

percent. ~~There~~ Effective July 1, 1987, there is appropriated for each fiscal year from the general Iowa public employees' retirement fund of the state created in section 97B.7 to the department of personnel from funds not otherwise appropriated an amount sufficient to fund the provisions of monthly retirement allowance increases paid under this subsection.

Sec. 4. Section 294.15, unnumbered paragraph 4, Code 1987, is amended to read as follows:  
For the purpose of paying the teachers' retirement allowance payments granted under this section, effective July 1, 1987, there is hereby appropriated out of any funds in the state treasury not otherwise appropriated, a sum for each fiscal year from the Iowa public employees' retirement fund to the department of personnel, an amount sufficient therefor to make the payments granted under this section.

Sec. 5. The treasurer of state shall transfer from the Iowa public employees' retirement fund to the general fund of the state an amount equal to the total of payments made from the general fund of the state under sections 97B.43, 97B.49, subsections 3 and 6, and 294.15 from July 1, 1987, to the effective date of this Act.

Sec. 6. This Act is retroactive to July 1, 1987, and is applicable on and after that date.

Sec. 7. This Act being deemed of immediate importance takes effect upon its enactment.

Approved April 27, 1988

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## CHAPTER 1124

### LICENSEE DISCIPLINE RELATING TO PRACTICE OF DENTISTRY OR DENTAL HYGIENE

*S.F. 2274*

**AN ACT** to allow the board of dental examiners to revoke or suspend a license of a licensee where the licensee has been disciplined in another state, territory, or country, and revising other provisions relating to the suspension and revocation of licenses by the board.

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

Section 1. Section 153.34, subsections 2 and 3, Code 1987, are amended by striking the subsections.

Sec. 2. Section 153.34, subsection 9, Code 1987, is amended to read as follows:

9. ~~For being guilty of gross immorality or~~ dishonorable or unprofessional conduct in the practice of dentistry or dental hygiene.

Sec. 3. Section 153.34, subsection 12, Code 1987, is amended to read as follows:

12. ~~For a violation of any provision of this chapter, or for~~ being a party to or assisting in any violation of any provision of this chapter.

Sec. 4. Section 153.34, Code 1987, is amended by adding the following new subsections:

NEW SUBSECTION. 13. For the conviction of a felony in the courts of this state or another state, territory, or country. Conviction as used in this subsection includes a conviction of an offense which if committed in this state would be a felony without regard to its designation elsewhere, and includes a finding or verdict of guilt made or returned in a criminal proceeding even if the adjudication of guilt is withheld or not entered. A certified copy of the final order

or judgment of conviction or plea of guilty in this state or in another state constitutes conclusive evidence of the conviction.

**NEW SUBSECTION. 14.** For a violation of a law of this state, another state, or the United States, without regard to its designation as either a felony or misdemeanor, which law relates to the practice of dentistry or dental hygiene. A certified copy of the final order or judgment of conviction or plea of guilty in this state or in another state constitutes conclusive evidence of the conviction.

**NEW SUBSECTION. 15.** The revocation or suspension of a license to practice dentistry or dental hygiene or other disciplinary action taken by a licensing authority of another state, territory, or country. A certified copy of the record or order of suspension, revocation, or disciplinary action is conclusive or prima facie evidence.

**NEW SUBSECTION. 16.** Knowingly aiding, assisting, procuring, or advising a person to unlawfully practice dentistry or dental hygiene.

**NEW SUBSECTION. 17.** For an adjudication of mental incompetence by a court of competent jurisdiction. Such adjudication shall automatically suspend a license for the duration of the license unless the board orders otherwise.

**NEW SUBSECTION. 18.** Inability to practice dentistry or dental hygiene with reasonable skill and safety by reason of illness, drunkenness, or habitual or excessive use of drugs, intoxicants, narcotics, chemicals, or other types of materials or as a result of a mental or physical condition. At reasonable intervals following suspension or revocation under this subsection, a dentist or a dental hygienist shall be afforded an opportunity to demonstrate that the dentist or the dental hygienist can resume the competent practice of dentistry or dental hygiene with reasonable skill and safety to patients.

Approved April 27, 1988

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## CHAPTER 1125

### COMPOSITION OF ENGINEERING AND LAND SURVEYING EXAMINING BOARD *S.F. 2203*

**AN ACT** relating to the composition of the engineering and land surveying examining board and providing an effective date.

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

Section 1. Section 114.3, Code 1987, is amended to read as follows:

#### 114.3 ENGINEERING AND LAND SURVEYING EXAMINING BOARD CREATED.

An engineering and land surveying examining board is created within the professional licensing and regulation division of the department of commerce. The board consists of four members who are registered professional engineers, one member who is a registered land surveyor or a professional engineer who is also a registered land surveyor, and two members who are not registered professional engineers or land surveyors and who shall represent the general public. Members shall be appointed by the governor subject to confirmation by the senate. A registered member shall be actively engaged in the practice of engineering or land surveying and shall have been so engaged for five years preceding the appointment, the last two of which shall have been in Iowa. ~~Not more than one registered member of the board shall be from the same branch~~ Insofar as practicable, registered engineer members of the board shall be from different branches of the profession of engineering. Professional associations or societies composed of registered engineers or registered land surveyors may recommend the names