

S-3-17-97 Business Labor
S-3/31/97 Do Pass

FEB 28 1997
Place On Calendar

HOUSE FILE 398
BY COMMITTEE ON LABOR AND
INDUSTRIAL RELATIONS

(SUCCESSOR TO HSB 83)

Passed House, ^(P.613) Date 3-17-97 Passed Senate, ^(P.988) Date 4-7-97
Vote: Ayes 98 Nays 0 Vote: Ayes 45 Nays 0
Approved April 11, 1997

A BILL FOR

1 An Act relating to subject matter under the regulatory authority
2 of the labor commissioner, including the construction
3 contractors law, and making nonsubstantive Code corrections
4 relating to the child labor law.

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

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HF 398

1 Section 1. Section 91C.1, subsection 1, Code 1997, is
2 amended to read as follows:

3 1. As used in this chapter, unless the context otherwise
4 requires, "contractor" means a person who engages in the
5 business of construction, as the term "construction" is
6 defined in ~~section-345-3-82-(96)~~, the Iowa Administrative
7 Code, for purposes of the Iowa employment security law.
8 However, a person who earns less than one thousand dollars
9 annually or who performs work or has work performed on the
10 person's own property is not a contractor for purposes of this
11 chapter. The state, its boards, commissions, agencies,
12 departments, and its political subdivisions including school
13 districts and other special purpose districts, are not
14 contractors for purposes of this chapter.

15 Sec. 2. Section 91C.7, subsection 5, Code 1997, is amended
16 to read as follows:

17 5. If it is determined that this section may cause denial
18 of federal funds which would otherwise be available, or would
19 is otherwise be inconsistent with requirements of federal law,
20 this ~~subsection~~ section shall be suspended, but only to the
21 extent necessary to prevent denial of the funds or to
22 eliminate the inconsistency with federal requirements.

23 Sec. 3. Section 92.9, unnumbered paragraph 1, Code 1997,
24 is amended to read as follows:

25 The provisions of sections 92.8 and 92.10 shall not apply
26 to pupils working under an instructor in ~~a manual training~~ an
27 industrial arts department in the public schools of the state
28 or under an instructor in a school shop, or industrial plant,
29 or in a course of vocational education approved by the board
30 for vocational education, or to apprentices provided they are
31 employed under all of the following conditions:

32 Sec. 4. Section 92.9, subsection 3, Code 1997, is amended
33 to read as follows:

34 3. ~~Such~~ The work is intermittent and for short periods of
35 time and is under the direct and close supervision of a

1 journeyman journeyperson as a necessary part of such
2 apprentice training.

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EXPLANATION

4 This bill updates industrial arts terminology, eliminates a
5 reference to the specific Iowa administrative rule defining
6 "construction" for purposes of the Iowa employment security
7 law, amends a subsection to provide for gender neutrality, and
8 provides for the suspension of a section of the Code relating
9 to the registering and bonding of construction contractors if
10 the section may cause denial of federal funds or otherwise is
11 inconsistent with federal law.

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Holmes, Ch
Kremer
Taylor

HSB 83

LABOR & INDUSTRIAL RELATIONS

SENATE/HOUSE FILE SF (IE) 398
BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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HOUSE FILE 398

AN ACT

RELATING TO SUBJECT MATTER UNDER THE REGULATORY AUTHORITY OF THE LABOR COMMISSIONER, INCLUDING THE CONSTRUCTION CONTRACTORS LAW, AND MAKING NONSUBSTANTIVE CODE CORRECTIONS RELATING TO THE CHILD LABOR LAW.

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

Section 1. Section 91C.1, subsection 1, Code 1997, is amended to read as follows:

1. As used in this chapter, unless the context otherwise requires, "contractor" means a person who engages in the business of construction, as the term "construction" is defined in ~~section-345-3-82-(96)~~, the Iowa Administrative Code, for purposes of the Iowa employment security law. However, a person who earns less than one thousand dollars annually or who performs work or has work performed on the person's own property is not a contractor for purposes of this chapter. The state, its boards, commissions, agencies, departments, and its political subdivisions including school districts and other special purpose districts, are not contractors for purposes of this chapter.

Sec. 2. Section 91C.7, subsection 5, Code 1997, is amended to read as follows:

5. If it is determined that this section may cause denial of federal funds which would otherwise be available, or ~~would~~ is otherwise be inconsistent with requirements of federal law, this subsection ~~section~~ shall be suspended, but only to the extent necessary to prevent denial of the funds or to eliminate the inconsistency with federal requirements.

Sec. 3. Section 92.9, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The provisions of sections 92.8 and 92.10 shall not apply to pupils working under an instructor in ~~a-manual-training an~~ industrial arts department in the public schools of the state

or under an instructor in a school shop, or industrial plant, or in a course of vocational education approved by the board for vocational education, or to apprentices provided they are employed under all of the following conditions:

Sec. 4. Section 92.9, subsection 3, Code 1997, is amended to read as follows:

3. ~~Such~~ The work is intermittent and for short periods of time and is under the direct and close supervision of a journeyman journeyperson as a necessary part of ~~such~~ such apprentice training.

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 398, Seventy-seventh General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved April 11, 1997

TERRY E. BRANSTAD
Governor