

6. DECISION. Following the hearing, the department shall establish the tariff changes proposed by the motor carrier in whole or in part, or establish other changes the department determines to be just, reasonable, and nondiscriminating.

Sec. 25. NEW SECTION. 325A.7B AGENCY TARIFFS.

1. AUTHORIZATION. Sections 325A.2 and 325A.7 shall not be construed to prohibit the making of rates by two or more motor carriers of household goods.

2. AGENCY TARIFFS. The names of the several motor carriers that are parties to an agency tariff shall be specified in the tariff. Unless otherwise required by the department, the agency tariff may be filed by only one of the parties to the agency tariff, or by a tariff filing agent, under a power of attorney granted by each of the parties to the agency tariff not doing the filing and filed with the department on forms prescribed by the department.

Sec. 26. Section 321.191, subsection 10, as enacted in this Act, is repealed effective July 1, 2008.

Sec. 27. The section in this Act amending section 321M.9 is repealed effective July 1, 2005.

Sec. 28. The state department of transportation, in consultation with the Iowa county treasurers association, shall conduct a study of the county driver's license issuance program, including the financial effect the program has had on counties. The department shall report its findings and recommendations to the general assembly no later than December 31, 2003.

Sec. 29. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

1. The section of this Act amending section 321E.7, being deemed of immediate importance, takes effect upon enactment.

2. The sections of this Act enacting sections 325A.7A and 325A.7B, being deemed of immediate importance, take effect upon enactment and apply retroactively to January 1, 2002.

3. The sections of this Act amending section 321.24, subsection 3, section 321.45, subsection 2, paragraph "a", and section 321.50, subsections 1, 2, and 3, take effect July 1, 2004.

Approved March 28, 2003

CHAPTER 9

CITY HOSPITAL OR HEALTH CARE FACILITY TRUSTEES — RESIDENCY — VACANCIES

S.F. 357

AN ACT relating to election or appointment of trustees of a city hospital or health care facility.

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

Section 1. Section 392.6, unnumbered paragraph 1, Code 2003, is amended to read as follows:

If a hospital or health care facility is established by a city, the city shall by ordinance provide for the election, at a general, city, or special election, of three trustees, whose terms of office shall be four years. However, at the first election, three shall be elected and hold their office,

one for four years and two for two years, and they shall by lot determine their respective terms. A candidate for hospital or health care facility trustee must be a resident of the hospital or health care facility service area within the boundaries of the state at the time of the election at which the person's name appears on the ballot. A board of trustees elected pursuant to this section shall serve as the sole and only board of trustees for any and all institutions established by a city as provided for in this section.

Sec. 2. Section 392.6, unnumbered paragraph 3, Code 2003, is amended to read as follows:

Terms of office of trustees elected pursuant to general or city elections shall begin at noon on the first day in January which is not a Sunday or legal holiday. Terms of office of trustees appointed to fill a vacancy or elected pursuant to special elections shall begin at noon on the tenth day after appointment or the special election which is not a Sunday or legal holiday. The trustees shall begin their terms of office by taking the oath of office, and organize as a board by the election of one of their number as chairperson and one as secretary, but no bond shall be required of them. Terms of office of trustees shall extend to noon on the first day in January which is not a Sunday or legal holiday or until their successors are elected and qualified. Vacancies on the board of trustees may, until the next general or regular city election, be filled by appointment by the remaining members of the board of trustees, unless within fourteen days after the appointment is made, there is filed with the city clerk a petition which requests a special election to fill the vacancy. Trustees who are appointed to fill a vacancy or who are elected at special elections shall serve the unexpired terms of office or until their successors are elected and qualified.

Approved March 28, 2003

CHAPTER 10

DISHONORED CHECKS, DRAFTS, OR ORDERS — SURCHARGE

S.F. 376

AN ACT relating to the surcharge for certain dishonored negotiable instruments.

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

Section 1. Section 554.3512, subsection 1, Code 2003, is amended by striking the subsection and inserting in lieu thereof the following:

1. The holder of a dishonored check, draft, or order may assess against the maker of that check, draft, or order a surcharge not to exceed thirty dollars.

Approved March 28, 2003