

**CHAPTER 48**

## REGULATION OF EXCURSION GAMBLING BOATS — FEES

H.F. 641

**AN ACT** concerning the determination of state regulatory fees on excursion gambling boats relating to the number of gaming enforcement officers on larger excursion gambling boats.

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

Section 1. Section 99F.10, subsection 4, Code 2005, is amended to read as follows:

4. In determining the license fees and state regulatory fees to be charged as provided under section 99F.4 and this section, the commission shall use as the basis for determining the amount of revenue to be raised from the license fees and regulatory fees the amount appropriated to the commission plus the cost of salaries for no more than two special agents for each excursion gambling boat and no more than four gaming enforcement officers for each excursion gambling boat with a patron capacity of less than two thousand persons or no more than five gaming enforcement officers for each excursion gambling boat with a patron capacity of at least two thousand persons, plus any direct and indirect support costs for the agents and officers, for the division of criminal investigation's excursion gambling boat activities, as the basis for determining the amount of revenue to be raised from the license fees and regulatory fees.

Approved April 22, 2005

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**CHAPTER 49**OPERATING WHILE INTOXICATED — CHEMICAL TESTING OF PERSONS  
INCAPABLE OF CONSENT OR REFUSAL — CERTIFICATION

H.F. 726

**AN ACT** allowing a physician assistant and an advanced registered nurse practitioner to certify an alleged intoxicated driver's incapacitated state for purposes of chemical testing.

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

Section 1. Section 321J.7, Code 2005, is amended to read as follows:

321J.7 DEAD OR UNCONSCIOUS PERSONS.

A person who is dead, unconscious, or otherwise in a condition rendering the person incapable of consent or refusal is deemed not to have withdrawn the consent provided by section 321J.6, and the test may be given if a licensed physician, physician assistant, or advanced registered nurse practitioner certifies in advance of the test that the person is ~~dead~~, unconscious, or otherwise in a condition rendering that person incapable of consent or refusal. If the certification is oral, a written certification shall be completed by the physician, physician assistant, or advanced registered nurse practitioner within a reasonable time of the test.

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