

shall not be weighed on any scale other than a livestock scale or pit type scale. An electronic pitless scale shall be placed on concrete footings with concrete floor. After approval by the department, the specifications for a commercial weighing and measuring device shall be furnished to the purchaser of the device by the manufacturer. The approval shall be based upon the recommendation of the United States national institute of standards and technology.

Sec. 2. Section 215.23, Code 1989, is amended to read as follows:

**215.23 SERVICER'S LICENSE.**

A servicer shall not install, service, or repair a commercial weighing or measuring device until the servicer has demonstrated that the servicer has available adequate testing equipment, and that the servicer possesses a working knowledge of all devices the servicer intends to install or repair and of all appropriate weights, measures, statutes, and rules, as evidenced by passing a qualifying examination to be conducted by the department and obtaining a license. The secretary of agriculture shall establish by rule pursuant to chapter 17A, requirements for and contents of the examination. In determining these qualifications, the secretary shall consider the specifications of the United States national bureau institute of standards and technology, handbook forty-four, "specifications, tolerances, and technical requirements for commercial weighing and measuring devices", or the current successor or equivalent specifications adopted by the United States national institute of standards and technology. The secretary shall require an annual license fee of not more than five dollars for each license. Each license shall expire one year from date of issuance.

Sec. 3. **CHANGE OF NAME.**

1. Sections 100.19 and 213.2, Code 1989, are amended by striking from the sections the words "national bureau of standards" and inserting in lieu thereof the words "United States national institute of standards and technology".

2. Section 210.1, Code 1989, is amended by striking from the section the words "federal bureau of standards" and inserting in lieu thereof the words "United States national institute of standards and technology", and by striking from the section the words "said bureau" and inserting in lieu thereof the words "the institute".

3. Sections 215.18 and 409.31, Code 1989, are amended by striking from the sections the words "United States bureau of standards" or "U. S. bureau of standards" and inserting in lieu thereof the words "United States national institute of standards and technology".

Sec. 4.

This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 26, 1990

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## CHAPTER 1046

### WORKERS' COMPENSATION OPTIONS FOR OFFICIALS

*S.F. 2155*

**AN ACT** relating to the computation of workers' compensation benefits for elected and appointed officials.

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

Section 1. Section 85.36, Code 1989, is amended by adding the following new subsection: **NEW SUBSECTION. 12.** In computing the compensation to be allowed an elected or appointed official, the official may choose either of the following payment options:

a. The official shall be paid an amount of compensation based on the official's weekly earnings as an elected or appointed official.

b. The earnings of the official as an elected or appointed official shall be disregarded and the official shall be paid an amount equal to one hundred forty percent of the statewide average weekly wage.

Sec. 2.

This Act applies to personal injuries arising out of and in the course of employment sustained or incurred on or after the effective date of this Act.

Approved March 26, 1990

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## CHAPTER 1047

### IOWA LOGO AUTHORIZATION – IMMUNITY FROM LIABILITY

S.F. 2252

AN ACT relating to the Iowa logo program and the use of the logo.

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

Section 1. Section 15.108, subsection 2, paragraph b, Code Supplement 1989, is amended to read as follows:

b. Aid in the marketing and promotion of Iowa products and services. The department may adopt, subject to the approval of the board, a label or trademark identifying Iowa products and services together with any other appropriate design or inscription and this label or trademark shall be registered in the office of the secretary of state. In authorizing the use of a marketing label or trademark to an applicant, the state, and any state agency, official, or employee involved in the authorization, is immune from a civil suit for damages, including but not limited to a suit based on contract, breach of warranty, negligence, strict liability, or tort. Authorization of the use of a marketing label or trademark by the state, or any state agency, official, or employee, is not an express or implied guarantee or warranty concerning the safety, fitness, merchantability, or use of the applicant's product or service. This paragraph does not create a duty of care to the applicant or any other person.

Approved March 26, 1990

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## CHAPTER 1048

### LIST OF CERTIFIED OPHTHALMIC DISPENSERS – REQUIREMENT DELETED

S.F. 2257

AN ACT relating to the distribution of lists of certified ophthalmic dispensers.

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

Section 1. Section 153A.7, Code 1989, is amended to read as follows:  
153A.7 RECORD.

The department shall enter the name, location, number of years of practice of the person to whom the certificate as an ophthalmic dispenser is issued, the number of the certificate,