

# Senate Study Bill 1065

## Bill Text

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1 1 Section 1. Section [12D.5](#), subsection 2, paragraph a,  
1 2 unnumbered paragraph 1, Code 1999, is amended to read as  
1 3 follows:  
1 4 Upon the occurrence of any of the following circumstances,  
1 5 no refund penalty shall be levied by the trust in the event of  
1 6

~~termination~~

- ~~cancellation~~ of a participation agreement:

1 7 Sec. 2. Section [12D.6](#), subsection 2, unnumbered paragraph  
1 8 2, Code 1999, is amended to read as follows:  
1 9 No right to receive investment income shall exist in cases  
1 10 of voluntary participant

~~termination~~

- ~~cancellation~~ except as

1 11 provided in section 12D.5.  
1 12 Sec. 3. Section [16.161](#), unnumbered paragraph 1, Code 1999,  
1 13 is amended to read as follows:  
1 14 The authority shall assist the administrator, appointed  
1 15 pursuant to section 34A.2A

~~or~~

- as provided in chapter 34A,

1 16 subchapter II, and the authority shall have all of the powers  
1 17 delegated to it by a joint E911 service board or the  
1 18 department of public defense in a chapter 28E agreement with  
1 19 respect to the issuance and securing of bonds or notes and the  
1 20 carrying out of the purposes of chapter 34A.  
1 21 Sec. 4. Section [18.183](#), subsection 2, Code 1999, is  
1 22 amended to read as follows:  
1 23 2. The division of information technology services shall  
1 24 not have authority to determine whether an individual  
1 25 government agency should automate records of which the  
1 26 individual government agency is the lawful custodian.  
1 27 However, the division may encourage governmental agencies to  
1 28 implement electronic access to government records

~~as provided~~

-  
1 29

~~in section 18.182~~

-  
1 30 Sec. 5. Section [34A.7A](#), subsection 2, paragraph c,  
1 31 subparagraph (2), unnumbered paragraph 2, Code 1999, is  
1 32 amended to read as follows:  
1 33 A joint E911 service board or the department of public  
1 34 safety, to receive funds from the wireless E911 emergency  
1 35 communications fund, must submit a written request for such  
2 1 funds to the administrator in a form as approved by the  
2 2 administrator. A request shall be for funding under an  
2 3 approved E911 service plan for equipment which is directly  
2 4 related to the reception and disposition of incoming wireless  
2 5 E911 calls. The administrator may approve the distribution of  
2 6 funds pursuant to such request if the administrator finds that

2 7 the requested funding is for equipment necessary for the  
2 8 reception and disposition of such calls and that sufficient  
2 9 funds are available for such distribution.  
2 10 Sec. 6. Section [68.10](#), subsection 5, Code 1999, is amended  
2 11 to read as follows:  
2 12 5. To exercise the powers and privileges conferred upon  
2 13 the senate for punishment as for contempts in

~~the~~  
- chapter  
2 14

~~entitled "General Assembly"~~

- 2.  
2 15 Sec. 7. Section [85B.11](#), Code 1999, is amended to read as  
2 16 follows:  
2 17 85B.11 PREVIOUS HEARING LOSS EXCLUDED.  
2 18 An employer is liable, as provided in this chapter and  
2 19 subject to the provisions of chapter 85, for an occupational  
2 20 hearing loss to which the employment has contributed, but if  
2 21 previous hearing loss, whether occupational or not, is  
2 22 established by an audiometric examination or other competent  
2 23 evidence, whether or not the employee was

~~exposed~~  
- subjected to  
2 24 excessive noise exposure within six months preceding the test,  
2 25 the employer is not liable for the previous loss, nor is the  
2 26 employer liable for a loss for which compensation has  
2 27 previously been paid or awarded. The employer is liable only  
2 28 for the difference between the percent of occupational hearing  
2 29 loss determined as of the date of the audiometric examination  
2 30 used to determine occupational hearing loss and the percentage  
2 31 of loss established by the pre-employment audiometric  
2 32 examination. An amount paid to an employee for occupational  
2 33 hearing loss by any other employer shall be credited against  
2 34 compensation payable by an employer for the hearing loss. An  
2 35 employee shall not receive in the aggregate greater  
3 1 compensation from all employers for occupational hearing loss  
3 2 than that provided in this section for total occupational  
3 3 hearing loss. A payment shall not be made to an employee  
3 4 unless the employee has worked in excessive noise exposure  
3 5 employment for a total period of at least ninety days for the  
3 6 employer from whom compensation is claimed.  
3 7 Sec. 8. Section [88A.1](#), subsections 2 and 11, Code 1999,  
3 8 are amended to read as follows:  
3 9 2. "Amusement ride" means any mechanized device

~~or~~  
- or  
3 10 combination of devices which carries passengers along, around,  
3 11 or over a fixed or restricted course for the purpose of giving  
3 12 its passengers amusement, pleasure, thrills, or excitement.  
3 13 "Amusement ride" does not include a device or structure that  
3 14 is devoted principally to exhibitions related to agriculture,  
3 15 the arts, education, industry, religion, or science.  
3 16 11. "Rider" means a person waiting in the immediate  
3 17 vicinity of an amusement ride to get on the amusement ride,  
3 18 getting on an amusement ride, using an amusement ride, getting  
3 19 off an amusement ride, or leaving an amusement ride and still  
3 20 in the immediate vicinity of the amusement ride. "Rider" does  
3 21 not include an employee, agent, or servant of the amusement  
3 22 ride owner while engaged in the duties of their employment.  
3 23 Sec. 9. Section [97B.73A](#), subsection 1, Code 1999, is  
3 24 amended to read as follows:  
3 25 1. A part-time county attorney may elect in writing to the  
3 26 department to make contributions to the system for the county

3 27 attorney's previous service as a county attorney and receive  
3 28 credit for membership service in the system for the applicable  
3 29 period of service as a part-time county attorney for which  
3 30

~~employee~~

- contributions are made. A member making

3 31 contributions pursuant to this section may make the  
3 32 contributions either for the entire applicable period of  
3 33 service, or for portions of the period of service, and if  
3 34 contributions are made for portions of the period of service,  
3 35 the contributions shall be in increments of one or more  
4 1 calendar quarters.

4 2 Sec. 10. Section [124.502](#), subsection 1, paragraph c, Code  
4 3 1999, is amended to read as follows:

4 4 c. A warrant issued pursuant to this section must be  
4 5 executed and returned within ten days after its date unless,  
4 6 upon a showing of a need for additional time, the court so  
4 7 instructs otherwise in the warrant. If property is seized  
4 8 pursuant to a warrant, the person executing the warrant shall  
4 9 give to the person from whom the property is seized, or the  
4 10 person in charge of the premises from which the property is  
4 11 seized, a copy of the warrant and a receipt for the property  
4 12 seized or shall leave the copy and receipt at the place from  
4 13 which the property is seized. The return of the warrant shall  
4 14 be made promptly and shall be accompanied by a written  
4 15 inventory of any property seized. The inventory shall be made  
4 16 in the presence of the person executing the warrant and of the  
4 17 person from whose possession or premises the property was  
4 18 seized, if they are present, or in the presence of at least  
4 19 one credible person other than the person executing the  
4 20 warrant. A copy of the inventory shall be delivered to the  
4 21 person from whom or from whose premises the property was  
4 22 seized and to the applicant for the warrant.

4 23 Sec. 11. Section [135C.33](#), subsection 5, paragraph e,  
4 24 unnumbered paragraph 2, Code 1999, is amended to read as  
4 25 follows:

4 26 In substantial conformance with the provisions of this  
4 27 section, prior to the employment of such an employee, the  
4 28 provider shall request the performance of the criminal and  
4 29 dependent adult abuse record checks and may request the  
4 30 performance of the child abuse record checks. The provider  
4 31 shall inform the prospective employee and obtain the  
4 32 prospective employee's signed acknowledgment. The department  
4 33 of human services shall perform the evaluation of any criminal  
4 34 record or founded child or dependent adult abuse record and  
4 35 shall make the determination of whether a prospective employee  
5 1 of a provider shall not be employed by the provider.

5 2 Sec. 12. Section [136B.5](#), Code 1999, is amended to read as  
5 3 follows:

5 4 136B.5 PENALTY FOR VIOLATION.

5 5 A person who violates a provision of this

~~division~~

- chapter

5 6 is guilty of a serious misdemeanor.

5 7 Sec. 13. Section [144.13A](#), Code 1999, is amended to read as  
5 8 follows:

5 9 144.13A FEES USE OF FUNDS.

5 10 The county registrar or state registrar shall charge the  
5 11 parent a ten dollar fee for the registration of a certificate  
5 12 of birth and a separate fee established under section 144.46  
5 13 for a certified copy of the certificate except as otherwise  
5 14 provided in section 331.605, subsection

~~6~~

- 5. The certified

5 15 copy shall be mailed to the parent by the state registrar. If  
5 16 the person responsible for the filing of the certificate of  
5 17 birth under section 144.13 is not the parent, the person is  
5 18 entitled to collect the fee from the parent. The fee shall be  
5 19 remitted to the appropriate registrar. If the expenses of the  
5 20 birth are reimbursed under the medical assistance program  
5 21 established by chapter 249A, or paid for under the statewide  
5 22 indigent patient care program established by chapter 255, or  
5 23 paid for under the obstetrical and newborn indigent patient  
5 24 care program established by chapter 255A, or if the parent is  
5 25 indigent and unable to pay the expenses of the birth and no  
5 26 other means of payment is available to the parent, the  
5 27 registration fee and certified copy fee are waived. If the  
5 28 person responsible for the filing of the certificate is not  
5 29 the parent, the person is discharged from the duty to collect  
5 30 and remit the fee under this section if the person has made a  
5 31 good faith effort to collect the fee from the parent. The  
5 32 fees collected by the county registrar and state registrar  
5 33 shall be remitted to the treasurer of state for deposit in the  
5 34 general fund of the state. It is the intent of the general  
5 35 assembly that the funds generated from the registration fees  
6 1 be appropriated and used for primary and secondary child abuse  
6 2 prevention programs. It is the intent of the general assembly  
6 3 that the funds generated from the fees as established under  
6 4 section 144.46 for the mailing of the certified copy of the  
6 5 birth certificate be appropriated and used to support the  
6 6 distribution of the automatic birth certificate and the  
6 7 implementation of the electronic birth certificate system.  
6 8 Sec. 14. Section [147.14](#), subsection 1, Code 1999, is  
6 9 amended to read as follows:  
6 10 1. For barbering, three members

~~each,~~  
- licensed to practice  
6 11

~~the profession for which the board conducts examinations~~  
-  
6 12 barbering, and two members who are not licensed to practice  
6 13

~~the profession for which the board conducts examinations~~  
-  
6 14 barbering and who shall represent the general public. A  
6 15 quorum shall consist of a majority of the members of the  
6 16 board.  
6 17 Sec. 15. Section [159.5](#), subsection 9, Code 1999, is  
6 18 amended to read as follows:  
6 19 9. Inspect and supervise all

~~cold storage plants and~~  
- food  
6 20 producing or distributing establishments including the  
6 21 furniture, fixtures, utensils, machinery, and other equipment  
6 22 so as to prevent the production, preparation, packing,  
6 23 storage, or transportation of food in a manner detrimental to  
6 24 its character or quality.  
6 25 Sec. 16. Section [161A.80](#), subsection 2, unnumbered  
6 26 paragraph 1, Code 1999, is amended to read as follows:  
6 27 A blufflands protection revolving fund is created in the  
6 28 state treasury. All proceeds shall be divided into two equal  
6 29 accounts. One account shall be used for the purchase of  
6 30 blufflands along the Mississippi river and its tributaries and  
6 31 the other account shall be used for the purchase of blufflands  
6 32 along the Missouri river and its tributaries. The proceeds of  
6 33 the revolving fund are appropriated to make loans to  
6 34 conservation organizations which agree to purchase bluffland

6 35 properties adjacent to state public lands. The department  
7 1 shall adopt rules pursuant to chapter 17A to administer the  
7 2 disbursement of funds. Notwithstanding section 12C.7,  
7 3 interest or earnings on investments made pursuant to this  
7 4 section or as provided in section 12B.10 shall be credited to  
7 5 the blufflands protection revolving fund. Notwithstanding  
7 6 section 8.33, unobligated or unencumbered funds credited to  
7 7 the blufflands protection revolving fund shall not revert at  
7 8 the close of a fiscal year. However, the maximum balance in  
7 9 the blufflands protection revolving fund shall not exceed two  
7 10 million five hundred thousand dollars. Any funds in excess of  
7 11 two million five hundred thousand dollars shall be credited to  
7 12 the rebuild Iowa infrastructure fund.

7 13 Sec. 17. Section [166.42](#), unnumbered paragraph 1, Code  
7 14 1999, is amended to read as follows:

7 15 The secretary may establish a reserve supply of biological  
7 16 products of approved modified live virus hog-cholera vaccine  
7 17 and of anti-hog-cholera serum or its equivalent in antibody  
7 18 concentrate to be used as directed by the secretary in the  
7 19 event of an emergency resulting from a hog-cholera outbreak.  
7 20 Vaccine and serum or antibody concentrate from the reserve  
7 21 supply, if used for such an emergency, shall be made available  
7 22 to swine producers at a price which will not result in a  
7 23 profit. Payment shall be made by the producer to the  
7 24 department and such vaccine shall be administered by a  
7 25 licensed practicing veterinarian. The secretary may co-  
7 26 operate with other states in the accumulation, maintenance and  
7 27 disbursement of such reserve supply of biological products.  
7 28 The secretary, with the advice and written consent of the  
7 29

~~chief of the division of animal industry of the  
state~~

7 30 veterinarian, and the advice and written consent of the  
7 31 veterinarian-in-charge

~~in  
for Iowa~~

~~of the animal, plant, and  
health~~

~~division  
inspection service-veterinary services, United~~

7 33 States department of agriculture, shall determine when an  
7 34 emergency resulting from a hog-cholera outbreak exists.

7 35 Sec. 18. Section [173.6](#), unnumbered paragraph 2, Code 1999,  
8 1 is amended to read as follows:

8 2 A member of the board who is a board congressional  
8 3 director, elected as provided in section 173.1, shall serve a  
8 4 term of two years. The term of a board congressional director  
8 5 shall begin following the adjournment of the convention at  
8 6 which the board congressional director was elected and shall  
8 7 continue until a successor is elected and qualified as  
8 8 provided in this chapter.

8 9 Sec. 19. Section [190C.1](#), subsections 10, 18, and 19, Code  
8 10 1999, are amended to read as follows:

8 11 10. "Handler" means a person engaged in the business of  
8 12 handling agricultural products, including but not limited to  
8 13 distributors, wholesalers, brokers, and repackers. "Handler"  
8 14 does not include a person selling agricultural products to  
8 15 consumers on a retail basis, including a food

~~service~~

8 16 establishment as defined in section

~~137B.2~~

- 137F.1, retail

8 17 grocery, meat market, or bakery, if the person does not  
8 18 process the agricultural product.

8 19 18. "Regional organic association" means a corporation  
8 20 organized under former chapter 504 or chapter 504A which has  
8 21 certifying members, elects its own officers and directors, and  
8 22 is independent from the department.

8 23 19. "Retailer" means a person, other than an operator of a  
8 24 food

~~service~~

- establishment, who is engaged in the business of  
8 25 selling food at retail to the ultimate customer.

8 26 Sec. 20. Section [190C.4](#), subsection 3, Code 1999, is  
8 27 amended to read as follows:

8 28 3. A violation of this chapter includes a violation of any  
8 29 rule adopted or

~~issue ordered~~

- order issued pursuant to this

8 30 chapter as provided in this chapter and under chapter 17A.

8 31 Sec. 21. Section [200A.3](#), subsection 2, Code 1999, is  
8 32 amended to read as follows:

8 33 2. "Bulk dry animal nutrient product" or "bulk product"  
8 34 means

~~an~~

- a dry animal nutrient product delivered to a

8 35 purchaser in bulk form to which a label cannot be attached.

9 1 Sec. 22. Section [216A.71](#), subsection 1, Code 1999, is  
9 2 amended to read as follows:

9 3 1. "Administrator" means the

~~administrator~~

- director of the

9 4 department of human rights.

9 5 Sec. 23. Section [216A.73](#), subsection 4, Code 1999, is  
9 6 amended to read as follows:

9 7 4. The

~~director~~

- administrator of the division of

9 8 vocational rehabilitation of the department of education.

9 9 Sec. 24. Section [216B.2](#), unnumbered paragraph 1, Code  
9 10 1999, is amended to read as follows:

9 11 The commission for the blind is established consisting of  
9 12 three members appointed by the governor, subject to  
9 13 confirmation by the senate. Members of the commission shall  
9 14 serve three-year terms beginning and ending as provided in  
9 15 section 69.19. The commission shall adopt rules concerning  
9 16 programs and services for blind persons provided under this  
9 17

~~subchapter~~

- chapter.

9 18 Sec. 25. Section [216B.6](#), Code 1999, is amended to read as  
9 19 follows:

9 20 216B.6 POWERS.

9 21 The commission shall have all powers necessary to carry out  
9 22 the functions and duties specified in this

~~subchapter~~

- chapter,

9 23 including, but not limited to the power to establish advisory  
9 24 committees on special studies, to solicit and accept gifts and

9 25 grants, to adopt rules according to chapter 17A for the  
9 26 commission and department, and to contract with public and  
9 27 private groups to conduct its business. All departments,  
9 28 divisions, agencies, and offices of the state shall make  
9 29 available upon request of the commission information which is  
9 30 pertinent to the subject matter of the study and which is not  
9 31 by law confidential.

9 32 Sec. 26. Section [230A.3](#), subsection 3, Code 1999, is  
9 33 amended to read as follows:

9 34 3. Continued operation of a center originally established  
9 35 prior to July 1, 1998, under subsection 2 without an agreement  
10 1 with the board or boards of supervisors which originally  
10 2 established the center, provided the center is in compliance  
10 3 with the applicable standards adopted by the mental health and  
10 4

~~mental retardation~~

~~developmental disabilities~~ commission.

10 5 Sec. 27. Section [235A.13](#), subsections 1 through 7, Code  
10 6 1999, are amended to read as follows:

10 7 1. "Assessment data" means any of the following  
10 8 information pertaining to the department's evaluation of a  
10 9 family:

10 10 a. Identification of the strengths and needs of the child,  
10 11 and of the child's parent, home, and family.

10 12 b. Identification of services available from the  
10 13 department and informal and formal services and other support  
10 14 available in the community to meet identified strengths and  
10 15 needs.

10 16

~~1.~~

~~2.~~ "Child abuse information" means any or all of the  
10 17 following data maintained by the department in a manual or  
10 18 automated data storage system and individually identified:

- 10 19 a. Report data.  
10 20 b. Assessment data.  
10 21 c. Disposition data.

10 22

~~2.~~

~~3.~~ "Confidentiality" means the withholding of  
10 23 information from any manner of communication, public or  
10 24 private.

10 25

~~3.~~

~~4.~~ "Department" means the department of human services.

10 26

~~4.~~

~~5.~~ "Disposition data" means information pertaining to  
10 27 an opinion or decision as to the occurrence of child abuse,  
10 28 including:

10 29 a. Any intermediate or ultimate opinion or decision  
10 30 reached by assessment personnel.

10 31 b. Any opinion or decision reached in the course of  
10 32 judicial proceedings.

10 33 c. The present status of any case.

10 34

~~5.~~

~~6.~~ "Expungement" means the process of destroying child  
10 35 abuse information.

11 1

~~6.~~

- 7. "Individually identified" means any report,  
11 2 assessment, or disposition data which names the person or  
11 3 persons responsible or believed responsible for the child  
11 4 abuse.  
11 5

~~7. "Assessment data" means any of the following~~

~~11 6~~

~~information pertaining to the department's evaluation of a~~

~~11 7~~

~~family:~~

~~11 8~~

~~a. Identification of the strengths and needs of the child,~~

~~11 9~~

~~and of the child's parent, home, and family.~~

~~11 10~~

~~b. Identification of services available from the~~

~~11 11~~

~~department and informal and formal services and other support~~

~~11 12~~

~~available in the community to meet identified strengths and~~

~~11 13~~

~~needs.~~

11 14 Sec. 28. Section [249A.4](#), subsection 15, Code 1999, is  
11 15 amended to read as follows:

11 16 15. Establish appropriate reimbursement rates for  
11 17 community mental health centers that are accredited by the  
11 18 mental health and

~~mental retardation~~  
~~developmental~~

11 19 disabilities commission. The reimbursement rates shall be  
11 20 phased-in over the three-year period beginning July 1, 1998,  
11 21 and ending June 30, 2001.

11 22 Sec. 29. Section [280.11](#), Code 1999, is amended to read as  
11 23 follows:

11 24 280.11 EAR-PROTECTIVE DEVICES.

11 25 1. Every student and teacher in any public or nonpublic  
11 26 school shall wear industrial quality ear-protective devices  
11 27 while the student or teacher is participating in any phase or  
11 28 activity of a course which may subject the student or teacher  
11 29 to the risk or hazard of hearing loss from noise in processes  
11 30 or procedures used in

~~any of the following courses~~

~~:~~

11 31

~~1. Vocational~~

~~vocational~~ or industrial arts shops or



11 32 laboratories involving experiences with any of the following:  
11 33 a. Milling, sawing, turning, shaping, cutting, grinding or  
11 34 stamping of any solid materials.  
11 35 b. Kiln firing of any metal or other materials.  
12 1 c. Electric arc welding.  
12 2 d. Repair or servicing of any vehicle while in shop.  
12 3 e. Static tests, maintenance or repair of internal  
12 4 combustion engines.  
12 5 f. Letter press, paper folders, monotype.  
12 6 2. It shall be the duty of the teacher or other person  
12 7 supervising the students in said courses to see that the above  
12 8 requirements are complied with. Any student failing to comply  
12 9 with such requirements may be temporarily suspended from  
12 10 participation in the course and the registration of a student  
12 11 for the course may be canceled for willful, flagrant or  
12 12 repeated failure to observe the above requirements.  
12 13 3. The board of directors of each local public school  
12 14 district and the authorities in charge of each nonpublic  
12 15 school shall provide the safety devices required

~~herein~~

~~in~~

12 16 this section. Such devices may be paid for from the general  
12 17 fund, but the board may require students and teachers to pay  
12 18 for the safety devices and shall make them available to  
12 19 students and teachers at no more than the actual cost to the  
12 20 district or school.

12 21 4. a. "Industrial quality ear-protective devices", as  
12 22 used in this section, means devices meeting the American  
12 23 National Standard for Measurement of the Real-Ear attenuation  
12 24 of Ear Protectors at Threshold promulgated by the American  
12 25 National Standards Institute, Inc.

12 26 b. "Noise" as used in this section, means a noise level  
12 27 that meets or exceeds damage-risk criteria established by the  
12 28 present federal standard for occupational noise exposure,  
12 29 Occupational Safety and Health Standards.

12 30 Sec. 30. Section 321.187, Code 1999, is amended to read as  
12 31 follows:

12 32 321.187 EXAMINERS.

12 33 1. The department shall examine applicants for driver's  
12 34 licenses. Examiners of the department shall wear an  
12 35 identifying badge and uniform provided by the department.

13 1 2. The department may by rule designate community colleges  
13 2 to administer the driving skills test required for a  
13 3 commercial driver's license provided that all of the following  
13 4 occur:  
13 5

~~1.~~

~~a.~~ The driving skills test is the same as that which  
13 6 would otherwise be administered by the state.  
13 7

~~2.~~

~~b.~~ The examiner contractually agrees to comply with the  
13 8 requirements of 49 C.F.R. } 383.75 as adopted

~~as of a specific~~

~~date~~

~~by rule by the department.~~

13 10 Sec. 31. Section 321.188, subsection 1, paragraphs a and  
13 11 c, Code 1999, are amended to read as follows:

13 12 a. Certify whether the applicant is subject to and meets  
13 13 applicable driver qualifications of 49 C.F.R. part 391 as

13 14 adopted

~~as of a specific date~~

- by rule by the department.

13 15 c. Successfully pass knowledge tests and driving skills  
13 16 tests which the department shall require by rule. The rules  
13 17 adopted shall substantially comply with the federal minimum  
13 18 testing and licensing requirements in 49 C.F.R. part 383,  
13 19 subparts E, G, and H as adopted

~~as of a specific date~~

- by rule

13 20 by the department.

13 21 Sec. 32. Section [321.188](#), subsection 2, paragraph b,  
13 22 subparagraph (2), Code 1999, is amended to read as follows:  
13 23 (2) The applicant has not had any convictions which are  
13 24 federal commercial driver's license disqualifying offenses  
13 25 under 49 C.F.R. } 383.51 as adopted

~~as of a specific date~~

- by

13 26 rule by the department while operating any type of vehicle.

13 27 Sec. 33. Section [321.188](#), subsection 3, Code 1999, is  
13 28 amended to read as follows:

13 29 3. An applicant for a hazardous material endorsement must  
13 30 pass a knowledge test as required under 49 C.F.R. } 383.121 as  
13 31 adopted

~~as of a specific date~~

- by rule by the department to

13 32 obtain or retain the endorsement. However, an applicant for  
13 33 license issuance who was previously issued a commercial  
13 34 driver's license from another state may retain the hazardous  
13 35 material endorsement from the previously issued license if the  
14 1 applicant successfully passed the endorsement test within the  
14 2 preceding twenty-four months.

14 3 Sec. 34. Section [321.208](#), subsection 2, Code 1999, is  
14 4 amended to read as follows:

14 5 2. A person is disqualified for life if convicted or found  
14 6 to have committed two or more of the above acts or offenses  
14 7 arising out of two or more separate incidents. However, a  
14 8 disqualification for life is subject to a reduction to a ten-  
14 9 year disqualification as provided in 49 C.F.R. } 383.51 as  
14 10 adopted

~~as of a specific date~~

- by rule by the department.

14 11 Sec. 35. Section [321.449](#), Code 1999, is amended to read as  
14 12 follows:

14 13 [321.449](#) MOTOR CARRIER SAFETY RULES.

14 14 1. A person shall not operate a commercial vehicle on the  
14 15 highways of this state except in compliance with rules adopted  
14 16 by the department under chapter 17A. The rules shall be  
14 17 consistent with the federal motor carrier safety regulations  
14 18 promulgated under United States Code, Title 49, and found in  
14 19 49 C.F.R. } 390-399 and adopted under chapter 17A

~~which rules~~

-

14 20

~~shall be to a date certain~~

-

14 21 2. Rules adopted under this section concerning driver  
14 22 qualifications, hours of service, and recordkeeping  
14 23 requirements do not apply to the operators of public utility  
14 24 trucks, trucks hauling gravel, construction trucks and

14 25 equipment, trucks moving implements of husbandry, and special  
14 26 trucks, other than a truck tractor, operating intrastate.  
14 27 Trucks for hire on construction projects are not exempt from  
14 28 this section.  
14 29 3. Rules adopted under this section concerning driver age  
14 30 qualifications do not apply to drivers for private and for-  
14 31 hire motor carriers which operate solely intrastate except  
14 32 when the vehicle being driven is transporting a hazardous  
14 33 material in a quantity which requires placarding. The minimum  
14 34 age for the exempted intrastate operations is eighteen years  
14 35 of age.  
15 1 4. Notwithstanding other provisions of this section, rules  
15 2 adopted under this section for drivers of commercial vehicles  
15 3 shall not apply to a driver of a commercial vehicle who is  
15 4 engaged exclusively in intrastate commerce, when the  
15 5 commercial vehicle's gross vehicle weight rating is 26,000  
15 6 pounds or less, unless the vehicle is used to transport  
15 7 hazardous materials requiring a placard or if the vehicle is  
15 8 designed to transport more than fifteen passengers, including  
15 9 the driver. For the purpose of complying with the hours of  
15 10 service recordkeeping requirements under 49 C.F.R. }  
15 11 395.1(e)(5), a driver's report of daily beginning and ending  
15 12 on-duty time submitted to the motor carrier at the end of each  
15 13 work week shall be considered acceptable motor carrier time  
15 14 records. In addition, rules adopted under this section shall  
15 15 not apply to a driver for a farm operation as defined in  
15 16 section 352.2, or for an agricultural interest when the  
15 17 commercial vehicle is operated between the farm as defined in  
15 18 section 352.2 and another farm, between the farm and a market  
15 19 for farm products, or between the farm and an agribusiness  
15 20 location. A driver or a driver-salesperson for a private  
15 21 carrier, who is not for hire and who is engaged exclusively in  
15 22 intrastate commerce, may drive twelve hours, be on duty  
15 23 sixteen hours in a twenty-four hour period and be on duty  
15 24 seventy hours in seven consecutive days or eighty hours in  
15 25 eight consecutive days. A driver-salesperson means as defined  
15 26 in 49 C.F.R. } 395.2, as adopted

~~as of a specific date~~

- by the

15 27 department by rule.

15 28 5. a. Notwithstanding other provisions of this section,  
15 29 rules adopted under this section concerning physical and  
15 30 medical qualifications for drivers of commercial vehicles  
15 31 engaged in intrastate commerce shall not be construed as  
15 32 disqualifying any individual who was employed as a driver of  
15 33 commercial vehicles engaged in intrastate commerce whose  
15 34 physical or medical condition existed prior to July 29, 1996.

15 35 b. Notwithstanding other provisions of this section, rules  
16 1 adopted under this section concerning physical and medical  
16 2 qualifications for a driver shall not apply to a farmer or a  
16 3 farmer's hired help when operating a vehicle owned by the  
16 4 farmer while it is being used in connection with the  
16 5 intrastate transportation of fertilizers and chemicals used in  
16 6 the farmer's crop production.

16 7 c. Notwithstanding other provisions of this section, rules  
16 8 adopted under this section concerning physical and medical  
16 9 qualifications for a driver shall not apply to a farmer or a  
16 10 farmer's hired help when operating a vehicle owned by the  
16 11 farmer while it is being used in connection with the  
16 12 intrastate transportation of agricultural commodities or feed.

16 13 6. Notwithstanding other provisions of this section, rules  
16 14 adopted under this section shall not impose any requirements  
16 15 which impose any restrictions upon a person operating an  
16 16 implement of husbandry or pickup to transport fertilizers and  
16 17 pesticides in that person's agricultural operations.

16 18 7. Rules adopted under this section concerning periodic

16 19 inspections shall not apply to special trucks as defined in  
16 20 section 321.1, subsection 76, and registered under section  
16 21 321.121.

16 22 8. Rules adopted under this section shall not apply to  
16 23 vehicles used in combination provided the gross vehicle weight  
16 24 rating of the towing unit is ten thousand pounds or less and  
16 25 the gross combination weight rating is twenty-six thousand  
16 26 pounds or less.

16 27 Sec. 36. Section [321.491](#), unnumbered paragraph 2, Code  
16 28 1999, is amended to read as follows:

16 29 Within ten days after the conviction or forfeiture of bail  
16 30 of a person upon a charge of violating any provision of this  
16 31 chapter or other law regulating the operation of vehicles on  
16 32 highways every magistrate of the court or clerk of the  
16 33 district court of record in which the conviction occurred or  
16 34 bail was forfeited shall prepare and immediately forward to  
16 35 the department an abstract of the record of the case. The  
17 1 abstract must be certified by the person preparing it to be  
17 2 true and correct. The clerk of the district court shall  
17 3 collect a fee of fifty cents for each individual copy of any  
17 4 record of conviction or forfeiture of bail furnished to any  
17 5 requestor at the clerk's office except for the department or  
17 6 other local, state, or federal government entity. Moneys  
17 7 collected under this section shall be transferred to the  
17 8 department as a repayment receipt, as defined in section 8.2,  
17 9 to enhance the efficiency of the department to process records  
17 10 and information between the department and the Iowa court  
17 11 information system. Notwithstanding any other provision in  
17 12 this section or chapter 22, the judicial branch shall be the  
17 13 provider of public electronic access to the clerk's records of  
17 14 convictions and forfeitures of bail through the Iowa court  
17 15 information system and shall, if all such records are provided  
17 16 monthly to a vendor,

~~the judicial branch shall~~

- collect a fee

17 17 from such vendor which is the greater of three thousand  
17 18 dollars per month or the actual direct cost of providing the  
17 19 records.

17 20 Sec. 37. Section [321J.2](#), subsection 7, paragraph a, Code  
17 21 1999, is amended to read as follows:

17 22 a.

~~Division I of this~~

- This section does not apply to a

17 23 person operating a motor vehicle while under the influence of  
17 24 a drug if the substance was prescribed for the person and was  
17 25 taken under the prescription and in accordance with the  
17 26 directions of a medical practitioner as defined in chapter  
17 27 155A or if the substance was dispensed by a pharmacist without  
17 28 a prescription pursuant to the rules of the board of pharmacy  
17 29 examiners, if there is no evidence of the consumption of  
17 30 alcohol and the medical practitioner or pharmacist had not  
17 31 directed the person to refrain from operating a motor vehicle.

17 32 Sec. 38. Section [321M.6](#), subsection 2, paragraph b, Code  
17 33 1999, is amended to read as follows:

17 34 b. The county examiner contractually agrees to comply with  
17 35 the requirements of 49 C.F.R. } 383.75, as adopted

~~as of a~~

18 1

~~specific date~~

- by rule by the department.

18 2 Sec. 39. Section [331.605](#), subsections 3 and 5, Code 1999,  
18 3 are amended to read as follows:

18 4 3. A state migratory game bird fee as provided in section  
18 5

~~484A.3~~

~~483A.1.~~

18 6 5. A county fee of four dollars for

~~the following~~

~~18 7~~

~~certificates, records, or services:~~

~~18 8~~

~~a. A~~

~~a~~ certified copy of a birth record, death record, or  
18 9 marriage certificate.

18 10 Sec. 40. Section [455B.110](#), subsection 1, paragraph c,  
18 11 subparagraph (3), Code 1999, is amended to read as follows:

18 12 (3) The county board of supervisors may designate a county  
18 13 employee to accompany a departmental official during the  
18 14 investigation of the premises of a confinement feeding  
18 15 operation. The county designee shall have the same right of  
18 16 access to the real estate of the premises as the departmental  
18 17 official conducting the inspection during the period that the  
18 18 county designee accompanies the departmental official.

18 19 Sec. 41. Section [501.101](#), subsection 2, paragraph b, Code  
18 20 1999, is amended to read as follows:

18 21 b. A person who owns at least one hundred fifty acres of  
18 22 agricultural land and receives as rent a share of the crops or  
18 23 the animals raised on the land if that person is a natural  
18 24 person or a general partnership as organized under chapter 486  
18 25 or 486A in which all partners are natural persons.

18 26 Sec. 42. Section [501.101](#), subsection 6, paragraph c, Code  
18 27 1999, is amended to read as follows:

18 28 c. A general partnership as organized under chapter 486 or  
18 29 486A in which all the partners are natural persons actively  
18 30 engaged in farming as provided in section 9H.1.

18 31 Sec. 43. Section [501.701](#), subsection 5, paragraph g, Code  
18 32 1999, is amended to read as follows:

18 33 g. Its most recent

~~biennial~~

~~annual~~ report delivered to the  
18 34 secretary of state under section 501.713.

18 35 Sec. 44. Section [501.702](#), subsection 5, paragraph a, Code  
19 1 1999, is amended to read as follows:

19 2 a. The right of a member to obtain information under  
19 3 section

~~501.702~~

~~501.304~~ or the right of an interest holder to  
19 4 obtain information, if the interest holder is in litigation  
19 5 with the cooperative, to the same extent as any other  
19 6 litigant.

19 7 Sec. 45. Section [501.713](#), subsection 5, Code 1999, is  
19 8 amended to read as follows:

19 9 5. The secretary of state may provide for the change of  
19 10 registered office or registered agent on the form prescribed  
19 11 by the secretary of state for the annual report, provided that  
19 12 the form contains the information required in section 501.106.  
19 13 If the secretary of state determines that an annual report  
19 14 does not contain the information required by this section but  
19 15 otherwise meets the requirements of section 501.106 for the  
19 16 purpose of changing the registered office or registered agent,  
19 17 the secretary of state shall file the statement of change of

19 18 registered office or registered agent, effective as provided  
19 19 in section 501.105, before returning the

~~biennial~~

~~annual~~

19 20 report to the cooperative as provided in this section. A  
19 21 statement of change of registered office or agent pursuant to  
19 22 this subsection shall be executed by a person authorized to  
19 23 execute the annual report.

19 24 Sec. 46. Section [504A.100](#), subsection 3, unnumbered  
19 25 paragraph 1, Code 1999, is amended to read as follows:

19 26 Any domestic corporation organized or existing under the  
19 27 provisions of chapter 504, Code 1989, may voluntarily elect to  
19 28 adopt the provisions of this chapter and thereby become  
19 29 subject to its provisions and, during the period of two years  
19 30 from and after the effective date of this chapter, any foreign  
19 31 corporation holding a permit under the provisions of said  
19 32 chapter on said date may voluntarily elect to adopt the  
19 33 provisions of this chapter and thereby become subject to the  
19 34 provisions of this chapter. The procedure for electing to  
19 35 adopt the provisions of this chapter shall be as follows:

20 1 Sec. 47. Section [504A.100](#), subsection 3, paragraph e,  
20 2 unnumbered paragraph 1, Code 1999, is amended to read as  
20 3 follows:

20 4 The secretary of state shall not file such instrument with  
20 5 respect to a domestic corporation unless at the time thereof  
20 6 such corporation is validly existing and in good standing in  
20 7 that office under the provisions of chapter 504

~~of the~~

~~Code~~

20 8 1989. If the articles of incorporation of such corporation  
20 9 have not heretofore been filed in the office of the secretary  
20 10 of state, but are on file in the office of a county recorder,  
20 11 no such instrument of adoption shall be accepted by the  
20 12 secretary of state until the corporation shall have caused its  
20 13 articles of incorporation and all amendments duly certified by  
20 14 the proper county recorder to be recorded in the office of the  
20 15 secretary of state. Upon the filing of such instrument the  
20 16 secretary of state shall issue a certificate as to the filing  
20 17 of such instrument and deliver such certificate to the  
20 18 corporation or its representative.

20 19 Sec. 48. Section [504A.100](#), subsections 5, 6, 9, and 12,  
20 20 Code 1999, are amended to read as follows:

20 21 5. The provisions of this chapter becoming applicable to  
20 22 any domestic or foreign corporation shall not affect any right  
20 23 accrued or established, or any liability or penalty incurred,  
20 24 under the provisions of chapter 504, Code 1989, prior to the  
20 25 filing by the secretary of state in the secretary of state's  
20 26 office of the instrument manifesting the election of such  
20 27 corporation to adopt the provisions of this chapter as  
20 28 provided in subsection 3 of this section.

20 29 6. Except for the exceptions and limitations of subsection  
20 30 1 of this section, this chapter shall apply to: all domestic  
20 31 corporations organized after the date on which this chapter  
20 32 became effective; domestic corporations organized or existing  
20 33 under chapter 504, Code 1989, which voluntarily elect to adopt  
20 34 the provisions of this chapter and comply with the provisions  
20 35 of subsection 3 of this section; all foreign corporations  
21 1 conducting or seeking to conduct affairs within this state and  
21 2 not holding, July 4, 1965, a valid permit so to do; foreign  
21 3 corporations holding, on the date the chapter becomes  
21 4 effective, a valid permit under the provisions of chapter 504,  
21 5 Code 1989, which, during the period of two years from and  
21 6 after said date, voluntarily elect to adopt the provisions of  
21 7 this chapter and comply with the provisions of subsection 3 of  
21 8 this section; and, upon the expiration of the period of two

21 9 years from and after July 4, 1965, all foreign corporations  
21 10 holding such a permit on July 4, 1965.

21 11 9. No corporation to which the provisions of this chapter  
21 12 apply shall be subject to the provisions of chapter 504, Code  
21 13 1989.

21 14 12. Corporations existing under chapter 504, Code 1989,  
21 15 shall be subject to this chapter on July 1, 1990, except that  
21 16 the corporations shall be subject to sections 504A.8 and  
21 17 504A.83 on January 1, 1997. A corporate existence of a  
21 18 corporation that is not in compliance on the records of the  
21 19 secretary of state with sections 504A.8 and 504A.83 on June  
21 20 30, 1997, is terminated, effective July 1, 1997. A  
21 21 corporation whose existence is terminated pursuant to this  
21 22 subsection may be reinstated. When the reinstatement is  
21 23 effective, it relates back to and takes effect as of the  
21 24 effective date of the termination of its corporate existence  
21 25 as if such termination had never occurred. The secretary of  
21 26 state shall adopt rules governing the reinstatement of a  
21 27 corporation pursuant to this subsection.

21 28 Sec. 49. Section 523G.4, subsection 2, paragraph d, Code  
21 29 1999, is amended by striking the paragraph.

21 30 Sec. 50. Section 602.8102, subsection 152, Code 1999, is  
21 31 amended by striking the subsection.

21 32 Sec. 51. Section 692A.2, subsection 4, Code 1999, is  
21 33 amended to read as follows:

21 34 4. A person is not required to register while  
21 35 incarcerated, in foster care, or in a residential treatment  
22 1 program. A person who is convicted, as defined in section  
22 2 692A.1, of

~~either~~

- a criminal offense against a minor, sexual

22 3 exploitation, a sexually violent offense, or an other relevant  
22 4 offense as a result of adjudication of delinquency in juvenile  
22 5 court shall be required to register as required in this  
22 6 chapter unless the juvenile court finds that the person should  
22 7 not be required to register under this chapter. If a juvenile  
22 8 is required to register and the court later modifies the order  
22 9 regarding the requirement to register, the court shall  
22 10 immediately notify the department. Convictions of more than  
22 11 one offense which require registration under this chapter but  
22 12 which are prosecuted within a single indictment shall be  
22 13 considered as a single offense for purposes of registration.

22 14 Sec. 52. Section 692A.16, subsection 1, Code 1999, is  
22 15 amended to read as follows:

22 16 1. The registration requirements of this chapter shall  
22 17 apply to persons convicted of a criminal offense against a  
22 18 minor, sexual exploitation, an other relevant offense, or a  
22 19 sexually violent offense prior to July 1, 1995, who are  
22 20 released on or after July 1, 1995, who are participating in a  
22 21 work release or institutional work release program on or after  
22 22 July 1, 1995, or who are under parole or probation supervision  
22 23 by a judicial district department of correctional services on  
22 24 or after July 1, 1995.

22 25 Sec. 53. Section 915.23, subsection 1, Code 1999, is  
22 26 amended to read as follows:

22 27 1. An employer shall not discharge an employee

~~from~~

~~, or~~

22 28 take or fail to take action

~~,~~  
- regarding an employee's promotion

22 29 or proposed promotion, or take action to reduce an employee's  
22 30 wages or benefits

— for actual time worked, due to the service  
22 31 of an employee as a witness in a criminal proceeding.  
22 32 Sec. 54. Section 915.24, subsection 1, unnumbered  
22 33 paragraph 1, Code 1999, is amended to read as follows:  
22 34 If a complaint is filed alleging that a child has committed  
22 35 a delinquent act, the alleged victim, as defined in section  
23 1 915.10, has and a juvenile court officer shall notify the  
23 2 alleged victim

~~, as defined in section 915.10,~~

— of the following

23 3 rights:

23 4 EXPLANATION

23 5 This bill makes nonsubstantive corrections to the Code of  
23 6 Iowa.

23 7 Section 12D.5. Subsection 2, paragraph "a", and section  
23 8 12D.6, subsection 2, are amended to change the word  
23 9 "termination" to the word "cancellation" to conform the  
23 10 terminology usage within section 12D.5 and the reference to  
23 11 that section in section 12D.6. Section 12D.5 relates to the  
23 12 cancellation of agreements within the Iowa educational savings  
23 13 plan trust program established under 1998 Iowa Acts, chapter  
23 14 1172.

23 15 Section 16.161. Unnumbered paragraph 1, is amended by  
23 16 deleting the word "or" and adding punctuation. The  
23 17 administrator referred to under the section is the E911  
23 18 administrator appointed pursuant to section 34A.2A.  
23 19 Subchapter II of chapter 34A relates to the financing of the  
23 20 E911 program through the issuance of bonds and notes by the  
23 21 Iowa finance authority. Deleting the word "or" allows the  
23 22 verb "assist" to be directly modified by the phrase "as  
23 23 provided in chapter 34A, subchapter II".

23 24 Section 18.183. Subsection 2, is amended by deleting a  
23 25 reference to section 18.182. Section 18.182, which related to  
23 26 the powers and duties of the IowaAccess advisory council under  
23 27 section 18.181 was contained in section 12 of 1998 Iowa Acts,  
23 28 chapter 1224, but both the council and the language relating  
23 29 to the council's powers and duties were item vetoed by the  
23 30 governor.

23 31 Section 34A.7A. Subsection 2, paragraph "c", subparagraph  
23 32 (2), unnumbered paragraph 2, is amended by adding the word  
23 33 "wireless" to the fund referred to in that paragraph. The  
23 34 correct name of the fund is the wireless E911 emergency  
23 35 communications fund, as created in that section.

24 1 Section 68.10. Subsection 5 is amended by changing the  
24 2 reference to the chapter entitled "General Assembly" to a  
24 3 reference to chapter 2. Chapter 2 is entitled "General  
24 4 Assembly".

24 5 Section 85B.11. This section is amended by changing the  
24 6 word "exposed" to "subjected" in a sentence relating to  
24 7 excessive noise exposure under the occupational hearing loss  
24 8 chapter to conform the usage of terminology to changes made in  
24 9 1998 Iowa Acts, chapter 1160. That Act included amendments  
24 10 which changed language referring to employees who were exposed  
24 11 to excessive noise levels to language relating to employees  
24 12 who were subjected to excessive noise exposure.

24 13 Section 88A.1. This section is amended by striking a comma  
24 14 and adding the word "or" in subsection 2, to correct the  
24 15 grammatical usage within that definition. The section is also  
24 16 amended by adding the word "ride" to the term "amusement  
24 17 owner" in subsection 11, since the sentence in that subsection  
24 18 refers to employees, agents, or servants of owners of  
24 19 amusement rides and not amusement devices.

24 20 Section 97B.73A. Subsection 1 is amended by striking the  
24 21 word "employee" from the term "employee contributions" in a  
24 22 provision of the Iowa public employees' retirement system



24 23 chapter which relates to contributions by part-time county  
24 24 attorneys. Changes in this section made pursuant to 1998 Iowa  
24 25 Acts, chapter 1183, section 66, changed all other references  
24 26 from "employee contributions" to "contributions" within this  
24 27 section, and the language in which this reference is contained  
24 28 refers back to language in which the reference was changed.

24 29 Section 124.502. Subsection 1, paragraph "c", is amended  
24 30 by adding the words "and to" to the last sentence to indicate  
24 31 that a copy of the inventory of property seized is also to be  
24 32 delivered to the applicant for an administrative inspection  
24 33 search warrant. The words were inadvertently omitted during  
24 34 codification of the amendments to the section into the 1983  
24 35 Code Supplement of the Iowa Code.

25 1 Section 135C.33. Subsection 5, paragraph "e", unnumbered  
25 2 paragraph 2, is amended by adding the word "checks" to  
25 3 language pertaining to the child abuse record. The section  
25 4 relates to the performance of checks of criminal and child  
25 5 abuse and dependent adult abuse records.

25 6 Section 136B.5. This section is amended by changing the  
25 7 word "division" to the word "chapter". There are no divisions  
25 8 within chapter 136B, which relates to radon testing.

25 9 Section 144.13A. A reference in section 331.605, which  
25 10 provides for the charging of fees for certain records, is  
25 11 corrected to refer to subsection 5 instead of subsection 6.  
25 12 1995 Iowa Acts, chapter 124, section 11, added new subsections  
25 13 6 and 7 to section 331.605. The subsections were renumbered  
25 14 during the codification process. However, references to the  
25 15 new subsections, one of which was contained in this section,  
25 16 were not corrected to reflect that renumbering.

25 17 Section 147.14. Subsection 1 is amended by restructuring  
25 18 the sentence relating to the licensing board for the  
25 19 profession of barbering. The subsection previously related to  
25 20 various licensing boards for the professions of barbering,  
25 21 podiatry, and social work, but amendments made by 1996 Iowa  
25 22 Acts, chapter 1035, sections 2 and 13, and 1998 Iowa Acts,  
25 23 chapter 1002, removed the other two professions from this  
25 24 subsection effective July 1, 1998, and necessitated the  
25 25 sentence restructure to reflect the reference to a single  
25 26 licensing board.

25 27 Section 159.5. Subsection 9, is amended by striking a  
25 28 reference to inspection of cold storage plants. Chapter 171,  
25 29 which pertained to regulation and inspection of cold storage  
25 30 plants was repealed by 1998 Iowa Acts, chapter 1032, section  
25 31 9, and was not replaced by other provisions.

25 32 Section 161A.80. Subsection 2, unnumbered paragraph 1, is  
25 33 amended by adding the word "revolving" to language referring  
25 34 to a fund for protections of blufflands. The correct name of  
25 35 the fund is the blufflands protection revolving fund.

26 1 Section 166.42. Unnumbered paragraph 1 is amended by  
26 2 changing references to the chief of the division of animal  
26 3 industry of the state and the veterinarian-in-charge for Iowa  
26 4 of the animal, plant, and health division of the United States  
26 5 department of agriculture. There is no longer a division of  
26 6 animal industry within the Iowa department of agriculture and  
26 7 land stewardship and the functions related to hog-cholera  
26 8 outbreaks under this paragraph are performed by the state  
26 9 veterinarian. The correct name of the federal inspection  
26 10 service is the animal, plant, and health inspection service-  
26 11 veterinary services of the United States department of  
26 12 agriculture.

26 13 Section 173.6. Unnumbered paragraph 2 is amended by adding  
26 14 the words "board congressional" to the term "director". The  
26 15 individuals elected under section 173.1, which is referenced  
26 16 in this paragraph, are board congressional directors.

26 17 Section 190C.1. Subsections 10 and 19 are amended by  
26 18 changing references to food service establishments to  
26 19 references to food establishments and changing a reference to

26 20 former section 137B.2 to section 137F.1. Former chapter 137B,  
26 21 pertaining to food service establishments, was repealed and  
26 22 replaced by new chapter 137F, pertaining to food  
26 23 establishments, pursuant to 1998 Iowa Acts, chapter 1162.  
26 24 Subsection 18 is amended by adding the word "former" before a  
26 25 reference to chapter 504 and adding the word "chapter" before  
26 26 a reference to chapter 504A. Chapter 504 was repealed by 1990  
26 27 Iowa Acts, chapter 1164, effective July 1, 1990, and  
26 28 corporations established under the provisions of that chapter  
26 29 are currently subject to the requirements of chapter 504A.  
26 30 Section 190C.4. Subsection 3 is amended to change the  
26 31 words "issue ordered" to the words "order issued". The  
26 32 violation referred to in the subsection is a violation of an  
26 33 order which is issued by the department of agriculture and  
26 34 land stewardship under the chapter. Chapter 190C pertains to  
26 35 the regulation and sale of organic agricultural products.

27 1 Section 200A.3. Subsection 2 is amended by changing a  
27 2 reference to "an animal nutrient product" to "a dry animal  
27 3 nutrient product". The term "dry animal nutrient product" is  
27 4 defined under chapter 200A, which is limited to the regulation  
27 5 and licensing of those persons who distribute bulk dry animal  
27 6 nutrient products as opposed to any other animal nutrient  
27 7 products.

27 8 Section 216A.71. Subsection 1 changes the word  
27 9 "administrator" to "director" to correct the reference to the  
27 10 title of the administrative head of the department of human  
27 11 rights in the chapter pertaining to the department of human  
27 12 rights.

27 13 Section 216A.73. Subsection 4 of this section, which  
27 14 establishes the ex officio membership of the commission of  
27 15 persons with disabilities, is amended to change a reference to  
27 16 the director of vocational rehabilitation to a reference to  
27 17 the administrator of the division of vocational rehabilitation  
27 18 of the department of education. Vocational rehabilitation is  
27 19 currently a division of that department and the title of the  
27 20 head of that division is "administrator".

27 21 Sections 216B.2 and 216B.6. Unnumbered paragraph 1 is  
27 22 amended by replacing the word "subchapter" with "chapter".  
27 23 There are no subchapters in chapter 216B, which establishes  
27 24 the department for the blind.

27 25 Section 230A.3. Subsection 3 is amended to change the name  
27 26 of the mental health and mental retardation commission to the  
27 27 correct name of the mental health and developmental  
27 28 disabilities commission.

27 29 Section 235A.13. This section, containing the definitions  
27 30 which apply to the child abuse information registry, is  
27 31 amended by striking subsection 7, moving the identical  
27 32 language to new subsection 1, and renumbering the remaining  
27 33 subsections to place the subsections in proper alphabetical  
27 34 order.

27 35 Section 249A.4. Subsection 15 is amended to change the  
28 1 name of the mental health and mental retardation commission to  
28 2 the correct name of the mental health and developmental  
28 3 disabilities commission.

28 4 Section 280.11. This section is amended by combining  
28 5 unnumbered paragraph 1 and subsection 1 (no subsection 2  
28 6 currently exists) and numbering and renumbering the section.  
28 7 The section pertains to the use of ear-protective devices in  
28 8 vocational or industrial arts shops or laboratories.

28 9 Sections 321.187, 321.188, 321.208, 321.449, and 321M.6.  
28 10 These sections are amended by deleting language which refers  
28 11 to an adoption of rules relating to requirements for  
28 12 commercial driver's licenses by the department of  
28 13 transportation by a specific date. The rules were adopted  
28 14 pursuant to the federal requirements and, under the federal  
28 15 language, persons subject to the federal requirements must  
28 16 comply with those requirements irrespective of any state rules

28 17 adopted pursuant to the federal requirements. The unnumbered  
28 18 paragraphs in section 321.449 were also assigned alpha-numeric  
28 19 section designations.

28 20 Section 321.491. Unnumbered paragraph 2 is amended by  
28 21 striking the words "the judicial branch shall" to correct the  
28 22 sentence structure in that paragraph. The subject and verb  
28 23 auxiliary antecedents are still "the judicial branch" and  
28 24 "shall" under the sentence as amended.

28 25 Section 321J.2. Subsection 7, paragraph "a", is amended by  
28 26 striking the words "Division I of this" and replacing the  
28 27 words with "This". There are no divisions in Code section  
28 28 321J.2 and the words "Division I of this" were inadvertently  
28 29 added during the amending and enrolling process for 1998 Iowa  
28 30 Acts, chapter 1138.

28 31 Section 331.605. Subsection 3 is amended by changing a  
28 32 reference from Code section 484A.3 to 483A.1. Code section  
28 33 484A.3 was repealed by 1998 Iowa Acts, chapter 1199, section  
28 34 26. Code section 483A.1 lists the fees and the charges for  
28 35 various licenses and contains the separate migratory game bird  
29 1 fee. Subsection 5 is amended by combining paragraph "a" with  
29 2 unnumbered paragraph 1. 1998 Iowa Acts, chapter 1020, struck  
29 3 paragraph "b" in this subsection, leaving the obtaining of a  
29 4 certified copy of a birth record, death record, or marriage  
29 5 certificate as the only services for which a four-dollar  
29 6 county fee may be charged.

29 7 Section 455B.110. Subsection 1, paragraph "c",  
29 8 subparagraph (3), is amended by adding the word "designee"  
29 9 after the word "county" to refer to the official who will  
29 10 accompany the departmental official during the investigation  
29 11 of the premises of a confinement feeding operation.

29 12 Section 501.101. Subsection 2, paragraph "b", and  
29 13 subsection 6, paragraph c, are amended by adding references to  
29 14 new Code chapter 486A. 1998 Iowa Acts, chapter 1201,  
29 15 established a new uniform partnership act, which is currently  
29 16 optional but will replace current Code chapter 486 on January  
29 17 1, 2001.

29 18 Sections 501.701 and 501.713. Subsection 5, paragraph "g",  
29 19 of 501.701 and subsection 5, of section 501.713, are amended  
29 20 by changing the word "biennial" to "annual". 1998 Iowa Acts,  
29 21 chapter 1152, changed the timeframe for the submission of  
29 22 reports by cooperative corporations under Code section 501.713  
29 23 from biennial reporting to annual reporting.

29 24 Section 501.702. Subsection 5, paragraph "a", is amended  
29 25 to correct a reference which relates to a member of a  
29 26 cooperative corporation to receive information from Code  
29 27 section 501.702 to Code section 501.304. Code section 501.304  
29 28 pertains to member information.

29 29 Section 504A.100. Subsections 3, 5, 6, 9, and 12, are  
29 30 amended by adding the words "Code 1989" after references to  
29 31 chapter 504. Chapter 504 was repealed by 1990 Iowa Acts,  
29 32 chapter 1164, effective July 1, 1990, and corporations  
29 33 established under the provisions of that chapter are currently  
29 34 subject to the requirements of Code chapter 504A.

29 35 Section 523G.4. Subsection 2, paragraph "d", which  
30 1 requires an invention developer to include in a written  
30 2 disclosure to a customer a copy of current registration  
30 3 certificate issued under section 523G.10, is stricken. 1998  
30 4 Acts, chapter 1119, section 6, repealed section 523G.10.

30 5 Section 602.8102. Subsection 152, which relates to the  
30 6 clerk of the district court's duties relating to a trial  
30 7 certificate list, is stricken. The 1998 revisions by the Iowa  
30 8 supreme court to the Iowa rules of civil procedure eliminated  
30 9 the trial certificate and the trial certificate list.

30 10 Section 692A.2. Subsection 4 is amended by striking the  
30 11 word "either" in the sentence referring to the offenses which  
30 12 require registration under the sex offender registration  
30 13 chapter. There are more than two classes of offenses which

30 14 trigger the registration requirements.

30 15 Section 692A.16. Subsection 1 is amended by adding the  
30 16 word "who" to indicate the applicability of the sex offender  
30 17 registration requirements to persons convicted of a criminal  
30 18 offense against a minor, sexual exploitation, another relevant  
30 19 offense, or a sexually violent offense prior to July 1, 1995,  
30 20 but who are released on or after July 1, 1995, or who meet  
30 21 certain other criteria.

30 22 Section 915.23. Subsection 1 is amended by making  
30 23 grammatical corrections. The corrections specify that an  
30 24 employer is not to discharge an employee or take or fail to  
30 25 take action regarding a promotion or proposed promotion or  
30 26 take action to reduce benefits for actual time worked when an  
30 27 employee serves as a witness in a criminal proceeding.

30 28 Section 915.24. Subsection 1 is amended to specify that an  
30 29 alleged victim of a delinquent act has the rights which are to  
30 30 be included in the notice provided by the juvenile court  
30 31 officer.

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