

3. The commissioner shall adopt rules based upon the occupational safety and health standards which have been adopted as permanent standards by the United States secretary of labor in accordance with federal law. If the hazardous communication regulation, 29 C.F.R. § 1910.1200, is amended or repealed, the commissioner shall review the amendment or repeal and take action with respect to the state standards, including the amendment or repeal of the state standards, which will conform the state standards to the new federal standards.

Approved May 2, 1989

CHAPTER 101

WAIVER OF CERTAIN TAX PENALTIES, INTEREST, AND COSTS

S.F. 364

AN ACT authorizing the board of supervisors to waive a tax penalty, interest, or cost if a clerical error is found.

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

Section 1. Section 331.301, Code 1989, is amended by adding the following new subsection:
NEW SUBSECTION. 13. The board of supervisors may waive a tax penalty, interest, or costs related to the collection of a tax if the board finds that a clerical error resulted in the penalty, interest, or cost. This subsection does not apply to bonded special assessments without the approval of the affected taxing jurisdiction.

Approved May 2, 1989

CHAPTER 102

COUNTY RECORDERS' DUTIES

S.F. 367

AN ACT relating to the powers and duties of county recorders.

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

Section 1. Section 106.52, Code 1989, is amended to read as follows:
106.52 FEES REMITTED TO COMMISSION.

Within ten days after the end of each month, ~~each~~ a county recorder shall remit to the commission all fees collected by the recorder during the previous month. Before May 10 in odd-numbered years, ~~each~~ a county recorder shall remit to the commission all unused license blanks for the previous biennium. Before May 10 of each year, ~~each county recorder shall make a final accounting for all registration fees and penalties received during the previous year.~~ All fees collected for the registration of vessels shall be forwarded by the commission to the treasurer of the state, who shall place ~~such~~ the money in a special conservation fund. The money so collected is ~~hereby~~ appropriated to the commission solely for the administration and enforcement of navigation laws and water safety.

Sec. 2. Section 321G.7, unnumbered paragraph 1, Code 1989, is amended to read as follows:

Within ten days after the end of each month, each a county recorder shall remit to the commission all snowmobile fees collected by the recorder during the previous month. Before January 10 of odd-numbered years, each a recorder shall remit unused license forms from the previous biennium to the commission. Before January 10 of each year, each recorder shall summarize the transactions of the registration fees and penalties collected during the previous year.

Sec. 3. Section 547.1, Code 1989, is amended to read as follows:

547.1 USE OF TRADE NAME — VERIFIED STATEMENT REQUIRED.

It shall be unlawful for any A person or copartnership to shall not engage in or conduct a business under any a trade name, or any an assumed name of any a character other than the true surname of each person or persons owning or having any an interest in such the business, unless such the person or persons shall first file records with the county recorder of the county in which the business is to be conducted a verified statement showing the name, post-office address, and residence address of each person owning or having any an interest in the business, and the address where the business is to be conducted.

Sec. 4. Section 547.2, Code 1989, is amended to read as follows:

547.2 CHANGE IN STATEMENT.

A like verified statement shall be filed recorded of any change in ownership of the business, or persons interested therein in the business and the original owners shall be are liable for all obligations until such the certificate of change is filed recorded.

Sec. 5. Section 547.3, Code 1989, is amended to read as follows:

547.3 FEE FOR RECORDING.

The county recorder shall charge and receive a fee in the amount specified in section 331.604 for each verified statement filed recorded under this chapter.

Sec. 6. Section 598.21, subsection 8, unnumbered paragraph 2, Code 1989, is amended to read as follows:

If the court orders a transfer of title to real property, the clerk of court shall issue a certificate under chapter 558 relative to each parcel of real estate affected by the order and immediately deliver the certificate for recording to the county recorder of the county in which the real estate is located. Any fees assessed shall be included as part of the court costs; however, the certificates shall be recorded whether the costs are paid or not. The county recorder shall deliver the certificates to the county auditor as provided in section 558.58, subsection 1.

Sec. 7. Section 600.16, subsection 2, Code 1989, is amended to read as follows:

2. The permanent termination of parental rights record of the juvenile court under chapter 600A and the permanent adoption record of the court shall be sealed by the clerk of the juvenile court and the clerk of court, as appropriate, when they are complete and after the time for appeal has expired. All papers and records pertaining to a termination of parental rights under chapter 600A and to an adoption, whether a part of the permanent termination and adoption records of the juvenile court and of the court or on file with a guardian, guardian ad litem, custodian, person who placed a minor person, or the department shall not be open to inspection and the identity of the natural parents of an adopted person shall not be revealed. However, an agency involved in placement shall contact the adopting parents or the adult adopted child regarding eligibility of the adopted child for benefits based on entitlement of benefits or inheritance from the terminated natural parents. Also, the clerk of the court or county recorder shall, upon application to and order of the court for good cause shown, open the permanent adoption record of the court for the adopted person who is an adult and reveal the names of either or both of the natural parents.

PARAGRAPH DIVIDED. A natural parent may file an affidavit requesting that the court reveal or not reveal the parent's name. The court shall consider any such affidavit in determining whether there is good cause to order opening of the records. If the adopted person who applies for revelation of the natural parents' name has a sibling who is a minor and who has been adopted by the same parents, the court may deny such the application on the grounds

that revelation to the applicant may also indirectly and harmfully permit the same revelation to the applicant's minor sibling. To facilitate the natural parents in filing ~~such an~~ affidavit, the department shall, upon request of ~~such a~~ natural parent, file an affidavit in the court in which the adoption records have been sealed.

Sec. 8. Section 624.23, subsection 2, Code 1989, is amended to read as follows:

2. Judgment liens described in subsection 1 ~~shall do not~~ remain a lien upon real estate of the defendant, platted as a homestead pursuant to section 561.4, unless execution is levied within thirty days of the time the defendant or the defendant's agent has served written demand on the owner of the judgment. The demand shall state that the lien and all benefits derived ~~therefrom~~ from the lien as to the real estate platted as a homestead shall be forfeited unless the owner of the judgment levies execution against that real estate within thirty days from the date of service of the demand. Written demand shall be served in any manner authorized for service of original notice under the Iowa rules of civil procedure. A copy of the written demand and proof of service ~~thereof of the written demand~~ shall be filed recorded in the office of the county recorder of the county where the real estate platted as a homestead is located.

Approved May 2, 1989

CHAPTER 103

PUBLIC UTILITIES AND AFFILIATES

S.F. 373

AN ACT relating to public utilities and their affiliates, with civil penalties applicable.

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

Section 1. Section 476.10, unnumbered paragraph 1, Code 1989, is amended to read as follows:

When the board deems it necessary in order to carry out the duties imposed upon it by this chapter for the purpose of determining rate matters to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, or to render any engineering or accounting services to any public utility, or to review the operations or annual reports of the public utility under section 476.31 or 476.32, or to evaluate a proposal for reorganization under section 476.73, the public utility shall pay the expense reasonably attributable to the investigation, appraisal, service, or review. The board shall ascertain the expenses including certified expenses incurred by the consumer advocate division of the department of justice directly chargeable to the public utility under section 475A.6, and shall render a bill, by certified mail, to the public utility, either at the conclusion of the investigation, appraisal, services, or review, or from time to time during its progress, which bill is notice of the assessment and shall demand payment. The total amount of such expense in any one calendar year, for which any public utility shall become liable, shall not exceed two-tenths of one percent of its gross operating revenues derived from intrastate public utility operations in the last preceding calendar year.

Sec. 2. **NEW SECTION. 476.67 PURPOSE.**

It is the intent of the general assembly that a public utility should not directly or indirectly include in regulated rates or charges any costs or expenses of an affiliate engaged in any business other than that of utility business unless the affiliate provides goods or services to the public utility. The costs that are included should be reasonably necessary and appropriate for utility business. It is also the intent of the general assembly that a public utility should only