

2. File an annual sworn statement, or such statement is filed on their behalf by a parent corporation, certified by a certified public accountant, showing all assets and liabilities of the trade or vocational school and the assets of a any parent corporation. The statement shall show the trade or vocational school's net worth, or the net worth of the parent corporation, to be not less than five times the amount of the bond required by section 714.18, ~~subsection 2~~. In the event that If a parent corporation files such the statement or its net worth is included therein in the statement to comply with this subsection, such the parent corporation shall appoint a registered agent and otherwise be is subject to section 714.18, subsection 2 and shall be is liable for the breach of any contract or agreement with students as well as liable for any fraud in connection therewith with the contract or agreement or for any violation of section 714.16 by such the trade or vocational school or any of its agents or salespersons.

Sec. 44. Section 805.6, subsection 6, Code Supplement 1985, is amended by striking the subsection.

Sec. 45. Section 816.3, Code 1985, is amended by adding the following new unnumbered paragraph preceding subsection 1:

NEW UNNUMBERED PARAGRAPH. A prosecution is not barred:

Sec. 46. Sections 322.26 and 327F.38, Code 1985, are repealed.

Approved May 29, 1986

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## CHAPTER 1238

### CODE AND REORGANIZATION CORRECTIONS

*H.F. 2066*

**AN ACT** relating to Code corrections which adjust and correct earlier omissions and inaccuracies, remove inconsistencies, and reflect or alter current practices, and providing penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 14.21, unnumbered paragraph 2, Code Supplement 1985, is amended to read as follows:

The Code editor shall cause to be compiled, indexed, and published in loose-leaf form the Iowa court rules, which shall consist of all rules of ~~civil procedure, rules of criminal procedure, rules of appellate procedure, and supreme court rules prescribed by the supreme court.~~ The Code editor, in consultation with the superintendent of printing, shall cause to be printed and distributed supplements to the compilation on or before the effective date of either new rules, or amendments to or the repeal of existing rules. All expenses incurred by the Code editor under this paragraph shall be defrayed under section 14.22. There shall be established a price for the compilation of rules, and a separate price for each supplement. The price of the compilation and of supplements shall represent the costs of compiling and indexing, the amounts charged for printing and distribution, and a cost for labor determined jointly by the legislative council and rules review committee in consultation with the state printer. On request a single copy of each compilation and of each supplement shall be distributed free of charge to each of the persons or agencies referred to in section 18.97, subsections 1, 2, 5, 6, 7, 8 and 16.

Sec. 2. Section 17.22, unnumbered paragraph 1, Code 1985, is amended to read as follows:

The publications listed in this section shall be sold at a price to be established by dividing the total cost of printing, binding, distribution, and paper stock by the total number printed of each edition, and increasing the figure obtained by an amount, which represents all or any portion of compilation and editing labor costs, to be determined by the legislative council and rules review committee in consultation with the state printer.

Sec. 3. Section 41.1, subsection 10, paragraph b, Code 1985, is amended to read as follows:  
b. Pocahontas county, except Cummins, Powhatan, Des Moines, Roosevelt, Garfield, Clinton, and Lake townships.

Sec. 4. Section 48.30, Code 1985, is amended to read as follows:

48.30 NOTIFICATION OF CHANGES IN REGISTRATION.

The clerk of the district court shall promptly notify the county commissioner of registration of changes of name and of convictions of infamous crimes or felonies, as defined in section 701.7, of legal declarations of incompetence made after a proceeding held pursuant to section 229.27, and of diagnosis of severe or profound mental retardation of persons of voting age. The clerk of the district court shall also notify the county commissioner of registration of the restoration of citizenship of a person who has been convicted of an infamous crime or a felony and of the finding that a person is of good mental health. The notice will not restore voter registration. The county commissioner of registration shall notify the person whose citizenship has been restored or who has been declared to be in good mental health that the person's registration to vote was canceled and the person must register again to become a qualified elector.

Sec. 5. Section 48.31, subsection 4, Code 1985, is amended to read as follows:

4. The clerk of district court sends notification of an elector's conviction of an infamous crime or a felony, as defined in section 701.7.

Sec. 6. Section 117.42, Code 1985, is amended to read as follows:

117.42 LIST OF LICENSEES.

The commission shall at least annually prepare a list of the names and addresses of all licensees licensed by it under the provisions of this chapter, and of all persons whose licenses have been suspended or revoked within one year; together with such other information relative to the enforcement of the provisions of this chapter as it may deem deems of interest to the public. One of such lists shall be mailed to the clerk of the district court in each county of the state and shall be held by said clerk of the district court as a public record. Such The lists shall also be mailed by the commission to any person in this state upon request.

Sec. 7. Section 148A.1, unnumbered paragraph 1, Code 1985, is amended to read as follows:

As used in this chapter, physical therapy is that branch of science that deals with the evaluation and treatment of human capabilities and impairments. Physical therapy uses the affective effective properties of physical agents including, but not limited to, mechanical devices, heat, cold, air, light, water, electricity, and sound, and therapeutic exercises, and rehabilitative procedures to prevent, correct, minimize, or alleviate a physical impairment. Physical therapy includes the interpretation of performances, tests, and measurements, the establishment and modification of physical therapy programs, treatment planning, consultative services, instructions to the patients, and the administration and supervision attendant to physical therapy facilities. Physical therapy evaluation of biomechanics may be rendered by a physical therapist without a prescription or referral from a physician or dentist. Physical therapy treatment shall be rendered by a physical therapist only under prescription or referral from a physician, podiatrist, or dentist, or referral from a chiropractor.

Sec. 8. Section 179.6, Code Supplement 1985, is amended to read as follows:

179.6 RECORDS OF PRODUCERS, FIRST PURCHASERS.

Every producer shipping milk to a first purchaser outside of Iowa who is not by agreement with the commission collecting the tax imposed by this chapter, and every first purchaser within the state, and every producer distributing milk directly to the consumer, shall keep a complete and accurate record of all milk produced or purchased by the person during the period for which an excise tax levy is imposed under this chapter. The records shall be in the form and contain the information prescribed by the commission, shall be preserved by the person charged with their making for a period of two years, and shall be offered or submitted for inspection at any time upon written or oral request by the commission or its duly authorized agent or employee.

Sec. 9. Section 179.7, Code Supplement 1985, is amended to read as follows:  
179.7 RETURNS FILED WITH COMMISSION.

Every person charged by this chapter or by agreement with the commission with the keeping of records provided for in this chapter shall at the times the commission may by rule require, file with the commission a return on forms to be prescribed and furnished by the commission. Producers shall state the quantity of milk produced. First purchasers shall state the quantity of milk handled, bottled, processed, distributed, delivered to, or purchased by the person from the producers of dairy products or their agents in the state, and as a result of a referendum. Returns shall contain other information as the commission may require, and shall be made in triplicate, one copy of which shall be for the files of the person making the return, one copy available at the office of the person for the use of the person's patrons, and the original filed with the commission.

Sec. 10. Section 192A.13, unnumbered paragraph 1, Code 1985, is amended to read as follows:

No processor or distributor shall give, offer to give, furnish, finance, or otherwise make available any free goods to any person, directly or indirectly, in connection with the sale of dairy products or to any other person doing business with such person, or give, offer to give, furnish, finance, or otherwise make available any payments, gifts, or grants of anything of value to any retailer. Nothing in this section shall However, this section does not prevent the use in advertisements or otherwise of "cents-off" purchase price coupons or "refund" coupons or the redeeming of the coupons from a retailer, and does not prevent transactions with retailers of any of the following:

Sec. 11. Section 232.75, Code 1985, is amended by adding the following new subsection:  
NEW SUBSECTION. 3. A person who reports or causes to be reported to the department of human services false information regarding an alleged act of child abuse, knowing that the information is false or that the act did not occur, commits a simple misdemeanor.

Sec. 12. Section 277.29, Code 1985, is amended to read as follows:  
277.29 VACANCIES.

Failure to elect at the proper election or to appoint within the time fixed by law or the failure of the officer elected or appointed to qualify within the time prescribed by law; the incumbent ceasing for any reason to be a resident of the district or removing residence from the subdistrict; the resignation or death of incumbent or of the officer-elect; the removal of the incumbent from, or forfeiture of, the office, or the decision of a competent tribunal declaring the office vacant; the conviction of incumbent of an infamous crime a felony, as defined in section 701.7, or of any public offense involving the violation of the incumbent's oath of office, shall constitute a vacancy.

Sec. 13. Section 321.1, subsection 40, Code Supplement 1985, is amended by adding the following new unnumbered paragraphs:

NEW UNNUMBERED PARAGRAPH. "Final Stage Manufacturer" means a person who performs such manufacturing operations on an incomplete vehicle that it becomes a completed vehicle. A final stage manufacturer shall furnish to the department a document which identifies that the vehicle was incomplete prior to that manufacturing operation. The identification shall include the name of the incomplete vehicle manufacturer, the date of manufacture, and the vehicle identification number to ascertain that the document applies to a particular incomplete vehicle.

NEW UNNUMBERED PARAGRAPH. "Incomplete Vehicle" means an assemblage, as a minimum, consisting of a frame and chassis structure, power train, steering system, suspension system, and braking system, to the extent that those systems are to be a part of the completed vehicle, that requires further manufacturing operations, other than the addition of readily attachable equipment, components, or minor finishing operations.

Sec. 14. Section 321.236, subsection 1, unnumbered paragraph 2, Code Supplement 1985, is amended to read as follows:

Parking meter and overtime parking violations which are denied shall be charged and proceed before a court the same as other traffic violations and court costs shall be assessed as provided in section 805.6, subsection 1, paragraph "a" for parking violation cases. Parking violations which are admitted:

Sec. 15. Section 325.26, subsection 1, Code 1985, as amended by Senate File 505, is amended to read as follows:

1. Passenger motor carriers.

a. To cover the assured's legal liability as a motor carrier operating a motor vehicle with a seating capacity of ~~sixteen~~ fifteen persons or less for bodily injury or death resulting therefrom as a result of any one accident or other cause, twenty-five thousand dollars for any recovery by one person and subject to the limit for one person, one hundred fifty thousand dollars for more than one person.

b. To cover the assured's legal liability as a motor carrier operating a motor vehicle with a seating capacity of ~~sixteen~~ fifteen persons or less for damage to or destruction of any property other than that of or in charge of the assured, as a result of any one accident or other cause, ten thousand dollars.

c. To cover the assured's legal liability as a motor carrier operating a motor vehicle with a seating capacity of ~~sixteen~~ fifteen persons or less for loss of or damage to property of passengers as a result of any one accident or any other cause, one thousand dollars.

d. Unless the authority department determines, after an investigation and hearing, and adopts rules based on that determination, that lesser levels of financial responsibility will protect the public interest, a regular route motor carrier of passengers and a charter carrier operating a motor vehicle with a seating capacity of sixteen or more persons shall have the minimum levels of financial responsibility established under 49 U.S.C. § 10927(a)(1).

e. A common carrier of passengers coming under this chapter, furnishing satisfactory proofs as to the carrier's solvency and financial ability to cover the assured's legal liability as provided for in this chapter and make payments to persons entitled thereto as a result of that legal liability, or depositing with the authority department surety satisfactory to it as guarantee for such payments, is relieved of the provisions of this section requiring liability insurance, surety bond or certificate of insurance; but shall, from time to time, furnish additional proof of solvency and financial ability to pay as required by the authority department.

Sec. 16. Section 327H.18, Code 1985, is amended to read as follows:

**327H.18 RAILROAD ASSISTANCE FUND ESTABLISHED.**

There is established a railroad assistance fund in the office of the treasurer of state. Moneys in this fund shall be expended for providing assistance for the restoration, conservation, ~~and improvement~~ and construction of railroad main lines, branch lines, switching yards and sidings. Any unencumbered funds appropriated by the general assembly for branch line railroad assistance shall be deposited in the railroad assistance fund. However, not more than twenty percent of the funds appropriated to the railroad assistance fund from the general fund of the state in any fiscal year shall be used for restoration, conservation, ~~and improvement~~ and construction of railroad main lines, switching yards and sidings. Any moneys received by the department by agreements, grants, gifts, or other means from individuals, companies, business entities, cities or counties for the purposes of this section shall be credited to the railroad assistance fund.

Sec. 17. Section 331.756, subsection 5, Code Supplement 1985, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** If professional collection services are procured, the county attorney shall enter on the appropriate record of the clerk of the district court an indication of the satisfaction of each obligation to the full extent of all moneys collected in satisfaction of that obligation, including all fees and compensation retained by the collection service incident to the collection and not paid into the office of the clerk.

Sec. 18. Section 422.7, subsection 18, paragraph a, Code Supplement 1985, is amended to read as follows:

a. A handicapped individual domiciled in this state at the time of the hiring who meets any of the following conditions:

Sec. 19. Section 422.27, subsection 1, Code Supplement 1985, is amended to read as follows:

1. A final account of a personal representative, as defined in section 450.1, shall not be allowed by any court until thirty days after written notice is given to the department of the proposed discharge of the personal representative and unless the account shows, and the judge of the court finds, that all taxes imposed by this division upon the personal representative, which have become payable, have been paid, and that all taxes which may become due are secured by bond, deposit or otherwise. The certificate of the director and the receipt for the amount of the tax certified shall be conclusive as to the payment of the tax to the extent of the certificate.

Sec. 20. Section 422.35, subsection 7, paragraph a, Code 1985, is amended to read as follows:

a. A handicapped individual domiciled in this state at the time of the hiring who meets any of the following conditions:

Sec. 21. Section 422.45, subsection 2, Code Supplement 1985, is amended to read as follows:

2. The gross receipts from the sales, furnishing, or service of transportation service except the rental of recreational vehicles, or recreational boats, or and except the rental of motor vehicles subject to registration which are registered for a gross weight of thirteen tons or less for a period of sixty days or less.

Sec. 22. Section 467A.62, subsection 2, Code 1985, is amended by striking the subsection.

Sec. 23. Section 565A.2, subsection 1, paragraph c, Code 1985, is amended to read as follows:

c. If the subject of the gift is money, by paying or delivering it to a broker or a bank for credit to an account in the name of the donor, another adult person or a bank with fiduciary powers, ~~following~~ followed, in substance, by the words: "as custodian for . . . . . (Name of minor) under the Iowa Uniform Gifts to Minors Act".

Sec. 24. Section 602.8105, subsection 1, paragraph s, Code Supplement 1985, is amended by striking the paragraph.

Sec. 25. **NEW SECTION. 631.17 PROHIBITED PRACTICES.**

1. The district court, after due notice and hearing, may bar a person from appearing on the person's own behalf in any court governed by this chapter on a cause of action purchased by or assigned for collection to that person for any of the following:

a. Falsely holding oneself out as an attorney at law.

b. Repeatedly filing claims for costs allowed under section 625.22 which have been found by the court to have been exaggerated or without merit.

c. A pattern of conduct in violation of article 7 of chapter 537.

2. A person barred pursuant to subsection 1 shall not derive any benefit, directly or indirectly, from any case brought pursuant to this chapter within the purview of the order of bar issued by the district court.

3. The district court shall dismiss any pending case based on a cause of action purchased or assigned for collection brought on the person's own behalf by a person barred pursuant to subsection 1, and shall assess the costs against that person.

4. The district court shall dismiss any case subsequently brought directly or indirectly by a person subject to a bar pursuant to subsection 1 in violation of that subsection and shall assess all costs to that person, and the court shall assess a further civil fine of one hundred dollars against that person for each such case dismissed.

5. The district court shall retain jurisdiction over a person barred pursuant to subsection 1 and may punish violations of the court's order of bar as a matter of criminal contempt.

Sec. 26. Section 642.22, Code Supplement 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 3. Expiration of the execution does not affect a garnishee's duties and liabilities respecting property already withheld pursuant to the garnishment.

Sec. 27. Section 657A.10, subsection 2, Code Supplement 1985, is amended to read as follows:

2. The receiver appointed under this section ~~chapter~~ is not civilly or criminally liable for actions pursuant to this section ~~chapter~~ taken in good faith.

Sec. 28. Section 708.7, subsection 5, Code 1985, is amended by striking the subsection.

Sec. 29. Section 710.10, subsection 1, Code Supplement 1985, is amended to read as follows:

1. A person commits a class "D" felony when, without authority and with the intent to commit an illegal act upon the child, the person entices away a minor child.

Sec. 30. Section 719.4, subsection 3, Code 1985, is amended to read as follows:

3. A person who has been committed to an institution under the control of the Iowa department of corrections, or to a jail or correctional institution, who knowingly and voluntarily leaves is absent from a place where the person is required to be, commits a serious misdemeanor.

Sec. 31. Section 805.6, subsection 1, paragraph a, unnumbered paragraph 1, Code Supplement 1985, is amended to read as follows:

The commissioner of public safety and the state conservation director, acting jointly, shall adopt a uniform, combined citation and complaint which shall be used for charging all traffic violations in Iowa under state law or local regulation or ordinance, and which shall be used for charging all other violations which are designated by section 805.8 to be scheduled violations. The court costs in cases of parking violation cases violations which are denied, and charged and collected pursuant to section 321.236, subsection 1, are eight dollars per court appearance, regardless of the number of parking violations considered at that court appearance. The court costs in scheduled violation cases where a court appearance is not required are ten dollars. The court costs in scheduled violation cases where a court appearance is required are fifteen dollars. This subsection does not prevent the charging of any of those violations by information, by private complaint filed under chapter 804, or by a simple notice of fine where permitted by section 321.236, subsection 1. Each uniform citation and complaint shall be serially numbered and shall be in quintuplicate, and the officer shall deliver the original and a copy to the court where the defendant is to appear, two copies to the defendant, and a copy to the law enforcement agency of the officer. The court shall forward the copy of the uniform citation and complaint in accordance with section 321.207 when applicable.

Sec. 32. Section 809.13, subsection 5, paragraph b, as enacted by 1986 Iowa Acts, House File 2460, section 15, is amended to read as follows:

b. A weapon or ammunition shall be deposited with the department of public safety to be disposed of in accordance with the rules of the department. All weapons or ammunition may be held for use in law enforcement, testing, or comparison by the criminalistics laboratory, or destroyed. Ammunition and firearms which are not illegal and are not offensive weapons as defined by section 724.1 may be sold by the department as provided in section 809.21.

Sec. 33. NEW SECTION. 809.21 SALE OF CERTAIN AMMUNITION AND FIREARMS.

Ammunition and firearms which are not illegal and which are not offensive weapons as defined by section 724.1 may be sold by the department of public safety at public auction. The sale of ammunition or firearms pursuant to this section shall be made only to federally licensed firearms dealers or to persons who have a permit to purchase the firearms. Persons who have not obtained a permit may bid on firearms at the public auction. However, persons who bid without a permit must post a fifty percent of purchase price deposit with the commissioner of public safety on any winning bid. No transfer of firearms may be made to a person bidding without a permit until such time as the person has obtained a permit. If the person is unable to produce a permit within two weeks from the date of the auction, the person shall forfeit the fifty percent deposit to the department of public safety. All proceeds of a public auction pursuant to this section, less department expenses reasonably incurred, shall be deposited in the general fund of the state. The department of public safety shall be reimbursed from the proceeds for the reasonable expenses incurred in selling the property at the auction.

Sec. 34. Section 815.1, Code 1985, is amended to read as follows:

815.1 COSTS PAYABLE BY STATE IN SPECIAL CASES.

All costs and fees, ~~including any award of attorney fees to a court-appointed attorney,~~ incurred in ~~any a parole revocation proceedings proceeding or in any a criminal case brought against an inmate of any a state institution for a crime committed while confined in such the institution, or for a crime committed by such the inmate while placed outside the walls or confines of the institution under the control and direction of a warden, supervisor, officer, or employee thereof of the institution, or for a crime committed by such the inmate during an escape or other unauthorized departure from such the institution or from the control of a warden, supervisor, officer, or employee thereof, of the institution, or from wherever the said inmate may have been placed by authorized personnel thereof, shall be paid out of the state treasury from the general fund in case of the institution, are waived if the prosecution fails, or where such if the person liable to pay the costs and fees, including an award of attorney fees to a court-appointed attorney, cannot be made from the person liable to pay the same, the costs and fees. An award of attorney fees to a court-appointed attorney incurred in these cases shall be paid out of the state treasury from the general fund if the prosecution fails or if the person liable to pay the attorney fees cannot pay them. The facts being shall be certified by the clerk of the district court under the clerk's seal of office to the state comptroller, including a statement of the amount of fees or costs incurred, such statement to be approved by the presiding judge in writing appended thereto or endorsed thereon.~~

Sec. 35. 1986 Iowa Acts, Senate File 2175, is amended by adding the following:

SEC. \_\_\_\_\_. Notwithstanding that section 803 of this Act specifies that the number of voting members of the Iowa economic development board shall be nine, for the period beginning July 1, 1986 and ending April 30, 1987 the number of voting members shall be eleven consisting of the nine members of the Iowa development commission whose terms were not scheduled to expire by July 1, 1986, the secretary of agriculture, and one member appointed by the governor.

Sec. 36. 1986 Iowa Acts, Senate File 2303, section 7, is amended to read as follows:

SEC. 7. 1986 Iowa Acts, Senate File 2175, is amended by adding after new section 15.256 the following new section:

NEW SECTION. 15.257 EFFECTIVE DATE.

All Job Training Partnership Act of 1982, section 123 funds authorized for the fiscal year beginning July 1, 1985 which have not been spent by the end of the fiscal year shall be available for funding this part for the fiscal year beginning July 1, 1986. The provisions for funding this part in section 15.255, except ~~subsection~~ subsections 1 and 6, shall be implemented by July 1, 1987. Section 15.255, subsections 1 and 6 take effect July 1, 1986.

Sec. 37. The Code editor shall codify as a separate division of chapter 99E, 1985 Iowa Acts, chapter 33, sections 301 through 303, as amended by the Acts of the Seventy-first General Assembly, 1985 and 1986 Sessions. In the codification required under this section the Code editor has those powers and duties specified in section 14.13.

Sec. 38. 1986 Iowa Acts, Senate File 2175, section 215, is amended by striking the section and inserting in lieu thereof the following:

SEC. 215. Section 19A.14, Code 1985, is amended by striking the section and inserting in lieu thereof the following:

**19A.14 MERIT APPEALS.**

1. **EMPLOYEE DISCIPLINE.** A merit system employee, excluding any employee covered under a collective bargaining agreement which provides otherwise, who is discharged, suspended, demoted, or otherwise reduced in pay, except during the employee's probationary period, may appeal to the appointing authority for a review of the action. If not satisfied, the employee may, within thirty calendar days following the date of the discharge, suspension, demotion, or reduction in pay, file an appeal with the public employment relations board for hearing. The employee has the right to a hearing closed to the public, but the employee may request a public hearing. The hearing shall otherwise be conducted in accordance with the rules of the public employment relations board and the Iowa administrative procedure Act. Decisions rendered shall be based upon a standard of just cause. If the public employment relations board finds that the action taken by the appointing authority was for political, religious, racial, national origin, sex, age, or other reasons not constituting just cause, the employee may be reinstated without loss of pay or benefits for the elapsed period or the public employment relations board may fashion other appropriate remedies. Decisions by the public employment relations board constitute final agency action.

2. **EMPLOYEE GRIEVANCES.** A merit system employee, excluding any employee covered under a collective bargaining agreement which provides otherwise, who has exhausted all available steps of the uniform grievance procedure of the department of personnel may, within thirty calendar days following the date a decision was received or should have been received by the employee at the second step of the grievance procedure, file an appeal with the director. The director may grant the relief sought, and that decision constitutes final agency action. However, if the director does not grant the relief sought, the employee may, within thirty calendar days following the date of filing of the appeal, file the appeal with the public employment relations board for hearing. The hearing shall be conducted in accordance with the rules of the public employment relations board and the Iowa administrative procedure Act. Decisions rendered shall be based upon a standard of substantial compliance with this chapter and the rules of the department of personnel. Decisions by the public employment relations board constitute final agency action.

Sec. 39. 1986 Iowa Acts, Senate File 2175, section 229, is amended by striking the section and inserting in lieu thereof the following:

SEC. 229. Section 20.1, Code 1985, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** The general assembly declares that the purposes of the public employment relations board established by this chapter are to implement the provisions of this chapter and adjudicate and conciliate employment-related cases involving the state of Iowa and other public employers and employee organizations. For these purposes the powers and duties of the board include but are not limited to the following:

1. Determining appropriate bargaining units and conducting representation elections.
2. Adjudicating prohibited practice complaints and fashioning appropriate remedial relief for violations of this chapter.

3. Adjudicating and serving as arbitrators regarding state merit system grievances and, upon joint request, grievances arising under collective bargaining agreements between public employers and certified employee organizations.

4. Providing mediators, fact finders, and arbitrators to resolve impasses in negotiations.

5. Collecting and disseminating information concerning the wages, hours, and other conditions of employment of public employees.

6. Assisting the attorney general in the preparation of legal briefs and the presentation of oral arguments in the district court and the supreme court in cases affecting the board.

Sec. 40. 1986 Iowa Acts, Senate File 2175, section 655, is amended by striking the section.

Sec. 41. Section 467D.2, subsection 1, Code 1985, as amended by 1986 Iowa Acts, Senate File 2175, section 662, is amended to read as follows:

1. "Watershed planning Water resource district" means one of the six watershed planning water resource districts established by section 467D.3.

Sec. 42. Section 467D.3, unnumbered paragraph 1, Code 1985, as amended by 1986 Iowa Acts, Senate File 2175, section 664, is amended to read as follows:

In furtherance of the policy set forth in section 467D.1, the entire area of the state of Iowa shall be divided into six watershed planning water resource districts, and the same are hereby established as political subdivisions of the state of Iowa, as follows:

Sec. 43. Section 15.104, subsection 2, as enacted by 1986 Iowa Acts, Senate File 2175, section 804, is amended to read as follows:

2. Prepare a five-year strategic plan for state economic growth to implement the specific comprehensive goals, objectives, and policies of the state. All other state agencies involved in economic development activities shall annually submit to the board for its review and potential inclusion in the strategic plan their specific strategic plans and programs. The five-year strategic plan for state economic growth shall be updated annually.

Sec. 44. Section 15.108, subsection 7, the second paragraph c and paragraphs d through g, as enacted by 1986 Iowa Acts, Senate File 2175, section 808, are amended to read as follows:

e d. If determined necessary by the board, provide training for bank loan officers to increase their level of expertise in regard to business loans.

d e. To the extent feasible, cooperate with the department of employment services to establish a program to educate existing employers and new or potential employers on the rates and workings of the state unemployment compensation program and the state workers' compensation program.

e f. Study the feasibility of reducing the total number of state licenses, permits, and certificates required to conduct small businesses.

f g. Encourage and assist small businesses to obtain state contracts and subcontracts by cooperating with the directors of purchasing in the department of general services, the state board of regents, and the department of transportation in performing the following functions:

(1) Developing a uniform small business vendor application form which can be adopted by all agencies and departments of state government to identify small businesses and targeted small businesses which desire to sell goods and services to the state. This form shall also contain information which can be used to determine certification as a targeted small business pursuant to paragraph "c", subparagraph (4).

(2) Compiling and maintaining a comprehensive source list of small businesses.

(3) Assuring that responsible small businesses are solicited on each suitable purchase.

(4) Assisting small businesses in complying with the procedures for bidding and negotiating for contracts.

(5) Simplifying procurement specifications and terms in order to increase the opportunities for small business participation.

(6) When economically feasible, dividing total purchases into tasks or quantities to permit maximum small business participation.

(7) Preparing timely forecasts of repetitive contracting requirements by dollar volume and types of contracts to enhance the participation of responsible small businesses in the public purchasing process.

(8) Developing a mechanism to measure and monitor the amount of participation by small businesses in state procurement.

g h. In addition, the department may establish a small business advisory council to:

(1) Advise and consult with the board and the department with respect to matters which are of concern to small business.

(2) Submit recommendations to the board relating to actual or proposed activities concerning small business.

(3) Submit recommendations for legislative or administrative actions.

(4) Review and monitor small business programs and agencies in order to determine their effectiveness and whether they complement or compete with each other, and to coordinate the delivery of programs and services aimed at small business.

(5) Initiate special small business economic studies as deemed necessary, including but not limited to analyses of trends and growth opportunities relative to small business.

(6) Provide other information or perform other duties which would be of assistance to small business.

Sec. 45. 1986 Iowa Acts, Senate File 2175, section 817, is amended by striking the section and inserting in lieu thereof the following:

SEC. 817. NEW SECTION. 15.252 PURPOSE.

The purpose of this part is to establish through the regional satellite centers, as stated in chapter 28.101, a statewide network of regional offices to help coordinate job training programs with statewide, regional, and local economic development initiatives, and to promote the economic growth of this state.

Sec. 46. 1986 Iowa Acts, Senate File 2175, section 913, is amended by striking the section and inserting in lieu thereof the following:

SEC. 913. Section 86.24, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The decision of the industrial commissioner is final agency action and an appeal of the decision shall be made directly to the supreme court.

Sec. 47. 1986 Iowa Acts, Senate File 2175, is amended by adding the following after section 913:

SEC. 86.26. Section 86.26, Code 1985, is amended to read as follows:

86.26 JUDICIAL REVIEW.

Judicial review of decisions or orders of the industrial commissioner ~~may be sought in accordance with the terms of chapter 17A. Notwithstanding the terms of~~ shall not be to the district court but shall be made directly to the supreme court, notwithstanding chapter 17A, ~~petitions the Iowa administrative procedure Act. Petitions for judicial review may be filed in the district court of the county in which the hearing under section 86.17 was held shall be filed with the clerk of the supreme court as are other actions for appeal or review. Such a review proceeding shall be accorded priority over other matters pending before the district court. The supreme court may transfer the action to the court of appeals.~~

Sec. 48. Section 86.29, Code 1985, is amended to read as follows:

86.29 THE JUDICIAL REVIEW PETITION.

~~Notwithstanding chapter 17A, in a~~ In the petition for judicial review of a final agency decision of the industrial commissioner in a contested case under this chapter or chapter 85, 85A, 85B, or 87, the opposing party shall be named the respondent, and the agency shall not be named as a respondent.

Sec. 49. Section 86.32, Code 1985, is amended to read as follows:

**86.32 COSTS OF JUDICIAL REVIEW.**

In proceedings for judicial review of compensation cases the clerk of the supreme court shall charge no fee for any service rendered except the filing fee and docketing fees and transcript fees when the transcript of a judgment the contested case proceeding is required. The taxation of costs on judicial review shall be in the discretion of the supreme court.

Sec. 50. Section 86.39, Code 1985, is amended to read as follows:

**86.39 FEES — APPROVAL — LIEN.**

All fees or claims for legal, medical, hospital, and burial services rendered under this chapter and chapters 85, 85A, 85B, and 87 shall be are subject to the approval of the industrial commissioner, and no lien for such service shall be is enforceable without the approval of the amount thereof of the lien by the industrial commissioner. For services rendered in the district court and or appellate courts court, the attorney's fee shall be is subject to the approval of a judge of the district court.

Sec. 51. Section 86.42, Code 1985, is amended to read as follows:

**86.42 JUDGMENT BY DISTRICT COURT ON AWARD.**

Any party in interest may present a certified copy of an order or decision of the commissioner, from which a timely petition for judicial review has not been filed or if judicial review has been filed, which has not had execution or enforcement stayed as provided in section 17A.19, subsection 5, or an order or decision of a deputy commissioner from which a timely appeal has not been taken within the agency and which has become final by the passage of time as provided by rule and section 17A.15, or an agreement for settlement approved by the commissioner, and all papers in connection therewith, to the district court where judicial review of the agency action may be commenced of the county in which the hearing under section 86.17 was held, of Polk county, or of the county in which the petitioner resides or has its principal place of business. The court shall render a decree or judgment and cause the clerk to notify the parties. The decree or judgment, in the absence of a petition for judicial review or if judicial review has been commenced, in the absence of a stay of execution or enforcement of the decision or order of the industrial commissioner, or in the absence of an act of any party which prevents a decision of a deputy industrial commissioner from becoming final, has the same effect and in all proceedings in relation thereto is the same as though rendered in a suit duly heard and determined by the court.

Sec. 52. Section 303.1C, subsection 2, as enacted by 1986 Iowa Acts, Senate File 2175, section 1303, is amended by adding the following new lettered paragraph:

**NEW LETTERED PARAGRAPH.** i. Buy or receive by other means historical materials including, but not limited to, artifacts, art, books, manuscripts, and images. Such materials are not personal property under section 18.12 and shall be received and cared for under the rules of the department. The historical division may sell or otherwise dispose of those materials according to the rules of the department and be credited for any revenues credited by the disposal less the costs incurred.

Sec. 53. 1986 Iowa Acts, Senate File 2175, section 1308, is repealed.

Sec. 54. Section 303.16, as enacted by 1986 Iowa Acts, Senate File 2175, section 1314, is amended by adding the following new subsections:

**NEW SUBSECTION.** 3. The following persons are eligible to receive historical resource grants and loans:

- a. County and city governments that are certified local governments by the historic preservation officer.
- b. Nonprofit corporations.
- c. Private corporations and businesses.

d. Individuals.

NEW SUBSECTION. 4. Grants and loans may be made for the following categories of purposes:

- a. Acquisition and development of historical properties.
- b. Preservation and conservation of historical properties.
- c. Interpretation of historical resources.

Not less than twenty percent nor more than fifty percent of the funds in a single grant cycle shall be allocated to any one category.

NEW SUBSECTION. 5. Grants and loans are subject to the following restrictions:

- a. Grants shall not be given to or received by any state agency, institution or its representative or agent.
- b. Grants or loan funds shall not be used to support operating expenses or programs as defined by the department's rules.
- c. Grant or loan funds shall not be used to support publications, public relations, or marketing expenses.
- d. Grant or loan funds shall not support or partially support salaries or benefits of anyone employed directly by the recipient. This restriction does not prohibit the recipient from contracting with individuals for specific work of limited duration, under federal internal revenue service guidelines for contract work.
- e. Not more than fifty thousand dollars or twenty percent of the annual appropriation, whichever is more, shall be granted to recipients within any single county in any given grant cycle.
- f. Not more than twenty-five thousand dollars or ten percent of the annual appropriation, whichever is more, may be granted or loaned to any single recipient within a single fiscal year.
- g. Grants or loans under this program may be given only after review by the state historical board.
- h. All grant or loan funds must be expended by employing individuals or businesses located within the state of Iowa.

NEW SUBSECTION. 6. For each dollar of grant funds the following recipients must provide the following matching cash and in kind resources:

- a. For county and city governments and nonprofit corporations, fifty cents of which at least twenty-five cents must be in cash.
- b. For other private corporations and businesses, one dollar of which at least seventy-five cents must be in cash.
- c. For individuals, seventy-five cents of which at least fifty cents must be in cash.

NEW SUBSECTION. 7. The department may use twenty-five thousand dollars for administration of the grant and loan program.

NEW SUBSECTION. 8. a. The department may establish a historical resource revolving loan fund composed of any money appropriated by the general assembly for that purpose, and of any other moneys available to and obtained or accepted by the department from the federal government or private sources for placement in that fund. Each loan made under this section shall be for a period not to exceed ten years, shall bear interest at a rate determined by the state historical board, and shall be repayable to the revolving loan fund in equal yearly installments due March 1 of each year the loan is in effect. The interest rate upon loans for which payment is delinquent shall accelerate immediately to the current legal usury limit. Applicants shall be eligible for no more than twenty-five thousand dollars in loans outstanding at any time under this program.

b. The department may:

(1) Contract, sue and be sued, and promulgate administrative rules necessary to carry out the provisions of this section, but the department shall not in any manner directly or indirectly pledge the credit of the state of Iowa.

(2) Authorize payment from the revolving loan fund, from fees and from any income received by investments of money in the fund for costs, commissions, attorney fees and other

reasonable expenses related to and necessary for making and protecting direct loans under this section, and for the recovery of moneys loaned or the management of property acquired in connection with such loans.

Sec. 55. 1986 Iowa Acts, Senate File 2175, section 1489, is repealed.

Sec. 56. Section 297.26, Code 1985, as amended by 1986 Iowa Acts, Senate File 2175, section 1984, is amended to read as follows:

**297.26 SALE BY DEPARTMENT.**

Any school building or any school site, the title of which is vested in the state of Iowa by reason of it having been provided by state mining camp funds for schools in mining camps, shall be sold by the department when the department director of education determines it is no longer needed for school purposes.

Sec. 57. 1986 Iowa Acts, Senate File 2175, section 1992, is amended by striking the section and inserting the following:

**SEC. 1992.** Sections 19.16 and 29A.59, Code 1985, are repealed.

Sec. 58. Notwithstanding section 4.8, the provisions of this Act which amend 1986 Iowa Acts, Senate File 2175, or which amend provisions added, amended, or repealed by 1986 Iowa Acts, Senate File 2175, prevail over Senate File 2175 and are contingent upon the enactment of Senate File 2175.

Sec. 59. 1986 Iowa Acts, Senate File 2175, section 2046, is amended by striking the section and inserting the following:

**SEC. 2046.** Section 421.31, subsection 3, in its requirement that the government's accounts be in accordance with generally accepted accounting principles, takes effect with the fiscal year beginning July 1, 1992.

The governor, auditor of state and the department of management shall phase in the implementation of generally accepted accounting principles, as defined by the governmental accounting standards board, which includes fund reclassifications, revenue recognition, and recognition of all appropriate liabilities beginning with the fiscal year beginning July 1, 1987.

The fiscal impact to the state general fund of implementing fund reclassifications, and recognizing additional liabilities shall be phased in according to the following schedule for the fiscal years beginning July 1:

1987	ten percent
1988	twenty percent
1989	forty percent
1990	sixty percent
1991	eighty percent
1992	one hundred percent

Sec. 60. 1986 Iowa Acts, Senate File 2175, section 2065, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** The validity of any official administrative or judicial pleading, claim, rate filing, motion, information, or other official document filed prior to the effective date of this Act shall not be affected by any statutory name changes made in this Act or by any administrative rule name changes made pursuant to this Act, and refile of any such document shall not be required.

Sec. 61. In sections 455.223, 455B.280, 467A.3, 467A.7, 467A.13, 467A.53, 467B.1, 467B.2, 467B.3, 467B.5, 467B.10, 467D.2, 467D.3, 467D.4, 467D.5, 467D.6, 467D.7, 467D.8, 467D.10, 467D.11, 467D.12, 467D.13, 467D.14, 467D.15, 467D.16, 467D.17, 467D.18, 467D.19, 467D.21, 467D.22, 467D.23, 467D.24, Code 1985, and section 467D.20, Code Supplement 1985, the Code editor may change references to the "conservancy districts" and "conservancy district" to "water resource districts" and "water resource district".