

chapter 147 or 150A. The allowable charges under this subsection shall not exceed five hundred dollars per person or a total of two thousand dollars per victim death.

Sec. 14. Section 912.7, Code 1991, is amended to read as follows:

912.7 REDUCTIONS AND DISQUALIFICATIONS.

~~Reparations are~~ Compensation is subject to reduction and disqualification as follows:

1. ~~A reparation~~ Compensation shall be reduced by the amount of any payment received, or to be received, as a result of the injury or death:

a. From or on behalf of, a person who committed the crime or who is otherwise responsible for damages resulting from the crime.

b. From an insurance payment or program, including but not limited to workers' compensation or unemployment compensation.

c. From public funds.

d. As an emergency award under section 912.11.

2. ~~A reparation~~ Compensation shall not be made when the bodily injury or death for which a benefit is sought was caused by any of the following:

a. Consent, provocation, or incitement by the victim.

b. The victim assisting, attempting, or committing a criminal act.

Sec. 15. Section 912.11, Code 1991, is amended to read as follows:

912.11 EMERGENCY PAYMENT ~~REPARATION~~ COMPENSATION.

If the department determines that ~~reparation~~ compensation may be made and that undue hardship may result to the person if partial immediate payment is not made, the department may order ~~an emergency reparation~~ compensation to be ~~made~~ paid to the person, not to exceed five hundred dollars.

Sec. 16. Sections 13.31, 809.17, 910.1, 910A.6, 911.1, 912.2, 912.3, 912.5, 912.8, 912.9, 912.10, and 912.12, Code 1991, are amended by striking the words "reparation", "reparations", and "a reparation", and inserting in lieu thereof the word "compensation".

Approved May 17, 1991

CHAPTER 182

EMERGENCY ASSISTANCE BY VOLUNTEERS

H.F. 596

AN ACT relating to the liability of certain persons rendering emergency care or assistance in good faith.

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

Section 1. Section 613.17, Code 1991, is amended to read as follows:

613.17 EMERGENCY ASSISTANCE IN AN ACCIDENT.

Any A person, who in good faith renders emergency care or assistance without compensation shall not be liable for any civil damages for acts or omissions occurring at the place of an emergency or accident or while the person is in transit to or from the emergency or accident or while the person is at or being moved to or from an emergency shelter unless such acts or omissions constitute recklessness. For purposes of this section, if a volunteer fire fighter, a volunteer operator or attendant of an ambulance or rescue squad service, a volunteer paramedic, or a volunteer emergency medical technician, or a volunteer registered member of the national ski patrol system receives nominal compensation not based upon the value of the

services performed, that person shall be considered to be receiving no compensation. The operation of a motor vehicle in compliance with section 321.231 by a volunteer fire fighter, volunteer operator, or attendant of an ambulance or rescue squad service, a volunteer paramedic, or volunteer emergency medical technician shall be considered rendering emergency care or assistance for purposes of this section.

Approved May 17, 1991

CHAPTER 183

MARKETABLE TITLE OF REAL ESTATE AND LAPSE OF CERTAIN MINERAL INTERESTS

H.F. 618

AN ACT relating to real estate, by providing for the marketable title of real estate and the lapse of stale mineral interests in coal.

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

Section 1. Section 331.602, Code 1991, is amended by adding the following new subsection:
NEW SUBSECTION. 35A. Record a statement of claim provided in chapter 557C relating to mineral interests in coal.

Sec. 2. **NEW SECTION. 557C.1 LAPSE OF MINERAL INTERESTS IN COAL — PREVENTION.**

A mineral interest in coal shall be extinguished twenty years after its creation, transfer, or preservation, unless a statement of claim is filed in accordance with section 557C.3, and the ownership shall revert to the person who was then the owner of the interest from which the mineral interest in coal was created, transferred, or preserved. Upon the filing of a statement of claim within the specified period, the mineral interest shall be deemed to have been preserved for an additional period of twenty years, or a shorter period as may be specified in the instrument creating the interest.

Sec. 3. **NEW SECTION. 557C.2 MINERAL INTEREST — DEFINITION.**

A mineral interest in coal means an interest created by an instrument which creates or transfers either by grant, assignment, reservation, or otherwise, an interest of any kind in coal, as described in chapter 83, without limitation on the manner of mining the coal.

Sec. 4. **NEW SECTION. 557C.3 STATEMENT OF CLAIM — FILING — REQUIREMENTS.**

The statement of claim provided in section 557C.1 shall be filed by the owner of the mineral interest in coal prior to the end of the twenty-year period set forth in section 557C.1 or by July 1, 1994, whichever is later. The statement of claim shall contain the name and address of the owner of the mineral interest in coal, and a description of the real estate on, or under, which the mineral interest in coal is located. The statement of claim shall be filed in the office of the recorder in the county in which the real estate is located.

Sec. 5. **NEW SECTION. 557C.4 STATEMENT OF CLAIM — FILING — RECORDER'S DUTY.**

Upon the filing of the statement of claim provided for in section 557C.3 in the recorder's office for the county where the real estate on, or under, which the mineral interest in coal exists, is located, the recorder shall record the statement of claim and index it in the claimant's book.