

- e. The facility pays an operating fee as established by the commission.
- f. The facility requires large generators for which the facility provides treatment or disposal to certify that the generator submitted a comprehensive plan to the department to provide for reduction or recycling of infectious waste at the source. If the generator is a small quantity generator, however, the facility shall only require that the small quantity generator, or a representative of the small quantity generators, for which the facility provides treatment or disposal, has participated in the development of the comprehensive plan submitted by the city, county, or public agency, pursuant to section 455B.302.
- Comprehensive plans developed under this subsection shall preferably be developed in conjunction with the city, county, or public agency developing the plan pursuant to section 455B.302.
- g. The facility has applied for and has qualified for all requisite federal, state, and local permits for construction and operation of the facility.
- h. The facility is in compliance with rules, following adoption, pursuant to sections 455B.502 and 455B.503.
- i. The facility has established a means of treating or disposing of any residue or ash which remains following treatment of the waste.
- The commission shall give priority in the issuance of permits to facilities which present the least multimedia environmental threat.
3. The conditions imposed under subsection 2 shall apply as follows:
- a. An existing infectious waste treatment or disposal facility shall comply with the standards and limitations adopted by July 1, 1993, or as federal standards and limitations become final, whichever is earlier.
- b. An infectious waste treatment or disposal facility which is established or becomes operational on or after May 1, 1991, shall comply with standards and limitations as they are adopted.
4. The department, in cooperation with the Iowa department of public health, shall adopt rules defining small quantity generators of infectious waste subject to the provisions of this section.

Sec. 8. SEVERABILITY CLAUSE. If any provision of this Act or any application thereof to any person is invalid, the invalidity shall not affect the provisions or application of this Act which can be given effect without the invalid provisions or application, and to this end, the provisions of this Act are severable.

Sec. 9. EFFECTIVE DATE. Section 5 of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved June 5, 1991

CHAPTER 243

BIRTH CERTIFICATES AND ADOPTION RECORDS

H.F. 380

AN ACT relating to vital records by requiring the state registrar to provide a certified copy of a birth certificate when the certificate is registered and by providing for access to certain adoption records.

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

Section 1. Section 144.13A, Code 1991, is amended to read as follows:
144.13A REGISTRATION FEE.

The county registrar ~~and~~ or state registrar shall charge the parent a ten dollar fee for the registration of a certificate of birth and a separate fee established under section 144.46 for

a certified copy of the certificate. The certified copy shall be mailed to the parent by the state registrar. If the person responsible for the filing of the certificate of birth under section 144.13 is not the parent, the person is entitled to collect the fee from the parent. The fee shall be remitted to the appropriate registrar. If the expenses of the birth are reimbursed under the medical assistance program established by chapter 249A, or paid for under the statewide indigent patient care program established by chapter 255, or paid for under the obstetrical and newborn indigent patient care program established by chapter 255A, or if the parent is indigent and unable to pay the expenses of the birth and no other means of payment is available to the parent, the registration fee is and certified copy fee are waived. If the person responsible for the filing of the certificate is not the parent, the person is discharged from the duty to collect and remit the fee under this section if the person has made a good faith effort to collect the fee from the parent. The fees collected by the county registrar and state registrar shall be remitted to the treasurer of state for deposit in the general fund of the state. It is the intent of the general assembly that the funds generated from the registration fees be appropriated and used for primary and secondary child abuse prevention programs.

Sec. 2. Section 144.24, Code 1991, is amended to read as follows:

144.24 SUBSTITUTING NEW FOR ORIGINAL BIRTH CERTIFICATES – INSPECTION.

When If a new certificate of birth is established, the actual place and date of birth shall be shown on the certificate. The certificate shall be substituted for the original certificate of birth. Thereafter, the original certificate and the evidence of adoption, paternity, legitimation or sex change shall not be subject to inspection except under order of a court of competent jurisdiction, including but not limited to an order issued pursuant to section 600.16, or as provided by ~~regulation~~ administrative rule for statistical or administrative purposes, only. However, the state registrar shall, upon the application of an adult adopted person, an adoptive parent, or the legal representative of either the adult adopted person or the adoptive parent, inspect the original certificate and the evidence of adoption and reveal to the applicant the name and address of the court which issued the adoption decree. ~~Upon receipt of notice of annulment of adoption, the original certificate of birth shall be restored to its place in the files and the new certificate and evidence shall not be subject to inspection except upon order of the district court.~~

Sec. 3. Section 600.16, subsection 2, Code 1991, is amended by adding the following new unnumbered paragraph after unnumbered paragraph 1:

NEW UNNUMBERED PARAGRAPH. An adopted person whose adoption became final prior to July 4, 1941, and whose adoption record was not required to be sealed at the time when the adoption record was completed, shall not be required to show good cause for an order opening the adoption record under this subsection, provided that the court shall consider any affidavit filed under this subsection.

Approved June 5, 1991