

Sec. 3. LICENSING STANDARDS. The board of educational examiners, in consultation with an Iowa association of deaf persons which is familiar with and regularly uses American sign language, shall adopt rules which shall be effective no later than January 1, 1992, and which set standards for the licensing or license endorsement of practitioners who teach American sign language. Standards adopted shall include, but are not limited to, minimum teacher preparation requirements and grade levels of instruction.

Sec. 4. REGENTS STUDY. The state board of regents, in conjunction with the board of educational examiners and the department of education, shall conduct a study of the use of and instruction in American sign language. The study shall include, but is not limited to, development of core courses to prepare individuals to teach American sign language in accredited schools, development of standards for crediting secondary school course work in American sign language toward foreign language college entrance requirements, and development of college-level instruction in and relating to American sign language. In conducting the study and developing recommendations, the state board of regents, the board of educational examiners, and the department of education shall consult with an Iowa association of deaf persons which is familiar with and regularly uses American sign language. The state board of regents shall report the results of the study, along with any recommendations, to the General Assembly by January 1, 1992.

Approved May 22, 1991

CHAPTER 194

TELECOMMUNICATIONS SERVICES FOR THE DEAF AND THE BLIND

S.F. 318

AN ACT creating a statewide dual party relay service system, establishing telephone utility assessments, and authorizing distribution of telecommunications devices to the deaf.

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

Section 1. NEW SECTION. 477C.1 DUAL PARTY RELAY SERVICE – PURPOSE.

The general assembly finds that the provision of a statewide dual party relay service will further the public interest and protect the health, safety, and welfare of the people of Iowa through an increase in the usefulness and availability of the telephone system. Many deaf, hearing-impaired, and speech-impaired persons are not able to utilize the telephone system without this type of service. Therefore, it is the purpose of this chapter to enable the orderly development, operation, promotion, and funding of a statewide dual party relay service.

Sec. 2. NEW SECTION. 477C.2 DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Board" means the utilities board within the department of commerce created in section 474.1.
2. "Communication impairment" means the inability to use the telephone for communication without a telecommunications device for the deaf.
3. "Council" means the dual party relay council established in section 477C.5.
4. "Dual party relay service" or "relay service" means a communication service which provides communication-impaired persons access to the telephone system functionally equivalent to the access available to persons not communication-impaired.
5. "Telecommunications device for the deaf" means any specialized or supplemental telephone equipment used by communication-impaired persons to provide access to the telephone system.

Sec. 3. NEW SECTION. 477C.3 DUAL PARTY RELAY SERVICE.

With the advice of the council, the board shall plan, establish, administer, and promote a statewide program to provide dual party relay service as follows:

1. The board may enter into the necessary contracts and arrangements with private entities to provide for the delivery of relay service.
2. The relay service, to the extent reasonably possible, shall allow persons with communication impairments to use the telephone system in a manner and at a rate equivalent to persons without communication impairments.
3. The relay service may be provided on a stand-alone basis within the state, with other states, or with telephone utilities providing relay service in other states.
4. The board may employ additional personnel, pursuant to section 476.10, to plan, establish, administer, and promote the relay service.

Sec. 4. NEW SECTION. 477C.4 TELECOMMUNICATIONS SERVICES FOR THE DEAF.

With the advice of the council, the board may plan, establish, administer, and promote a program to secure, finance, and distribute telecommunications devices for the deaf. The board may establish eligibility criteria for persons to receive telecommunications devices for the deaf, including, but not limited to, requiring certification that the recipient cannot use the telephone for communication without a telecommunications device for the deaf.

Sec. 5. NEW SECTION. 477C.5 DUAL PARTY RELAY SERVICE COUNCIL.

1. A dual party relay service council is established, consisting of eleven members appointed by the board. The council shall advise the board on all matters concerning relay service and equipment distribution programs.
2. The council shall consist of:
 - a. Six consumers who have communication impairments.
 - b. Two representatives from telephone companies.
 - c. One representative from the division of deaf services of the department of human rights.
 - d. One representative from the office of the consumer advocate of the department of justice.
 - e. One member of the board or a designee of the board.
3. Council members who are not state or local government officers or employees shall be reimbursed for their necessary and actual expenses incurred in performance of their duties and shall receive a per diem of fifty dollars when the council is meeting, payable from moneys available to the board pursuant to section 477C.7.

Sec. 6. NEW SECTION. 477C.6 BUDGET.

The board shall review and approve the proposed annual budget of the relay service program authorized in section 477C.3 and the equipment distribution program authorized in section 477C.4.

Sec. 7. NEW SECTION. 477C.7 FUNDING.

The board shall impose an annual assessment to fund the programs upon all telephone utilities providing service in the state as follows:

1. The total assessment shall be allocated one-half to local exchange telephone utilities and one-half to the following telephone utilities:
 - a. Interexchange carriers.
 - b. Centralized equal access providers.
 - c. Alternative operator services companies.
2. The assessment shall be levied upon revenues from all intrastate regulated, deregulated services, and exempt telephone services under section 476.1.
3. The telephone utilities shall remit the assessed amounts quarterly to a special fund, as defined under section 8.2, subsection 9. The moneys in the fund are appropriated solely to plan, establish, administer, and promote the relay service and equipment distribution programs.
4. The telephone utilities subject to assessment shall provide the information requested by the board necessary for implementation of the assessment.

5. The local exchange telephone utilities shall not recover from intrastate access charges any portion of such utilities assessment imposed under this section.

Sec. 8. Section 601L.3, Code 1991, is amended by adding the following new subsection:
NEW SUBSECTION. 14. Develop a plan to provide telephone yellow pages information without charge to persons declared to be blind under the standards in section 422.12, subsection 1, paragraph "e". The department may apply for federal funds to support the service. The program shall be limited in scope by the availability of funds.

Approved May 22, 1991

CHAPTER 195

RACING — POSSESSION OF DEVICES FOR USE ON HORSES OR DOGS

H.F. 353

AN ACT relating to the possession or use of a device or appliance to stimulate or depress a race horse or dog and providing penalties.

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

Section 1. Section 99D.24, subsection 5, paragraph a, Code 1991, is amended to read as follows:

a. Uses, ~~possesses~~, or conspires to use or ~~possess~~ a ~~battery, buzzer, electrical, mechanical or other appliance~~ device other than the ordinary whip or spur for the purpose of stimulating or depressing a horse or dog ~~or affecting its speed in~~ during a race or workout.

Approved May 22, 1991

CHAPTER 196

SPECIAL TAX PROVISIONS FOR CERTAIN MILITARY AND OTHER PERSONNEL

H.F. 489

AN ACT relating to providing additional state income tax filing time periods for certain military personnel, exempting from taxation income of persons killed in a combat zone or while serving overseas, exempting from taxation active duty military pay of certain national guard personnel and armed forces reserve personnel, and providing a retroactive applicability date and an effective date.

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

Section 1. Section 422.5, Code 1991, is amended by adding the following new subsection:
NEW SUBSECTION. 10. If an individual's federal income tax was forgiven for a tax year under section 692 of the Internal Revenue Code, because the individual was killed while serving in an area designated by the president of the United States or the United States Congress as a combat zone, the individual was missing in action and presumed dead, or the individual was killed outside the United States in a terroristic or military action while the individual was a military or civilian employee of the United States, the individual's Iowa income tax is also forgiven for the same tax year.