

CHAPTER 1089

VETERANS ORGANIZATIONS CLASS "A" LIQUOR CONTROL LICENSES

S.F. 2309

AN ACT relating to the issuance of class "A" liquor licenses to veterans organizations.

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

Section 1. Section 123.36, subsection 2, Code 1989, is amended to read as follows:

2. Class "A" liquor control licenses, the sum of six hundred dollars, except that for class "A" licenses in cities of less than two thousand population, and for clubs of less than two hundred fifty members, the license fee shall be four hundred dollars; however, the fee shall be two hundred dollars for any club which is a post, branch, or chapter of a veterans organization chartered by the Congress of the United States, if the club does not sell or permit the consumption of alcoholic beverages, wine, or beer on the premises more than one day in any week or more than a total of fifty-two days in a year, and if the application for a license states that the club does not and will not sell or permit the consumption of alcoholic beverages, wine, or beer on the premises more than one day in any week or more than a total of fifty-two days in a year.

Approved March 29, 1990

CHAPTER 1090

UNCLAIMED FEES

S.F. 2311

AN ACT relating to unclaimed fees to conform with the uniform disposition of unclaimed property Act.

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

Section 1. Section 12.11, Code 1989, is repealed.

Approved March 29, 1990

CHAPTER 1091

SWINE PSEUDORABIES CONTROL

S.F. 2315

AN ACT relating to a pseudorabies control program, and making penalties applicable.

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

Section 1. Section 166D.2, subsection 32, Code Supplement 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. A qualified differentiable negative herd.

Sec. 2. Section 166D.2, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 36A. "Qualified differentiable negative herd" means a herd in which one hundred percent of the herd's breeding swine have been vaccinated and have reacted negatively to a differentiable test and which have been retested, as provided in this chapter.

Sec. 3. Section 166D.2, subsection 37, Code Supplement 1989, is amended to read as follows:

37. "Qualified negative herd" means a herd in which one hundred percent of the herd's breeding swine have reacted negatively to a test, or differentiable test have not been vaccinated, and which is retested as provided in this chapter.

Sec. 4. Section 166D.5, Code Supplement 1989, is amended to read as follows:

166D.5 ADMINISTRATION OF PROGRAM AREAS.

Once a program has been designated, an owner of an infected herd must, within thirty days after notification, adopt a herd cleanup plan or a feeder pig cooperator herd cleanup plan, as provided in section 166D.8. An infected herd which is not subject to a cleanup plan or a feeder pig cooperator herd cleanup plan is a quarantined herd.

1. When the department determines that a majority of herds within a program area have been tested and the majority of herds reveal a noninfection rate of ninety percent or greater, the following shall apply:

a. The department shall require all herds within the program area be tested within twelve months.

b. All herds not tested within twelve months shall only be moved directly to slaughter or to an approved premise as swine reacting positively to the test. The movement shall require notification of the department at least twenty-four hours before the movement by permit completed at the owner's expense.

c. Swine moving within or into the program area shall be reported to the department and identified by the herd of origin within ten days of movement. Swine moving into a program area may be inspected by the department within fifteen days of movement.

d. An owner of a quarantined herd has thirty days after the department's determination to petition the department for adoption of a herd cleanup plan or a feeder pig cooperator herd plan.

2. When the department determines that a majority of herds within a program area have been tested and a majority of herds reveal a noninfection rate of ninety percent or greater, the following shall apply:

1 a. A vaccine other than a differentiable vaccine shall not be used.

2 b. A concentration point within the program area may market all classes of swine. Swine taken to a concentration point must be held there until transfer. However, untested, known infected, or exposed swine shall be transferred from the concentration point within three days only to persons moving the swine outside the program area.

3. Six months after determination by the department that a majority of herds within the program area have been tested and the majority of herds reveal a noninfection rate of ninety percent or greater, the following shall apply:

a c. Only noninfected herd swine may move into the program area.

b d. Swine herds within the area must be a qualified negative herd, a monitored herd, a qualified differentiable negative herd, or must be involved in a herd cleanup plan or feeder pig cooperator herd plan.

e. Swine moving within or into the program area must be reported to the department within ten days of movement and be identified by farm of origin. Swine moving into a program area may be inspected by the department within thirty days from the swine's arrival.

d e. An approved premises inside the program area shall not be reapproved upon its annual renewal date.

4 f. At the commencement of the program and at intervals during the course of the program, the owner of a feeder pig cooperator herd may, according to rules adopted by the department, receive new swine from noninfected herds.

3. The cost, or any segment of the cost, of the program, testing, and vaccination may be paid for by federal or state funds or a combination of both. Federal or state funds shall not be paid to the owner of a vaccinated herd in a program area other than the owner of a herd using a differentiable vaccine. If federal or state funds are not available, producers may continue the program at their own expense under departmental supervision.

4. An additional program area shall not be established if funds sufficient for administration of the program within the area are not available. Program funds shall not be spent outside a program area, unless recommended by the advisory committee and approved by the department. However, this paragraph subsection does not apply to expenditures of funds for statewide surveillance or for enforcement of this chapter.

5. Upon the recommendation of the advisory committee, the department shall implement pilot projects to assist in the eventual eradication of pseudorabies or to lead to the designation of a program area.

Sec. 5. Section 166D.7, Code Supplement 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 4. A qualified differentiable negative herd shall be certified, recertified, and maintained as follows:

a. The herd shall be certified when one hundred percent of breeding swine have reacted negatively to a test. The herd must have been free from infection for thirty days prior to testing. At least ninety percent of swine in the herd must have been on the premises as a part of the herd for at least sixty days prior to testing, or swine in the herd must have been moved directly from a qualified negative or qualified differentiable negative herd. A differentiable vaccine must be administered at intervals in accordance with the package insert for that vaccine. To remain certified, the herd must be retested and recertified as provided by the department. The herd shall be recertified when either of the following occurs:

(1) Each eighty to one hundred five days at least twenty-five percent of the herd's breeding swine react negatively to a test.

(2) Each month at least ten percent of the herd's breeding swine react negatively to a test.

b. Before adding to the herd new swine, including swine returning to the herd after contact with nonherd swine, the herd shall be isolated until the new swine react negatively to a test conducted thirty days or more after the swine has been placed in isolation. Swine from a herd of unknown status must react negatively to a test not more than fifteen days prior to movement from the herd of unknown status and retested in isolation at least thirty days after movement onto the premises where the qualified differentiable negative herd is located.

c. Swine from a qualified negative or qualified differentiable negative herd may be added without isolation or testing.

d. The owner shall make a request to the department for certification or recertification of a qualified differentiable negative herd when the required tests are completed. Upon satisfactory proof that all requirements have been met, the herd shall be recertified by the department.

Sec. 6. Section 166D.10, subsection 1, Code Supplement 1989, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. A qualified differentiable negative herd.

Sec. 7. Section 166D.11, Code Supplement 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The secretary shall disapprove for use in this state on and after July 1, 1991, any vaccine that is not a differentiable vaccine.

Approved March 29, 1990

CHAPTER 1092**RESERVE PEACE OFFICER TRAINING***S.F. 2015*

AN ACT relating to training requirements for reserve peace officers and providing for the Act's applicability.

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

Section 1. Section 80D.1, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The governing body of a city, county, or the state of Iowa may provide for the establishment of a force of reserve peace officers, and may limit the size of the reserve force. In the case of the state, the department of public safety shall act as the governing body. A reserve peace officer is a volunteer, nonregular, sworn member of a law enforcement agency who serves with or without compensation, has regular police powers while functioning as an agency's representative and participates on a regular basis in the agency's activities including those of crime prevention and control, preservation of the peace and enforcement of the law.

Sec. 2. NEW SECTION. 80D.1A DEFINITIONS.

As used in this chapter, unless the context otherwise requires:

1. "Minimum training course" means a curriculum of one hundred fifty hours of training and instruction required for certification as a reserve peace officer, excluding weapons training.
2. "Reserve force" means an organization of reserve peace officers established as provided in this chapter.
3. "Reserve peace officer" means a volunteer, nonregular, sworn member of a law enforcement agency who serves with or without compensation, has regular police powers while functioning as a law enforcement agency's representative, and participates on a regular basis in the law enforcement agency's activities including crime prevention and control, preservation of the peace, and enforcement of law.

Sec. 3. Section 80D.3, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

80D.3 TRAINING STANDARDS.

1. Each person appointed to serve as a reserve peace officer shall satisfactorily complete a minimum training course as provided in this section. In addition, if a reserve peace officer is authorized to carry weapons, the officer shall satisfactorily complete the same training course in the use of weapons as is required for basic training of regular peace officers by the Iowa law enforcement academy. The minimum training course for reserve peace officers must be satisfactorily completed within four years from the date of appointment. If reserve officer training received before the effective date of this Act meets the requirements of this section, the training may be applied to meet the minimum training course requirements of this section.
2. A reserve peace officer who does not carry a weapon shall not be required to complete a weapons training course, but the officer shall comply with all other training requirements.
3. A person appointed to serve as a reserve peace officer, who has received basic training as a peace officer and has been certified by the Iowa law enforcement academy pursuant to chapter 80B and rules adopted pursuant to chapter 80B, may be exempted from completing the minimum training course at the discretion of the appointing authority if the officer meets one of the following qualifications:
 - a. The appointee is serving as a regular peace officer with a bona fide law enforcement agency when the application for a reserve peace officer appointment is made.
 - b. The appointee has served as a regular peace officer with a bona fide law enforcement agency within three years of the date of application for appointment as a reserve peace officer.
4. The minimum training course required for a reserve peace officer shall be conducted pursuant to sections 80D.4 and 80D.7, and the following training schedule: