

section shall be in proportion to the special benefits conferred upon the property, and not in excess of the benefits, and an assessment shall not exceed twenty-five percent of the actual value of the property at the time of levy, and the last preceding assessment roll shall be taken as prima facie evidence of that value. The value of a property is the present fair market value of the property with the proposed public improvements completed. Payment of installments of a special assessment against property used and assessed as agricultural property shall be deferred upon the filing of a request by the owner in the same manner and under the same procedures as provided in chapter 384 for special assessments by cities.

The assessments may be made to extend over a period of ten not to exceed fifteen years, payable in as nearly equal annual installments as practicable. A majority vote of the board of trustees is requisite and sufficient for any action required by the board of trustees under this section.

Sec. 2. NEW SECTION. 358.30 ANNEXATION OF LAND BY A CITY.

A sanitary district shall be fairly compensated for losses resulting from annexation. The governing body of a city or city utility and the board of trustees of the sanitary district may agree to terms which provide that the facilities owned by the sanitary district and located within the city shall be retained by the sanitary district for the purpose of sanitary service to customers outside the city. If an agreement is not reached within ninety days, the issues may be submitted to arbitration. If submitted, an arbitrator shall be selected by a committee which includes one member of the governing body of the city or its designee, one member of the sanitary district's board of trustees or its designee, and a disinterested party selected by the other two members of the committee. A list of qualified arbitrators may be obtained from the American arbitration association or another recognized arbitration organization or association.

Approved April 27, 1993

CHAPTER 58

EMERGENCY MEDICAL SERVICES

S.F. 48

AN ACT designating the Iowa department of public health as the lead agency for the coordination and regulation of emergency medical services and establishing an emergency medical services fund.

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

Section 1. NEW SECTION. 135.25 EMERGENCY MEDICAL SERVICES FUND.

An emergency medical services fund is created in the state treasury under the control of the department. The fund includes, but is not limited to, amounts appropriated by the general assembly, and other moneys available from federal or private sources which are to be used for purposes of this section. Funds remaining in the fund at the end of each fiscal year shall not revert to the general fund of the state but shall remain in the emergency medical services fund, notwithstanding section 8.33. The fund is established to assist counties by matching, on a dollar-for-dollar basis, moneys spent by a county for the acquisition of equipment for the provision of emergency medical services and by providing grants to counties for education and training in the delivery of emergency medical services, as provided in this section and section 422D.6. A county seeking matching funds under this section shall apply to the emergency medical services division of the department. The department shall adopt rules concerning the application and awarding process for the matching funds and the criteria for the allocation of moneys in the fund if the moneys are insufficient to meet the emergency medical services needs of the counties.

Sec. 2. NEW SECTION. 147A.1A LEAD AGENCY.

The department is designated as the lead agency for coordinating and implementing the provision of emergency medical services in this state.

Sec. 3. Section 147A.4, subsection 2, Code 1993, is amended to read as follows:

2. The ~~board~~ department shall adopt rules required or authorized by this chapter pertaining to the examination and certification of advanced emergency medical care providers. These rules shall include, but need not be limited to, requirements concerning prerequisites, training, and experience for advanced emergency medical care providers and procedures for determining when individuals have met these requirements. The department shall consult with the board concerning these rules.

3. The ~~board~~ department shall establish the fee for the examination of the advanced emergency medical care providers to cover the administrative costs of the examination program.

Sec. 4. Section 147A.7, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. If clinical issues are involved, the matter shall be referred to the board for completion of the investigation and the conduct of any disciplinary proceeding pursuant to chapter 17A. The findings of the board shall be the final decision for purposes of section 17A.15 and shall be enforced by the department.

Sec. 5. Section 147A.8, Code 1993, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The department shall consult with the board concerning rules and training requirements related to this section.

Sec. 6. Section 147A.9, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The department shall consult with the board concerning rules related to this section.

Sec. 7. Sections 147A.1, subsections 1 and 2, 147A.6, 147A.7, subsections 2 and 3, 147A.8, subsections 1 and 2, and 147A.9, Code 1993, are amended by striking the word "board" and inserting in lieu thereof the word "department".

Approved April 28, 1993

CHAPTER 59

SPECIAL EDUCATION — INSTRUCTION IN BRAILLE READING AND WRITING

S.F. 254

AN ACT to broaden the definition of children requiring special education to include children who retain some sight but who have a medically diagnosed expectation of visual deterioration and to provide for related matters.

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

Section 1. Section 256.7, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 24. Adopt rules that include children who retain some sight but who have a medically diagnosed expectation of visual deterioration within the definition of children requiring special education pursuant to section 256B.2, subsection 1. Rules adopted pursuant to this subsection shall provide for or include, but are not limited to, the following:

a. A presumption that proficiency in braille reading and writing is essential for satisfactory educational progress for a visually impaired student who is not able to communicate in print with the same level of proficiency as a student of otherwise comparable ability at the same