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SENATE FILE 2319

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

A BILL FOR

1 An Act relating to the state fire marshal by providing for the
2 imposition of inspection fees and for the appropriation of the
3 fees collected.

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

SF 2319
STATE GOVERNMENT

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1 Section 1. DEPARTMENT OF PUBLIC SAFETY -- STATE FIRE
2 MARSHAL. Of moneys appropriated pursuant to section 100.1 and
3 chapter 101A to the department of public safety from the
4 general fund of the state for use by the state fire marshal
5 during the fiscal year beginning July 1, 2000, and ending June
6 30, 2001, up to \$160,000 shall be used for two additional fire
7 inspectors and up to \$85,000 shall be used for one additional
8 full-time equivalent position to inspect commercial explosive
9 magazine sites.

10 Sec. 2. Section 100.1, Code 1999, is amended by added by
11 the following new subsection:

12 NEW SUBSECTION. 6. To adopt rules designating a fee to be
13 assessed to each building, structure, or facility for which a
14 fire safety inspection by the state fire marshal is required
15 as a condition of licensure. The fees collected by the state
16 fire marshal shall be deposited in the general fund of the
17 state and the moneys from the fees are appropriated to the
18 office of the state fire marshal for the purposes of
19 administering this chapter.

20 Sec. 3. Section 101A.2, subsection 2, Code 1999, is
21 amended to read as follows:

22 2. Licenses shall be issued by the state fire marshal upon
23 payment of a fee of sixty two hundred dollars, valid for a
24 period of one calendar year, commencing on January 1 and
25 terminating on December 31; however, an initial license may be
26 issued during any calendar year for the number of months
27 remaining in such calendar year, computed to the first day of
28 the month when the application for the license is approved.
29 The license fee shall be charged on a pro rata basis for the
30 number of months remaining in the year of issue. Applications
31 for renewal of licenses shall be submitted within thirty days
32 prior to the license expiration date and shall be accompanied
33 by payment of the prescribed annual fee.

34 Sec. 4. Section 101A.7, unnumbered paragraph 1, Code 1999,
35 is amended to read as follows:

1 The licensee's or permittee's explosive storage facility
2 shall be inspected at least once a year by a representative of
3 the state fire marshal's office, except that the state fire
4 marshal may, at those mining operations licensed and regulated
5 by the United States department of labor, accept an approved
6 inspection report issued by the United States department of
7 labor, mine safety and health administration, for the twelve-
8 month period following the issuance of the report. The state
9 fire marshal shall assess and collect a fee of one hundred
10 dollars for each inspection of a commercial explosive magazine
11 site. The state fire marshal shall notify the appropriate
12 city or county governing board of licenses to be issued in
13 their respective jurisdictions pursuant to this chapter. The
14 notification shall contain the name of the applicant to be
15 licensed, the location of the facilities to be used in storing
16 explosives, the types and quantities of explosive materials to
17 be stored, and other information deemed necessary by either
18 the governing boards or the state fire marshal. The facility
19 may be examined at other times by the sheriff of the county
20 where the facility is located or by the local police authority
21 if the facility is located within a city of over ten thousand
22 population and if the sheriff or city council considers it
23 necessary.

24 Sec. 5. Section 101A.12, Code 1999, is amended to read as
25 follows:

26 101A.12 DEPOSIT AND USE OF FEES.

27 The fees collected by the state fire marshal in issuing
28 licenses and conducting inspections shall be deposited in the
29 state general fund of the state and the moneys from the fees
30 are appropriated to the department of public safety for the
31 purposes of administering this chapter.

32 EXPLANATION

33 This bill provides authority to the state fire marshal of
34 the department of public safety to assess fees for use by the
35 state fire marshal. The bill appropriates and provides that

1 moneys received through the fees provided by this bill shall
2 be used to hire two additional fire inspectors and for an
3 additional position to inspect commercial explosive magazine
4 sites.

5 Code section 100.1 is amended to require the state fire
6 marshal to establish a fee for the inspection by the state
7 fire marshal's office of facilities requiring a state license.
8 The fees collected are appropriated to the state fire
9 marshal's office for administering Code chapter 100.

10 Code section 101A.2 increases the license fee for an
11 operator of a commercial explosives site from \$60 to \$200.

12 Code section 101A.7 implements a fee of \$100 for each
13 inspection of a commercial explosive magazine site.

14 Code section 101A.12 is amended to provide that inspection
15 and license fees collected by the state fire marshal are
16 appropriated to the department of public safety to administer
17 Code chapter 101A.

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