

Sec. 2. This Act, being deemed of immediate importance, takes effect upon enactment and is applicable retroactively to January 1, 1990, for tax years beginning in the 1990 calendar year.

Approved May 28, 1991

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## CHAPTER 207

### PERMITS TO CARRY WEAPONS — FEES

*S.F. 535*

**AN ACT** relating to increasing the fees for issuance or replacement or renewal of a permit to carry weapons.

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

Section 1. Section 724.11, Code 1991, is amended to read as follows:

#### 724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.

Applications for permits to carry weapons shall be made to the sheriff of the county in which the applicant resides. Applications from persons who are nonresidents of the state, or whose need to go armed arises out of employment by the state, shall be made to the commissioner of public safety. In either case, the issuance of the permit shall be by and at the discretion of the sheriff or commissioner, who shall, before issuing the permit, determine that the requirements of sections 724.6 to 724.10 have been satisfied. However, the training program requirements in section 724.9 may be waived for renewal permits. The issuing officer shall collect a fee of ~~five~~ ten dollars, except from a duly appointed peace officer or correctional officer, for each permit issued. Renewal permits or duplicate permits shall be issued for a fee of ~~two~~ five dollars. The issuing officer shall notify the commissioner of public safety of the issuance of any permit at least monthly and forward to the director an amount equal to two dollars for each permit issued and one dollar for each renewal or duplicate permit issued. All such fees received by the commissioner shall be paid to the treasurer of state and deposited in the operating account of the department of public safety to offset the cost of administering this chapter. Any unspent balance as of June 30 of each year shall revert to the general fund as provided by section 8.33.

Approved May 28, 1991

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## CHAPTER 208

### LEGALIZATION OF PLEASANT VALLEY SCHOOL LEVY

*S.F. 544*

**AN ACT** to legalize the proceedings of the board of directors of the Pleasant Valley Community School District concerning voter approval of the levy of a physical plant and equipment tax and the inclusion of funds raised through the levy in the district's budget, and providing an effective date.

WHEREAS, in 1989 during its First Regular Session, the Seventy-third General Assembly enacted legislation which is now included in chapter 298 of the Code of Iowa, to authorize a

physical plant and equipment levy to be used as an alternative to the schoolhouse fund levy then authorized under chapter 278 of the Code of Iowa; and

WHEREAS, the legislation authorizing the physical plant and equipment levy did not take effect until July 1, 1990, for the purpose of computations required for payment of state aid to and levying of property taxes by school districts for the budget year beginning July 1, 1991; and

WHEREAS, the Pleasant Valley Community School District's ten-year schoolhouse fund levy was to expire in September of 1990; and

WHEREAS, on July 17, 1989, the board of directors of the Pleasant Valley Community School District adopted a resolution to submit a proposition to the voters for the levy of a physical plant and equipment tax for a ten-year period; and

WHEREAS, the proposition was included on the ballot for the regular school election held on September 12, 1989, and was approved by the voters; and

WHEREAS, a question has arisen as to whether the timing of the levy was one year premature under the legislation authorizing the physical plant and equipment levy, and it is deemed advisable to remove forever such doubts as to the validity of the board's resolution, approval of the levy, and the budgeting of funds raised by the levy; NOW THEREFORE,

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

Section 1. All proceedings taken by the board of directors of the Pleasant Valley Community School District relating to the 1989 board resolution and all actions pertaining to voter approval of the physical plant and equipment tax levy are hereby legalized and constitute a legal schoolhouse fund levy for the school year beginning July 1990, and constitute a legal and binding physical plant and equipment levy for nine consecutive years commencing with the school year beginning July 1991.

Sec. 2. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved May 28, 1991

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## CHAPTER 209

### MOTOR CARRIERS — WORKERS' COMPENSATION INSURANCE PROVISIONS

*S.F. 550*

**AN ACT** relating to transportation provided by motor carriers.

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

Section 1. Section 85.61, subsection 13, paragraph c, Code 1991, is amended to read as follows:

c. An owner-operator who, as an individual or partner, or shareholder of a corporate owner-operator, owns a vehicle licensed and registered as a truck, road tractor, or truck tractor by a governmental agency, is an independent contractor while performing services in the operation of the owner-operator's vehicle if all of the following conditions are substantially present:

- (1) The owner-operator is responsible for the maintenance of the vehicle.
- (2) The owner-operator bears the principal burden of the vehicle's operating costs, including fuel, repairs, supplies, collision insurance, and personal expenses for the operator while on the road.
- (3) The owner-operator is responsible for supplying the necessary personnel to operate the vehicle, and the personnel are considered the owner-operator's employees.