

SENATE FILE 1218

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By COMMITTEE ON HUMAN AND INDUSTRIAL RELATIONS

*Appropriation 3/15/72 (486) Pass 3/16 a/w amend.
State Court 2/16 Pass a/w amend. 3/17*

Passed Senate, Date 3-26-72 Passed House, Date 3-22-72

Vote: Ayes 36 Nays 12 Vote: Ayes 92 Nays 1

Approved _____

Passed Senate as amended by House

*3-22-72
aye 39, nays 7*

A BILL FOR

1 An Act relating to occupational safety and health and
2 providing penalties for violations.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Chapters eighty-eight (88) and eighty-eight
2 A (88A), Code 1971, are repealed. The provisions of this
3 Act will prevail wherever the same conflicts with any other
4 chapter of the Code.

5 Sec. 2. PUBLIC POLICY. It is the policy of this state
6 to assure so far as possible every working man and woman in
7 the state safe and healthful working conditions and to pre-
8 serve human resources by:

9 1. Encouraging employers and employees in their efforts
10 to reduce the number of occupational safety and health hazards
11 at their places of employment, and to stimulate employers
12 and employees to institute new and perfect existing programs
13 for providing safe and healthful working conditions.

14 2. Providing that employers and employees have separate
15 but dependent responsibilities and rights with respect to
16 achieving safe and healthful working conditions.

17 3. Authorizing the labor commissioner to set mandatory
18 occupational safety and health standards applicable to
19 businesses, and by creating an occupational safety and health
20 review commission for carrying out adjudicatory functions
21 under the Act.

22 4. Building upon advances already made through employer
23 and employee initiative for providing safe and healthful
24 working conditions.

25 5. Providing for research in the field of occupational
26 safety and health, including the psychological factors
27 involved, and by developing innovative methods, techniques,
28 and approaches for dealing with occupational safety and health
29 problems.

30 6. Exploring ways to discover latent diseases, establish-
31 ing causal connections between diseases and work in environ-
32 mental conditions, and conducting other research relating
33 to health problems, in recognition of the fact that
34 occupational health standards present problems often different
35 from those involved in occupational safety.

1 7. Providing medical criteria which will assure insofar
2 as practicable that no employee will suffer diminished health,
3 functional capacity or life expectancy as a result of his
4 work experience.

5 8. Providing for training programs to increase the number
6 and competence of personnel engaged in the field of
7 occupational safety and health.

8 9. Providing for the development and promulgation of occu-
9 pational safety and health standards.

10 10. Providing an effective enforcement program which shall
11 include a prohibition against giving advance notice of any
12 inspection and sanctions for an individual violating this
13 prohibition.

14 11. Providing for appropriate reporting procedures with
15 respect to occupational safety and health which procedures
16 will help achieve the objectives of this Act and accurately
17 describe the nature of the occupational safety and health
18 problem.

19 12. Encouraging joint labor-management efforts to reduce
20 injuries and disease arising out of employment.

21 13. Devoting adequate funds to the administration and
22 enforcement of occupational safety and health standards and
23 rules promulgated by the labor commissioner.

24 Sec. 3. GENERAL.

25 1. The bureau of labor, established in chapter ninety-
26 one (91) of the Code, is designated to administer this Act.

27 2. The necessary legal authority and qualified personnel
28 shall be provided for the administration and enforcement of
29 this Act and such standards adopted pursuant to this Act.

30 3. Personnel administering the Act shall be employed
31 pursuant to chapter nineteen A (19A) of the Code.

32 4. In carrying out his responsibilities under this Act,
33 the commissioner is authorized to enter into contracts with
34 any state agency, with or without reimbursement, for the
35 purpose of obtaining the services, facilities, and personnel

1 of such agency and with the consent of any state agency or
2 any political subdivision of the state, accept and use the
3 services, facilities, and personnel of any agency of the state
4 or political subdivision, and employ experts and consultants
5 or organizations, in order to expeditiously, efficiently and
6 economically effectuate the purposes of this Act. The
7 provisions of this subsection are subject to approval of the
8 executive council where required by law.

9 5. The commissioner, the governor, and the state
10 comptroller are hereby authorized to obtain and accept federal
11 grants to the state to be used in connection with the funds
12 appropriated for the administration of this Act and federal
13 funds in addition thereto.

14 Sec. 4. DEFINITIONS. Wherever used in this chapter,
15 unless the context clearly requires a different meaning:

16 1. "Commissioner" means the labor commissioner of the
17 state of Iowa.

18 2. "Commission" means the occupational safety and health
19 review commission established under this Act.

20 3. "Person" means one or more individuals, partnerships,
21 associations, corporations, business trusts, legal representa-
22 tives, or any organized group of persons.

23 4. "Employer" means a person engaged in a business who
24 has one or more employees and also includes the state of Iowa,
25 its various departments and agencies, and any political sub-
26 division of the state.

27 5. "Employee" means an employee of an employer who is
28 employed in a business of his employer.

29 6. "Emergency temporary standards" means any occupational
30 safety and health standard or modification thereof which has
31 been adopted and promulgated by a nationally recognized
32 standards-producing organization under procedures whereby
33 it can be determined by the commissioner that persons
34 interested and affected by the scope or provisions of the
35 standard have reached substantial agreement on its adoption,

1 and was formulated in a manner which afforded an opportunity
2 for diverse views to be considered or is an emergency temporary
3 standard provided by the secretary pursuant to and in
4 conformance with the provisions of the federal law.

5 7. "Occupational safety and health standard" means a
6 standard which requires conditions or the adoption or use
7 of one or more practices, means, methods, operations, or
8 processes, reasonably necessary or appropriate to provide
9 safety or healthful employment and places of employment.

10 8. "Imminent danger" means a condition or practice in
11 any place of employment which is such that a danger exists
12 which will reasonably be expected to cause death or serious
13 physical harm immediately or before the imminence of such
14 danger can be eliminated through the enforcement procedures
15 of this Act, exclusive of the procedures set forth in section
16 twelve (12) of this Act.

17 9. "Secretary" means the secretary of labor of the United
18 States.

19 10. "Federal law" means the Act of Congress approved
20 December 29, 1970, 84 Stat. 1590, officially cited as the
21 "Occupational Safety and Health Act of 1970 (29 USC 651-678)."

22 Sec. 5. DUTIES.

23 Each employer shall furnish to each of his employees employ-
24 ment and a place of employment which is free from recognized
25 hazards that are causing or are likely to cause death or
26 serious physical harm to his employees and comply with occu-
27 pational safety and health standards promulgated under this
28 Act.

29 Each employee shall comply with occupational safety and
30 health standards and all rules, regulations and orders issued
31 pursuant to this Act which are applicable to his own actions
32 and conduct.

33 Sec. 6. OCCUPATIONAL SAFETY AND HEALTH STANDARDS.

34 1. PROMULGATION OF RULES.

35 a. As soon as practicable following the effective date

1 of this Act, the commissioner shall by rule, adopt and
2 promulgate those occupational safety and health standards,
3 which would result in improved safety or health for employees;
4 provided, that the commissioner shall adopt no such standard
5 unless the same has been adopted and promulgated as a permanent
6 standard by the secretary in accordance with the procedures
7 set forth in the federal law. In the event that any such
8 federal standard is subsequently amended, modified, repealed,
9 or substituted by a new standard, the commissioner shall,
10 within ninety days, review such amendment, modification,
11 repeal or substitution, and take such action with respect
12 to the state standards, including the repeal or substitution
13 of the same, as will conform the state standards to those
14 federal standards then in effect.

15 b. Before promulgating, modifying, or revoking any standard
16 pursuant to this section, the commissioner shall hold a public
17 hearing on the subject matter of the proposed promulgation,
18 modification, or revocation. Any interested person may appear
19 and be heard at such hearing, in person or by agent or counsel.
20 The commissioner shall maintain a mailing list for hearings,
21 and at least thirty days before the hearing the commissioner
22 shall mail a notice of the hearing by ordinary mail to each
23 person on the mailing list. Such notice shall include a copy
24 of the proposed promulgation, modification, or revocation.
25 When the commissioner receives a written request from any
26 person to be placed on the mailing list for hearings, the
27 commissioner shall add such person to the mailing list. At
28 the end of each calendar year, the commissioner may remove
29 any person from the mailing list if the commissioner has not
30 received from such person during the last three months of
31 such calendar year a written request to be placed on the
32 mailing list for the following year. The commissioner shall
33 cause to be published a notice of each hearing in one or more
34 newspapers in the state having a statewide circulation. The
35 provisions of this section are in addition to the requirements

1 of chapter seventeen A (17A) of the Code.

2 c. Notwithstanding other provisions of this section, upon
3 or following the effective date of this Act, the commissioner
4 may adopt as interim standards those standards adopted by the
5 secretary in conformance with section six (a) (6(a)) of the fed-
6 eral law, provided that any such standard so adopted shall cease
7 to be effective on April 28, 1973 unless the commissioner
8 shall have initiated the procedures for adopting a permanent
9 standard in conformance with and following the procedures
10 set forth in this section, in which case the interim standard
11 shall remain in effect pending the adoption of the permanent
12 standard. In the event that any such federal interim standard
13 is subsequently amended, modified, repealed, or substituted
14 by a new interim standard, the commissioner shall, within
15 thirty days, review such amendment, modification, repeal or
16 substitution, and take such action with respect to the state
17 interim standards, including the repeal or substitution of
18 the same, as will conform the state interim standards to those
19 federal interim standards then in effect.

20 2. TOXIC MATERIALS AND OTHER HARMFUL PHYSICAL AGENTS. The
21 commissioner, in promulgating standards dealing with toxic
22 materials or harmful physical agents under this subsection,
23 shall set the standard which most adequately assures, to the
24 extent feasible, on the basis of the best available evidence,
25 that no employee will suffer material impairment of health
26 or functional capacity even if such employee has regular
27 exposure to the hazard dealt with by such standard for the
28 period of his working life. Development of standards under
29 this subsection shall be based upon research, demonstrations,
30 experiments, and such other information as may be appropriate,
31 but in any event shall conform with the provisions of section
32 six (6), subsection one (1), of this Act. In addition to
33 the attainment of the highest degree of health and safety
34 protection for the employee, other considerations shall be
35 the latest available scientific data in the field, the

1 feasibility of the standards, and experience gained under
2 this and other health and safety laws. Whenever practicable,
3 a standard promulgated shall be expressed in terms of objective
4 criteria and of the performance desired.

5 3. TEMPORARY VARIANCES.

6 a. Any employer may apply to the commissioner
7 notwithstanding the requirements of chapter seventeen A (17A)
8 of the Code, for a temporary order granting a variance from
9 a standard or any provision thereof promulgated under this
10 section. Such temporary order shall be granted only if the
11 employer files an application which meets the requirements
12 of paragraph b of this subsection and establishes that he
13 is unable to comply with the standard by its effective
14 date because of unavailability of professional or tech-
15 nical personnel or of materials and equipment needed to
16 come into compliance with the standards or because necessary
17 construction or operation of the facilities cannot be completed
18 by the effective date, that he is taking all available steps
19 to safeguard his employees against the hazards that are covered
20 by the standard, and that he has an effective program for
21 coming into compliance with this standard as quickly as
22 practicable. Any temporary order issued under this paragraph
23 shall prescribe the practices, means, methods, operations,
24 and processes which the employer must adopt and use while
25 the order is in effect and state in detail his program for
26 coming into compliance with the standard. Such a temporary
27 order may be granted only after notice to employees and an
28 opportunity for a hearing, provided that the commissioner
29 may issue one interim order to be effective until a decision
30 is made on the basis of the hearing. No temporary order may
31 be in effect longer than the period needed by the employer
32 to achieve compliance with the standard, or one year, whichever
33 is shorter except that such an order may be renewed not more
34 than twice so long as the requirements of this paragraph are
35 met and an application for renewal is filed at least ninety

1 days prior to the expiration date of the order. No interim
2 renewal of an order may remain in effect for longer than one
3 hundred and eighty days.

4 b. An application for a temporary order under this sub-
5 section shall contain:

6 (1) A specification of the standard or portion thereof
7 from which the employer seeks a variance.

8 (2) A representation by the employer, supported by repre-
9 sentations from qualified persons having firsthand knowledge
10 of the fact represented, that he is unable to comply with
11 the standard or portion thereof and a detailed statement of
12 those reasons therefor.

13 (3) A statement of the steps he has taken and will take
14 (with specific dates) to protect employees against the hazard
15 covered by the standard.

16 (4) A statement of when he expects to be able to comply
17 with the standard and what steps he has taken and what steps
18 he will take (with dates specified) to come into compliance
19 with the standard.

20 (5) A certification that he has informed his employees
21 of any application by giving a copy thereof to their autho-
22 rized employee representative, posting a statement giving
23 a summary of the application and specifying where a copy may
24 be examined at the place or places where notices to employees
25 are normally posted, and by other reasonably appropriate
26 means as may be directed by the commissioner.

27 (6) A description of how employees have been informed
28 shall be contained in the certification. The information
29 to employees shall also inform them of their right to petition
30 the commissioner for a hearing.

31 4. LABELS, WARNINGS, PROTECTIVE EQUIPMENT. Any standard
32 promulgated under this section shall prescribe the use of
33 labels or other appropriate forms of warning as are necessary
34 to insure that employees are appraised of all hazards to which
35 they are exposed, relevant symptoms and appropriate emergency

1 treatment, and proper conditions and precautions of safe use
2 or exposure. Where appropriate, such standard shall also
3 prescribe suitable protective equipment and control or tech-
4 nological procedures to be used in connection with such hazards
5 and shall provide for monitoring or measuring employee exposure
6 at such locations and intervals, and in such manner as may
7 be necessary for the protection of employees. In addition,
8 where appropriate, any such standard shall prescribe the type
9 and frequency of medical examinations or other tests which
10 shall be made available, by the employer or at his cost, to
11 employees exposed to such hazard in order to most effectively
12 determine whether the health of such employee is adversely
13 affected by such exposure. The results of such examinations
14 or tests, if released by the employee, shall be furnished
15 to the employee's physician, the employer's physician, and
16 the commissioner.

17 5. EMERGENCY TEMPORARY STANDARDS. The commissioner shall
18 provide, notwithstanding the requirements of chapter seven-
19 teen A (17A) of the Code, for an emergency temporary standard
20 to take immediate effect if he determines that employees are
21 exposed to grave danger from exposure from substances or
22 agents determined to be toxic or physically harmful or from
23 new hazards and if such emergency temporary standard is
24 necessary to protect the employees from such danger. Such
25 emergency standard shall cease to be effective and shall no
26 longer be applicable after the lapse of six months following
27 the effective date thereof unless the commissioner has
28 initiated the procedures provided for under this Act, for
29 the purpose of promulgating a permanent standard as provided
30 in subsection one (1) of this section in which case the
31 emergency temporary standard will remain in effect until the
32 permanent standard is adopted and becomes effective.
33 Abandonment of the procedure for such promulgation by the
34 commissioner shall terminate the effectiveness and
35 applicability of the emergency temporary standard.

1 6. PERMANENT VARIANCE. Notwithstanding chapter seventeen
2 A (17A) of the Code, any affected employer may apply to the
3 commissioner for a rule or order for a permanent variance
4 from a standard promulgated under this section. Affected
5 employees shall be given notice of each such application and
6 an opportunity to participate in a hearing. The commissioner
7 shall issue such rule or order if he determines on the record,
8 after opportunity for an inspection where appropriate and
9 a hearing, that the proponent of the variance has demonstrated
10 by a preponderance of the evidence that the conditions,
11 practices, means, methods, operations, or processes used or
12 proposed to be used by an employer will provide employment
13 and places of employment to his employees which are as safe
14 and healthful as those which would prevail if he complied
15 with the standard. The rule or order so issued shall prescribe
16 the conditions the employer must maintain, and the practices,
17 means, methods, operations, and processes which he must adopt
18 and utilize to the extent that they differ from the standard
19 in question. Such a rule or order may be modified or revoked
20 upon application by an employer, employees, or by the commis-
21 sioner on his own motion, in the manner prescribed for its
22 issuance under this subsection at any time after six months
23 from its issuance.

24 7. SPECIAL VARIANCE. Where there are conflicts with stan-
25 dards, rules or regulations promulgated by any federal agency
26 other than the United States department of labor, special
27 variances from standards, rules or regulations promulgated
28 under this Act shall be granted to avoid such regulatory
29 conflicts. Such variances shall take into consideration the
30 safety of the employees involved. Notwithstanding any other
31 provision of this chapter, and with respect to this para-
32 graph, any employer seeking relief under this provision must
33 file an application therefor with the commissioner and the
34 commissioner shall forthwith hold a hearing at which employees
35 or other interested persons, including representatives of

1 the federal regulatory agencies involved, may appear and upon
2 the showing that such a conflict indeed exists the commissioner
3 shall issue a special variance until the conflict is resolved.

4 8. PRIORITY FOR SETTING STANDARDS. In determining the
5 priorities for establishing standards under this section,
6 the commissioner shall give due regard to the urgency of the
7 need for mandatory safety and health standards for particular
8 industries, trades, crafts, occupations, businesses, workplaces
9 or work environments.

10 9. PRODUCT SAFETY. Standards promulgated under this Act
11 shall not be different from federal standards applying to
12 products distributed or used in interstate commerce unless
13 such standards are required by compelling local conditions
14 and do not unduly burden interstate commerce. This provision
15 does not apply to customized products or parts not normally
16 available on the open market, or to optional parts or addi-
17 tions to products which are ordinarily available with such
18 optional parts or additions.

19 10. JUDICIAL REVIEW BEFORE ENFORCEMENT. Any person who
20 may be adversely affected by a standard issued under this
21 section may at any time prior to the sixtieth day after such
22 standard becomes effective file a petition challenging the
23 validity of such standard with the district court of the
24 county wherein such person resides or has a principal place
25 of business, for a judicial review of such standard. A copy
26 of the petition shall be forthwith transmitted by the clerk
27 of the court to the commissioner. The filing of such petition
28 shall not, unless otherwise ordered by the court, operate
29 as a stay of the standard. The determinations of the
30 commissioner shall be conclusive if supported by substantial
31 evidence in the record considered as a whole.

32 Sec. 7. INSPECTIONS, INVESTIGATIONS, AND RECORDKEEPING.

33 1. ENTRANCE AND INSPECTIONS. In order to carry out the
34 purposes of this Act, the commissioner or his representative,
35 upon presenting appropriate credentials to the owner, oper-

1 ator, or agent in charge, is authorized:

2 a. To enter without delay and at reasonable times any
3 factory, plant, establishment, construction site, or other
4 area, workplace or environment where work is performed by
5 an employee of an employer.

6 b. To inspect and investigate during regular working
7 hours and at other reasonable times, and within reasonable
8 limits and within a reasonable manner, any such place of
9 employment and all pertinent conditions, structures, machines,
10 apparatus, devices, equipment, and materials therein, and
11 to question privately any such employer, owner, operator,
12 agent or employee.

13 2. SUBPOENA OF WITNESS AND EVIDENCE. In making his
14 inspections and investigations under this Act, the commis-
15 sioner may require the attendance and testimony of witnesses
16 and the production of evidence under oath. Witnesses shall
17 be paid the same fees and mileage that are paid witnesses
18 in the district courts of this state. In case of contumacy,
19 failure, or refusal of any person to obey such an order, any
20 appropriate district court within the jurisdiction of which
21 such person is found, or resides, or transacts business, upon
22 the application by the commissioner, shall have jurisdiction
23 to issue to such person an order requiring such person to
24 appear, to produce evidence, if, as, and when so ordered and
25 to give testimony relating to the matter under investigation
26 or in question, and any failure to obey such order of the
27 court may be punished by said court as a contempt thereof.

28 3. ACCIDENT AND ILLNESS RECORDS.

29 a. Each employer shall make, keep and preserve, and make
30 available to the commissioner such records regarding his
31 activities relating to this Act as the commissioner may pre-
32 scribe by regulation as necessary or appropriate for the
33 enforcement of this Act or for developing information regarding
34 the causes and prevention of occupational accidents and
35 illnesses. In order to carry out the provisions of this

1 paragraph such regulations may include provisions requiring
2 employers to conduct periodic inspections. The commissioner
3 shall also issue regulations requiring that employers, through
4 posting of notices or other appropriate means, keep their
5 employees informed of their protection and obligations under
6 this Act, including the provisions of applicable standards.

7 b. The commissioner shall prescribe regulations requiring
8 an employer to maintain accurate records of, and to make
9 periodic reports on, work related deaths, injuries, and
10 illnesses other than minor injuries requiring only first aid
11 treatment and which do not involve medical treatment, loss
12 of consciousness, restriction of work or motion, or transfer
13 to another job.

14 c. The commissioner shall issue regulations requiring
15 employers to maintain accurate records of employee exposures
16 to potentially toxic materials or harmful physical agents
17 which are required to be monitored or measured under section
18 six (6), subsection two (2), of this Act. Such regulations
19 shall provide employees or their authorized employee represen-
20 tative with an opportunity to observe such monitoring or
21 measuring, and to have access to the records thereof. Such
22 regulations shall also make appropriate provisions for each
23 employee or former employee to have access to such records
24 that will indicate his own exposure to toxic materials or
25 harmful physical agents. Each employer shall promptly notify
26 any employee who has been or is being exposed to toxic mate-
27 rials or harmful physical agents in concentrations or at
28 levels which exceed those prescribed by an applicable
29 occupational safety and health standard promulgated under
30 section six (6), subsection two (2), of this Act and shall
31 inform any employee who is being thus exposed of the corrective
32 action being taken.

33 d. All employers in the state of Iowa are required to
34 make all reports to the secretary required by federal law
35 as if this Act were not in effect.

1 e. The commissioner will make such reports to the secre-
2 tary in such form and containing such information, as the
3 secretary shall from time to time require pursuant to federal
4 law.

5 f. The regulations referred to in this subsection shall
6 not prescribe requirements different from those provided by
7 the federal law and regulations.

8 4. REPRESENTATIVES OF EMPLOYERS AND EMPLOYEES. Subject
9 to regulations issued by the commissioner, a representative
10 of the employer and an authorized employee representative
11 shall be given an opportunity to accompany the commissioner
12 or his authorized representative during the physical inspection
13 of any workplace under subsection one (1) of this section,
14 for the purpose of aiding such inspection. Where there is
15 no authorized employee representative, the commissioner or
16 his authorized representative shall consult with a reasonable
17 number of employees concerning matters of health and safety
18 in the workplace.

19 5. SPECIAL INSPECTIONS. Any employees or authorized
20 employee representative who believes that a violation of a
21 safety or health standard exists that threatens physical harm,
22 or that an imminent danger exists, may request an inspection
23 by giving notice to the commissioner or his authorized repre-
24 sentative of such violation or danger. Any such notice shall
25 be reduced to writing, shall set forth with reasonable par-
26 ticularity the grounds for the notice, and shall be signed
27 by the employees or authorized employee representative, and
28 a copy shall be provided the employer or his agent no later
29 than at the time of inspection, except that upon the request
30 of the person giving such notice his name and the names of
31 individual employees referred to therein shall not appear
32 in such copy or on any record published, released, or made
33 available pursuant to this section. If, upon receipt of such
34 notification, the commissioner determines that there are
35 reasonable grounds to believe that such violation or danger

1 exists, he shall make a special inspection in accordance with
2 the provisions of this section as soon as practicable, to
3 determine if such violation or danger exists. If the commis-
4 sioner determines that there is no reasonable grounds to
5 believe that a violation or danger exists, he shall notify
6 the employees or authorized employee representative in writing
7 of such determination.

8 6. NOTICE OF VIOLATIONS. During any inspection of a
9 workplace, any employee or representative of employees employed
10 in such workplace may notify the commissioner or any
11 representative of the commissioner responsible for conduct-
12 ing the inspection, in writing, of any violation of this Act
13 which they have reason to believe exists in such workplace.
14 The commissioner shall, by regulation, establish procedures
15 for an informal review of any refusal by a representative
16 of the commissioner to issue a citation with respect to any
17 such alleged violation and shall furnish the employees or
18 authorized employee representative requesting such review
19 a written statement of the reason for the commissioner's final
20 disposition of the case.

21 7. GENERAL. Any information obtained by the commissioner
22 under this Act shall be obtained with a minimum burden upon
23 employers. Except for the purpose of administration of this
24 Act, no information received by the commissioner or his
25 representative from an employer, in compliance with and pur-
26 suant to this Act, shall be admissible in any action brought
27 by or for the benefit of any person. Unnecessary duplication
28 of efforts in obtaining information shall be reduced to the
29 maximum extent feasible.

30 Sec. 8. CITATIONS.

31 1. ISSUANCE BY COMMISSIONER.

32 a. If, upon inspection or investigation, the commissioner
33 or his authorized representative believes that an employer
34 has violated the requirements of section five (5) of this
35 Act, of any standard, rule or rules promulgated pursuant to

1 section six (6) of this Act, or of any regulations prescribed
2 pursuant to this Act, he shall with reasonable promptness
3 issue a citation to the employer. Each citation shall be
4 in writing and shall describe with particularity the nature
5 of the violation, including a reference to the provision of
6 the Act, standard, rules, regulations or order alleged to
7 have been violated. In addition, the citation shall fix a
8 reasonable time for the abatement of the violation. The
9 commissioner shall prescribe procedures for the issuance of
10 a notice in lieu of a citation with respect to de minimus
11 violations which have no direct or immediate relationship
12 to safety and health.

13 b. If, upon inspection or investigation, the commissioner
14 or his authorized representative believes that an employee,
15 under his own volition, has violated the requirements of
16 section five (5) of this Act, of any standard, rule or rules
17 promulgated pursuant to section six (6) of this Act, or of
18 any regulations prescribed pursuant to this Act, he shall
19 with reasonable promptness issue a citation to the employee.
20 Each citation shall be in writing and shall describe with
21 particularity the nature of the violation, including a
22 reference to the provision of the Act, standard, rules,
23 regulations or order alleged to have been violated. The
24 commissioner shall prescribe procedures for the issuance of
25 a notice in lieu of a citation with respect to de minimus
26 violations which have no direct or immediate relationship
27 to safety and health.

28 2. POSTING OF CITATION. Each citation issued under this
29 section, or a copy or copies thereof, shall be prominently
30 posted, as prescribed in regulations issued by the commis-
31 sioner, at or near each place a violation referred to in
32 the citation occurred.

33 3. STATUTE OF LIMITATIONS. No citation may be issued
34 under this section after the expiration of six months following
35 the occurrence of any violation.

1 Sec. 9. PROCEDURE FOR ENFORCEMENT.

2 1. POST-INSPECTION PENALTY NOTICE. If, after an inspec-
3 tion or an investigation, the commissioner issues a citation
4 under section eight (8) of this Act, he shall within a reason-
5 able time after the termination of such inspection or inves-
6 tigation notify the employer by certified mail of the penalty,
7 if any, proposed to be assessed under section fifteen (15)
8 of this Act and that the employer has fifteen working days
9 within which to notify the commissioner that he wishes to
10 contest the citation or proposed assessment of penalties.
11 If, within fifteen working days from the receipt of the notice
12 issued by the commissioner, the employer fails to notify the
13 commissioner that he intends to contest the citation or
14 proposed assessment of penalty, and no notice is filed by
15 any employees or authorized employee representative under
16 subsection three (3) of this section within such time, the
17 citation and the assessment, as proposed, shall be deemed
18 a final order of the commission and not subject to review
19 by any court or agency.

20 2. NONCOMPLIANCE NOTICE. If the commissioner has reason
21 to believe that an employer has failed to correct the violation
22 for which a citation has been issued within the period per-
23 mitted for its correction (which period shall not begin to
24 run until the entry of a final order by the commission in
25 the case of any review proceedings under this section initiated
26 by the employer in good faith and not solely for delay or
27 avoidance of penalties), the commissioner shall notify the
28 employer by certified mail of such failure and of the penalty
29 proposed to be assessed under section fifteen (15) of this
30 Act by reason of such failure, and that the employer has
31 fifteen working days within which to notify the commissioner
32 that he wishes to contest the commissioner's notification
33 or the proposed assessment of penalty. If, within fifteen
34 working days from the receipt of notification issued by the
35 commissioner, the employer fails to notify the commissioner

1 that he intends to contest the notification or proposed
2 assessment of penalty, the notification and assessment, as
3 proposed, shall be deemed the final order of the commission
4 and not subject to review by any court or agency.

5 3. CONTESTED NOTICE. If an employer notifies the commis-
6 sioner that he intends to contest a citation issued under
7 section eight (8) of this Act or notification issued under
8 subsection one (1) or two (2) of this section or if, within
9 fifteen working days of the issuance of a citation under
10 section eight (8) of this Act, any employee or authorized
11 employee representative files a notice with the commissioner
12 alleging that the period of time fixed in the citation for
13 the abatement of the violation is unreasonable, the commis-
14 sioner shall immediately advise the commission of such noti-
15 fication, and the commission shall afford an opportunity for
16 a hearing. The commission shall thereafter issue an order,
17 based on findings of fact, affirming, modifying, or vacating
18 the commissioner's citation or proposed penalty or directing
19 other appropriate relief, and such order shall become final
20 thirty days after its issuance. Upon a showing by an employer
21 of a good faith effort to comply with the abatement require-
22 ments of a citation, and that abatement has not been completed
23 because of factors beyond his reasonable control, the commis-
24 sioner, after an opportunity for a hearing shall issue an
25 order affirming or modifying the abatement requirements in
26 such citation. The rules of procedure prescribed by the
27 commission shall provide affected employees or representatives
28 of affected employees an opportunity to participate as parties
29 to hearings under this subsection, and shall conform to rules
30 of procedure promulgated and adopted under the federal law
31 by federal authorities insofar as the same do not conflict
32 with state law.

33 Sec. 10. JUDICIAL REVIEW.

34 1. AGGRIEVED PERSONS. Any person adversely affected or
35 aggrieved by an order of the commission issued under section

1 nine (9), subsection three (3), of this Act may obtain a
2 review of such order in the district court of the county in
3 which the violation is alleged to have occurred or where the
4 employer has its principal office by filing in such court
5 within sixty days following the issuance of such order a
6 written petition that the order be modified or set aside.
7 A copy of such petition shall be forthwith transmitted by
8 the clerk of the court to the commission and to the other
9 parties, and thereupon the commission shall promptly file
10 in the court the transcript of record in the proceedings.
11 Upon such filing, the court shall have jurisdiction of the
12 proceeding and of the question determined therein, and shall
13 have power to grant such temporary relief or restraining order
14 as it deems just and proper, and to make and enter upon the
15 pleadings, testimony, and proceedings set forth in such record
16 a decree affirming, modifying, or setting aside in whole or
17 in part, the order of the commission and enforcing the same
18 to the extent that such order is affirmed or modified. The
19 commencement of proceedings under this subsection shall not,
20 unless ordered by the court, operate as a stay of the order
21 of the commission. No objection which has not been urged
22 before the commission shall be considered by the court, unless
23 the failure or neglect to urge such objection shall be excused
24 because of extraordinary circumstances. The findings of the
25 commission with respect to questions of fact, if supported
26 by substantial evidence on the record considered as a whole,
27 shall be conclusive. If any party shall apply to the court
28 for leave to adduce additional evidence and shall show to
29 the satisfaction of the court that such additional evidence
30 is material and that there were reasonable grounds for the
31 failure to adduce such evidence in the hearing before the
32 commission, the court may order such additional evidence to
33 be taken before the commission and to be made a part of the
34 record. The commission may modify its findings as to the
35 facts, or make new findings by reason of additional evidence

1 so taken and filed, and it shall file such modified or new
2 findings with the court, which findings with respect to
3 questions of fact, if supported by substantial evidence on
4 the record considered as a whole, shall be conclusive, and
5 its recommendations, if any, for the modification or setting
6 aside of its original order. The commission's copy of the
7 testimony shall be available to all parties for examination
8 at all reasonable times, without cost, and for the purpose
9 of judicial review of the commission's orders. Upon the
10 filing of the record with it, the jurisdiction of the court
11 shall be exclusive and its judgment and decree shall be final,
12 except that the same shall be subject to review by the state
13 supreme court. Petitions filed under this subsection shall
14 be heard expeditiously, and determined upon the transcript
15 filed without requirement for printing.

16 2. UNCONTESTED COMMISSION ORDERS. The commissioner may
17 also obtain review or enforcement of any final order of the
18 commission by filing a petition for such relief in the district
19 court of the county in which the alleged violation occurred
20 or in which the employer has its principal office and the
21 provisions of subsection one (1) of this section shall govern
22 such proceedings to the extent applicable. If no petition
23 for review, as provided in subsection one (1), is filed within
24 sixty days after service of the commission's order, the commis-
25 sion's findings of fact and order shall be conclusive in
26 connection with any petition for enforcement which is filed
27 by the commissioner after the expiration of such sixty-day
28 period. In any such case, as well as in the case of a
29 noncontested citation or notification by the commissioner
30 which has become a final order of the commission under section
31 nine (9), subsection one (1) or two (2), of this Act, the
32 clerk of court, unless otherwise ordered by the court, shall
33 forthwith enter a decree enforcing the order and shall trans-
34 mit a copy of such decree to the commission and the employer
35 named in the petition. In any contempt proceeding brought

1 to enforce a decree of a district court entered pursuant to
2 this subsection or subsection one (1) of this section, the
3 district court may assess the penalties provided in section
4 fifteen (15) of this Act in addition to invoking any other
5 available remedies.

6 3. DISCRIMINATION AND DISCHARGE. No person shall discharge
7 or in any manner discriminate against any employee because
8 such employee has filed any complaint or instituted or caused
9 to be instituted any proceeding under or related to this Act
10 or has testified or is about to testify in any such proceeding
11 or because of the exercise by such employee on behalf of
12 himself or others of any right afforded by this Act. Any
13 employee who believes that he has been discharged or other-
14 wise discriminated against by any person in violation of this
15 subsection may, within thirty days after such violation occurs,
16 file a complaint with the commissioner alleging such
17 discrimination. Upon receipt of such complaint, the
18 commissioner shall cause such investigation to be made as
19 he deems appropriate. If upon such investigation, the
20 commissioner determines that the provisions of this sub-
21 section have been violated, he shall bring an action in
22 the appropriate district court against such person. In
23 any such action, that district court shall have juris-
24 diction, for cause shown to restrain violations of this
25 subsection and order all appropriate relief including rehiring
26 or reinstatement of the employee to his former position with
27 back pay. Within ninety days of the receipt of a complaint
28 filed under this subsection the commissioner shall notify
29 the complainant of his determination under this subsection.

30 Sec. 11. OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.

31 1. THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
32 IS HEREBY ESTABLISHED. The commission shall be composed of
33 three members who shall be appointed by the governor, as soon
34 as practicable following the effective date of this Act, with
35 the approval of two-thirds of the members of the senate, which

1 shall include among its members one member qualified by
2 experience and affiliation to represent the employers, one
3 member similarly qualified to represent labor, and one
4 representative who shall be impartial and represent the public.
5 The governor shall designate one of the members of the
6 commission to serve as chairman.

7 2. TERMS OF OFFICE. The terms of members of the commission
8 shall be six years, except that the members of the commission
9 first taking office shall serve, as designated by the governor
10 at the time of appointment, one for a term of two years, one
11 for a term of four years, and one for a term of six years.
12 A vacancy caused by the death, resignation, or removal of
13 a member prior to the expiration of the term for which he
14 was appointed shall be filled only for the remainder of such
15 unexpired term. A member of the commission may be removed
16 by the governor for inefficiency, neglect of duty, or
17 malfeasance in office.

18 3. PRINCIPAL OFFICE. The commission shall have an office
19 at the seat of government. The executive council shall provide
20 suitable office space, necessary furniture, equipment, and
21 supplies. The commission may hold meetings and hearings
22 anywhere in the state.

23 4. COMPENSATION. Members of the commission shall be com-
24 pensated at the rate of forty dollars per diem and shall be
25 paid their actual and necessary expenses.

26 5. QUORUM REQUIREMENTS. For the purpose of carrying out
27 its functions under this Act, two members of the commission
28 shall constitute a quorum and official action can be taken
29 only on the affirmative vote of at least two members.

30 6. PUBLIC HEARINGS. Every official act of the commission
31 shall be entered of record, and its hearings and records shall
32 be open to the public. The commission is authorized to make
33 such rules as are necessary for the orderly transaction of
34 its proceedings. Unless the commission has adopted a different
35 rule, its proceedings shall be in accordance with the Iowa

1 rules of civil procedure.

2 7. DEPOSITIONS AND TESTIMONY. The commission may order
3 testimony to be taken by deposition in any proceedings pending
4 before it at any state of such proceeding. Any person may
5 be compelled to appear and depose and to produce books, papers
6 or documents in the same manner as witnesses may be compelled
7 to appear and testify and produce like documentary evidence
8 before district courts of any county. Witnesses whose
9 depositions are taken under this subsection, the persons
10 taking such depositions, shall be entitled to the same fees
11 as are paid for like services in the district courts of any
12 county.

13 8. APPEALS HEARD EXPEDITIOUSLY. Appeals to the commission
14 shall be heard expeditiously.

15 Sec. 12. PROCEDURES TO COUNTERACT IMMINENT DANGERS.

16 1. IMMINENT DANGER ORDERS. The district court of the
17 county in which the imminent danger is alleged to exist shall
18 have jurisdiction, upon petition of the commissioner, to
19 restrain any conditions or practices in any place of employment
20 which are such that a danger exists which will reasonably
21 be expected to cause death or serious physical harm immediately
22 or before the imminence of such danger can be eliminated
23 through the enforcement procedures otherwise provided by this
24 Act. Any judges of the judicial district in which such county
25 is located shall have authority to issue orders under this
26 section. Any order issued under this section may require
27 such steps to be taken as may be necessary to avoid, correct,
28 or remove such imminent danger and prohibit the employment
29 or presence of any individual in locations or under conditions
30 where such imminent danger exists, except individuals whose
31 presence is necessary to avoid, correct or remove such imminent
32 danger or to maintain the capacity of a continuous process
33 operation to resume normal operations without a complete
34 cessation of operations, or where a cessation of operations
35 is necessary, to permit such to be accomplished in a safe

1 and orderly manner.

2 2. IMMINENT DANGER PROCEEDINGS. Upon the filing of any
3 such petition the said district court shall have jurisdiction
4 to grant such injunctive relief or temporary restraining order
5 pending the outcome of an enforcement proceeding pursuant
6 to this Act. The proceedings shall be as provided by the
7 Iowa rules of civil procedure. No temporary restraining order
8 issued without notice shall be effective for a period longer
9 than five days.

10 3. NOTIFICATION. Whenever and as soon as an inspector
11 concludes that the conditions or practices described in
12 subsection one (1) of this section exist in any place of
13 employment, he shall inform the affected employees and
14 employers of the danger and that he is recommending to the
15 commissioner that relief be sought. The commissioner shall
16 adopt rules and regulations prescribing the procedures in
17 enforcing imminent danger orders which procedures shall
18 reasonably conform to those promulgated under the federal
19 law insofar as the same do not conflict with state law.

20 4. EMPLOYEE'S RIGHTS. If the commissioner arbitrarily
21 or capriciously fails to seek relief under this section, any
22 employee who may be injured by reason of such failure, or
23 the authorized employee representative, may bring an action
24 against the said commissioner in the district court of the
25 county in which the imminent danger is alleged to exist or
26 the employer has his principal office, for a writ of mandamus
27 to compel the commissioner to seek such an order and for such
28 further relief as may be appropriate.

29 Sec. 13. CONFIDENTIALITY OF TRADE SECRETS. Notwithstanding
30 any provisions of this Act, all information reported to or
31 otherwise obtained by the commissioner or his representative
32 in connection with any inspection or proceeding under this
33 Act which contains or might reveal a trade secret shall be
34 considered confidential, except that such information may
35 be disclosed to other officers or employees concerned with

1 carrying out this Act or when relevant to any proceeding under
2 this Act. In any such proceeding the commissioner, the
3 commission, or the court shall issue such orders as may be
4 appropriate to protect the confidentiality of trade secrets.

5 Sec. 14. VARIATIONS, TOLERANCES AND EXEMPTIONS. When
6 the secretary grants variations, tolerances, and exemptions
7 to avoid serious impairment of the national defense as provided
8 under authority of section sixteen (16) of the federal law,
9 the commissioner shall grant the same variations, tolerances,
10 and exemptions in the Iowa law, rules, regulations and
11 standards to be effective immediately.

12 Sec. 15. PENALTIES.

13 1. WILLFUL VIOLATIONS. Any employer who willfully or
14 repeatedly violates the requirements of section five (5) of
15 this Act, any standard, rule, or order promulgated pursuant
16 to section six (6) of this Act, or regulations prescribed
17 pursuant to this Act, may be assessed a civil penalty of not
18 more than ten thousand dollars for each violation.

19 2. SERIOUS VIOLATIONS. Any employer who has received
20 a citation for a serious violation of the requirements of
21 section five (5) of this Act, of any standard, rule, or order
22 promulgated pursuant to section six (6) of this Act, or of
23 any regulations prescribed pursuant to this Act, shall be
24 assessed a civil penalty of up to one thousand dollars for
25 each such violation.

26 3. NONSERIOUS VIOLATIONS. Any employer who has received
27 a citation for a violation of the requirements of section
28 five (5) of this Act, of any standard, rule or order
29 promulgated pursuant to section six (6) of this Act or of
30 regulations prescribed pursuant to this Act and such violation
31 is specifically determined not to be of a serious nature,
32 may be assessed a civil penalty of up to one thousand dollars
33 for each such violation, but no penalty shall be assessed
34 for a violation of each such standard, rule or regulation
35 found during the first inspection.

1 4. FAILURE TO CORRECT. Any employer who fails to correct
2 a violation for which a citation has been issued under section
3 eight (8), subsection one (1), of this Act within the period
4 permitted for its correction (which period shall not begin
5 to run until the date of the final order of the commission
6 in the case of any review proceeding under section nine (9)
7 of this Act initiated by the employer in good faith and not
8 solely for delay or avoidance of penalties), may be assessed
9 a civil penalty of not more than one thousand dollars for
10 each day during which such failure or violation continues.

11 5. WILLFUL VIOLATIONS CAUSING DEATH. Any employer who
12 willfully violates any standard, rule, or order promulgated
13 pursuant to section six (6) of this Act, or of any regulations
14 prescribed pursuant to this Act, and that violation caused
15 death to any employee, shall, upon conviction, be punished
16 by a fine of not more than ten thousand dollars or by imprison-
17 ment for not more than six months or by both such fine and
18 imprisonment; except that if the conviction is for a violation
19 committed after a first conviction of such person, punishment
20 shall be by a fine of not more than twenty thousand dollars
21 or by imprisonment of not more than one year, or by both such
22 fine and imprisonment.

23 6. ADVANCE NOTICE OF INSPECTIONS. Any person who gives
24 advance notice of any inspection to be conducted under this
25 Act, without authority from the commissioner or his designees,
26 shall, upon conviction, be punished by a fine of not more
27 than one thousand dollars or by imprisonment for not more
28 than six months, or by both such fine and imprisonment.

29 7. FILING FALSE DOCUMENTS. Whoever knowingly makes any
30 false statement, representation, or certification in any
31 application, record, report, plan, or other document filed
32 or required to be maintained pursuant to this Act shall, upon
33 conviction, be punished by a fine of not more than ten thousand
34 dollars, or by imprisonment of not more than six months, or
35 by both such fine and imprisonment.

1 8. DISCLOSURE OF CONFIDENTIAL INFORMATION. Whoever
2 violates the provisions of section thirteen (13) of this Act
3 shall be fined not more than one thousand dollars, or
4 imprisoned not more than one year, or both such fine and
5 imprisonment; and shall be removed from office or employment.

6 9. VIOLATION OF POSTING REQUIREMENTS. Any employer who
7 violates any of the posting, reporting or recordkeeping
8 requirements as prescribed under the provisions of this Act,
9 shall be assessed a civil penalty of up to one thousand dollars
10 for each violation.

11 10. ASSESSMENT OF PENALTIES. The commission shall have
12 the authority to assess all civil penalties provided in this
13 section, giving due consideration to the appropriateness of
14 the penalty with respect to the size of the business of the
15 employer being charged, the gravity of the violation, the
16 good faith of the employer, and the history of previous
17 violations.

18 11. DEFINITION OF SERIOUS VIOLATION. For purposes of
19 this section, a serious violation shall be deemed to exist
20 in a place of employment if there is a substantial probability
21 that death or serious physical harm could result from a
22 condition which exists, or from one or more practices, means,
23 methods, operations, or processes which have been adopted
24 or are in use, in such place of employment unless the employer
25 did not, and could not with the exercise of reasonable
26 diligence, know of the presence of the violation.

27 12. COLLECTION OF PENALTIES. Civil penalties owed under
28 this Act shall be paid to the commissioner for deposit with
29 the treasurer of state and shall accrue to the state and may
30 be recovered in a civil action in the name of the state brought
31 in the district court of the county where the violation is
32 alleged to have occurred or where the employer has its
33 principal office.

34 Sec. 16. APPEAL PROCEDURES FOR EMPLOYEES. In the event
35 an employee is issued a citation as provided in section eight

1 (8) of this Act, the procedures for appeal as provided for
2 employers in this Act shall apply.

3 Sec. 17. TRAINING AND EMPLOYEE AND EMPLOYER EDUCATION.

4 1. The commissioner shall conduct directly or by contract,
5 educational programs to provide an adequate supply of qualified
6 personnel to administer this Act and informational programs
7 on the importance of and proper use of adequate safety and
8 health equipment.

9 2. The commissioner is authorized to conduct directly
10 or by grants or contracts, short term training of personnel
11 engaged in work related to his responsibilities under this
12 Act.

13 3. The commissioner shall provide for the establishment
14 and supervision of programs for the education and training
15 of employers and employees in the recognition, avoidance,
16 and prevention of unsafe or unhealthful working conditions
17 in employments covered by this Act, and consult with and
18 advise employers, employees, and organizations representing
19 employers and employees, as to effective means of preventing
20 occupational injuries and illnesses.

21 Sec. 18. REPRESENTATION IN CIVIL LITIGATION. The attorney
22 general of the state shall upon request by the commissioner
23 represent the commissioner in any civil litigation brought
24 under this Act.

25 Sec. 19. STATISTICS. In order to further the purposes
26 of this Act, the commissioner shall develop and maintain an
27 effective program of collection, compilation, and analysis
28 of occupational safety and health statistics. Such program
29 may cover all employments whether or not subject to any other
30 provisions of this Act. The commissioner shall compile
31 accurate statistics on work injuries and illnesses which shall
32 include all disabling, serious, or significant injuries and
33 illnesses, whether or not involving loss of time from work,
34 other than minor injuries requiring only first aid treatment
35 and which do not involve medical treatment, loss of

1 consciousness, restriction of work or motion, or transfer
2 to another job.

3 Sec. 20. ANNUAL REPORT. Within one hundred twenty days
4 following the convening of each session of each general
5 assembly, the commissioner shall prepare and submit to the
6 governor for transmittal to the general assembly a report
7 upon the subject matter of this Act, the progress toward
8 achievement of the purpose of this Act, the needs and
9 requirements in the field of occupational safety and health,
10 and any other relevant information. Such reports may include
11 information regarding occupational safety and health standards,
12 and criteria for such standards, developed during the preceding
13 year; evaluation of standards and criteria previously developed
14 under this Act, defining areas of emphasis for new criteria
15 and standards; an evaluation of the degree of observance of
16 applicable occupational safety and health standards, and a
17 summary of inspection and enforcement activity undertaken;
18 analysis and evaluation of research activities for which
19 results have been obtained under governmental and nongovern-
20 mental sponsorship; an analysis of major occupational diseases;
21 evaluation of available control and measurement technology
22 for hazards for which standards or criteria have been developed
23 during the preceding year; description of cooperative efforts
24 undertaken between government agencies and other interested
25 parties in the implementation of this Act during the preceding
26 year; a progress report on the development of an adequate
27 supply of trained manpower in the field of occupational safety
28 and health, including estimates of future needs and the efforts
29 being made by government and others to meet those needs;
30 listing of all toxic substances in industrial usage for which
31 labeling requirements, criteria, or standards have not yet
32 been established; and such recommendations for additional
33 legislation as are deemed necessary to protect the safety
34 and health of the worker and improve the administration of
35 this Act.

Senate

- 1 Amend Senate File 1218 as follows:
 2 1. Page 23, line 21, by inserting after "supplies." the following:
 3 "The commission is authorized to employ necessary personnel
 4 for the carrying out of its functions and duties as provided
 5 under this Act."
 6 2. Page 24, by striking line 24 and inserting in lieu thereof
 7 the following:
 8 "Act. In the event the appropriate trial judge is not
 9 available, any judge of the judicial district in which such county"
 10 3. Page 31, by striking line 17 and inserting in lieu thereof
 11 the following:
 12 "additional sum of forty-one thousand four hundred forty
 13 dollars," (41,440)
 14 4. Page 31, after line 19, by adding the following new section:
 15 "Section _____. There is appropriated from the general fund
 16 of the state of Iowa to the occupational safety and health
 17 review commission for the fiscal year beginning July 1, 1972,
 18 and ending June 30, 1973, a sum of fourteen thousand six hundred
 19 fifty (14,650) dollars, or so much thereof as may be necessary,
 20 to carry out the provisions of this Act."

Filed - *Adopted 3-20-72* By COMMITTEE ON APPROPRIATIONS
 March 16, 1972

HOUSE AMENDMENT TO SENATE FILE 1218

- 1 Amend the title to Senate File 1218, line 1, by striking
 2 the second word "and" and inserting in lieu thereof the
 3 following: ", providing appropriations to carry out the
 4 provisions of this Act, and".

Received from the House
 March 22, 1972

Senate concurred 3/22

House

- 1 Amend the title to Senate File 1218, line 1, by striking
 2 the second word "and" and inserting in lieu thereof the
 3 following: ", providing appropriations to carry out the
 4 provisions of this Act, and".

Offered from the floor and adopted
 March 22, 1972 By MILLEN of Van Buren