction is authorized and completed as provided in this subsection.~~ As used in this subsection and subsection 4, "destroy" includes the transmission of the original records which are of general historical interest to any recognized historical society or association.

Approved May 15, 1989

CHAPTER 161

ALCOHOLIC BEVERAGES CONTROL

S.F. 118

AN ACT relating to the administration of the state's liquor control laws by the alcoholic beverages division of the department of commerce.

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

Section 1. Section 123.3, subsection 12, paragraph b, Code 1989, is amended by striking the paragraph.

Sec. 2. Section 123.22, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The division has the exclusive right of importation into the state of all forms of alcoholic liquor, except as otherwise provided in this chapter, and a person shall not import alcoholic liquor, except that an individual of legal age may import and have in the individual's possession an amount of alcoholic liquor not exceeding one ~~quart~~ liter or, in the case of alcoholic liquor personally obtained outside the United States, ~~one gallon~~ four liters for personal consumption only in a private home or other private accommodation. A distillery shall not sell alcoholic liquor within the state to any person but only to the division, except as otherwise provided in this chapter. This section vests in the division exclusive control within the state as purchaser of all alcoholic liquor sold by distilleries within the state or imported, except beer and wine, and except as otherwise provided in this chapter. The division shall receive alcoholic liquor on a bailment system for resale by the division in the manner set forth in this chapter. The division shall act as the sole wholesaler of alcoholic liquor to class "E" liquor control licensees.

Sec. 3. Section 123.27, subsection 2, Code 1989, is amended to read as follows:

2. On any legal holiday except those designated by the administrator ~~and approved by the executive council.~~

Sec. 4. Section 123.29, subsection 3, Code 1989, is amended by striking the subsection.

Sec. 5. Section 123.29, subsection 4, paragraph c, unnumbered paragraph 2, Code 1989, is amended to read as follows:

If the administrator is satisfied that the facts stated in such affidavit are true and that the applicant is a person fit and proper to be entrusted with the permit applied for, ~~if the permit shall be issued upon the filing by the applicant of a bond in the penal sum of two thousand~~

dollars, with approved sureties, conditioned that the applicant will faithfully observe the provisions of this chapter.

Sec. 6. Section 123.29, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. This section does not prohibit a member of the clergy of any church or denomination which uses vinous liquor in its sacramental ceremonies from purchasing, having shipped by interstate or intrastate common carrier, possessing, and using such vinous liquor for sacramental purposes.

Sec. 7. Section 123.32, subsection 3, Code 1989, is amended to read as follows:

3. ACTION BY ADMINISTRATOR AND DEPARTMENT OF INSPECTIONS AND APPEALS. Upon receipt of an application having been disapproved by the local authority, the administrator shall disapprove the application, so notify the applicant by registered certified mail, and return the fee and any bond to the applicant. Upon receipt of an application having been approved by the local authority, the department of inspections and appeals division shall make such investigation as the administrator deems necessary and may require the applicant to appear before the department of inspections and appeals and to be examined under oath regarding any matters pertinent to the application, in which case a record shall be made of all testimony or evidence and the same shall become a part of the application. The administrator may appoint a member of the division or may request the department of inspections and appeals to receive the testimony under oath and evidence. If the application is approved by the administrator, the license or permit applied for shall be issued. If the application is disapproved by the administrator, the applicant and the appropriate local authority shall be so notified by restricted certified mail, and the fee and any bond returned to the applicant.

Sec. 8. Section 123.180, subsection 2, Code 1989, is amended to read as follows:

2. At the time of applying for a vintner's certificate of compliance, each applicant shall file with the division a list of all class "A" wine permittees with whom it intends to do business and shall designate the geographic area in which its products are to be distributed by the permittees. Vintner's certificate holders may appoint more than one class "A" wine permittee to service the same geographic territory. The listing of class "A" wine permittees and geographic areas as filed with the division may be amended from time to time by the holder of the certificate of compliance.

Sec. 9. Section 455C.4, subsection 3, Code 1989, is amended to read as follows:

3. A dealer or a distributor may not refuse to accept and to pay the refund value of an empty wine or alcoholic liquor container which is marked to indicate that it was sold by a state liquor store. The alcoholic beverages division shall not reimburse a dealer or a distributor the refund value on an empty wine or alcoholic liquor container which is marked to indicate that the container was sold by a state liquor store.

Approved May 15, 1989

CHAPTER 162

SENIOR JUDGES' BENEFITS

S.F. 459

AN ACT relating to payment of a senior judge's medical insurance premium and annuity.

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

Section 1. Section 602.9203, subsection 2, paragraph b, Code 1989, is amended to read as follows: