

CHAPTER 1161
LEAD ABATEMENT AND INSPECTION
S.F. 2301

AN ACT relating to lead abatement and inspection, training and certification requirements, providing penalties, and providing a contingent effective date.

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

Section 1. NEW SECTION. 135.105A LEAD INSPECTOR AND LEAD ABATER TRAINING AND CERTIFICATION ESTABLISHED.

1. The department shall establish a program for the training and certification of lead inspectors and lead abaters who provide inspections and abatement for monetary compensation. The department shall maintain a listing, available to the public and to city and county health departments, of lead inspectors and lead abaters who have successfully completed the training program and have been certified by the department. A person may be certified as both a lead inspector and a lead abater. However, a person who is certified as both a lead inspector and as a lead abater shall not provide both inspection and abatement services at the same site unless a written consent or waiver, following full disclosure by the person, is obtained from the owner or manager of the site.

2. The department shall also establish a program for the training of painting, demolition, and remodeling contractors and those who provide mitigation control services for monetary compensation. The training shall be completed on a voluntary basis.

3. A person who owns or manages real property is not required to obtain certification to perform mitigation control or abatement measures of property which the person owns or manages. However, the department shall encourage property owners and managers to complete the training course to ensure the use of appropriate and safe mitigation and abatement procedures.

4. A person shall not perform lead abatement or lead inspections for compensation unless the person has completed a training program approved by the department and has obtained certification. A person who violates this section is subject to a civil penalty not to exceed five thousand dollars for each offense.

Sec. 2. NEW SECTION. 135.105B VOLUNTARY GUIDELINES – HEALTH AND ENVIRONMENTAL MEASURES – CONFIRMED CASES OF LEAD POISONING.

1. The department may develop voluntary guidelines which may be used to develop and administer local programs to address the health and environmental needs of children who are confirmed as lead poisoned.

2. The voluntary guidelines may be based upon existing local ordinances that address the medical case management of children's health needs and the mitigation of the environmental factors which contributed to the lead poisoning.

3. Following development of the voluntary guidelines, cities or counties may elect to utilize the guidelines in developing and administering local programs through city or county health departments on a city, county, or multicounty basis or may request that the state develop and administer the local program. However, cities and counties are not required to develop and administer local programs based upon the guidelines.

Sec. 3. ADOPTION OF RULES. The department shall adopt rules regarding training, certification, suspension, and revocation requirements and shall implement the training and certification program established in section 135.105A. The department shall seek federal funding and shall establish fees in amounts sufficient to defray the costs of the training and certification program.

Sec. 4. CONTINGENT EFFECTIVE DATE. This Act takes effect only after the department obtains certification from the United States environmental protection agency as an

accredited program to train and certify lead inspectors and abaters. However, the department may establish a temporary program for the voluntary certification of lead inspectors and lead abaters during the period prior to obtaining certification as an accredited program from the United States environmental protection agency.

Approved April 24, 1996

CHAPTER 1162

ACCESS TO LIST OF INTERPRETERS - DEAF AND HARD OF HEARING S.F. 2321

AN ACT relating to the nonconfidentiality of information regarding the qualifications of interpreters for the deaf services division of the department of human rights.

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

Section 1. Section 622B.4, Code 1995, is amended to read as follows:
622B.4 LIST.

The division of deaf services of the department of human rights shall prepare and continually update a listing of qualified and available interpreters. The courts and administrative agencies shall maintain a directory of qualified interpreters for deaf and hard-of-hearing persons as furnished by the department of human rights. The division of deaf services shall maintain ~~information on the qualifications a list of interpreters, which information is confidential except~~ which shall be made available to a court, administrative agency, or interested parties to an action using the services of an interpreter.

Approved April 24, 1996

CHAPTER 1163

JUROR AND WITNESS FEES AND EXPENSES S.F. 2207

AN ACT relating to the reimbursement of jurors and witnesses for transportation and mileage expenses.

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

Section 1. Section 607A.3, Code 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. "Disabled" means a person who is not physically able to operate a motor vehicle or use public transportation without assistance due to a physical disability.

Sec. 2. Section 607A.8, Code 1995, is amended to read as follows:
607A.8 FEES AND EXPENSES FOR JURORS.

Grand jurors and petit jurors in all courts shall receive ten dollars as compensation for