

2/23/95 Amend/Do Pass  
w/ H-3188

FEB 01 1995  
JUDICIARY

*Reprinted*

HOUSE FILE 118  
BY BODDICKER

Passed House, Date 3/28/95 (p.1009) Passed Senate, Date 4/10/95 (p.1091)  
Vote: Ayes 92 Nays 0 Vote: Ayes 50 Nays 0  
Approved April 17, 1995

A BILL FOR

1 An Act relating to compensation of volunteer fire fighters when  
2 subpoenaed as witnesses.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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HOUSE FILE 118

H-3188

1 Amend House File 118 as follows:  
2 1. Page 1, line 10, by inserting after the word  
3 "fighters" the following: "of the same rank".  
4 By COMMITTEE ON JUDICIARY  
5 HURLEY of Fayette, Chairperson

(p.1008)

3-28-95

1 H-3188 FILED FEBRUARY 23, 1995

HF  
118

HOUSE FILE 118

H-3217

1 Amend House File 118 as follows:  
2 1. Page 1, line 7, by inserting after the word  
3 "compensation" the following: "as determined by the  
4 court".  
5 2. Page 1, line 8, by inserting after the word  
6 "The" the following: "daily".  
7 3. Page 1, line 9, by striking the words "shall  
8 be commensurate with the compensation" and inserting  
9 the following: "shall be equal to the average daily  
10 wage".  
11 4. Page 1, line 10, by inserting after the word  
12 "fighters" the following: "of the same rank within  
13 the judicial district".

By BODDICKER of Cedar  
KREIMAN of Davis

(p.1009)

2 H-3217 FILED FEBRUARY 28, 1995

*Adopted 3-28-95*

1 Section 1. NEW SECTION. 622.71A VOLUNTEER FIRE FIGHTERS  
2 -- WITNESS COMPENSATION.

3 A volunteer fire fighter, as defined in section 85.61, who  
4 is subpoenaed to appear as a witness in connection with a  
5 matter regarding an event or transaction which the fire  
6 fighter perceived or investigated in the course of duty as a  
7 volunteer fire fighter, shall receive reasonable compensation  
8 from the party who subpoenaed the volunteer fire fighter. The  
9 compensation shall be commensurate with the compensation paid  
10 to full-time fire fighters. However, the requirements of this  
11 section are not applicable if a volunteer fire fighter will  
12 receive the volunteer fire fighter's regular salary or other  
13 compensation pursuant to the policy of the volunteer fire  
14 fighter's regular employer, for the period of time required  
15 for travel to and from where the court or other tribunal is  
16 located and while the volunteer fire fighter is required to  
17 remain at that place pursuant to the subpoena.

18 EXPLANATION

19 This bill provides that the party who subpoenas a volunteer  
20 fire fighter must pay reasonable compensation, based on the  
21 pay received by regular full-time fire fighters, to volunteer  
22 fire fighters when subpoenaed to be witnesses related to  
23 activities arising in the course of duty. The party is not  
24 required to reimburse the volunteer fire fighter if the fire  
25 fighter's regular employer pays the regular salary or  
26 compensation to which the employee is entitled pursuant to the  
27 employer's policy.

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4/29/95 public inv

HOUSE FILE 118  
BY BODDICKER

(As Amended and Passed by the House March 28, 1995)

Passed House, <sup>(p. 1009)</sup> Date 3/28/95 Passed Senate, Date 4/10/95 (p. 1091)  
Vote: Ayes 92 Nays 0 Vote: Ayes 50 Nays 0  
Approved April 17, 1995

**A BILL FOR**

1 An Act relating to compensation of volunteer fire fighters when  
2 subpoenaed as witnesses.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments \_\_\_\_\_

1 Section 1. NEW SECTION. 622.71A VOLUNTEER FIRE FIGHTERS  
2 -- WITNESS COMPENSATION.

3 A volunteer fire fighter, as defined in section 85.61, who  
4 is subpoenaed to appear as a witness in connection with a  
5 matter regarding an event or transaction which the fire  
6 fighter perceived or investigated in the course of duty as a  
7 volunteer fire fighter, shall receive reasonable compensation  
8 as determined by the court from the party who subpoenaed the  
9 volunteer fire fighter. The daily compensation shall be equal  
10 to the average daily wage paid to full-time fire fighters of  
11 the same rank within the judicial district. However, the  
12 requirements of this section are not applicable if a volunteer  
13 fire fighter will receive the volunteer fire fighter's regular  
14 salary or other compensation pursuant to the policy of the  
15 volunteer fire fighter's regular employer, for the period of  
16 time required for travel to and from where the court or other  
17 tribunal is located and while the volunteer fire fighter is  
18 required to remain at that place pursuant to the subpoena.

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tribunal is located and while the volunteer fire fighter is required to remain at that place pursuant to the subpoena.

HOUSE FILE 118

AN ACT

RELATING TO COMPENSATION OF VOLUNTEER FIRE FIGHTERS WHEN  
SUBPOENAED AS WITNESSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 622.71A VOLUNTEER FIRE FIGHTERS  
-- WITNESS COMPENSATION.

A volunteer fire fighter, as defined in section 85.61, who is subpoenaed to appear as a witness in connection with a matter regarding an event or transaction which the fire fighter perceived or investigated in the course of duty as a volunteer fire fighter, shall receive reasonable compensation as determined by the court from the party who subpoenaed the volunteer fire fighter. The daily compensation shall be equal to the average daily wage paid to full-time fire fighters of the same rank within the judicial district. However, the requirements of this section are not applicable if a volunteer fire fighter will receive the volunteer fire fighter's regular salary or other compensation pursuant to the policy of the volunteer fire fighter's regular employer, for the period of time required for travel to and from where the court or other

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RON J. CORBETT  
Speaker of the House

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LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 118, Seventy-sixth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved *April 17*, 1995

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TERRY E. BRANSTAD  
Governor