



Iowa General Assembly  
Daily Bills, Amendments & Study Bills  
April 10, 2007

House Amendment 1635

PAG LIN

1 1 Amend Senate File 514, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 2, by striking lines 4 through 27 and  
1 4 inserting the following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 514C.24 ENTERAL FORMULAS  
1 6 == COVERAGE.  
1 7 1. Except as provided in subsections 4 and 5, and  
1 8 notwithstanding the uniformity of treatment  
1 9 requirements of section 514C.6, a contract, policy, or  
1 10 plan providing for third-party payment or prepayment  
1 11 of health or medical expenses shall not exclude or  
1 12 restrict benefits for enteral formulas for home use  
1 13 for which a practitioner licensed by law to prescribe  
1 14 and administer prescription drugs has issued a written  
1 15 order, if such contract, policy, or plan provides  
1 16 benefits for other outpatient prescription drugs or  
1 17 devices. Such written order must state that the  
1 18 enteral formula is medically necessary for the  
1 19 patient.  
1 20 2. For purposes of this section, "enteral formula"  
1 21 means enteral formulas which have been proven  
1 22 effective for the treatment of inborn errors of  
1 23 metabolism with a dietary restriction, which if left  
1 24 untreated will cause malnourishment, chronic physical  
1 25 disability, mental retardation, or death. "Enteral  
1 26 formula" includes metabolic formulas prescribed for  
1 27 persons diagnosed with inborn errors of metabolism  
1 28 with a dietary restriction. The commissioner, by  
1 29 rule, shall further define enteral formula.  
1 30 3. a. This section applies to the following  
1 31 classes of third-party payment provider contracts,  
1 32 policies, or plans delivered, issued for delivery,  
1 33 continued, or renewed in this state on or after  
1 34 January 1, 2008:  
1 35 (1) Individual or group accident and sickness  
1 36 insurance providing coverage on an expense-incurred  
1 37 basis.  
1 38 (2) Any individual or group hospital or medical  
1 39 service contract issued pursuant to chapter 509, 514,  
1 40 or 514A.  
1 41 (3) Any individual or group health maintenance  
1 42 organization contract regulated under chapter 514B.  
1 43 (4) A plan established pursuant to chapter 509A  
1 44 for public employees.  
1 45 (5) An organized delivery system licensed by the  
1 46 director of public health.  
1 47 b. This section shall not apply to accident-only,  
1 48 specified disease, short-term hospital or medical,  
1 49 hospital confinement indemnity, credit, dental,  
1 50 vision, Medicare supplement, long-term care, basic



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2 1 hospital and medical=surgical expense coverage as  
2 2 defined by the commissioner, disability income  
2 3 insurance coverage, coverage issued as a supplement to  
2 4 liability insurance, workers' compensation or similar  
2 5 insurance, or automobile medical payment insurance.  
2 6 4. An individual or group contract, policy, or  
2 7 plan subject to the requirements of this section shall  
2 8 not impose an annual deductible on enteral formula  
2 9 coverage benefits that is greater than two thousand  
2 10 five hundred dollars per year for each family covered  
2 11 and shall not impose an aggregate annual limit for  
2 12 enteral formula coverage benefits that is less than  
2 13 twelve thousand five hundred dollars per year for each  
2 14 family covered.  
2 15 5. An individual or group contract, policy, or  
2 16 plan subject to the requirements of this section shall  
2 17 provide, at a minimum, enteral formula coverage  
2 18 benefits to each male insured until that individual  
2 19 reaches the age of twenty=one years old or until that  
2 20 individual ceases to be enrolled as a full=time  
2 21 student, as defined in section 261.102, whichever  
2 22 occurs later, and shall provide, at a minimum, enteral  
2 23 formula coverage benefits to each female insured until  
2 24 that individual reaches the age of forty=five years  
2 25 old.  
2 26 Sec. \_\_\_\_\_. NEW SECTION. 514C.25 AUDIOLOGICAL  
2 27 SERVICES AND HEARING AIDS FOR CHILDREN == COVERAGE.  
2 28 1. Notwithstanding the uniformity of treatment  
2 29 requirements of section 514C.6, a contract, policy, or  
2 30 plan providing for third=party payment or prepayment  
2 31 of health or medical expenses shall provide minimum  
2 32 coverage benefits for audiological services and  
2 33 hearing aids for children, including but not limited  
2 34 to the following classes of third=party payment  
2 35 provider contracts, policies, or plans delivered,  
2 36 issued for delivery, continued, or renewed in this  
2 37 state on or after January 1, 2008:  
2 38 a. Individual or group accident and sickness  
2 39 insurance providing coverage on an expense=incurred  
2 40 basis.  
2 41 b. An individual or group hospital or medical  
2 42 service contract issued pursuant to chapter 509, 514,  
2 43 or 514A.  
2 44 c. An individual or group health maintenance  
2 45 organization contract regulated under chapter 514B.  
2 46 d. An individual or group Medicare supplemental  
2 47 policy, unless coverage pursuant to such policy is  
2 48 preempted by federal law.  
2 49 e. A plan established pursuant to chapter 509A for  
2 50 public employees.



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3 1 2. This section shall not apply to accident-only,  
3 2 specified disease, short-term hospital or medical,  
3 3 hospital confinement indemnity, credit, dental,  
3 4 vision, long-term care, basic hospital and  
3 5 medical=surgical expense coverage as defined by the  
3 6 commissioner, disability income insurance coverage,  
3 7 coverage issued as a supplement to liability  
3 8 insurance, workers' compensation or similar insurance,  
3 9 or automobile medical payment insurance.  
3 10 3. As used in this section, "minimum coverage for  
3 11 audiological services and hearing aids for children"  
3 12 means coverage that includes at a minimum all of the  
3 13 following:  
3 14 a. Coverage for hearing aids that are prescribed,  
3 15 filled and dispensed by a licensed audiologist for  
3 16 children up to eighteen years of age.  
3 17 b. Coverage for hearing aid dispensing services  
3 18 provided by a hearing aid dispenser licensed pursuant  
3 19 to chapter 154A for children up to eighteen years of  
3 20 age.  
3 21 c. Coverage for an ear mold and a hearing aid for  
3 22 each hearing-impaired ear payable every twenty-four  
3 23 months for children up to eighteen years of age and  
3 24 coverage for up to four additional ear molds per year  
3 25 for children up to three years of age.  
3 26 4. The commissioner of insurance shall adopt rules  
3 27 pursuant to chapter 17A as necessary to administer  
3 28 this section.>  
3 29 #2. Title page, lines 3, 4, and 5, by striking the  
3 30 words <and requesting an interim study committee on  
3 31 health benefit mandates> and inserting the following:  
3 32 <, certain enteral formulas, and audiological services  
3 33 and hearing aids for children>.  
3 34 #3. By renumbering as necessary.  
3 35  
3 36  
3 37  
3 38 COMMITTEE ON HUMAN RESOURCES  
3 39 SMITH of Marshall, Chairperson  
3 40 SF 514.201 82  
3 41 av/es/9181



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**House Amendment 1636**

PAG LIN

1 1 Amend House File 793, as amended, passed, and  
 1 2 reprinted by the House, as follows:  
 1 3 #1. Page 7, by inserting after line 11 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. NEW SECTION. 321.258A RED LIGHT  
 1 6 CAMERAS PROHIBITED.  
 1 7 The department or a local authority shall not place  
 1 8 or cause to be placed on or adjacent to a highway, or  
 1 9 maintain or employ the use of, a red light camera.  
 1 10 For purposes of this section, "red light camera" means  
 1 11 a device installed on or in proximity to an official  
 1 12 traffic control signal to produce recorded images for  
 1 13 the purpose of enforcement of traffic laws.>  
 1 14 #2. Page 8, line 24, by striking the word  
 1 15 <unladen>.  
 1 16 #3. Title page, line 12, by inserting after the  
 1 17 word <liability,> the following: <use of red light  
 1 18 cameras for traffic enforcement,>.  
 1 19 #4. By renumbering, relettering, or redesignating  
 1 20 and correcting internal references as necessary.  
 1 21 HF 793.S  
 1 22 dea/cc/26  
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# House Amendment 1637

PAG LIN

1 1 Amend Senate File 530, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, line 7, by inserting after the word  
1 4 <country.> the following: <This subsection shall not  
1 5 be interpreted to impact or alter a referral fee  
1 6 structure which otherwise complies with the  
1 7 requirements of this section.>  
1 8  
1 9  
1 10 WISE of Lee  
1 11  
1 12  
1 13  
1 14 KRESSIG of Black Hawk  
1 15 SF 530.203 82  
1 16 rn/es/8323  
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House Amendment 1638

PAG LIN

1 1 Amend Senate File 381, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Section 1. Section 46.3, Code 2007, is amended to  
1 6 read as follows:  
1 7 46.3 APPOINTMENT OF DISTRICT JUDICIAL NOMINATING  
1 8 COMMISSIONERS.  
1 9 1. The governor shall appoint five eligible  
1 10 electors of each judicial election district to the  
1 11 district judicial nominating commission.  
1 12 2. ~~Appointments~~ The appointments made by the  
1 13 governor shall be to staggered terms of six years each  
1 14 and shall be made in the month of January for terms  
1 15 commencing February 1 of even-numbered years.  
1 16 3. ~~No more than a~~ A simple majority of the  
1 17 commissioners appointed by the governor shall be of  
1 18 the same gender.  
1 19 4. Beginning with terms commencing February 1,  
1 20 2008, there shall not be more than one appointed  
1 21 commissioner from a county within a judicial election  
1 22 district unless each county within the judicial  
1 23 election district has an appointed commissioner and  
1 24 the number of appointed commissioners exceeds the  
1 25 number of counties within the judicial election  
1 26 district. This subsection shall not be used to remove  
1 27 an appointed commissioner from office prior to the  
1 28 expiration of the commissioner's term.  
1 29 Sec. 2. Section 46.4, Code 2007, is amended to  
1 30 read as follows:  
1 31 46.4 ELECTION OF DISTRICT JUDICIAL NOMINATING  
1 32 COMMISSIONERS.  
1 33 1. The resident members of the bar of each  
1 34 judicial election district shall elect five eligible  
1 35 electors of the district to the district judicial  
1 36 nominating commission. Commissioners shall be elected  
1 37 to staggered terms of six years each. The elections  
1 38 shall be held in the month of January for terms  
1 39 commencing February 1 of even-numbered years.  
1 40 2. For terms commencing February 1, 1988, and  
1 41 every six years thereafter, one elected commissioner  
1 42 in each district shall be a woman and one shall be a  
1 43 man. For terms commencing February 1, 1990, and every  
1 44 six years thereafter, one elected commissioner in each  
1 45 district shall be a woman and one shall be a man. For  
1 46 the term commencing February 1, 1992, in the  
1 47 odd-numbered districts the elected commissioner shall  
1 48 be a woman and in the even-numbered districts the  
1 49 elected commissioner shall be a man. For the terms  
1 50 commencing every six years thereafter, the districts



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2 1 shall alternate between women and men elected  
2 2 commissioners.  
2 3 3. Beginning with the terms commencing February 1,  
2 4 2008, there shall not be more than one commissioner  
2 5 from a county within a judicial election district  
2 6 unless each county within the judicial election  
2 7 district has an elected commissioner and the number of  
2 8 elected commissioners exceeds the number of counties  
2 9 within the judicial election district. This  
2 10 subsection shall not be used to remove an elected  
2 11 commissioner from office prior to the expiration of  
2 12 the commissioner's term.>  
2 13 #2. Title page, line 4, by inserting after the  
2 14 word <magistrates,> the following: <district judicial  
2 15 nominating commissioners,>.  
2 16 #3. By renumbering as necessary.  
2 17  
2 18  
2 19  
2 20 KAUFMANN of Cedar  
2 21  
2 22  
2 23  
2 24 SCHUELLER of Jackson  
2 25 SF 381.701 82  
2 26 jm/gg/8584





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**House Amendment 1640**

PAG LIN

1 1 Amend Senate File 341, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 3, by inserting after line 1, the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 86.14, subsection 2, Code 2007,  
 1 6 is amended to read as follows:  
 1 7 2. In a proceeding to reopen an award for payments  
 1 8 or agreement for settlement as provided by section  
 1 9 86.13, inquiry shall be into whether or not the  
 1 10 condition of the employee warrants an end to,  
 1 11 diminishment of, or increase of compensation so  
 1 12 awarded or agreed upon. A factor that could have been  
 1 13 considered by the parties in assessing the extent of  
 1 14 the reduction in the employee's earning capacity and  
 1 15 that existed or was known about by the parties at the  
 1 16 time of the prior award or agreement for settlement  
 1 17 shall not bar a proceeding to reopen the award or  
 1 18 agreement unless the factor was considered by the  
 1 19 parties at the time of the award or agreement and was  
 1 20 properly reflected in the amount of compensation paid.  
 1 21 Such factors shall include but are not limited to a  
 1 22 change in the claimant's underlying medical condition,  
 1 23 cessation of accommodation by the claimant's employer,  
 1 24 a change in economic factors, or a change in other  
 1 25 factors considered in assessing the extent of the  
 1 26 reduction in the employee's earning capacity.>  
 1 27 #2. Title page, line 2, by inserting after the  
 1 28 word <state> the following: <and to proceedings to  
 1 29 reopen an award for payments or agreement for  
 1 30 settlement of a contested case>.  
 1 31 #3. By renumbering as necessary.  
 1 32  
 1 33  
 1 34  
 1 35 R. OLSON of Polk  
 1 36 SF 341.202 82  
 1 37 av/es/9180  
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# House Amendment 1641

PAG LIN

1 1 Amend Senate File 341, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 1, by inserting before line 1 the  
 1 4 following:  
 1 5 <Section 1. Section 85.34, subsection 2, paragraph  
 1 6 v, Code 2007, is amended to read as follows:  
 1 7 v. In all cases of permanent partial disability  
 1 8 described or referred to in paragraphs "a" through "t"  
 1 9 which cause a reduction in the employee's earning  
 1 10 capacity greater than the weeks compensated in  
 1 11 paragraphs "a" through "t", compensation shall be paid  
 1 12 during the number of weeks in relation to five hundred  
 1 13 weeks as the reduction in the employee's earning  
 1 14 capacity caused by the disability bears in relation to  
 1 15 the earning capacity that the employee possessed when  
 1 16 the injury occurred.  
 1 17 ~~v.~~ w. If it is determined that an injury has  
 1 18 produced a disability less than that specifically  
 1 19 described in the schedule described in paragraphs "a"  
 1 20 through "t", compensation shall be paid during the  
 1 21 lesser number of weeks of disability determined, as  
 1 22 will not exceed a total amount equal to the same  
 1 23 percentage proportion of said scheduled maximum  
 1 24 compensation.>  
 1 25 #2. Title page, line 1, by inserting after the  
 1 26 word <concerning> the following: <workers'  
 1 27 compensation payments for scheduled injuries, and>.  
 1 28 #3. By renumbering as necessary.  
 1 29  
 1 30  
 1 31  
 1 32 R. OLSON of Polk  
 1 33 SF 341.301 82  
 1 34 av/cf/9179  
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House Amendment 1642

PAG LIN

1 1 Amend Senate File 341, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Section 1. Section 85.34, subsection 7, Code  
1 6 2007, is amended by striking the subsection.  
1 7 Sec. 2. Section 85.61, subsection 2, Code 2007, is  
1 8 amended by adding the following new unnumbered  
1 9 paragraph:  
1 10 NEW UNNUMBERED PARAGRAPH. A successor employer  
1 11 shall be considered to be the same employer if the  
1 12 employee became part of the successor employer's  
1 13 workforce through a merger, purchase, or other  
1 14 transaction that assumes the employee into the  
1 15 successor employer's workforce without substantially  
1 16 changing the nature of the employee's employment.>  
1 17 #2. Title page, line 1, by inserting after the word  
1 18 <concerning> the following: <workers' compensation  
1 19 benefits for successive disabilities, and>.  
1 20 #3. By renumbering as necessary.  
1 21  
1 22  
1 23  
1 24 R. OLSON of Polk  
1 25 SF 341.501 82  
1 26 av/je/9178  
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House Amendment 1643

PAG LIN

1 1 Amend Senate File 373, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, by inserting after line 7, the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 598.21F, Code 2007, is amended  
1 6 by adding the following new subsection:  
1 7 NEW SUBSECTION. 4A. A postsecondary education  
1 8 subsidy shall not be awarded by the court and a  
1 9 postsecondary education subsidy awarded by the court  
1 10 shall be terminated if any of the following conditions  
1 11 is met:  
1 12 a. The child is convicted of or receives a  
1 13 deferred judgment for any indictable offense as  
1 14 defined in section 801.4.  
1 15 b. (1) The child smokes cigarettes as defined in  
1 16 section 453A.1 or uses tobacco products as defined in  
1 17 section 453A.42, or the child consumes alcoholic  
1 18 beverages as defined in section 123.3, without  
1 19 verified written consent of both parents if alive or  
1 20 of the surviving parent, filed with the court.  
1 21 (2) If a parent provides written consent pursuant  
1 22 to subparagraph (1), the parent may subsequently  
1 23 withdraw the written consent at any time during which  
1 24 the parent is obligated to provide the postsecondary  
1 25 education subsidy.  
1 26 (3) The requirement of written consent and the  
1 27 provision relating to subsequent withdrawal of written  
1 28 consent under this paragraph "b" are applicable to a  
1 29 postsecondary education subsidy obligation,  
1 30 notwithstanding the legal age applicable to the child  
1 31 as provided in section 453A.2 regarding cigarettes and  
1 32 tobacco products or section 123.3 regarding alcoholic  
1 33 beverages.>  
1 34 #2. By renumbering as necessary.  
1 35  
1 36  
1 37  
1 38 R. OLSON of Polk  
1 39 SF 373.201 82  
1 40 pf/es/9260  
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## House Amendment 1644

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1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 1, line 19, by striking the figure <2008>  
1 4 and inserting the following: <2009>.  
1 5 #2. Page 1, line 38, by inserting after the word  
1 6 <department.> the following: <The reporting  
1 7 requirements shall not apply to any entity that is not  
1 8 required to submit air quality data to the department  
1 9 pursuant to other air quality laws or administrative  
1 10 rules.>  
1 11 #3. Page 1, line 49, by striking the figure <2009>  
1 12 and inserting the following: <2010>.  
1 13 #4. Page 3, line 24, by striking the figure <2008>  
1 14 and inserting the following: <2009>.  
1 15 #5. Page 3, line 34, by striking the figure <2008>  
1 16 and inserting the following: <2009>.  
1 17 #6. Page 3, line 35, by striking the figure <2007>  
1 18 and inserting the following: <2008>.  
1 19  
1 20  
1 21  
1 22 ALONS of Sioux  
1 23  
1 24  
1 25  
1 26 WATTS of Dallas  
1 27  
1 28  
1 29  
1 30 MERTZ of Kossuth  
1 31 SF 485.506 82  
1 32 tm/je/8482  
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House Amendment 1645

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1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 3, line 17, by inserting after the figure  
1 4 <2050.> the following: <None of the scenarios  
1 5 developed by the council shall create estimated  
1 6 consumer energy costs which exceed the anticipated  
1 7 costs of energy derived from domestic fossil carbon  
1 8 fuel sources by more than twenty=five percent.>  
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1 11  
1 12 ALONS of Sioux  
1 13  
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1 15  
1 16 WATTS of Dallas  
1 17  
1 18  
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1 20 MERTZ of Kossuth  
1 21 SF 485.502 82  
1 22 tm/je/8480  
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# House Amendment 1646

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1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 2 the  
1 4 following:  
1 5 <#\_\_\_\_. Page 1, line 4, by inserting after the word  
1 6 <dioxide,> the following: <water vapor,>.>  
1 7 #2. Page 1, line 15, by inserting after the word  
1 8 <dioxide,> the following: <water vapor,>.  
1 9  
1 10  
1 11  
1 12 ALONS of Sioux  
1 13  
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1 15  
1 16 MERTZ of Kossuth  
1 17 SF 485.507 82  
1 18 tm/je/8483  
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**House Amendment 1647**

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1 1 Amend Senate File 264, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 1, by inserting before line 1, the  
 1 4 following:  
 1 5 <Section 1. Section 232.88, Code 2007, is amended  
 1 6 to read as follows:  
 1 7 232.88 SUMMONS, NOTICE, SUBPOENAS, AND SERVICE.  
 1 8 After a petition has been filed, the court shall  
 1 9 issue and serve summons, subpoenas, and other process  
 1 10 in the same manner as for adjudicatory hearings in  
 1 11 cases of juvenile delinquency as provided in section  
 1 12 232.37. Reasonable notice shall be provided to the  
 1 13 persons required to be provided notice under section  
 1 14 232.37, except that notice shall be waived regarding a  
 1 15 person who was notified of the adjudicatory hearing  
 1 16 and who failed to appear. In addition, reasonable  
 1 17 notice for any hearing under this division shall be  
 1 18 provided to the agency, facility, institution, or  
 1 19 person, including a foster parent, relative, or other  
 1 20 individual providing preadoptive care, with whom a  
 1 21 child has been placed, and to the grandparent or  
 1 22 great-grandparent of a child.  
 1 23 Sec. 2. Section 232.91, subsections 2 and 3, Code  
 1 24 2007, are amended to read as follows:  
 1 25 2. An agency, facility, institution, or person,  
 1 26 including a foster parent or an individual providing  
 1 27 preadoptive care, or a grandparent or  
 1 28 great-grandparent of the child may petition the court  
 1 29 to be made a party to proceedings under this division.  
 1 30 3. Any person who is entitled under section 232.88  
 1 31 to receive notice of a hearing concerning a child,  
 1 32 including but not limited to the grandparent or  
 1 33 great-grandparent of a child, shall be given the  
 1 34 opportunity to be heard in any other review or hearing  
 1 35 involving the child.>  
 1 36 #2. Title page, line 1, by inserting after the  
 1 37 word <great-grandparent> the following: <involvement  
 1 38 in certain proceedings including child in need of  
 1 39 assistance proceedings and>.  
 1 40 #3. By renumbering as necessary.

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 1 43  
 1 44 HEATON of Henry  
 1 45 SF 264.301 82  
 1 46 pf/cf/7789  
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House Amendment 1648

PAG LIN

1 1 Amend Senate File 341, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. By striking page 2, line 34, through page 3,  
1 4 line 1, and inserting the following: <benefits paid  
1 5 in another state or country.>  
1 6  
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1 9 HORBACH of Tama  
1 10 SF 341.201 82  
1 11 av/es/9176  
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## House Amendment 1649

PAG LIN

1 1 Amend House File 566, as passed by the House, as  
1 2 follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause, and inserting the following:  
1 5 <Section 1. Section 135.24, Code 2007, is amended  
1 6 to read as follows:  
1 7 135.24 VOLUNTEER HEALTH CARE PROVIDER PROGRAM  
1 8 ESTABLISHED == IMMUNITY FROM CIVIL LIABILITY.  
1 9 1. The director shall establish within the  
1 10 department a program to provide to eligible hospitals,  
1 11 clinics, free clinics, field dental clinics, or other  
1 12 health care facilities, health care referral programs,  
1 13 or charitable organizations, free medical, dental,  
1 14 chiropractic, pharmaceutical, nursing, optometric,  
1 15 psychological, social work, behavioral science,  
1 16 podiatric, physical therapy, occupational therapy,  
1 17 respiratory therapy, and emergency medical care  
1 18 services given on a voluntary basis by health care  
1 19 providers. A participating health care provider shall  
1 20 register with the department and obtain from the  
1 21 department a list of eligible, participating  
1 22 hospitals, clinics, free clinics, field dental  
1 23 clinics, or other health care facilities, health care  
1 24 referral programs, or charitable organizations.  
1 25 2. The department, in consultation with the  
1 26 department of human services, shall adopt rules to  
1 27 implement the volunteer health care provider program  
1 28 which shall include the following:  
1 29 a. Procedures for registration of health care  
1 30 providers deemed qualified by the board of medical  
1 31 examiners, the board of physician assistant examiners,  
1 32 the board of dental examiners, the board of nursing,  
1 33 the board of chiropractic examiners, the board of  
1 34 psychology examiners, the board of social work  
1 35 examiners, the board of behavioral science examiners,  
1 36 the board of pharmacy examiners, the board of  
1 37 optometry examiners, the board of podiatry examiners,  
1 38 the board of physical and occupational therapy  
1 39 examiners, the state board for respiratory care, and  
1 40 the Iowa department of public health, as applicable.  
1 41 b. Procedures for registration of free clinics and  
1 42 field dental clinics.  
1 43 c. Criteria for and identification of hospitals,  
1 44 clinics, free clinics, field dental clinics, or other  
1 45 health care facilities, health care referral programs,  
1 46 or charitable organizations, eligible to participate  
1 47 in the provision of free medical, dental,  
1 48 chiropractic, pharmaceutical, nursing, optometric,  
1 49 psychological, social work, behavioral science,  
1 50 podiatric, physical therapy, occupational therapy,



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House Amendment 1649 continued

2 1 respiratory therapy, or emergency medical care  
2 2 services through the volunteer health care provider  
2 3 program. A free clinic, a field dental clinic, a  
2 4 health care facility, a health care referral program,  
2 5 a charitable organization, or a health care provider  
2 6 participating in the program shall not bill or charge  
2 7 a patient for any health care provider service  
2 8 provided under the volunteer health care provider  
2 9 program.

2 10 d. Identification of the services to be provided  
2 11 under the program. The services provided may include,  
2 12 but shall not be limited to, obstetrical and  
2 13 gynecological medical services, psychiatric services  
2 14 provided by a physician licensed under chapter 148,  
2 15 150, or 150A, dental services provided under chapter  
2 16 153, or other services provided under chapter 147A,  
2 17 148A, 148B, 148C, 149, 151, 152, 152B, 152E, 154,  
2 18 154B, 154C, 154D, or 155A.

2 19 3. A health care provider providing free care  
2 20 under this section shall be considered an employee of  
2 21 the state under chapter 669 and shall be afforded  
2 22 protection as an employee of the state under section  
2 23 669.21, provided that the health care provider has  
2 24 done all of the following:

2 25 a. Registered with the department pursuant to  
2 26 subsection 1.

2 27 b. Provided medical, dental, chiropractic,  
2 28 pharmaceutical, nursing, optometric, psychological,  
2 29 social work, behavioral science, podiatric, physical  
2 30 therapy, occupational therapy, respiratory therapy, or  
2 31 emergency medical care services through a hospital,  
2 32 clinic, free clinic, field dental clinic, or other  
2 33 health care facility, health care referral program, or  
2 34 charitable organization listed as eligible and  
2 35 participating by the department pursuant to subsection  
2 36 1.

2 37 4. A free clinic providing free care under this  
2 38 section shall be considered a state agency solely for  
2 39 the purposes of this section and chapter 669 and shall  
2 40 be afforded protection under chapter 669 as a state  
2 41 agency for all claims arising from the provision of  
2 42 free care by a health care provider registered under  
2 43 subsection 3 who is providing services at the free  
2 44 clinic in accordance with this section or from the  
2 45 provision of free care by a health care provider who  
2 46 is covered by adequate medical malpractice insurance  
2 47 as determined by the department, if the free clinic  
2 48 has registered with the department pursuant to  
2 49 subsection 1.

2 50 4A. A field dental clinic providing free care



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House Amendment 1649 continued

3 1 under this section shall be considered a state agency  
3 2 solely for the purposes of this section and chapter  
3 3 669 and shall be afforded protection under chapter 669  
3 4 as a state agency for all claims arising from the  
3 5 provision of free care by a health care provider  
3 6 registered under subsection 3 who is providing  
3 7 services at the field dental clinic in accordance with  
3 8 this section or from the provision of free care by a  
3 9 health care provider who is covered by adequate  
3 10 medical malpractice insurance as determined by the  
3 11 department, if the field dental clinic has registered  
3 12 with the department pursuant to subsection 1.

3 13 5. For the purposes of this section:  
3 14 a. "Charitable organization" means a charitable  
3 15 organization within the meaning of section 501(c)(3)  
3 16 of the Internal Revenue Code which has as its primary  
3 17 purpose the sponsorship or support of programs  
3 18 designed to improve the quality, awareness, and  
3 19 availability of chiropractic, dental, medical,  
3 20 pharmaceutical, nursing, optometric, psychological,  
3 21 social work, behavioral science, podiatric, physical  
3 22 therapy, occupational therapy, respiratory therapy, or  
3 23 emergency medical care services to children and to  
3 24 serve as a funding mechanism for provision of  
3 25 chiropractic, dental, medical, pharmaceutical,  
3 26 nursing, optometric, psychological, social work,  
3 27 behavioral science, podiatric, physical therapy,  
3 28 occupational therapy, respiratory therapy, or  
3 29 emergency medical care services, including but not  
3 30 limited to immunizations, to children in this state.  
3 31 b. "Field dental clinic" means a dental clinic  
3 32 temporarily or periodically erected at a location  
3 33 utilizing mobile dental equipment, instruments, or  
3 34 supplies, as necessary, to provide dental services.

3 35 ~~b.~~ c. "Free clinic" means a facility, other than a  
3 36 hospital or health care provider's office which is  
3 37 exempt from taxation under section 501(c)(3) of the  
3 38 Internal Revenue Code and which has as its sole  
3 39 purpose the provision of health care services without  
3 40 charge to individuals who are otherwise unable to pay  
3 41 for the services.

3 42 ~~e.~~ d. "Health care provider" means a physician  
3 43 licensed under chapter 148, 150, or 150A, a  
3 44 chiropractor licensed under chapter 151, a physical  
3 45 therapist licensed pursuant to chapter 148A, an  
3 46 occupational therapist licensed pursuant to chapter  
3 47 148B, a podiatrist licensed pursuant to chapter 149, a  
3 48 physician assistant licensed and practicing under a  
3 49 supervising physician pursuant to chapter 148C, a  
3 50 licensed practical nurse, a registered nurse, or an



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House Amendment 1649 continued

4 1 advanced registered nurse practitioner licensed  
4 2 pursuant to chapter 152 or 152E, a respiratory  
4 3 therapist licensed pursuant to chapter 152B, a  
4 4 dentist, dental hygienist, or dental assistant  
4 5 registered or licensed to practice under chapter 153,  
4 6 an optometrist licensed pursuant to chapter 154, a  
4 7 psychologist licensed pursuant to chapter 154B, a  
4 8 social worker licensed pursuant to chapter 154C, a  
4 9 mental health counselor or a marital and family  
4 10 therapist licensed pursuant to chapter 154D, a  
4 11 pharmacist licensed pursuant to chapter 155A, or an  
4 12 emergency medical care provider certified pursuant to  
4 13 chapter 147A.>  
4 14 #2. Title page, line 1, by striking the words <the  
4 15 definition of a free clinic> and inserting the  
4 16 following: <field dental clinics>.  
4 17 HF 566.S  
4 18 pf/cc/26



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House Amendment 1650

PAG LIN

1 1 Amend Senate File 414, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 <Section 1. NEW SECTION. 99B.7B CARD GAME  
1 6 TOURNAMENTS CONDUCTED BY QUALIFIED ORGANIZATIONS  
1 7 REPRESENTING VETERANS.  
1 8 1. As used in this section, unless the context  
1 9 otherwise requires:  
1 10 a. "Card game" means only poker, pinochle, pitch,  
1 11 gin rummy, bridge, euchre, hearts, or cribbage.  
1 12 b. "Qualified organization representing veterans"  
1 13 means any licensed organization representing veterans,  
1 14 which is a post, branch, or chapter of a national  
1 15 association of veterans of the armed forces of the  
1 16 United States which is a federally chartered  
1 17 corporation, dedicates the net receipts of a game of  
1 18 skill, game of chance, or raffle as provided in  
1 19 section 99B.7, is exempt from federal income taxes  
1 20 under section 501(c)(19) of the Internal Revenue Code  
1 21 as defined in section 422.3, has an active membership  
1 22 of not less than twelve persons, and does not have a  
1 23 self-perpetuating governing body and officers.  
1 24 2. Notwithstanding any provision of this chapter  
1 25 to the contrary, card game tournaments lawfully may be  
1 26 conducted by a qualified organization representing  
1 27 veterans if all of the following are complied with:  
1 28 a. The organization conducting the card game  
1 29 tournament has been issued a license pursuant to  
1 30 subsection 4 and prominently displays that license in  
1 31 the playing area of the card game tournament.  
1 32 b. The card games to be conducted during a card  
1 33 game tournament, including the rules of each card game  
1 34 and how winners are determined, shall be displayed  
1 35 prominently in the playing area of the card game  
1 36 tournament. Each card game shall be conducted in a  
1 37 fair and honest manner and shall not be operated on a  
1 38 build-up or pyramid basis. Every participant in a  
1 39 card game tournament must be given the same chances of  
1 40 winning the tournament and shall not be allowed any  
1 41 second chance entries or multiple entries in the card  
1 42 game tournament.  
1 43 c. Participation in a card game tournament  
1 44 conducted by a qualified organization representing  
1 45 veterans shall only be open to members of the  
1 46 qualified organization representing veterans and  
1 47 guests of members of the qualified organization  
1 48 participating in the tournament. The cost to  
1 49 participate in a card game tournament shall be limited  
1 50 to one hundred dollars and shall be the same for every



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House Amendment 1650 continued

2 1 participant in the card game tournament. Participants  
2 2 in a card game tournament shall be at least twenty=one  
2 3 years of age.  
2 4 d. Cash or merchandise prizes may be awarded  
2 5 during a card game tournament and shall not exceed one  
2 6 thousand dollars and no participant shall win more  
2 7 than a total of five hundred dollars. A qualified  
2 8 organization representing veterans shall distribute  
2 9 amounts awarded as prizes on the day they are won and  
2 10 merchandise prizes shall not be repurchased. An  
2 11 organization conducting a card game tournament shall  
2 12 only display prizes in the playing area of the card  
2 13 game tournament that can be won.  
2 14 e. The qualified organization representing  
2 15 veterans shall conduct each card game tournament and  
2 16 any card game conducted during the tournament and  
2 17 shall not contract with or permit another person to  
2 18 conduct the card game tournament or any card game  
2 19 during the tournament.  
2 20 f. No person receives or has any fixed or  
2 21 contingent right to receive, directly or indirectly,  
2 22 any profit, remuneration, or compensation from or  
2 23 related to a game in a card game tournament, except  
2 24 any amount which the person may win as a participant  
2 25 on the same basis as the other participants.  
2 26 g. A qualified organization representing veterans  
2 27 licensed under this section shall not hold more than  
2 28 one card game tournament per week. Card game  
2 29 tournaments held under an annual game night license  
2 30 shall not count toward the limit of one card game  
2 31 tournament per week for a license holder. A qualified  
2 32 organization representing veterans shall be allowed to  
2 33 hold only one card game tournament during any  
2 34 twenty=four=hour period.  
2 35 h. At the conclusion of each card game tournament,  
2 36 the person conducting the card game tournament shall  
2 37 announce the gross receipts received, the total amount  
2 38 of money withheld for expenses, and the amount  
2 39 withheld for state taxes.  
2 40 i. The person conducting the card game tournament  
2 41 does none of the following:  
2 42 (1) Hold, currently, another license issued under  
2 43 this section.  
2 44 (2) Own or control, directly or indirectly, any  
2 45 class of stock of another person who has been issued a  
2 46 license to conduct games under this section.  
2 47 (3) Have, directly or indirectly, an interest in  
2 48 the ownership or profits of another person who has  
2 49 been issued a license to conduct games under this  
2 50 section.



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House Amendment 1650 continued

3 1 3. The qualified organization representing  
3 2 veterans licensed to hold card game tournaments under  
3 3 this section shall keep a journal of all dates of  
3 4 events, amount of gross receipts, amount given out as  
3 5 prizes, expenses, amount collected for taxes, and the  
3 6 amount collected as revenue.  
3 7 a. The amount collected by the qualified  
3 8 organization representing veterans as revenue shall be  
3 9 no less than ten percent of the gross receipts  
3 10 collected from each event.  
3 11 b. Each qualified organization representing  
3 12 veterans shall withhold that portion of the gross  
3 13 receipts subject to taxation pursuant to section  
3 14 423.2, subsection 4, which shall be kept in a separate  
3 15 account and sent to the state along with the  
3 16 organization's quarterly report.  
3 17 c. A qualified organization representing veterans  
3 18 licensed to conduct card game tournaments is allowed  
3 19 to withhold no more than five percent of the gross  
3 20 receipts from each card game tournament for qualified  
3 21 expenses. Qualified expenses include but are not  
3 22 limited to the purchase of supplies and materials used  
3 23 in conducting card games. Any money collected for  
3 24 expenses and not used by the end of the calendar year  
3 25 shall be donated for educational, civic, public,  
3 26 charitable, patriotic, or religious uses as described  
3 27 in section 99B.7, subsection 3, paragraph "b". The  
3 28 qualified organization representing veterans shall  
3 29 attach a receipt for any donation made to the fourth  
3 30 quarter quarterly report required to be submitted  
3 31 pursuant to section 99B.2.  
3 32 d. Each qualified organization representing  
3 33 veterans licensed under this section shall make  
3 34 recordkeeping and all deposit receipts available as  
3 35 provided in section 99B.2, subsection 2.  
3 36 4. An organization wishing to conduct card game  
3 37 tournaments pursuant to this section as a qualified  
3 38 organization representing veterans shall submit an  
3 39 application and annual license fee of one hundred  
3 40 dollars to the department.  
3 41 Sec. 2. Section 99B.9, subsection 1, unnumbered  
3 42 paragraph 1, Code 2007, is amended to read as follows:  
3 43 Except as otherwise permitted by section 99B.3,  
3 44 99B.5, 99B.6, 99B.7, 99B.7B, 99B.8, 99B.11, or  
3 45 99B.12A, it is unlawful to permit gambling on any  
3 46 premises owned, leased, rented, or otherwise occupied  
3 47 by a person other than a government, governmental  
3 48 agency, or governmental subdivision, unless all of the  
3 49 following are complied with:  
3 50 Sec. 3. Section 99B.12, subsection 1, unnumbered



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House Amendment 1650 continued

4 1 paragraph 1, Code 2007, is amended to read as follows:  
4 2       Except in instances where because of the location  
4 3 of the game or the circumstances of the game section  
4 4 99B.3, section 99B.5, section 99B.6, section 99B.7,  
4 5 section 99B.7B, section 99B.8, or section 99B.9 is  
4 6 applicable, individuals may participate in gambling  
4 7 specified in subsection 2, but only if all of the  
4 8 following are complied with:  
4 9       Sec. 4. Section 423.2, subsection 4, Code 2007, is  
4 10 amended to read as follows:  
4 11       4. A tax of five percent is imposed upon the sales  
4 12 price derived from the operation of all forms of  
4 13 amusement devices and games of skill, games of chance,  
4 14 raffles, and bingo games as defined in chapter 99B,  
4 15 and card game tournaments conducted under section  
4 16 99B.7B, that are operated or conducted within the  
4 17 state, the tax to be collected from the operator in  
4 18 the same manner as for the collection of taxes upon  
4 19 the sales price of tickets or admission as provided in  
4 20 this section. Nothing in this subsection shall  
4 21 legalize any games of skill or chance or slot-operated  
4 22 devices which are now prohibited by law.  
4 23       The tax imposed under this subsection covers the  
4 24 total amount from the operation of games of skill,  
4 25 games of chance, raffles, and bingo games as defined  
4 26 in chapter 99B, card game tournaments conducted under  
4 27 section 99B.7B, and musical devices, weighing  
4 28 machines, shooting galleries, billiard and pool  
4 29 tables, bowling alleys, pinball machines,  
4 30 slot-operated devices selling merchandise not subject  
4 31 to the general sales taxes and on the total amount  
4 32 from the devices or systems where prizes are in any manner  
4 33 awarded to patrons and upon the receipts from fees  
4 34 charged for participation in any game or other form of  
4 35 amusement, and generally upon the sales price from any  
4 36 source of amusement operated for profit, not specified  
4 37 in this section, and upon the sales price from which  
4 38 tax is not collected for tickets or admission, but tax  
4 39 shall not be imposed upon any activity exempt from  
4 40 sales tax under section 423.3, subsection 78. Every  
4 41 person receiving any sales price from the sources  
4 42 described in this section is subject to all provisions  
4 43 of this subchapter relating to retail sales tax and  
4 44 other provisions of this chapter as applicable.>  
4 45 #2. Title page, by striking lines 2 through 4 and  
4 46 inserting the following: <game tournaments by  
4 47 organizations representing veterans.>  
4 48 #3. By renumbering as necessary.  
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House Amendment 1650 continued

5 1  
5 2 D. TAYLOR of Linn  
5 3 SF 414.502 82  
5 4 ec/je/8773



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# House Amendment 1651

PAG LIN

1 1 Amend the amendment, H=1635, to Senate File 514, as  
1 2 amended, passed, and reprinted by the Senate, as  
1 3 follows:  
1 4 #1. Page 1, by striking lines 22 and 23 and  
1 5 inserting the following: <effective for the treatment  
1 6 of phenylketonuria, which if left>.  
1 7 #2. Page 1, by striking lines 26 through 29 and  
1 8 inserting the following: <formula" means low=protein  
1 9 medical food and metabolic formula prescribed for  
1 10 persons diagnosed with phenylketonuria.>  
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1 14 UPMEYER of Hancock  
1 15 SF 514.702 82  
1 16 av/gg/8937  
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House Amendment 1652

PAG LIN

1 1 Amend Senate File 430, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 2, by striking lines 18 and 19 and  
1 4 inserting the following:  
1 5 <b. The tribal court judgment sought to be  
1 6 enforced offends the principles of fundamental  
1 7 fairness.  
1 8 c. The tribal court proceeding did not provide the  
1 9 defendant with substantial justice.>  
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1 13 ANDERSON of Page  
1 14 SF 430.704 82  
1 15 rh/gg/8539  
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**House Amendment 1653**

PAG LIN

1 1 Amend Senate File 430, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 2, line 8, by inserting after the word  
1 4 <state> the following: <if the tribal judgment sought  
1 5 to be enforced does not offend principles of  
1 6 fundamental fairness and the parties were provided  
1 7 substantial justice>.  
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1 11 ANDERSON of Page  
1 12 SF 430.302 82  
1 13 rh/cf/8540  
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# House Amendment 1654

PAG LIN

1 1 Amend Senate File 430, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by striking lines 6 through 9 and  
1 4 inserting the following:  
1 5 <1. "Tribal court" means a court of the Sac and  
1 6 Fox tribe of the Mississippi in Iowa, the Winnebago  
1 7 tribe of Nebraska, and the Omaha tribe of Nebraska.>  
1 8 #2. Page 3, by striking lines 17 and 18 and  
1 9 inserting the following: <judgment, order, or decree  
1 10 issued by a tribal court of the Sac and Fox tribe of  
1 11 the Mississippi in Iowa, the Winnebago tribe of  
1 12 Nebraska, and the Omaha tribe of Nebraska emanating  
1 13 from a cause of>.  
1 14 #3. Title page, by striking lines 2 and 3 and  
1 15 inserting the following: <of the Sac and Fox tribe of  
1 16 the Mississippi in Iowa, the Winnebago tribe of  
1 17 Nebraska, and the Omaha tribe of Nebraska.>  
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1 21 ANDERSON of Page  
1 22 SF 430.504 82  
1 23 rh/je/9147  
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**House Amendment 1655**

PAG LIN

1 1 Amend Senate File 430, as amended, passed, and  
 1 2 reprinted by the Senate, as follows:  
 1 3 #1. Page 3, by inserting after line 13 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. NEW SECTION. 626D.7A NON=INDIAN  
 1 6 RESIDENT CONTRACTING OR COMMITTING TORTS ON AN INDIAN  
 1 7 RESERVATION OR INDIAN SETTLEMENT IN IOWA.  
 1 8 1. If a non=Indian resident of Iowa makes a  
 1 9 contract with an Indian person to be performed in  
 1 10 whole or part by either party on an Indian reservation  
 1 11 or Indian settlement in Iowa or if such person commits  
 1 12 a tort in whole or in part on an Indian reservation or  
 1 13 Indian settlement in Iowa against an Indian person,  
 1 14 such acts shall be deemed to be doing business in Iowa  
 1 15 on the Indian reservation or Indian settlement and  
 1 16 such non=Indian person shall be subject to the  
 1 17 jurisdiction of the tribal court of the Indian  
 1 18 reservation or Indian settlement.  
 1 19 2. For purposes of this section, the term  
 1 20 "non=Indian resident" includes any person who was not  
 1 21 a resident of an Indian reservation or an Indian  
 1 22 settlement in Iowa at the time of the contract or tort  
 1 23 and who was a resident of the state of Iowa or who was  
 1 24 absent from the state before the commencement of such  
 1 25 action or proceedings and ceased to be a resident of  
 1 26 Iowa or a resident who has remained continuously  
 1 27 absent from the state for at least a period of six  
 1 28 months following execution of the contract or  
 1 29 commission of the tort. The term "non=Indian  
 1 30 resident" also includes an Iowa corporation, a foreign  
 1 31 corporation holding a certificate of authority to  
 1 32 transact business in Iowa, an individual residing in  
 1 33 Iowa, and a partnership or association one or more of  
 1 34 whose members is a resident of Iowa.>  
 1 35 #2. By renumbering as necessary.  
 1 36  
 1 37  
 1 38  
 1 39 ANDERSON of Page  
 1 40 SF 430.205 82  
 1 41 rh/es/9148  
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**House Amendment 1656**

PAG LIN

1 1 Amend House File 881 as follows:  
1 2 #1. Page 2, line 20, by inserting after the word  
1 3 and figure <chapter 432> the following: <, and  
1 4 against the moneys and credits tax imposed in section  
1 5 533.24>.  
1 6 #2. Page 5, line 1, by striking the word <credit>.  
1 7  
1 8  
1 9  
1 10 THOMAS of Clayton  
1 11 HF 881.701 82  
1 12 tm/gg/8433  
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# House Amendment 1657

PAG LIN

1 1 Amend the Senate amendment, H=1429, to House File  
1 2 368, as passed by the House, as follows:  
1 3 #1. Page 1, line 8, by inserting after the word  
1 4 <than> the following: <or equal to>.  
1 5 #2. Page 1, line 9, by inserting after the word  
1 6 <than> the following: <or equal to>.  
1 7  
1 8  
1 9  
1 10 T. TAYLOR of Linn  
1 11 HF 368.501 82  
1 12 ak/je/6848  
1 13  
1 14  
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# House Amendment 1658

PAG LIN

1 1 Amend House File 893 as follows:  
1 2 #1. Page 2, by striking lines 20 through 29.  
1 3 #2. Title page, line 1, by striking the words <,  
1 4 making appropriations,>.  
1 5  
1 6  
1 7  
1 8 RAECKER of Polk  
1 9 HF 893.701 82  
1 10 mg/gg/9088  
1 11  
1 12  
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House Amendment 1659

PAG LIN

1 1 Amend Senate File 381, as passed by the Senate, as  
1 2 follows:  
1 3 #1. By striking page 1, line 27, through page 3,  
1 4 line 6, and inserting the following:  
1 5 <Sec. \_\_\_\_\_. Section 225C.4, subsection 1, paragraph  
1 6 m, Code 2007, is amended to read as follows:  
1 7 m. Provide consultation and technical assistance  
1 8 to ~~patients'~~ patient advocates appointed pursuant to  
1 9 section 229.19, in cooperation with the judicial  
1 10 branch and the resident advocate committees appointed  
1 11 for health care facilities pursuant to section  
1 12 135C.25.  
1 13 Sec. \_\_\_\_\_. Section 226.31, Code 2007, is amended to  
1 14 read as follows:  
1 15 226.31 EXAMINATION BY COURT == NOTICE.  
1 16 Before granting the order authorized in section  
1 17 226.30 the court or judge shall investigate the  
1 18 allegations of the petition and before proceeding to a  
1 19 hearing on the allegations shall require notice to be  
1 20 served on the attorney who represented the patient in  
1 21 any prior proceedings under sections 229.6 to 229.15  
1 22 or the patient advocate appointed under section  
1 23 229.19, or in the case of a patient who entered the  
1 24 hospital voluntarily, on any relative, friend, or  
1 25 guardian of the person in question of the filing of  
1 26 the application. At the hearing the court or judge  
1 27 shall appoint a guardian ad litem for the person, if  
1 28 the court or judge deems such action necessary to  
1 29 protect the rights of the person. The guardian ad  
1 30 litem shall be a practicing attorney.  
1 31 Sec. \_\_\_\_\_. Section 229.2, subsection 1, paragraph  
1 32 f, Code 2007, is amended to read as follows:  
1 33 f. Upon approval of the admission of a minor over  
1 34 the minor's objections, the juvenile court shall  
1 35 appoint an individual to act as ~~an~~ a patient advocate  
1 36 representing the interests of the minor in the same  
1 37 manner as ~~an~~ a patient advocate representing the  
1 38 interests of patients involuntarily hospitalized  
1 39 ~~pursuant to section 229.19 under this chapter.~~  
1 40 Sec. \_\_\_\_\_. Section 229.9A, Code 2007, is amended to  
1 41 read as follows:  
1 42 229.9A PATIENT ADVOCATE INFORMED.  
1 43 The court shall direct the clerk to furnish the  
1 44 patient advocate ~~of~~ assigned to the respondent's  
1 45 ~~county of legal settlement~~ respondent with a copy of  
1 46 the application and any order issued pursuant to  
1 47 section 229.8, subsection 3. The patient advocate may  
1 48 attend the hospitalization hearing of any respondent  
1 49 for whom the patient advocate has received notice of a  
1 50 hospitalization hearing.



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House Amendment 1659 continued

2 1     Sec. \_\_\_\_\_. Section 229.12, subsection 2, Code 2007,  
2 2 is amended to read as follows:

2 3     2. All persons not necessary for the conduct of  
2 4 the proceeding shall be excluded, except that the  
2 5 court may admit persons having a legitimate interest  
2 6 in the proceeding and shall permit the patient  
2 7 advocate ~~from the respondent's county of legal~~  
~~2 8 settlement assigned to the respondent~~ to attend the  
2 9 hearing. Upon motion of the county attorney, the  
2 10 judge may exclude the respondent from the hearing  
2 11 during the testimony of any particular witness if the  
2 12 judge determines that witness's testimony is likely to  
2 13 cause the respondent severe emotional trauma.

2 14     Sec. \_\_\_\_\_. Section 229.14A, subsection 1, Code  
2 15 2007, is amended to read as follows:

2 16     1. With respect to a chief medical officer's  
2 17 report made pursuant to section 229.14, subsection 1,  
2 18 paragraph "b", "c", or "d", or any other provision of  
2 19 this chapter related to involuntary commitment for  
2 20 which the court issues a placement order or a transfer  
2 21 of placement is authorized, the court shall provide  
2 22 notice to the respondent and the respondent's attorney  
2 23 or ~~mental health~~ patient advocate appointed pursuant  
2 24 to section 229.19 concerning the placement order and  
2 25 the respondent's right to request a placement hearing  
2 26 to determine if the order for placement or transfer of  
2 27 placement is appropriate.

2 28     Sec. \_\_\_\_\_. Section 229.15, subsection 5, Code 2007,  
2 29 is amended to read as follows:

2 30     5. Upon receipt of any report required or  
2 31 authorized by this section the court shall furnish a  
2 32 copy to the patient's attorney, or alternatively to  
2 33 the patient advocate appointed as required by section  
2 34 229.19. The court shall examine the report and take  
2 35 the action ~~thereon which it~~ on the report as the court  
2 36 deems appropriate. Should the court fail to receive  
2 37 any report required by this section or section 229.14  
2 38 at the time the report is due, the court shall  
2 39 investigate the reason for the failure to report and  
2 40 take whatever action may be necessary in the matter.

2 41     Sec. \_\_\_\_\_. Section 229.19, Code 2007, is amended to  
2 42 read as follows:

2 43     229.19 ADVOCATES == DUTIES == COMPENSATION ==  
2 44 STATE AND COUNTY LIABILITY.

2 45     1. ~~The district court in each county with a~~  
~~2 46 population of under three hundred thousand inhabitants~~  
~~2 47 and the board of supervisors in each county with a~~  
~~2 48 population of three hundred thousand or more~~  
~~2 49 inhabitants~~ For each judicial district, the chief  
2 50 judge of the judicial district shall appoint ~~an~~ at



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House Amendment 1659 continued

3 1 least one individual who has demonstrated by prior  
3 2 activities an informed concern for the welfare and  
3 3 rehabilitation of persons with mental illness, and who  
3 4 is not an officer or employee of the department of  
3 5 human services ~~nor~~ or of any agency or facility  
3 6 providing care or treatment to persons with mental  
3 7 illness, to act as patient advocate ~~representing~~. A  
3 8 patient advocate shall represent the interests of  
3 9 patients involuntarily hospitalized by the court, in  
3 10 any matter relating to the patients' hospitalization  
3 11 or treatment under section 229.14 or 229.15.

3 12 2. ~~The court or, if the advocate is appointed by~~  
3 13 ~~the county board of supervisors, the board shall~~  
3 14 assign the patient advocate ~~appointed from a patient's~~  
3 15 ~~county of legal settlement for each patient to~~  
3 16 represent the interests of the patient. ~~If a patient~~  
3 17 ~~has no county of legal settlement, the court or, if~~  
3 18 ~~the advocate is appointed by the county board of~~  
3 19 ~~supervisors, the board shall assign the advocate~~  
3 20 ~~appointed from the county where the hospital or~~  
3 21 ~~facility is located to represent the interests of the~~  
3 22 ~~patient.~~

3 23 3. The patient advocate's responsibility with  
3 24 respect to ~~any~~ a patient shall begin at ~~whatever~~ the  
3 25 time the attorney employed or appointed to represent  
3 26 that patient as respondent in hospitalization  
3 27 proceedings, conducted under ~~sections 229.6 to 229.13~~  
3 28 this chapter, reports to the court that the attorney's  
3 29 services are no longer required and requests the  
3 30 court's approval to withdraw as counsel for that  
3 31 patient. However, if the patient is found to be  
3 32 seriously mentally impaired at the hospitalization  
3 33 hearing, the attorney representing the patient shall  
3 34 automatically be relieved of responsibility in the  
3 35 case and ~~an~~ a patient advocate shall be assigned to  
3 36 the patient at the conclusion of the hearing unless  
3 37 the attorney indicates an intent to continue the  
3 38 attorney's services and the court directs the attorney  
3 39 to do so ~~directs~~. If the court directs the attorney  
3 40 to remain on the case, the attorney shall assume all  
3 41 the duties of ~~an~~ a patient advocate. The clerk shall  
3 42 furnish the patient advocate with a copy of the  
3 43 court's order approving the withdrawal and shall  
3 44 inform the patient of the name of the patient's  
3 45 advocate.

3 46 4. With regard to each patient whose interests the  
3 47 patient advocate is required to represent pursuant to  
3 48 this section, the patient advocate's duties shall  
3 49 include all of the following:

3 50 a. To review each report submitted pursuant to



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House Amendment 1659 continued

4 1 sections 229.14 and 229.15.

4 2 b. If the patient advocate is not an attorney, to  
4 3 advise the court at any time it appears that the  
4 4 services of an attorney are required to properly  
4 5 safeguard the patient's interests.

4 6 c. To ~~make the advocate~~ be readily accessible to  
4 7 communications from the patient and to originate  
4 8 communications with the patient within five days of  
4 9 the patient's commitment.

4 10 d. To visit the patient within fifteen days of the  
4 11 patient's commitment and periodically thereafter.

4 12 e. To communicate with medical personnel treating  
4 13 the patient and to review the patient's medical  
4 14 records pursuant to section 229.25.

4 15 f. To file with the court quarterly reports, and  
4 16 additional reports as the patient advocate feels are  
4 17 necessary or as required by the court, in a form  
4 18 prescribed by the court. The reports shall state what  
4 19 actions the patient advocate has taken with respect to  
4 20 each patient and the amount of time spent.

4 21 ~~2.~~ 5. The hospital or facility to which a patient  
4 22 is committed shall grant all reasonable requests of  
4 23 the patient advocate to visit the patient, to  
4 24 communicate with medical personnel treating the  
4 25 patient, and to review the patient's medical records  
4 26 pursuant to section 229.25. ~~Am~~ A patient advocate  
4 27 shall not disseminate information from a patient's  
4 28 medical records to any other person unless done for  
4 29 official purposes in connection with the patient  
4 30 advocate's duties pursuant to this chapter or ~~when~~ as  
4 31 required by law.

4 32 ~~3.~~ 6. The supreme court ~~or, if the advocate is~~  
~~4 33 appointed by the county board of supervisors, the~~  
~~4 34 board shall prescribe reasonable compensation policies~~  
4 35 for the services of ~~the advocate~~ patient advocates.  
4 36 The compensation ~~shall~~ may, in part, be based upon the  
4 37 reports filed by the patient advocate with the court.  
4 38 ~~The advocate's compensation shall be paid by the~~  
~~4 39 county in which the court is located, either on order~~  
~~4 40 of the court or, if the advocate is appointed by the~~  
~~4 41 county board of supervisors, on the direction of the~~  
~~4 42 board. If the advocate is appointed by the court, the~~  
~~4 43 advocate is an employee of the state for purposes of~~  
~~4 44 chapter 669. If the advocate is appointed by the~~  
~~4 45 county board of supervisors, the advocate is an~~  
~~4 46 employee of the county for purposes of chapter 670.~~

4 47 7. If the patient or the person who is legally  
4 48 liable for the patient's support is not indigent, the  
4 49 ~~board~~ district court shall recover the costs of  
4 50 compensating the patient advocate from that person.



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House Amendment 1659 continued

5 1 If that person has an income level as determined  
5 2 pursuant to section 815.9 greater than one hundred  
5 3 percent but not more than one hundred fifty percent of  
5 4 the poverty guidelines, at least one hundred dollars  
5 5 of the patient advocate's compensation shall be  
5 6 recovered in the manner prescribed by the ~~county board~~  
~~5 7 of supervisors~~ supreme court. If that person has an  
5 8 income level as determined pursuant to section 815.9  
5 9 greater than one hundred fifty percent of the poverty  
5 10 guidelines, at least two hundred dollars of the  
5 11 patient advocate's compensation shall be recovered in  
5 12 substantially the same manner prescribed ~~by the county~~  
~~5 13 board of supervisors~~ as provided in section 815.9.

5 14 Sec. \_\_\_\_\_. Section 229.25, subsection 1, Code 2007,  
5 15 is amended to read as follows:  
5 16 1. The information is requested by a licensed  
5 17 physician, attorney, or patient advocate who provides  
5 18 the chief medical officer with a written waiver signed  
5 19 by the person about whom the information is sought.  
5 20 Sec. \_\_\_\_\_. Section 602.1102, Code 2007, is amended  
5 21 by adding the following new subsection:  
5 22 NEW SUBSECTION. 6A. Patient advocates appointed  
5 23 pursuant to section 229.19.>  
5 24 #2. Page 5, by inserting after line 26 the  
5 25 following:  
5 26 <Sec. \_\_\_\_\_. ACCRUED EMPLOYEE RIGHTS.  
5 27 1. Patient advocates appointed pursuant to section  
5 28 229.19, as amended by this Act, shall become employees  
5 29 of the judicial branch effective July 1, 2007, and the  
5 30 judicial branch shall assume all costs associated with  
5 31 the functions of the patient advocates on that date.  
5 32 Patient advocates who were paid salaries by the  
5 33 counties immediately prior to becoming state employees  
5 34 as a result of this Act shall not forfeit accrued  
5 35 vacation, accrued sick leave, or longevity, except as  
5 36 provided in this section.  
5 37 2. The supreme court, after consulting with the  
5 38 department of administrative services, shall prescribe  
5 39 rules to provide for the following:  
5 40 a. A person referred to in subsection 1 shall have  
5 41 to the person's credit as a state employee commencing  
5 42 on the date of becoming a state employee the number of  
5 43 accrued vacation days that was credited to the person  
5 44 as a county employee as of the end of the day prior to  
5 45 becoming a state employee.  
5 46 b. Each person referred to in subsection 1 shall  
5 47 have to the person's credit as a state employee  
5 48 commencing on the date of becoming a state employee  
5 49 the number of accrued days of sick leave that was  
5 50 credited to the person as a county employee as of the



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House Amendment 1659 continued

6 1 end of the day prior to becoming a state employee.  
6 2 However, the number of days of sick leave credited to  
6 3 a person under this subsection and eligible to be  
6 4 taken when sick or eligible to be received upon  
6 5 retirement shall not respectively exceed the maximum  
6 6 number of days, if any, or the maximum dollar amount  
6 7 as provided in section 70A.23 that state employees  
6 8 generally are entitled to accrue or receive according  
6 9 to rules in effect as of the date the person becomes a  
6 10 state employee, except as otherwise provided in  
6 11 section 602.1401.

6 12 c. Commencing on the date of becoming a state  
6 13 employee, each person referred to in subsection 1 is  
6 14 entitled to claim the person's most recent continuous  
6 15 period of service in full-time county employment as  
6 16 full-time state employment for purposes of determining  
6 17 the number of days of vacation which the person is  
6 18 entitled to earn each year. The actual vacation  
6 19 benefit, including the limitation on the maximum  
6 20 accumulated vacation leave, shall be determined as  
6 21 provided in section 70A.1 according to rules in effect  
6 22 for state employees of comparable longevity,  
6 23 irrespective of any greater or lesser benefit as a  
6 24 county employee.

6 25 3. Persons referred to in subsection 1 who were  
6 26 covered by county employee life insurance and health  
6 27 and accident insurance plans prior to becoming state  
6 28 employees as a result of this Act shall be permitted  
6 29 to apply prior to becoming state employees for life  
6 30 insurance and health and accident insurance plans that  
6 31 are available to state employees so that those persons  
6 32 do not suffer a lapse of insurance coverage as a  
6 33 result of this Act. The supreme court, after  
6 34 consulting with the department of administrative  
6 35 services, shall prescribe rules and distribute  
6 36 application forms and take other actions as necessary  
6 37 to enable those persons to elect to have insurance  
6 38 coverage that is in effect on the date of becoming  
6 39 state employees. The actual insurance coverage  
6 40 available to a person shall be determined by the plans  
6 41 that are available to state employees, irrespective of  
6 42 any greater or lesser benefits as a county employee.

6 43 4. Commencing on the date of becoming a state  
6 44 employee, each person referred to in subsection 1 is  
6 45 entitled to claim the person's most recent continuous  
6 46 period of service in full-time county employment as  
6 47 full-time state employment for purposes of determining  
6 48 disability benefits as provided in section 70A.20  
6 49 according to rules in effect for state employees of  
6 50 comparable longevity, irrespective of any greater or



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House Amendment 1659 continued

7 1 lesser benefit as a county employee.>  
7 2 #3. By renumbering as necessary.  
7 3  
7 4  
7 5  
7 6 GRANZOW of Hardin  
7 7  
7 8  
7 9  
7 10 TOMENGA of Polk  
7 11 SF 381.201 82  
7 12 jp/es/8630



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House Amendment 1660

PAG LIN

1 1 Amend Senate File 559, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 1, by inserting after line 8 the  
1 4 following:  
1 5 <Sec. \_\_\_\_ . NEW SECTION. 359.32A BURIAL OF  
1 6 VETERANS.  
1 7 The township trustees shall allow any veteran who  
1 8 is a landowner in the township to be buried in a  
1 9 cemetery under the control of the township. For the  
1 10 purposes of this section, "veteran" means the same as  
1 11 defined in section 35.1 or a resident of this state  
1 12 who served in the armed forces of the United States,  
1 13 completed a minimum aggregate of ninety days of active  
1 14 federal service, and was discharged under honorable  
1 15 conditions.>  
1 16 #2. By renumbering as necessary.  
1 17  
1 18  
1 19  
1 20 PAULSEN of Linn  
1 21 SF 559.304 82  
1 22 av/cf/9185  
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House Amendment 1661

PAG LIN

1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 3, line 17, by inserting after the figure  
1 4 <2050.> the following: <None of the scenarios  
1 5 developed by the council shall create estimated  
1 6 consumer energy costs which exceed the anticipated  
1 7 costs of energy derived from domestic fossil carbon  
1 8 fuel sources by more than fifteen percent.>  
1 9  
1 10  
1 11  
1 12 ALONS of Sioux  
1 13  
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1 15  
1 16 WATTS of Dallas  
1 17  
1 18  
1 19  
1 20 MERTZ of Kossuth  
1 21 SF 485.508 82  
1 22 tm/je/8487  
1 23  
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House Amendment 1662

PAG LIN

1 1 Amend House File 798 as follows:  
1 2 #1. Page 7, line 10, by inserting after the word  
1 3 <manager> the following: <or pharmacy>.  
1 4 #2. Page 7, line 13, by inserting after the word  
1 5 <manager> the following: <or pharmacy>.  
1 6 #3. Page 7, line 20, by inserting after the word  
1 7 <manager> the following: <or pharmacy>.  
1 8 #4. Page 7, line 22, by inserting after the word  
1 9 <manager> the following: <or pharmacy>.  
1 10 #5. Page 7, line 25, by inserting after the word  
1 11 <manager> the following: <or pharmacy>.  
1 12 #6. Page 7, line 26, by inserting after the word  
1 13 <manager> the following: <or pharmacy>.  
1 14 #7. Page 7, line 28, by inserting after the word  
1 15 <manager> the following: <or pharmacy>.  
1 16 #8. Page 7, line 30, by inserting after the word  
1 17 <manager> the following: <or pharmacy>.  
1 18 #9. Page 7, line 33, by inserting after the word  
1 19 <manager> the following: <or pharmacy>.  
1 20 #10. Page 8, line 1, by inserting after the word  
1 21 <manager> the following: <or pharmacy>.  
1 22  
1 23  
1 24  
1 25 BOAL of Polk  
1 26 HF 798.501 82  
1 27 pf/je/9263  
1 28  
1 29  
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# House Amendment 1663

PAG LIN

1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 3, by striking lines 16 and 17 and  
1 4 inserting the following: <emissions. Any percentage  
1 5 reduction included in a scenario shall be calculated  
1 6 on a per capita basis in relation to the base year.  
1 7 The council>.  
1 8  
1 9  
1 10  
1 11 ALONS of Sioux  
1 12  
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1 14  
1 15 WATTS of Dallas  
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1 19 MERTZ of Kossuth  
1 20 SF 485.702 82  
1 21 tm/gg/8489  
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House Amendment 1664

PAG LIN

1 1 Amend the amendment, H=1603, to Senate File 485, as  
1 2 passed by the Senate, as follows:  
1 3 #1. Page 3, line 17, by inserting after the figure  
1 4 <2050.> the following: <None of the scenarios  
1 5 developed by the council shall create estimated  
1 6 consumer energy costs which exceed the anticipated  
1 7 costs of energy derived from domestic fossil carbon  
1 8 fuel sources by more than ten percent.>  
1 9  
1 10  
1 11  
1 12 ALONS of Sioux  
1 13  
1 14  
1 15  
1 16 WATTS of Dallas  
1 17  
1 18  
1 19  
1 20 MERTZ of Kossuth  
1 21 SF 485.301 82  
1 22 tm/cf/8488  
1 23  
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Iowa General Assembly  
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House File 897 - Introduced

HOUSE FILE  
BY COMMITTEE ON WAYS and MEANS  
  
(SUCCESSOR TO HF 795)  
(SUCCESSOR TO HF 236)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved

**A BILL FOR**

1 An Act establishing statewide licensure and certification of  
2 electricians and installers, providing for inspections,  
3 establishing fees, and providing penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TL5B 1601HZ 82  
6 rn/cf/24



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PAG LIN

1 1 Section 1. Section 100.1, subsection 7, Code 2007, is  
1 2 amended to read as follows:  
1 3 7. To administer the fire extinguishing system contractor,  
1 4 alarm system contractor, and alarm system installer  
1 5 certification program established in chapter 100C.  
1 6 Sec. 2. Section 100C.1, Code 2007, is amended by adding  
1 7 the following new subsections:  
1 8 NEW SUBSECTION. 0A. "Alarm system" means a system or  
1 9 portion of a combination system that consists of components  
1 10 and circuits arranged to monitor and annunciate the status of  
1 11 a fire alarm, security alarm, or medical alarm or supervisory  
1 12 signal=initiating devices and to initiate the appropriate  
1 13 response to those signals.  
1 14 NEW SUBSECTION. 0B. "Alarm system contractor" means a  
1 15 person engaging in or representing oneself as engaging in the  
1 16 activity or business of layout, installation, repair,  
1 17 alteration, addition, maintenance, or maintenance inspection  
1 18 of alarm systems in this state.  
1 19 NEW SUBSECTION. 0C. "Alarm system installer" means an  
1 20 employee of an alarm system contractor who is engaged in the  
1 21 layout, installation, repair, alteration, addition,  
1 22 maintenance, or maintenance inspection of alarm systems.  
1 23 Sec. 3. Section 100C.1, subsection 10, Code 2007, is  
1 24 amended by striking the subsection and inserting in lieu  
1 25 thereof the following:  
1 26 10. "Responsible managing employee" means one of the  
1 27 following:  
1 28 a. An owner, partner, officer, or manager employed  
1 29 full-time by a fire extinguishing system contractor who is  
1 30 certified by the national institute for certification in  
1 31 engineering technologies at a level three in fire protection  
1 32 technology, automatic sprinkler system layout, or another  
1 33 certification in automatic sprinkler system layout recognized  
1 34 by rules adopted by the fire marshal pursuant to section  
1 35 100C.7 or who meets any other criteria established by rule.



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2 1 b. An owner, partner, officer, or manager employed  
2 2 full-time by an alarm system contractor who is certified by  
2 3 the national institute for certification in engineering  
2 4 technologies in fire alarm systems or security systems at a  
2 5 level established by the fire marshal by rule or who meets any  
2 6 other criteria established by rule under this chapter. The  
2 7 rules may provide for separate endorsements for fire,  
2 8 security, and medical alarm systems and may require separate  
2 9 qualifications for each.

2 10 Sec. 4. Section 100C.2, Code 2007, is amended to read as  
2 11 follows:

2 12 100C.2 CERTIFICATION == EMPLOYEES.

2 13 1. A person shall not act as a fire extinguishing system  
2 14 contractor without first obtaining a fire extinguishing system  
2 15 contractor's certificate pursuant to this chapter.

2 16 2. A person shall not act as an alarm system contractor  
2 17 without first obtaining an alarm system contractor's  
2 18 certificate pursuant to this chapter. A person shall not act  
2 19 as an alarm system installer without first obtaining an alarm  
2 20 system contractor's or alarm system installer's certificate  
2 21 pursuant to this chapter.

2 22 ~~2.~~ 3. a. A responsible managing employee may act as a  
2 23 responsible managing employee for only one fire extinguishing  
2 24 system contractor at a time. The responsible managing  
2 25 employee shall not be designated as the responsible managing  
2 26 employee for more than two fire extinguishing system  
2 27 contractors in any twelve-month period.

2 28 b. A responsible managing employee may act as a  
2 29 responsible managing employee for only one alarm system  
2 30 contractor at a time. The responsible managing employee shall  
2 31 not be designated as the responsible managing employee for  
2 32 more than two alarm system contractors in any twelve-month  
2 33 period.

2 34 c. A responsible managing employee may serve as the  
2 35 responsible managing employee for a fire extinguishing system



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3 1 contractor and an alarm system contractor at the same time,  
3 2 provided that the fire extinguishing system contractor and the  
3 3 alarm system contractor are the same business, and that the  
3 4 person designated as the responsible managing employee meets  
3 5 the responsible managing employee criteria established for  
3 6 each certification.

3 7 ~~3.~~ 4. a. An employee of a certified fire extinguishing  
3 8 system contractor working under the direction of a responsible  
3 9 managing employee is not required to obtain and maintain an  
3 10 individual fire extinguishing system contractor's certificate.

3 11 b. An employee of a certified alarm system contractor who  
3 12 is an alarm system installer, and who is not licensed pursuant  
3 13 to chapter 103 shall obtain and maintain certification as an  
3 14 alarm system installer and shall meet and maintain  
3 15 qualifications established by the state fire marshal by rule.

3 16 Sec. 5. Section 100C.3, Code 2007, is amended to read as  
3 17 follows:

3 18 100C.3 APPLICATION == INFORMATION TO BE PROVIDED.

3 19 1. A fire extinguishing system contractor, an alarm system  
3 20 contractor, or an alarm system installer shall apply for a  
3 21 certificate on a form prescribed by the state fire marshal.  
3 22 The application shall be accompanied by a fee in an amount  
3 23 prescribed by rule pursuant to section 100C.7 and shall  
3 24 include all of the following information, as applicable:

3 25 a. The name, address, and telephone number of the  
3 26 contractor or installer and, in the case of an installer, the  
3 27 name and certification number of the contractor by whom the  
3 28 installer is employed, including all legal and fictitious  
3 29 names.

3 30 b. Proof of insurance coverage required by section 100C.4.

3 31 c. The name and qualifications of the person designated as  
3 32 the contractor's responsible managing employee and of persons  
3 33 designated as alternate responsible managing employees.

3 34 d. Any other information deemed necessary by the state  
3 35 fire marshal.



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4 1 2. Upon receipt of a completed application and prescribed  
4 2 fees, if the contractor or installer meets all requirements  
4 3 established by this chapter, the state fire marshal shall  
4 4 issue a certificate to the ~~fire extinguishing system~~  
4 5 contractor or installer within thirty days.

4 6 3. Certificates shall expire and be renewed as established  
4 7 by rule pursuant to section 100C.7.

4 8 4. Any change in the information provided in the  
4 9 application shall be promptly reported to the state fire  
4 10 marshal. When the employment of a responsible managing  
4 11 employee is terminated, the ~~fire extinguishing system~~  
4 12 contractor shall notify the state fire marshal within thirty  
4 13 days after termination.

4 14 Sec. 6. Section 100C.4, Code 2007, is amended to read as  
4 15 follows:

4 16 100C.4 INSURANCE.

4 17 1. A fire extinguishing system contractor shall maintain  
4 18 general and complete operations liability insurance for the  
4 19 layout, installation, repair, alteration, addition,  
4 20 maintenance, and inspection of automatic fire extinguishing  
4 21 systems in an amount determined by the state fire marshal by  
4 22 rule.

4 23 2. An alarm system contractor shall maintain general and  
4 24 complete operations liability insurance for the layout,  
4 25 installation, repair, alteration, addition, maintenance, and  
4 26 inspection of alarm systems in an amount determined by the  
4 27 state fire marshal by rule.

4 28 Sec. 7. Section 100C.5, subsection 1, Code 2007, is  
4 29 amended to read as follows:

4 30 1. The state fire marshal shall suspend or revoke the  
4 31 certificate of any ~~fire extinguishing system~~ contractor or  
4 32 installer who fails to maintain compliance with the conditions  
4 33 necessary to obtain a certificate. A certificate may also be  
4 34 suspended or revoked if any of the following occur:

4 35 a. The employment or relationship of a responsible



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5 1 managing employee with a ~~fire extinguishing system~~ contractor  
5 2 is terminated, unless the ~~fire extinguishing system~~ contractor  
5 3 has included a qualified alternate on the application or an  
5 4 application designating a new responsible managing employee is  
5 5 filed with the state fire marshal within six months after the  
5 6 termination.

5 7 b. The contractor or installer fails to comply with any  
5 8 provision of this chapter.

5 9 c. The contractor or installer fails to comply with any  
5 10 other applicable codes and ordinances.

5 11 Sec. 8. Section 100C.6, subsection 2, Code 2007, is  
5 12 amended to read as follows:

5 13 2. Limit the power of the state or a political subdivision  
5 14 of the state to regulate the quality and character of work  
5 15 performed by ~~fire extinguishing system~~ contractors or  
5 16 installers through a system of fees, permits, and inspections  
5 17 designed to ensure compliance with, and aid in the  
5 18 administration of, state and local building codes or to  
5 19 enforce other local laws for the protection of the public  
5 20 health and safety.

5 21 Sec. 9. Section 100C.7, Code 2007, is amended to read as  
5 22 follows:

5 23 100C.7 ADMINISTRATION == RULES.

5 24 The state fire marshal shall administer this chapter and,  
5 25 after consultation with the fire extinguishing system  
5 26 contractors and alarm systems advisory board, shall adopt  
5 27 rules pursuant to chapter 17A necessary for the administration  
5 28 and enforcement of this chapter.

5 29 Sec. 10. Section 100C.10, Code 2007, is amended to read as  
5 30 follows:

5 31 100C.10 FIRE EXTINGUISHING SYSTEM CONTRACTORS AND ALARM  
5 32 SYSTEMS ADVISORY BOARD.

5 33 1. A fire extinguishing system contractors and alarm  
5 34 systems advisory board is established in the division of state  
5 35 fire marshal of the department of public safety and shall



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6 1 advise the division on matters pertaining to the application  
6 2 and certification of ~~fire extinguishing system~~ contractors and  
6 3 installers pursuant to this chapter.

6 4 2. The board shall consist of ~~seven~~ eleven voting members  
6 5 appointed by the commissioner of public safety as follows:

6 6 a. Two full-time fire officials of incorporated  
6 7 municipalities or counties.

6 8 b. One full-time building official of an incorporated  
6 9 municipality or county.

6 10 c. ~~Two~~ Three fire extinguishing system contractors,  
6 11 certified pursuant to this chapter, of which at least one  
6 12 shall be a water-based fire sprinkler contractor.

6 13 d. Three alarm system contractors, certified pursuant to  
6 14 this chapter, at least one of whom shall have experience with  
6 15 fire alarm systems, at least one of whom shall have experience  
6 16 with security alarm systems, and at least one of whom shall  
6 17 have experience with medical alarm systems.

6 18 ~~d.~~ e. One professional engineer or architect licensed in  
6 19 the state.

6 20 e. ~~f.~~ One representative of the general public.

6 21 3. The state fire marshal, or the state fire marshal's  
6 22 designee, and the chairperson of the electrical examining  
6 23 board created in section 103.2 shall be a nonvoting ex officio  
6 24 ~~member~~ members of the board.

6 25 4. The commissioner shall initially appoint two members  
6 26 for two-year terms, two members for four-year terms, and three  
6 27 members for six-year terms. Following the expiration of the  
6 28 terms of initially appointed members, each term thereafter  
6 29 shall be for a period of six years. No member shall serve  
6 30 more than two consecutive terms. Of the appointments to new  
6 31 positions on the board which take effect July 1, 2007, the  
6 32 commissioner shall make the initial appointments for two,  
6 33 four, or six years, at the commissioner's discretion, so that  
6 34 the terms of no more than four board members shall expire at  
6 35 the same time. If a position on the board becomes vacant



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7 1 prior to the expiration of a member's term, the member  
7 2 appointed to the vacancy shall serve the balance of the  
7 3 unexpired term.

7 4 5. ~~Four~~ Six voting members of the advisory board shall  
7 5 constitute a quorum. A majority vote of the board shall be  
7 6 required to conduct business.

7 7 Sec. 11. NEW SECTION. 103.1 DEFINITIONS.

7 8 As used in this chapter, unless the context otherwise  
7 9 requires:

7 10 1. "Apprentice electrician" means any person who as such  
7 11 person's principal occupation is engaged in learning and  
7 12 assisting in the installation, alteration, and repair of  
7 13 electrical wiring, apparatus, and equipment as an employee of  
7 14 a person licensed under this chapter, and who is licensed by  
7 15 the board and is progressing toward completion of an  
7 16 apprenticeship training program registered by the bureau of  
7 17 apprenticeship and training of the United States department of  
7 18 labor. For purposes of this chapter, persons who are not  
7 19 engaged in the installation, alteration, or repair of  
7 20 electrical wiring, apparatus, and equipment, either inside or  
7 21 outside buildings, shall not be considered apprentice  
7 22 electricians.

7 23 2. "Board" means the electrical examining board created  
7 24 under section 103.2.

7 25 3. "Class A journeyman electrician" means a person having  
7 26 the necessary qualifications, training, experience, and  
7 27 technical knowledge to wire for or install electrical wiring,  
7 28 apparatus, and equipment and to supervise apprentice  
7 29 electricians and who is licensed by the board.

7 30 4. "Class A master electrician" means a person having the  
7 31 necessary qualifications, training, experience, and technical  
7 32 knowledge to properly plan, lay out, and supervise the  
7 33 installation of electrical wiring, apparatus, and equipment  
7 34 for light, heat, power, and other purposes and who is licensed  
7 35 by the board.



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8 1 5. "Class B journeyman electrician" means a person having  
8 2 the necessary qualifications, training, experience, and  
8 3 technical knowledge to wire for or install electrical wiring,  
8 4 apparatus, and equipment who meets and is subject to the  
8 5 restrictions of section 103.12.

8 6 6. "Class B master electrician" means a person having the  
8 7 necessary qualifications, training, experience, and technical  
8 8 knowledge to properly plan, lay out, and supervise the  
8 9 installation of electrical wiring, apparatus, and equipment  
8 10 who meets and is subject to the restrictions of section  
8 11 103.10.

8 12 7. "Commercial installation" means an installation  
8 13 intended for commerce, but does not include a residential  
8 14 installation.

8 15 8. "Electrical contractor" means a person affiliated with  
8 16 an electrical contracting firm or business who is licensed by  
8 17 the board as either a class A or class B master electrician  
8 18 and who is also registered with the state of Iowa as a  
8 19 contractor.

8 20 9. "Industrial installation" means an installation  
8 21 intended for use in the manufacture or processing of products  
8 22 involving systematic labor or habitual employment and includes  
8 23 installations in which agricultural or other products are  
8 24 habitually or customarily processed or stored for others,  
8 25 either by buying or reselling on a fee basis.

8 26 10. "Inspector" means a person certified as an electrical  
8 27 inspector upon such reasonable conditions as may be adopted by  
8 28 the board. The board may permit more than one class of  
8 29 electrical inspector.

8 30 11. "New electrical installation" means the installation  
8 31 of electrical wiring, apparatus, and equipment for light,  
8 32 heat, power, and other purposes.

8 33 12. "Public use building or facility" means any building  
8 34 or facility designated for public use, including all property  
8 35 owned and occupied or designated for use by the state of Iowa.

9 1 13. "Residential installation" means an installation  
9 2 intended for a single-family or two-family residential  
9 3 dwelling or a multifamily residential dwelling not larger than  
9 4 a four-family dwelling.

9 5 14. "Routine maintenance" means the repair or replacement  
9 6 of existing electrical apparatus or equipment of the same size  
9 7 and type for which no changes in wiring are made.

9 8 15. "Special electrician" means a person having the  
9 9 necessary qualifications, training, and experience in wiring  
9 10 or installing special classes of electrical wiring, apparatus,  
9 11 equipment, or installations which shall include irrigation  
9 12 system wiring, disconnecting and reconnecting of existing air  
9 13 conditioning and refrigeration, and sign installation and who  
9 14 is licensed by the board.

9 15 16. "Unclassified person" means any person, other than an  
9 16 apprentice electrician or other person licensed under this  
9 17 chapter, who, as such person's principal occupation, is  
9 18 engaged in learning and assisting in the installation,  
9 19 alteration, and repair of electrical wiring, apparatus, and  
9 20 equipment as an employee of a person licensed under this  
9 21 chapter, and who is licensed by the board as an unclassified



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9 22 person. For purposes of this chapter, persons who are not  
9 23 engaged in the installation, alteration, or repair of  
9 24 electrical wiring, apparatus, and equipment, either inside or  
9 25 outside buildings, shall not be considered unclassified  
9 26 persons.

9 27       Sec. 12. NEW SECTION. 103.2 ELECTRICAL EXAMINING BOARD  
9 28 CREATED.

9 29       1. An electrical examining board is created within the  
9 30 division of state fire marshal of the department of public  
9 31 safety. The board shall consist of eleven voting members  
9 32 appointed by the governor and subject to senate confirmation,  
9 33 all of whom shall be residents of this state.

9 34       2. The members shall be as follows:

9 35       a. Two members shall be journeyman electricians, one a



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10 1 member of an electrical workers union covered under a  
10 2 collective bargaining agreement and one not a member of a  
10 3 union.  
10 4 b. Two members shall be master electricians or electrical  
10 5 contractors, one of whom is a contractor signed to a  
10 6 collective bargaining agreement or a master electrician  
10 7 covered under a collective bargaining agreement and one of  
10 8 whom is a nonunion contractor or a master electrician who is  
10 9 not a member of a union.  
10 10 c. One member shall be an electrical inspector.  
10 11 d. Two members, one a union member covered under a  
10 12 collective bargaining agreement and one a nonunion member,  
10 13 shall not be a member of any of the aforementioned groups and  
10 14 shall represent the general public.  
10 15 e. One member shall be the state fire marshal or a  
10 16 representative of the state fire marshal's office.  
10 17 f. One member shall be a local building official employed  
10 18 by a political subdivision to perform electrical inspections  
10 19 for that political subdivision.  
10 20 g. One member shall represent a public utility.  
10 21 h. One member shall be an engineer licensed pursuant to  
10 22 chapter 542B with a background in electrical engineering.  
10 23 3. The public members of the board shall be allowed to  
10 24 participate in administrative, clerical, or ministerial  
10 25 functions incident to giving a licensure examination, but  
10 26 shall not determine the content of the examination or  
10 27 determine the correctness of the answers. Professional  
10 28 associations or societies composed of licensed electricians  
10 29 may recommend to the governor the names of potential board  
10 30 members whose profession is representative of that association  
10 31 or society. However, the governor is not bound by the  
10 32 recommendations. A board member shall not be required to be a  
10 33 member of any professional electrician association or society.  
10 34 Sec. 13. NEW SECTION. 103.3 TERMS OF OFFICE == EXPENSES  
10 35 == COUNSEL.



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11 1     1. Appointments to the board, other than the state fire  
11 2 marshal or a representative of the state fire marshal's  
11 3 office, shall be for three-year staggered terms and shall  
11 4 commence and end as provided by section 69.19. The most  
11 5 recently appointed state fire marshal, or a representative of  
11 6 the state fire marshal's office, shall be appointed to the  
11 7 board on an ongoing basis. Vacancies shall be filled for the  
11 8 unexpired term by appointment of the governor and shall be  
11 9 subject to senate confirmation. Members shall serve no more  
11 10 than three terms or nine years, whichever is least.

11 11     2. Members of the board are entitled to receive all actual  
11 12 expenses incurred in the discharge of their duties within the  
11 13 limits of funds appropriated to the board. Each member of the  
11 14 board may also be eligible to receive compensation as provided  
11 15 in section 7E.6.

11 16     3. The board shall be entitled to the counsel and services  
11 17 of the attorney general. The board may compel the attendance  
11 18 of witnesses, pay witness fees and mileage, take testimony and  
11 19 proofs, and administer oaths concerning any matter within its  
11 20 jurisdiction.

11 21     Sec. 14. NEW SECTION. 103.4 ORGANIZATION OF THE BOARD.  
11 22     The board shall elect annually from its members a  
11 23 chairperson and a vice chairperson, and shall hire and provide  
11 24 staff to assist the board in administering this chapter. An  
11 25 executive secretary designated by the board shall report to  
11 26 the state fire marshal for purposes of routine board  
11 27 administrative functions, and shall report directly to the  
11 28 board for purposes of execution of board policy such as  
11 29 application of licensing criteria and processing of  
11 30 applications. The board shall hold at least one meeting  
11 31 quarterly at the location of the board's principal office, and  
11 32 meetings shall be called at other times by the chairperson or  
11 33 four members of the board. At any meeting of the board, a  
11 34 majority of members constitutes a quorum.

11 35     Sec. 15. NEW SECTION. 103.5 OFFICIAL SEAL == BYLAWS.



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12 1 The board shall adopt and have an official seal which shall  
12 2 be affixed to all certificates of licensure granted.

12 3 Sec. 16. NEW SECTION. 103.6 POWERS AND DUTIES.

12 4 The board shall:

12 5 1. Adopt rules pursuant to chapter 17A and in doing so  
12 6 shall be governed by the minimum standards set forth in the  
12 7 most current publication of the national electrical code  
12 8 issued and adopted by the national fire protection  
12 9 association, and amendments to the code, which code and  
12 10 amendments shall be filed in the offices of the secretary of  
12 11 state and the board and shall be a public record. The board  
12 12 shall adopt rules reflecting updates to the code and  
12 13 amendments to the code. The board shall promulgate and adopt  
12 14 rules establishing wiring standards that protect public safety  
12 15 and health and property and that apply to all electrical  
12 16 wiring which is installed subject to this chapter.

12 17 2. Revoke, suspend, or refuse to renew any license granted  
12 18 pursuant to this chapter when the licensee:

12 19 a. Fails or refuses to pay any examination, license, or  
12 20 renewal fee required by law.

12 21 b. Is an electrical contractor and fails or refuses to  
12 22 provide and keep in force a public liability insurance policy  
12 23 and surety bond as required by the board.

12 24 c. Violates any political subdivision's inspection  
12 25 ordinances.

12 26 The board may, in its discretion, revoke, suspend, or  
12 27 refuse to renew any license granted pursuant to this chapter  
12 28 when the licensee violates any provision of the national  
12 29 electrical code as adopted pursuant to subsection 1, this  
12 30 chapter, or any rule adopted pursuant to this chapter.

12 31 3. Adopt rules for continuing education requirements for  
12 32 each classification of licensure established pursuant to this  
12 33 chapter, and adopt all rules, not inconsistent with the law,  
12 34 necessary for the proper performance of the duties of the  
12 35 board.



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13 1 4. Provide for the amount and collection of fees for  
13 2 inspection and other services.  
13 3 Sec. 17. NEW SECTION. 103.7 ELECTRICIAN AND INSTALLER  
13 4 LICENSING AND INSPECTION FUND.  
13 5 An electrician and installer licensing and inspection fund  
13 6 is created in the state treasury as a separate fund under the  
13 7 control of the board. All licensing, examination, renewal,  
13 8 and inspection fees shall be deposited into the fund and  
13 9 retained by and for the use of the board. Expenditures from  
13 10 the fund shall be approved by the sole authority of the board  
13 11 in consultation with the state fire marshal. Amounts  
13 12 deposited into the fund shall be considered repayment receipts  
13 13 as defined in section 8.2. Notwithstanding section 8.33, any  
13 14 balance in the fund on June 30 of each fiscal year shall not  
13 15 revert to the general fund of the state, but shall remain  
13 16 available for the purposes of this chapter in subsequent  
13 17 fiscal years. Notwithstanding section 12C.7, subsection 2,  
13 18 interest or earnings on moneys deposited in the fund shall be  
13 19 credited to the fund.  
13 20 Sec. 18. NEW SECTION. 103.8 PLAN, LAY OUT, OR SUPERVISE  
13 21 CERTAIN ACTIVITIES == LICENSE REQUIRED == EXCEPTIONS.  
13 22 Except as provided in sections 103.13 and 103.14, no person  
13 23 shall, for another, plan, lay out, or supervise the  
13 24 installation of wiring, apparatus, or equipment for electrical  
13 25 light, heat, power, and other purposes unless the person is  
13 26 licensed by the board as an electrical contractor, a class A  
13 27 master electrician, or a class B master electrician.  
13 28 Sec. 19. NEW SECTION. 103.9 ELECTRICAL CONTRACTOR  
13 29 LICENSE.  
13 30 1. An applicant for an electrical contractor license shall  
13 31 either be or employ a licensed class A or class B master  
13 32 electrician, and be registered with the state of Iowa as a  
13 33 contractor.  
13 34 2. A contractor who holds a class B master electrician  
13 35 license shall be licensed subject to the restrictions of



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14 1 section 103.10.  
14 2 Sec. 20. NEW SECTION. 103.10 CLASS A MASTER ELECTRICIAN  
14 3 LICENSE == QUALIFICATIONS == CLASS B MASTER ELECTRICIAN  
14 4 LICENSE.  
14 5 1. An applicant for a class A master electrician license  
14 6 shall have at least one year's experience, acceptable to the  
14 7 board, as a licensed class A or class B journeyman  
14 8 electrician.  
14 9 2. In addition, an applicant shall meet examination  
14 10 criteria based upon the most recent national electrical code  
14 11 adopted pursuant to section 103.6 and upon electrical theory,  
14 12 as determined by the board.  
14 13 3. a. An applicant who can provide proof acceptable to  
14 14 the board that the applicant has been working in the  
14 15 electrical business and involved in planning for, laying out,  
14 16 supervising, and installing electrical wiring, apparatus, or  
14 17 equipment for light, heat, and power prior to 1990 may be  
14 18 granted a class B master electrician license without taking an  
14 19 examination. An applicant who is issued a class B master  
14 20 electrician license pursuant to this section shall not be  
14 21 authorized to plan, lay out, or supervise the installation of  
14 22 electrical wiring, apparatus, and equipment in a political  
14 23 subdivision which, prior to or after the effective date of  
14 24 this section of this Act, establishes licensing standards  
14 25 which preclude such work by class B master electricians in the  
14 26 political subdivision. The board shall adopt rules  
14 27 establishing procedures relating to the restriction of a class  
14 28 B master electrician license pursuant to this subsection.  
14 29 b. A class B master electrician may become licensed as a  
14 30 class A master electrician upon successful passage of the  
14 31 examination prescribed in subsection 2.  
14 32 4. A person licensed to plan, lay out, or supervise the  
14 33 installation of electrical wiring, apparatus, or equipment for  
14 34 light, heat, power, and other purposes and supervise  
14 35 apprentice electricians by a political subdivision preceding



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15 1 the effective date of this section of this Act pursuant to a  
15 2 supervised written examination, and who is currently engaged  
15 3 in the electrical contracting industry, shall be issued an  
15 4 applicable statewide license corresponding to that licensure  
15 5 as a class A master electrician or electrical contractor. The  
15 6 board shall adopt by rule certain criteria for city  
15 7 examination standards satisfactory to fulfill this  
15 8 requirement.

15 9     Sec. 21. NEW SECTION. 103.11 WIRING OR INSTALLING ==  
15 10 SUPERVISING APPRENTICES == LICENSE REQUIRED == QUALIFICATIONS.

15 11     Except as provided in section 103.13, no person shall, for  
15 12 another, wire for or install electrical wiring, apparatus, or  
15 13 equipment, or supervise an apprentice electrician or  
15 14 unclassified person, unless the person is licensed by the  
15 15 board as an electrical contractor, a class A master  
15 16 electrician, a class B master electrician, or is licensed as a  
15 17 class A journeyman electrician, or a class B journeyman  
15 18 electrician, and is employed by an electrical contractor, a  
15 19 class A master electrician, a class B master electrician.

15 20     Sec. 22. NEW SECTION. 103.12 CLASS A JOURNEYMAN  
15 21 ELECTRICIAN LICENSE QUALIFICATIONS == CLASS B JOURNEYMAN  
15 22 ELECTRICIAN LICENSE.

15 23     1. An applicant for a class A journeyman electrician  
15 24 license shall have successfully completed an apprenticeship  
15 25 training program registered by the bureau of apprenticeship  
15 26 and training of the United States department of labor in  
15 27 accordance with the standards established by that department.  
15 28 An applicant may petition the board to receive a waiver of  
15 29 this requirement. The board shall determine a level of on=  
15 30 the=job experience as an unclassified person sufficient to  
15 31 qualify for a waiver.

15 32     2. In addition, an applicant shall obtain a score of at  
15 33 least seventy=five percent on an examination prescribed and  
15 34 administered by the board based upon the most recent national  
15 35 electrical code adopted pursuant to section 103.6 and upon



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16 1 electrical theory.  
16 2 3. a. An applicant who can provide proof acceptable to  
16 3 the board that the applicant has been employed as a journeyman  
16 4 electrician since 1990 may be granted a class B journeyman  
16 5 electrician license without taking an examination. An  
16 6 applicant who is issued a class B journeyman electrician  
16 7 license pursuant to this section shall not be authorized to  
16 8 wire for or install electrical wiring, apparatus, and  
16 9 equipment in a political subdivision which, prior to or after  
16 10 the effective date of this section of this Act, establishes  
16 11 licensing standards which preclude such work by class B  
16 12 journeyman electricians in the political subdivision. The  
16 13 board shall adopt rules establishing procedures relating to  
16 14 the restriction of a class B journeyman electrician license  
16 15 pursuant to this subsection.  
16 16 b. A class B journeyman electrician may become licensed as  
16 17 a class A journeyman electrician upon successful passage of  
16 18 the examination prescribed in subsection 2.  
16 19 4. A person licensed to wire for or install electrical  
16 20 wiring, apparatus, or equipment or supervise an apprentice  
16 21 electrician by a political subdivision preceding the effective  
16 22 date of this section of this Act pursuant to a supervised  
16 23 written examination, and who is currently engaged in the  
16 24 electrical contracting industry with at least four years'  
16 25 experience, shall be issued an applicable statewide license  
16 26 corresponding to that licensure as a class A journeyman  
16 27 electrician or a class B journeyman electrician. The board  
16 28 shall adopt by rule certain criteria for city examination  
16 29 standards satisfactory to fulfill this requirement.  
16 30 Sec. 23. NEW SECTION. 103.13 SPECIAL ELECTRICIAN LICENSE  
16 31 == QUALIFICATIONS.  
16 32 The board shall by rule provide for the issuance of special  
16 33 electrician licenses authorizing the licensee to engage in a  
16 34 limited class or classes of electrical work, which class or  
16 35 classes shall be specified on the license. Each licensee



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17 1 shall have experience, acceptable to the board, in each such  
17 2 limited class of work for which the person is licensed.  
17 3     Sec. 24. NEW SECTION. 103.14 ALARM INSTALLATIONS.  
17 4     A person who is not licensed pursuant to this chapter may  
17 5 plan, lay out, or install electrical wiring, apparatus, and  
17 6 equipment for components of alarm systems that operate at  
17 7 seventy volt/amps (VA) or less, only if the person is  
17 8 certified to conduct such work pursuant to chapter 100C.  
17 9 Installations of alarm systems that operate at seventy  
17 10 volt/amps (VA) or less are subject to inspection by state  
17 11 inspectors as provided in section 103.32, except that reports  
17 12 of such inspections, if the installation being inspected was  
17 13 performed by a person certified pursuant to chapter 100C,  
17 14 shall be submitted to the state fire marshal and any action  
17 15 taken on a report of an inspection of an installation  
17 16 performed by a person certified pursuant to chapter 100C shall  
17 17 be taken by or at the direction of the state fire marshal,  
17 18 unless the installation has been found to exceed the authority  
17 19 granted to the certificate holder pursuant to chapter 100C and  
17 20 therefore to be in violation of this chapter.  
17 21     Sec. 25. NEW SECTION. 103.15 APPRENTICE ELECTRICIAN ==  
17 22 UNCLASSIFIED PERSON.  
17 23     1. A person shall be licensed by the board and pay a  
17 24 licensing fee to work as an apprentice electrician while  
17 25 participating in an apprenticeship training program registered  
17 26 by the bureau of apprenticeship and training of the United  
17 27 States department of labor in accordance with the standards  
17 28 established by that department. An apprenticeship shall be  
17 29 limited to six years from the date of licensure, unless  
17 30 extended by the board upon a finding that a hardship existed  
17 31 which prevented completion of the apprenticeship program.  
17 32 Such licensure shall entitle the licensee to act as an  
17 33 apprentice to an electrical contractor, a class A master  
17 34 electrician, a class B master electrician, a class A  
17 35 journeyman electrician, or a class B journeyman electrician as



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18 1 provided in subsection 3.

18 2 2. A person shall be licensed as an unclassified person by  
18 3 the board to perform electrical work if the work is performed  
18 4 under the personal supervision of a person actually licensed  
18 5 to perform such work and the licensed and unclassified persons  
18 6 are employed by the same employer. After one hundred  
18 7 continuous days of employment as a nonlicensed unclassified  
18 8 person, the unclassified person must receive a license from  
18 9 the board. Licensed persons shall not permit unclassified  
18 10 persons to perform electrical work except under the personal  
18 11 supervision of a person actually licensed to perform such  
18 12 work. Unclassified persons shall not supervise the  
18 13 performance of electrical work or make assignments of  
18 14 electrical work to unclassified persons. Electrical  
18 15 contractors employing unclassified persons performing  
18 16 electrical work shall maintain records establishing compliance  
18 17 with this section, which shall designate all unclassified  
18 18 persons performing electrical work.

18 19 3. Apprentice electricians and unclassified persons shall  
18 20 do no electrical wiring except under the direct personal on=  
18 21 the=job supervision and control and in the immediate presence  
18 22 of a licensee pursuant to this chapter. Such supervision  
18 23 shall include both on=the=job training and related classroom  
18 24 training as approved by the board. The licensee may employ or  
18 25 supervise apprentice electricians and unclassified persons at  
18 26 a ratio not to exceed three apprentice electricians and  
18 27 unclassified persons to one licensee, except that such ratio  
18 28 and the other requirements of this section shall not apply to  
18 29 apprenticeship classroom training.

18 30 4. For purposes of this section, "the direct personal on=  
18 31 the=job supervision and control and in the immediate presence  
18 32 of a licensee" shall mean the licensee and the apprentice  
18 33 electrician or unclassified person shall be working at the  
18 34 same project location but shall not require that the licensee  
18 35 and apprentice electrician or unclassified person be within  
19 1 sight of one another at all times.

19 2 5. An apprentice electrician shall not install, alter, or  
19 3 repair electrical equipment except as provided in this  
19 4 section, and the licensee employing or supervising an  
19 5 apprentice electrician shall not authorize or permit such  
19 6 actions by the apprentice electrician.

19 7 Sec. 26. NEW SECTION. 103.16 LICENSE EXAMINATIONS.

19 8 1. Examinations for licensure shall be given as often as  
19 9 deemed necessary by the board, but no less than one time per  
19 10 month. The scope of the examinations and the methods of  
19 11 procedure shall be prescribed by the board. The examinations  
19 12 given by the board shall be the experior assessment  
19 13 examination, or a successor examination approved by the board,  
19 14 or an examination prepared by a third=party testing service  
19 15 which is substantially equivalent to the experior assessment  
19 16 examination, or a successor examination approved by the board.

19 17 2. An examination may be given by representatives of the  
19 18 board. As soon as practicable after the close of each  
19 19 examination, a report shall be filed in the office of the  
19 20 secretary of the board by the board. The report shall show  
19 21 the action of the board upon each application and the



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19 22 secretary of the board shall notify each applicant of the  
19 23 result of the applicant's examination. Applicants who fail  
19 24 the examination once shall be allowed to take the examination  
19 25 at the next scheduled time. Thereafter, the applicant shall  
19 26 be allowed to take the examination at the discretion of the  
19 27 board. An applicant who has failed the examination may  
19 28 request, in writing, information from the board concerning the  
19 29 applicant's examination grade and subject areas or questions  
19 30 which the applicant failed to answer correctly, except that if  
19 31 the board administers a uniform, standardized examination, the  
19 32 board shall only be required to provide the examination grade  
19 33 and such other information concerning the applicant's  
19 34 examination results which are available to the board.

19 35       Sec. 27. NEW SECTION. 103.17 DISCLOSURE OF CONFIDENTIAL



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20 1 INFORMATION == CRIMINAL PENALTY.  
20 2 A member of the board shall not disclose information  
20 3 relating to the following:  
20 4 1. Criminal history or prior misconduct of an applicant.  
20 5 2. Information relating to the contents of an examination.  
20 6 3. Information relating to examination results other than  
20 7 a final score except for information about the results of an  
20 8 examination given to the person who took the examination.  
20 9 A member of the board who willfully communicates or seeks  
20 10 to communicate such information, and any person who willfully  
20 11 requests, obtains, or seeks to obtain such information, is  
20 12 guilty of a simple misdemeanor.  
20 13 Sec. 28. NEW SECTION. 103.18 LICENSE RENEWAL ==  
20 14 CONTINUING EDUCATION.  
20 15 In order to renew a class A master electrician, class B  
20 16 master electrician, class A journeyman electrician, or class B  
20 17 journeyman electrician license issued pursuant to this  
20 18 chapter, the licensee shall be required to complete eighteen  
20 19 contact hours of continuing education courses approved by the  
20 20 board during the three-year period for which a license is  
20 21 granted. The contact hours shall include a minimum of six  
20 22 contact hours studying the national electrical code described  
20 23 in section 103.6, and the remaining contact hours may include  
20 24 study of electrical circuit theory, blueprint reading,  
20 25 transformer and motor theory, electrical circuits and devices,  
20 26 control systems, programmable controllers, and microcomputers  
20 27 or any other study of electrical-related material that is  
20 28 approved by the board. Any additional hours studying the  
20 29 national electrical code shall be acceptable. For purposes of  
20 30 this section, "contact hour" means fifty minutes of classroom  
20 31 attendance at an approved course under a qualified instructor  
20 32 approved by the board.  
20 33 Sec. 29. NEW SECTION. 103.19 LICENSES == EXPIRATION ==  
20 34 APPLICATION == FEES.  
20 35 1. Licenses issued pursuant to this chapter shall expire



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21 1 every three years, with the exception of licenses for  
21 2 apprentice electricians and unclassified persons, which shall  
21 3 expire on an annual basis. All license applications shall  
21 4 include the applicant's social security number. The board  
21 5 shall establish the fees to be payable for examination and  
21 6 license issuance and renewal in amounts not to exceed the  
21 7 following:  
21 8     a. For examinations:  
21 9       (1) Class A master electrician, one hundred twenty-five  
21 10 dollars.  
21 11       (2) Class A journeyman electrician, sixty dollars.  
21 12     b. For each year of the three-year license period for  
21 13 issuance and renewal:  
21 14       (1) Electrical contractor, one hundred twenty-five  
21 15 dollars.  
21 16       (2) Class A master electrician, class B master  
21 17 electrician, one hundred twenty-five dollars.  
21 18       (3) Class A journeyman electrician, class B journeyman  
21 19 electrician, or special electrician, twenty-five dollars.  
21 20     c. For apprentice electricians, twenty dollars.  
21 21     2. The holder of an expired license may renew the license  
21 22 for a period of three months from the date of expiration upon  
21 23 payment of the license fee plus ten percent of the renewal fee  
21 24 for each month or portion thereof past the expiration date.  
21 25 All holders of licenses expired for more than three months  
21 26 shall apply for a new license.  
21 27     Sec. 30. NEW SECTION. 103.20 LICENSEE STATUS ==  
21 28 EMPLOYMENT == DEATH.  
21 29     1. Individuals performing electrical work in a capacity  
21 30 for which licensure is required pursuant to this chapter shall  
21 31 be employed by the authority or company obtaining a permit for  
21 32 the performance of such work, and shall possess a valid  
21 33 license issued by the board.  
21 34     2. Upon the death of an electrical contractor, a class A  
21 35 master electrician, or a class B master electrician, the board



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22 1 may permit a representative to carry on the business of the  
22 2 decedent for a period not to exceed six months for the purpose  
22 3 of completing work under contract to comply with this chapter.  
22 4 Such representative shall furnish all public liability and  
22 5 property damage insurance required by the board.

22 6       Sec. 31. NEW SECTION. 103.21 LICENSES WITHOUT  
22 7 EXAMINATION == RECIPROCITY WITH OTHER STATES.

22 8       To the extent that any other state which provides for the  
22 9 licensing of electricians provides for similar action, the  
22 10 board may grant licenses, without examination, of the same  
22 11 grade and class to an electrician who has been licensed by  
22 12 such other state for at least one year, upon payment by the  
22 13 applicant of the required fee, and upon the board being  
22 14 furnished with proof that the qualifications of the applicant  
22 15 are equal to the qualifications of holders of similar licenses  
22 16 in this state.

22 17       Sec. 32. NEW SECTION. 103.22 CHAPTER INAPPLICABILITY.

22 18       The provisions of this chapter shall not:

22 19       1. Apply to a person licensed as an engineer pursuant to  
22 20 chapter 542B, registered as an architect pursuant to chapter  
22 21 544A, licensed as a landscape architect pursuant to chapter  
22 22 544B, or designated as lighting certified by the national  
22 23 council on qualifications for the lighting professions  
22 24 providing consultations and developing plans concerning  
22 25 electrical installations who is exclusively engaged in the  
22 26 practice of the person's profession.

22 27       2. Require employees of municipal corporations, electric  
22 28 membership or cooperative associations, public utility  
22 29 corporations, rural water associations or districts,  
22 30 railroads, telecommunications companies, franchised cable  
22 31 television operators, or commercial or industrial companies  
22 32 performing manufacturing, installation, and repair work for  
22 33 such employer to hold licenses while acting within the scope  
22 34 of their employment.

22 35       3. Require any person doing work for which a license would



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23 1 otherwise be required under this chapter to hold a license  
23 2 issued under this chapter if the person is the holder of a  
23 3 valid license issued by any political subdivision, so long as  
23 4 the person makes electrical installations only in the  
23 5 jurisdictional limits of such political subdivision and such  
23 6 license issued by the political subdivision meets the  
23 7 requirements of this chapter.

23 8 4. Apply to the installation, maintenance, repair, or  
23 9 alteration of vertical transportation or passenger conveyors,  
23 10 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or  
23 11 appurtenances thereto beyond the terminals of the controllers.  
23 12 The licensing of elevator contractors or constructors shall  
23 13 not be considered a part of the licensing requirements of this  
23 14 chapter.

23 15 5. Require a license of any person who engages any  
23 16 electrical appliance where approved electrical supply is  
23 17 already installed.

23 18 6. Prohibit an owner of property from performing work on  
23 19 the owner's principal residence, if such residence is an  
23 20 existing dwelling rather than new construction and is not  
23 21 larger than a single-family dwelling, or farm property,  
23 22 excluding commercial or industrial installations or  
23 23 installations in public use buildings or facilities, or  
23 24 require such owner to be licensed under this chapter. In  
23 25 order to qualify for inapplicability pursuant to this  
23 26 subsection, a residence shall qualify for the homestead tax  
23 27 exemption.

23 28 7. Require that any person be a member of a labor union in  
23 29 order to be licensed.

23 30 8. Apply to a person who is qualified pursuant to  
23 31 administrative rules relating to the storage and handling of  
23 32 liquefied petroleum gases while engaged in installing,  
23 33 servicing, testing, replacing, or maintaining propane gas  
23 34 utilization equipment, or gas piping systems of which the  
23 35 equipment is a part, and related or connected accessory



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24 1 systems or equipment necessary to the operation of the  
24 2 equipment.  
24 3 9. Apply to a person who meets the requirements for a well  
24 4 contractor pursuant to administrative rules while engaged in  
24 5 installing, servicing, testing, replacing, or maintaining a  
24 6 well or well equipment, or piping systems of which the  
24 7 equipment is a part, and related or connected accessory  
24 8 systems or equipment necessary to the operation of the  
24 9 equipment.  
24 10 10. Apply to a person other than a person performing alarm  
24 11 system installations engaged in the design, installation,  
24 12 erection, repair, maintenance, or alteration of class two or  
24 13 class three remote control, signaling, or power=limited  
24 14 circuits, optical fiber cables or other cabling, or  
24 15 communications circuits, including raceways, as defined in the  
24 16 national electrical code for voice, video, audio, and data  
24 17 signals in commercial or residential premises.  
24 18 Sec. 33. NEW SECTION. 103.23 ELECTRICAL INSTALLATIONS ==  
24 19 SUBJECT TO INSPECTION.  
24 20 The inspection and enforcement provisions of this chapter  
24 21 shall apply to the following:  
24 22 1. All new electrical installations for commercial or  
24 23 industrial applications, including installations both inside  
24 24 and outside of buildings, and for public use buildings and  
24 25 facilities and any installation at the request of the owner.  
24 26 2. All new electrical installations for residential  
24 27 applications in excess of single=family residential  
24 28 applications.  
24 29 3. All new electrical installations for single=family  
24 30 residential applications requiring new electrical service  
24 31 equipment.  
24 32 4. Existing electrical installations observed during  
24 33 inspection which constitute an electrical hazard. Existing  
24 34 installations shall not be deemed to constitute an electrical  
24 35 hazard if the wiring when originally installed was installed



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25 1 in accordance with the electrical code in force at the time of  
25 2 installation and has been maintained in that condition.

25 3 Sec. 34. NEW SECTION. 103.24 STATE INSPECTION ==  
25 4 INAPPLICABILITY IN CERTAIN POLITICAL SUBDIVISIONS ==  
25 5 ELECTRICAL INSPECTORS == CERTIFICATE OF QUALIFICATION.

25 6 1. No person other than the holder of an electrical  
25 7 inspector's certificate of qualification shall be appointed to  
25 8 act as an electrical inspector and to enforce this chapter as  
25 9 an electrical inspector and to enforce this chapter or any  
25 10 applicable resolution or ordinance within the inspector's  
25 11 jurisdiction. The board shall establish by rule standards for  
25 12 the certification and decertification of state electrical  
25 13 inspectors, and certified electrical inspector continuing  
25 14 education requirements.

25 15 2. State inspection shall not apply within the  
25 16 jurisdiction of any political subdivision which, pursuant to  
25 17 section 103.29, provides by resolution or ordinance standards  
25 18 of electrical wiring and its installation that are not less  
25 19 than those prescribed by the board or by this chapter and  
25 20 which further provides by resolution or ordinance for the  
25 21 inspection of electrical installations within the limits of  
25 22 such subdivision by a certified electrical inspector. A copy  
25 23 of the certificate of each electrical inspector shall be  
25 24 provided to the board by the political subdivision issuing the  
25 25 certificate.

25 26 3. State inspection shall not apply to routine  
25 27 maintenance.

25 28 Sec. 35. NEW SECTION. 103.25 REQUEST FOR INSPECTION ==  
25 29 FEES.

25 30 At or before commencement of any installation required to  
25 31 be inspected by the board, the licensee or owner making such  
25 32 installation shall submit to the state fire marshal's office a  
25 33 request for inspection. The board shall prescribe the methods  
25 34 by which the request may be submitted, which may include  
25 35 electronic submission or through a form prescribed by the



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26 1 board that can be submitted either through the mail or by a  
26 2 fax transmission. The board shall also prescribe methods by  
26 3 which inspection fees can be paid, which may include  
26 4 electronic methods of payment. If the board or the state fire  
26 5 marshal's office becomes aware that a person has failed to  
26 6 file a necessary request for inspection, the board or the  
26 7 state fire marshal's office shall send a written notification  
26 8 by certified mail that the request must be filed within  
26 9 fourteen days. Any person filing a late request for  
26 10 inspection shall pay a delinquency fee in an amount to be  
26 11 determined by the board. Failure to file a late request  
26 12 within fourteen days shall be subject to a civil penalty to be  
26 13 determined by the board by rule.

26 14 Sec. 36. NEW SECTION. 103.26 CONDEMNATION ==  
26 15 DISCONNECTION == OPPORTUNITY TO CORRECT NONCOMPLIANCE.

26 16 If the inspector finds that any installation or portion of  
26 17 an installation is not in compliance with accepted standards  
26 18 of construction for safety to health and property, based upon  
26 19 minimum standards set forth in the local electrical code or  
26 20 the national electrical code adopted by the board pursuant to  
26 21 section 103.6, the inspector shall by written order condemn  
26 22 the installation or noncomplying portion or order service to  
26 23 such installation disconnected and shall send a copy of such  
26 24 order to the board, the state fire marshal, and the electrical  
26 25 utility supplying power involved. If the installation or the  
26 26 noncomplying portion is such as to seriously and proximately  
26 27 endanger human health or property, the order of the inspector  
26 28 when approved by the inspector's superior shall require  
26 29 immediate condemnation and disconnection by the applicant. In  
26 30 all other cases, the order of the inspector shall establish a  
26 31 reasonable period of time for the installation to be brought  
26 32 into compliance with accepted standards of construction for  
26 33 safety to health and property prior to the effective date  
26 34 established in such order for condemnation or disconnection.

26 35 Sec. 37. NEW SECTION. 103.27 CONDEMNATION OR



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27 1 DISCONNECTION ORDER == SERVICE.  
27 2 1. A copy of each condemnation or disconnection order  
27 3 shall be served personally or by regular mail upon the  
27 4 property owner at the property owner's last known address, the  
27 5 licensee making the installation, and such other persons as  
27 6 the board by rule may direct.  
27 7 2. The electrical utility supplying power shall be served  
27 8 with a copy of any order which requires immediate  
27 9 disconnection or prohibits energizing an installation.  
27 10 Sec. 38. NEW SECTION. 103.28 CERTIFICATE OF SAFE  
27 11 OPERATION == DISMISSAL OF CONDEMNATION OR DISCONNECTION ORDER.  
27 12 1. No electrical installation subject to inspection under  
27 13 this chapter shall be newly connected or reconnected for use  
27 14 until the electrical inspector has filed with the electrical  
27 15 utility supplying power a certificate stating that the  
27 16 electrical inspector has approved such energization.  
27 17 2. If the electrical inspector determines that an  
27 18 electrical installation subject to inspection by the board is  
27 19 not in compliance with accepted standards of construction for  
27 20 safety to health and property, based upon minimum standards  
27 21 adopted by the board pursuant to this chapter, the inspector  
27 22 shall issue a correction order. A correction order made  
27 23 pursuant to this section shall be served personally or by  
27 24 United States mail only upon the licensee making the  
27 25 installation. The correction order shall order the licensee  
27 26 to make the installation comply with the standards, noting  
27 27 specifically what changes are required. The order shall  
27 28 specify a date, not more than seventeen calendar days from the  
27 29 date of the order, when a new inspection shall be made. When  
27 30 the installation is brought into compliance to the  
27 31 satisfaction of the inspector, the inspector shall file with  
27 32 the electrical utility supplying power a certificate stating  
27 33 that the electrical inspector has approved energization.  
27 34 3. An electrical utility supplier may refuse service  
27 35 without liability for such refusal until the provisions of



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28 1 this section have been met.

28 2 Sec. 39. NEW SECTION. 103.29 POLITICAL SUBDIVISIONS ==  
28 3 INSPECTIONS == AUTHORITY OF POLITICAL SUBDIVISIONS.

28 4 1. A political subdivision performing electrical  
28 5 inspections prior to December 31, 2007, shall continue to  
28 6 perform such inspections. After December 31, 2012, a  
28 7 political subdivision may choose to discontinue performing its  
28 8 own inspections and permit the board to have jurisdiction over  
28 9 inspections in the political subdivision. If a political  
28 10 subdivision seeks to discontinue its own inspections prior to  
28 11 December 31, 2012, the political subdivision shall petition  
28 12 the board. If a unanimous vote of the board finds that a  
28 13 political subdivision's inspections are inadequate by reason  
28 14 of misfeasance, malfeasance, or nonfeasance, the board may  
28 15 suspend or revoke the political subdivision's authority to  
28 16 perform its own inspections, subject to appeal according to  
28 17 the procedure set forth in section 103.35 and judicial review  
28 18 pursuant to section 17A.19. A political subdivision not  
28 19 performing electrical inspections prior to December 31, 2007,  
28 20 may make provision for inspection of electrical installations  
28 21 within its jurisdiction, in which case it shall keep on file  
28 22 with the board copies of its current inspection ordinances or  
28 23 resolutions and electrical codes.

28 24 2. A political subdivision performing electrical  
28 25 inspections pursuant to subsection 1 prior to December 31,  
28 26 2007, may maintain a different supervision ratio than the  
28 27 ratio of three apprentice electricians and unclassified  
28 28 persons to one licensee specified in section 103.15,  
28 29 subsection 3, but may not exceed that ratio. A political  
28 30 subdivision which begins performing electrical inspections  
28 31 after December 31, 2007, shall maintain the specified  
28 32 three-to-one ratio unless the board approves a petition by the  
28 33 political subdivision for a lower ratio. A political  
28 34 subdivision which discontinues performing electrical  
28 35 inspections and permits the board to have jurisdiction over  
29 1 inspections shall maintain the specified three-to-one  
29 2 supervision ratio, and may not petition for a lower ratio  
29 3 unless the political subdivision subsequently resumes  
29 4 performing electrical inspections.

29 5 3. A political subdivision that performs electrical  
29 6 inspections may set appropriate permit fees to pay for such  
29 7 inspections. A political subdivision shall not require any  
29 8 person holding a license from the board to pay any license fee  
29 9 or take any examination if the person holds a current license  
29 10 issued by the board which is of a classification equal to or  
29 11 greater than the classification needed to do the work  
29 12 proposed. Any such political subdivision may provide a  
29 13 requirement that each person doing electrical work within the  
29 14 jurisdiction of such political subdivision have on file with  
29 15 the political subdivision a copy of the current license issued  
29 16 by the board or such other evidence of such license as may be  
29 17 provided by the board.

29 18 4. A political subdivision is authorized to determine what  
29 19 work may be performed by a class B licensee within the  
29 20 jurisdictional limits of the political subdivision.

29 21 5. A political subdivision that performs electrical



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29 22 inspections shall act as the authority having jurisdiction for  
29 23 electrical inspections and for amending the national  
29 24 electrical code adopted by the board pursuant to section 103.6  
29 25 for work performed within the jurisdictional limits of the  
29 26 political subdivision, provided those inspections and  
29 27 amendments conform to the requirements of this chapter. Any  
29 28 action by a political subdivision with respect to amendments  
29 29 to the national electrical code shall be filed with the board  
29 30 prior to enforcement by the political subdivision, and shall  
29 31 not be less stringent than the minimum standards established  
29 32 by the board by rule.

29 33       6. A political subdivision may grant a variance or  
29 34 interpret the national electrical code in a manner which  
29 35 deviates from a standard interpretation on an exception basis



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30 1 for a one-time installation or planned installation so long as  
30 2 such a variance or interpretation does not present an  
30 3 electrical hazard or danger to life or property.

30 4     Sec. 40. NEW SECTION. 103.30 INSPECTIONS NOT REQUIRED.

30 5     Nothing in this chapter shall be construed to require the  
30 6 work of employees of municipal corporations, railroads,  
30 7 electric membership or cooperative associations, public  
30 8 utility corporations, rural water associations or districts,  
30 9 or telecommunications systems to be inspected while acting  
30 10 within the scope of their employment.

30 11     Sec. 41. NEW SECTION. 103.32 STATE INSPECTION  
30 12 PROCEDURES.

30 13     1. An inspection shall be made within three business days  
30 14 of the submission of a request for an inspection as provided  
30 15 in section 103.25. When necessary, circuits may be energized  
30 16 by the authorized installer prior to inspection but the  
30 17 installation shall remain subject to condemnation and  
30 18 disconnection and subject to any appropriate restrictions or  
30 19 limitations as determined by the board.

30 20     2. Where wiring is to be concealed, the inspector must be  
30 21 notified within a reasonable time to complete rough-in  
30 22 inspections prior to concealment, exclusive of Saturdays,  
30 23 Sundays, and holidays. If wiring is concealed before rough-in  
30 24 inspections without adequate notice having been given to the  
30 25 inspector, the person responsible for having enclosed the  
30 26 wiring shall be responsible for all costs resulting from  
30 27 uncovering and replacing the cover material.

30 28     3. State inspection procedures and policies shall be  
30 29 established by the board. The state fire marshal, or the  
30 30 state fire marshal's designee, shall enforce the procedures  
30 31 and policies, and enforce the provisions of the national  
30 32 electrical code adopted by the board.

30 33     4. Except when an inspection reveals that an installation  
30 34 or portion of an installation is not in compliance with  
30 35 accepted standards of construction for safety to health and



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31 1 property, based upon minimum standards set forth in the local  
31 2 electrical code or the national electrical code adopted by the  
31 3 board pursuant to section 103.6, such that an order of  
31 4 condemnation or disconnection is warranted pursuant to section  
31 5 103.26, an inspector shall not add to, modify, or amend a  
31 6 construction plan as originally approved by the state fire  
31 7 marshal in the course of conducting an inspection.

31 8 5. Management and supervision of inspectors, including  
31 9 hiring decisions, disciplinary action, promotions, and work  
31 10 schedules are the responsibility of the state fire marshal  
31 11 acting in accordance with applicable law and pursuant to any  
31 12 applicable collective bargaining agreement. The state fire  
31 13 marshal and the board shall jointly determine work  
31 14 territories, regions, or districts for inspectors and  
31 15 continuing education and ongoing training requirements  
31 16 applicable to inspectors. An inspector subject to  
31 17 disciplinary action pursuant to this subsection shall be  
31 18 entitled to an appeal according to the procedure set forth in  
31 19 section 103.35 and judicial review pursuant to section 17A.19.

31 20 6. The board shall establish a web-based licensure  
31 21 verification database for access by a state or local inspector  
31 22 for verification of licensee status. The database shall  
31 23 include the name of every person licensed under this chapter  
31 24 and a corresponding licensure number. Inspectors shall be  
31 25 authorized to request the name and license number of any  
31 26 person working at a jobsite subject to inspection for  
31 27 verification of licensee status. Licensees under this chapter  
31 28 shall be required to carry a copy of their current license and  
31 29 photo identification at all times when employed on a jobsite  
31 30 for compliance with this subsection.

31 31 Sec. 42. NEW SECTION. 103.33 STATE INSPECTION FEES.

31 32 1. All state electrical inspection fees shall be due and  
31 33 payable to the board at or before commencement of the  
31 34 installation and shall be forwarded with the request for  
31 35 inspection. Inspection fees provided in this section shall



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32 1 not apply within the jurisdiction of any political subdivision  
32 2 if the political subdivision has adopted an ordinance or  
32 3 resolution pursuant to this chapter.  
32 4 2. The board shall establish the fees for inspections in  
32 5 amounts not to exceed:  
32 6 a. For each separate inspection of an installation,  
32 7 replacement, alteration, or repair, twenty=five dollars.  
32 8 b. For services, change of services, temporary services,  
32 9 additions, alterations, or repairs on either primary or  
32 10 secondary services as follows:  
32 11 (1) Zero to one hundred ampere capacity, twenty=five  
32 12 dollars plus five dollars per branch circuit or feeder.  
32 13 (2) One hundred one to two hundred ampere capacity,  
32 14 thirty=five dollars plus five dollars per branch circuit or  
32 15 feeder.  
32 16 (3) For each additional one hundred ampere capacity or  
32 17 fraction thereof, twenty dollars plus five dollars per branch  
32 18 circuit or feeder.  
32 19 c. For field irrigation system inspections, sixty dollars  
32 20 for each unit inspected.  
32 21 d. For the first reinspection required as a result of a  
32 22 correction order, fifty dollars; a second reinspection  
32 23 required as a result of noncompliance with the same correction  
32 24 order, seventy=five dollars; and subsequent reinspections  
32 25 associated with the same correction order, one hundred dollars  
32 26 for each reinspection.  
32 27 3. When an inspection is requested by an owner, the  
32 28 minimum fee shall be thirty dollars plus five dollars per  
32 29 branch circuit or feeder. The fee for fire and accident  
32 30 inspections shall be computed at the rate of forty=seven  
32 31 dollars per hour, and mileage and other expenses shall be  
32 32 reimbursed as provided by the office of the state fire  
32 33 marshal.  
32 34 4. For installations requiring more than six months in the  
32 35 process of construction and in excess of three hundred dollars



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33 1 total inspection fees, the persons responsible for the  
33 2 installation may, after a minimum filing fee of one hundred  
33 3 dollars, pay a prorated fee for each month and submit it with  
33 4 an order for payment initiated by the electrical inspector.  
33 5     Sec. 43. NEW SECTION. 103.34 CONDEMNATION OR  
33 6 DISCONNECTION ORDERS == APPEALS == DISPOSITION OF ORDERS  
33 7 PENDING APPEAL.  
33 8     1. Any person aggrieved by a condemnation or disconnection  
33 9 order issued by the state fire marshal's office may appeal  
33 10 from the order by filing a written notice of appeal with the  
33 11 board within ten days after the date the order was served upon  
33 12 the owner or within ten days after the order was filed with  
33 13 the board, whichever is later.  
33 14     2. Upon receipt of the notice of appeal from a  
33 15 condemnation or disconnection order because the electrical  
33 16 installation is proximately dangerous to health or property,  
33 17 the order appealed from shall not be stayed unless  
33 18 countermanded by the board.  
33 19     3. Upon receipt of notice of appeal from a condemnation or  
33 20 disconnection order because the electrical installation is not  
33 21 in compliance with accepted standards of construction for  
33 22 safety to health and property, except as provided in  
33 23 subsection 2, the order appealed from shall be stayed until  
33 24 final decision of the board and the board shall notify the  
33 25 property owner and the electrical contractor, class A master  
33 26 electrician, class B master electrician, fire alarm installer,  
33 27 or special electrician making the installation. The power  
33 28 supplier shall also be notified in those instances in which  
33 29 the order has been served on such supplier.  
33 30     Sec. 44. NEW SECTION. 103.35 APPEAL PROCEDURES.  
33 31     1. Upon receipt of a notice of appeal, the chairperson or  
33 32 executive secretary of the board may designate a hearing  
33 33 officer from among the board members to hear the appeal or may  
33 34 set the matter for hearing before the full board at its next  
33 35 regular meeting. A majority of the board shall make the



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34 1 decision.

34 2 2. Upon receiving the notice of appeal, the board shall  
34 3 notify all persons served with the order appealed from. Such  
34 4 persons may join in the hearing and give testimony in their  
34 5 own behalf. The board shall set the hearing date on a date  
34 6 not more than fourteen days after receipt of the notice of  
34 7 appeal unless otherwise agreed by the interested parties and  
34 8 the board.

34 9 Sec. 45. NEW SECTION. 103.36 SUSPENSION, REVOCATION, OR  
34 10 REPRIMAND.

34 11 The board, by a simple majority vote of the entire board,  
34 12 may suspend for a period not exceeding two years, or revoke  
34 13 the certificate of licensure of, or reprimand any licensee who  
34 14 is found guilty of any of the following acts or offenses:

34 15 1. Fraud in procuring a certificate of licensure.

34 16 2. Professional incompetency.

34 17 3. Knowingly making misleading, deceptive, untrue, or  
34 18 fraudulent representations in the practice of the licensee's  
34 19 profession or engaging in unethical conduct or practice  
34 20 harmful to the public. Proof of actual injury need not be  
34 21 established.

34 22 4. Habitual intoxication or addiction to the use of drugs.

34 23 5. Conviction of a felony under the laws of the United  
34 24 States, this state, any other state, territory, or possession  
34 25 of the United States, the District of Columbia, or any foreign  
34 26 country. A copy of the record of conviction or plea of guilty  
34 27 is conclusive evidence of such conviction.

34 28 6. Revocation or suspension of licensure, or other  
34 29 disciplinary action by the licensing authority of another  
34 30 state, territory, or possession of the United States, the  
34 31 District of Columbia, or any foreign country. A certified  
34 32 copy of the record or order of suspension, revocation, or  
34 33 other disciplinary action is prima facie evidence of such  
34 34 fact.

34 35 7. Fraud in representations as to skill or ability.



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35 1 8. Use of untruthful or improbable statements in  
35 2 advertisements.  
35 3 9. Willful or repeated violations of this chapter.  
35 4 Sec. 46. NEW SECTION. 103.37 PROCEDURE.  
35 5 Proceedings for any action under section 103.36 shall be  
35 6 commenced by filing with the board written charges against the  
35 7 accused. Upon the filing of charges, the board shall conduct  
35 8 an investigation into the charges. The board shall designate  
35 9 a time and place for a hearing, and shall notify the accused  
35 10 of this action and furnish the accused a copy of all charges  
35 11 at least thirty days prior to the date of the hearing. The  
35 12 accused has the right to appear personally or by counsel, to  
35 13 cross-examine witnesses, or to produce witnesses in defense.  
35 14 Sec. 47. NEW SECTION. 103.38 INJUNCTION.  
35 15 Any person who is not legally authorized to practice in  
35 16 this state according to this chapter, who practices, or in  
35 17 connection with the person's name, uses any designation  
35 18 tending to imply or designate the person as authorized to  
35 19 practice in this state according to this chapter, may be  
35 20 restrained by permanent injunction.  
35 21 Sec. 48. NEW SECTION. 103.39 CRIMINAL VIOLATIONS.  
35 22 A person who violates a permanent injunction issued  
35 23 pursuant to section 103.38 or presents or attempts to file as  
35 24 the person's own the certificate of licensure of another, or  
35 25 who gives false or forged evidence of any kind to the board in  
35 26 obtaining a certificate of licensure, or who falsely  
35 27 impersonates another practitioner of like or different name,  
35 28 or who uses or attempts to use a revoked certificate of  
35 29 licensure, is guilty of a fraudulent practice under chapter  
35 30 714.  
35 31 Sec. 49. NEW SECTION. 103.40 CIVIL PENALTY.  
35 32 1. In addition to any other penalties provided for in this  
35 33 chapter, the board may by order impose a civil penalty upon a  
35 34 person who is not licensed under this chapter and who does any  
35 35 of the following:



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- 36 1     a. Is employed in a capacity in which the person engages  
36 2 in or offers to engage in the activities authorized pursuant  
36 3 to this chapter.
- 36 4     b. Uses or employs the words "electrical contractor",  
36 5 "class A master electrician", "class B master electrician",  
36 6 "class A journeyman electrician", or "class B journeyman  
36 7 electrician", or implies authorization to provide or offer  
36 8 those services, or otherwise uses or advertises any title,  
36 9 word, figure, sign, card, advertisement, or other symbol or  
36 10 description tending to convey the impression that the person  
36 11 is an "electrical contractor", "class A master electrician",  
36 12 "class B master electrician", "class A journeyman  
36 13 electrician", or "class B journeyman electrician".
- 36 14     c. Gives false or forged evidence of any kind to the board  
36 15 or any member of the board in obtaining or attempting to  
36 16 obtain a certificate of licensure.
- 36 17     d. Falsely impersonates any individual licensed pursuant  
36 18 to this chapter.
- 36 19     e. Uses or attempts to use an expired, suspended, revoked,  
36 20 or nonexistent certificate of licensure.
- 36 21     f. Knowingly aids or abets an unlicensed person who  
36 22 engages in any activity identified in this subsection.
- 36 23     2. A civil penalty imposed shall not exceed one thousand  
36 24 dollars for each offense. Each day of a continued violation  
36 25 constitutes a separate offense, except that offenses resulting  
36 26 from the same or common facts or circumstances shall be  
36 27 considered a single offense.
- 36 28     3. In determining the amount of a civil penalty to be  
36 29 imposed, the board may consider any of the following:
- 36 30         a. Whether the amount imposed will be a substantial  
36 31 economic deterrent to the violation.
- 36 32         b. The circumstances leading to the violation.
- 36 33         c. The severity of the violation and the risk of harm to  
36 34 the public.
- 36 35         d. The economic benefits gained by the violator as a



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37 1 result of noncompliance.

37 2 e. The interest of the public.

37 3 4. Before issuing an order under this section, the board  
37 4 shall provide the person written notice and the opportunity to  
37 5 request a hearing on the record. The hearing must be  
37 6 requested within thirty days of the issuance of the notice and  
37 7 shall be conducted in the same manner as provided in section  
37 8 103.37.

37 9 5. The board, in connection with a proceeding under this  
37 10 section, may issue subpoenas to compel the attendance and  
37 11 testimony of witnesses and the disclosure of evidence, and may  
37 12 request the attorney general to bring an action to enforce the  
37 13 subpoena.

37 14 6. A person aggrieved by the imposition of a civil penalty  
37 15 under this section may seek judicial review in accordance with  
37 16 section 17A.19.

37 17 7. If a person fails to pay a civil penalty within thirty  
37 18 days after entry of an order under subsection 1, or if the  
37 19 order is stayed pending an appeal within ten days after the  
37 20 court enters a final judgment in favor of the board, the board  
37 21 shall notify the attorney general. The attorney general may  
37 22 commence an action to recover the amount of the penalty,  
37 23 including reasonable attorney fees and costs.

37 24 8. An action to enforce an order under this section may be  
37 25 joined with an action for an injunction.

37 26 Sec. 50. EFFECTIVE DATES. Section 2, section 3, section  
37 27 10, sections 11 through 15, section 16, subsections 1 and 3,  
37 28 and section 27 of this Act, being deemed of immediate  
37 29 importance, take effect upon enactment. Sections 33 through  
37 30 44 of this Act take effect January 1, 2009. The remaining  
37 31 sections and subsections of this Act take effect January 1,  
37 32 2008.

37 33

EXPLANATION

37 34 This bill provides for a statewide system of licensure for  
37 35 electricians, contains provisions regarding electrical



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38 1 inspections, and specifies related licensing and inspection  
38 2 fees. The new statewide licensure system supplements current  
38 3 licensure of electricians on a city-by-city basis, permitting  
38 4 electricians to practice on a statewide, as well as local,  
38 5 basis.

38 6 The bill provides for the creation of an 11-member  
38 7 electrical examining board within the state fire marshal  
38 8 division of the department of public safety.

38 9 The bill establishes several powers and duties relating to  
38 10 the activities of the board. The board shall be authorized to  
38 11 adopt rules to administer the chapter, and in so doing shall  
38 12 be governed by the minimum standards set forth in the national  
38 13 electrical code issued and adopted by the national fire  
38 14 protection association. The rules shall establish wiring  
38 15 standards that protect public safety and health and property  
38 16 and that apply to all electrical wiring installed pursuant to  
38 17 the chapter. Additional powers and duties of the board  
38 18 include the ability to revoke, suspend, or refuse to renew any  
38 19 license under specified circumstances, to adopt rules for  
38 20 continuing education requirements, and to specify fee levels  
38 21 and collection procedures.

38 22 The bill creates an electrician and installer licensing and  
38 23 inspection fund in the state treasury as a separate fund under  
38 24 the control of the board. The bill provides that all  
38 25 licensing, registration, examination, renewal, and inspection  
38 26 fees deposited or paid into the fund are appropriated and made  
38 27 available to the board, that the balance shall not revert to  
38 28 the general fund, and that expenditures from the fund shall be  
38 29 approved solely by the board in consultation with the state  
38 30 fire marshal.

38 31 The bill provides that in order to, for another, plan, lay  
38 32 out, or supervise the installation of electrical wiring,  
38 33 apparatus, or equipment for light, heat, or power, an  
38 34 individual must be licensed by the board as an electrical  
38 35 contractor, a class A master electrician, or a class B master  
39 1 electrician, as defined in the bill. The bill provides that  
39 2 an applicant for an electrical contractor license shall either  
39 3 be or employ a licensed class A or class B master electrician,  
39 4 and be registered with the state of Iowa as a contractor.

39 5 The bill provides that an applicant for a class A master  
39 6 electrician license shall have at least one year's experience,  
39 7 acceptable to the board, as a licensed class A or class B  
39 8 journeyman electrician, and meet specified examination  
39 9 criteria. An applicant who establishes that they have been  
39 10 working in the electrical business and involved in planning  
39 11 for, laying out, supervising, and installing electrical  
39 12 wiring, apparatus, or equipment for light, heat, and power  
39 13 prior to 1990 may be granted a class B master electrician  
39 14 license without being tested, valid unless a political  
39 15 subdivision establishes standards not permitting such work by  
39 16 a class B master electrician. Additionally, the bill states  
39 17 that a person licensed to plan, lay out, or supervise the  
39 18 installation of electrical wiring, apparatus, or equipment for  
39 19 light, heat, power, and other purposes by a political  
39 20 subdivision preceding the effective date of the applicable  
39 21 section of the bill pursuant to a supervised written



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39 22 examination and who is currently engaged in the electrical  
39 23 contracting industry, shall be issued an applicable  
39 24 corresponding statewide license with the board adopting by  
39 25 rule criteria for political subdivision examination standards.

39 26     The bill provides that a person shall not, for another,  
39 27 wire for or install electrical wiring, apparatus, or  
39 28 equipment, or supervise an apprentice electrician or  
39 29 unclassified person, unless licensed by the board as an  
39 30 electrical contractor, a class A master electrician, or a  
39 31 class B master electrician, or is licensed as a class A or B  
39 32 journeyman electrician and employed by an electrical  
39 33 contractor or class A or B master electrician as defined in  
39 34 the bill.

39 35     The bill provides that an applicant for a class A



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40 1 journeyman electrician license shall have successfully  
40 2 completed an apprenticeship training program and have obtained  
40 3 a score of at least 75 percent on an examination prescribed  
40 4 and administered by the board. An applicant who can provide  
40 5 proof that they have been employed as a journeyman electrician  
40 6 since 1990 can be granted a class B journeyman electrician  
40 7 license without being tested subject to political subdivision  
40 8 restrictions similar to those applicable for class B master  
40 9 electricians. The bill provides that a person licensed to  
40 10 wire for or install electrical wiring, electrical apparatus,  
40 11 or electrical equipment or supervise an apprentice electrician  
40 12 by a political subdivision preceding the effective date of the  
40 13 applicable section of the bill pursuant to a supervised  
40 14 written examination, and who is currently engaged in the  
40 15 electrical contracting industry with at least four years'  
40 16 experience, shall be issued an applicable corresponding  
40 17 statewide license, with the board adopting rules for criteria  
40 18 for city examination standards.

40 19 The bill provides for a special electrician license  
40 20 authorizing the licensee to engage in a limited class or  
40 21 classes of electrical work. The bill also provides that a  
40 22 person shall not plan, lay out, or install electrical wiring,  
40 23 apparatus, and equipment for components of alarm systems that  
40 24 operate at 70 volt/amps (VA) or less unless the person is  
40 25 licensed pursuant to new chapter 103 as created in the bill,  
40 26 or is certified as an alarm system contractor or an alarm  
40 27 system installer under Code chapter 100C, as amended by the  
40 28 bill. The bill modifies the provisions of existing Code  
40 29 chapter 100C, relating to certification of fire extinguishing  
40 30 system contractors, to include alarm system contractors and  
40 31 alarm system installers, as defined in the bill, and expands  
40 32 the fire extinguishing system contractors advisory board to  
40 33 include alarm system contractors as voting members, and the  
40 34 chairperson of the electrical examining board established in  
40 35 new Code section 103.2 as a nonvoting ex officio member.



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41 1 Corresponding changes are made throughout Code chapter 100C.  
41 2 The bill additionally includes provisions pertaining to  
41 3 apprentice electricians and unclassified persons employed by  
41 4 licensees. The bill provides that a person shall be licensed  
41 5 to work as an apprentice electrician while participating in an  
41 6 apprenticeship training program, and that a person is eligible  
41 7 as an apprentice electrician for only one apprenticeship,  
41 8 which shall be limited to six years from the date of licensure  
41 9 unless extended for hardship. A person shall be licensed as  
41 10 an unclassified person to perform electrical work if the work  
41 11 is performed under the personal supervision of a person  
41 12 actually licensed to perform such work and the licensed and  
41 13 unclassified persons are employed by the same employer. The  
41 14 bill provides that apprentice electricians and unclassified  
41 15 persons shall do no electrical wiring except under the direct  
41 16 personal on-the-job supervision and control in specified  
41 17 ratios in the immediate presence of a licensee pursuant to the  
41 18 bill. The bill provides that an unlicensed unclassified  
41 19 person must obtain licensure as an unclassified person within  
41 20 100 days of continuous employment.  
41 21 The bill specifies the types of licensing examinations and  
41 22 specifies examination frequencies and procedures. The bill  
41 23 provides a criminal penalty of a simple misdemeanor for a  
41 24 board member who discloses listed confidential information  
41 25 relating to applicants and examinations.  
41 26 The bill provides that with respect to class A master  
41 27 electricians, class B master electricians, class A journeyman  
41 28 electricians, and class B journeyman electricians, licenses  
41 29 shall expire every three years, and specifies examination,  
41 30 issuance, and renewal fees for the various classifications of  
41 31 licensure. The bill also provides that to renew a license,  
41 32 the licensee shall be required to complete 18 contact hours of  
41 33 continuing education courses approved by the board per three=  
41 34 year of licensure. The contact hours shall include a minimum  
41 35 of six contact hours studying the national electrical code.



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42 1 With respect to apprentice electricians and unclassified  
42 2 persons, the bill provides that licenses shall expire  
42 3 annually.  
42 4     The bill provides for the continuation of business by a  
42 5 licensee by a representative for a period of six months  
42 6 following the licensee's death, and provides for reciprocity  
42 7 with other states. The bill specifies that individuals  
42 8 performing electrical work in a capacity for which licensure  
42 9 is required shall be employed by the authority or company  
42 10 obtaining a permit for the performance of such work, and shall  
42 11 possess a valid license issued by the board. The bill  
42 12 contains a chapter inapplicability section, including  
42 13 inapplicability to a person licensed as an engineer,  
42 14 architect, landscape architect, or designated as lighting  
42 15 certified, providing consultations and developing plans  
42 16 concerning electrical installations while exclusively engaged  
42 17 in the practice of their profession, and employees of  
42 18 specified entities while acting within the scope of their  
42 19 employment. The bill provides that persons who hold a valid  
42 20 license issued by any political subdivision are not required  
42 21 to obtain state licensure, so long as they make electrical  
42 22 installations only in the jurisdictional limits of that  
42 23 political subdivision and the license issued by the political  
42 24 subdivision meets the requirements of the bill. Further, the  
42 25 bill's provisions shall not apply to vertical transportation  
42 26 or passenger conveyors, elevators, moving walks, dumbwaiters,  
42 27 stagelifts, manlifts, or appurtenances, shall not require a  
42 28 license of any person who engages any electrical appliance  
42 29 where approved electrical supply is already installed,  
42 30 prohibit an owner of property from performing work on the  
42 31 owner's principal residence under specified circumstances, or  
42 32 require that any person be a member of a labor union in order  
42 33 to be licensed. Additionally, the bill is inapplicable to  
42 34 persons qualified pursuant to administrative rules relating to  
42 35 the storage and handling of liquefied petroleum gases while



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43 1 engaged in specified activities, and to persons meeting  
43 2 administrative rule requirements for well contractors while  
43 3 engaged in specified tasks. Finally, the bill is inapplicable  
43 4 to persons other than those performing alarm system  
43 5 installations engaged in work relating to class two or class  
43 6 three remote control, signaling, or power-limited circuits,  
43 7 optical fiber cables or other cabling, or communications  
43 8 circuits, including raceways, as defined in the national  
43 9 electrical code.

43 10 The bill specifies inspection procedures and requirements  
43 11 applicable to all new electrical installations for commercial  
43 12 or industrial applications, including installations both  
43 13 inside and outside of buildings, and for public use buildings  
43 14 and facilities and any installation at the request of the  
43 15 owner, all new electrical installations for residential  
43 16 applications in excess of single-family residential  
43 17 applications, all new electrical installations for single=  
43 18 family residential applications requiring new electrical  
43 19 service equipment, and existing electrical installations  
43 20 observed during inspection which constitute an electrical  
43 21 hazard, with the caveat that existing installations shall not  
43 22 be deemed to constitute an electrical hazard if the wiring  
43 23 when originally installed was installed in accordance with the  
43 24 electrical code in force at the time of installation and has  
43 25 been maintained in that condition.

43 26 The bill provides that state inspection shall not apply  
43 27 within the jurisdiction of any political subdivision which  
43 28 provides by resolution or ordinance standards of electrical  
43 29 wiring and its installation that are not less than those  
43 30 prescribed by the board or by the Code chapter established by  
43 31 the bill and which further provides by resolution or ordinance  
43 32 for the inspection of electrical installations within the  
43 33 limits of such subdivision by a certified electrical  
43 34 inspector. The bill provides that only the holder of an  
43 35 electrical inspector's certificate of qualification shall be



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House File 897 - Introduced continued

44 1 appointed to act as electrical inspector, and provides that  
44 2 the board shall establish by rule standards for the  
44 3 certification and decertification of state electrical  
44 4 inspectors, and certified electrical inspector continuing  
44 5 education requirements.  
44 6     The bill specifies procedures relating to a request for  
44 7 inspection at or before commencement of any installation  
44 8 required to be inspected, and provides penalties for the  
44 9 failure to do so. The bill provides that if an inspector  
44 10 finds that any installation or portion of an installation is  
44 11 not in compliance with accepted standards of construction for  
44 12 safety to health and property, the inspector may issue written  
44 13 condemnation orders, or orders for disconnection, with the  
44 14 immediacy of such orders and opportunities to remedy the  
44 15 noncompliance varying with the extent to which the  
44 16 noncompliance is found to be a serious and proximate danger to  
44 17 human health and property. The bill provides that before an  
44 18 electrical installation subject to inspection is either newly  
44 19 connected or reconnected, there must be filed with the  
44 20 electrical utility supplying power a certificate by the  
44 21 inspector stating that the conditions of the installation are  
44 22 safe for energization. The bill specifies additional  
44 23 procedures relating to inspections for new installations, and  
44 24 provides that when an installation is brought into compliance  
44 25 to the satisfaction of the inspector, the inspector shall file  
44 26 with the electrical utility supplying power a certificate  
44 27 stating that the electrical inspector has approved  
44 28 energization.  
44 29     The bill provides that all political subdivisions  
44 30 performing electrical inspections prior to December 31, 2007,  
44 31 shall continue performing them. The bill states that after  
44 32 December 31, 2012, a political subdivision may choose to  
44 33 discontinue performing its own inspections and permit the  
44 34 board to have jurisdiction over inspections. A political  
44 35 subdivision may petition the board to discontinue performing



**Iowa General Assembly  
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House File 897 - Introduced continued

45 1 its own inspections prior to December 31, 2012, and authority  
45 2 may be revoked by the board, subject to appeal procedures, if  
45 3 by unanimous vote the board finds just cause as specified in  
45 4 the bill. The bill also provides that a political subdivision  
45 5 not performing electrical inspections prior to December 31,  
45 6 2007, may make provision for inspection of electrical  
45 7 installations within its jurisdiction. The bill provides that  
45 8 a political subdivision that performs electrical inspections  
45 9 may set appropriate permit fees, and that a political  
45 10 subdivision shall not require payment of any license fee or  
45 11 the taking of any examination if a person holds a current  
45 12 license issued by the board which is of a classification equal  
45 13 to or greater than the classification needed to do the work  
45 14 proposed. However, a political subdivision may require the  
45 15 filing of a copy of the current license issued by the board or  
45 16 such other evidence of such license.

45 17 The bill provides that a political subdivision performing  
45 18 electrical inspections prior to December 31, 2007, may  
45 19 maintain a different supervision ratio than the ratio of three  
45 20 apprentice electricians and unclassified persons to one  
45 21 licensee specified in Code section 103.15, subsection 3, but  
45 22 may not exceed that ratio. If a political subdivision begins  
45 23 performing electrical inspections after December 31, 2007, the  
45 24 bill provides that the three-to-one ratio applies unless a  
45 25 petition by the political subdivision for a lower ratio is  
45 26 approved by the board. The bill provides that a political  
45 27 subdivision which discontinues performing electrical  
45 28 inspections and permits the board to have jurisdiction over  
45 29 inspections shall maintain the three-to-one ratio and may not  
45 30 petition for a lower one unless the political subdivision  
45 31 subsequently resumes performing electrical inspections. The  
45 32 bill permits a political subdivision to determine what work  
45 33 may be performed by a class B licensee within the  
45 34 jurisdictional limits of the political subdivision, and states  
45 35 that any action by a political subdivision with respect to



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House File 897 - Introduced continued

46 1 amendments to the national electrical code adopted by the  
46 2 board shall be filed with the board prior to enforcement by  
46 3 the political subdivision, and shall not be less than the  
46 4 minimum standards established by the board by rule.  
46 5 Additionally, the bill provides that a political subdivision  
46 6 may grant a variance or interpret the national electrical code  
46 7 in a manner which deviates from a standard interpretation on  
46 8 an exception basis for a one-time installation or planned  
46 9 installation so long as such a variance or interpretation does  
46 10 not present an electrical hazard or danger to life or  
46 11 property.

46 12 The bill specifies instances where inspections shall not be  
46 13 required, specifies state inspection procedures, establishes  
46 14 inspection and reinspection fees, and provides that such fees  
46 15 shall not apply within the jurisdiction of any political  
46 16 subdivision if the political subdivision has adopted an  
46 17 ordinance or resolution as previously explained regarding  
46 18 conducting its own inspections. The bill states that except  
46 19 when an inspection reveals that an order of condemnation or  
46 20 disconnection is warranted, an inspector shall not add to,  
46 21 modify, or amend a construction plan as originally approved by  
46 22 the state fire marshal in the course of conducting an  
46 23 inspection. The bill provides that management and supervision  
46 24 of inspectors are the responsibility of the state fire  
46 25 marshal, that the state fire marshal and the board shall  
46 26 jointly determine work territories and continuing education  
46 27 and training requirements applicable to inspectors, and  
46 28 provides for an appeals process for inspectors subject to  
46 29 disciplinary action. Further, the bill requires the board to  
46 30 establish a web-based licensure verification database for  
46 31 access by inspectors for verification of licensee status on  
46 32 job sites, and specifies identification procedures. The bill  
46 33 additionally provides that the state fire marshal, or the  
46 34 state fire marshal's designee, shall enforce the procedures  
46 35 and policies determined by the board, and the provisions of



**Iowa General Assembly  
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House File 897 - Introduced continued

47 1 the national electrical code adopted by the board.  
47 2 The bill provides for an appeal process, and provides  
47 3 suspension, revocation, reprimand, and penalty provisions.  
47 4 Provisions of the bill relating primarily to definitions,  
47 5 the establishment of the electrician examining board, and  
47 6 notification of the fire extinguishing system contractors  
47 7 advisory board to include alarm system contractors and  
47 8 installers, take effect upon enactment. Provisions relating  
47 9 primarily to establishing the various categories of licensure  
47 10 take effect January 1, 2008. Provisions relating primarily to  
47 11 inspections take effect January 1, 2009.  
47 12 LSB 1601HZ 82  
47 13 rn:nh/cf/24



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House Resolution 41 - Introduced

PAG LIN

H.R. \_\_\_\_\_ S.R. \_\_\_\_\_

1 1 HOUSE RESOLUTION NO.

1 2 BY BERRY, ABDUL=SAMAD, FORD, T. OLSON, LENSING,

1 3 COHOON, WENDT, KELLEY, H. MILLER, KRESSIG,

1 4 GAYMAN, and JACOBY

1 5 A Resolution recognizing the Ongoing Covenant With

1 6 Black Iowa Initiative for its role in improving

1 7 the life and the future of Black Iowans.

1 8 WHEREAS, the Ongoing Covenant With Black Iowa has

1 9 its origins in the New York Times bestseller: "The

1 10 Covenant With Black America" by the noted author and

1 11 commentator Tavis Smiley; and

1 12 WHEREAS, this book is a rich collection of essays

1 13 that plot a course for Black Americans, explaining how

1 14 individuals and households can make changes that will

1 15 immediately improve their circumstances in areas

1 16 ranging from health and education to crime reduction

1 17 and financial well-being; and

1 18 WHEREAS, as envisioned for Iowa, the Ongoing

1 19 Covenant Initiative is a strategic initiative designed

1 20 to organize Black Iowans in various communities around

1 21 critical issues such as the widening education gap,

1 22 economic deprivation and disempowerment, and the

1 23 hopelessness of youth; and

1 24 WHEREAS, the Ongoing Covenant Initiative involves

1 25 Black community leaders identifying, recruiting, and

1 26 organizing individuals within the nine target

1 27 communities where significant numbers of Black Iowans

1 28 reside: Cedar Rapids, Davenport, Des Moines, Dubuque,

1 29 Fort Dodge, Fort Madison/Burlington, Iowa City, Sioux

1 30 City, and Waterloo; and



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House Resolution 41 - Introduced continued

2 1       WHEREAS, each participating community will  
2 2 establish a leadership group to plan and develop  
2 3 strategies in eight critical focus areas: economic  
2 4 development, education, health care, housing, justice,  
2 5 political involvement, spirituality, and youth; and  
2 6       WHEREAS, the Iowa Commission on the Status of  
2 7 African-Americans will then coalesce these plans into  
2 8 a comprehensive state plan that can be used to  
2 9 increase communication between Black Iowans, the  
2 10 Governor's office, legislators, judges, and local  
2 11 officials; and  
2 12       WHEREAS, Mr. Abraham Funchess, Jr., an ordained  
2 13 Methodist minister who serves as the director of the  
2 14 Iowa Commission on the Status of African-Americans, is  
2 15 the administrator of the Ongoing Covenant Initiative;  
2 16 NOW THEREFORE,  
2 17       BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
2 18 That the House of Representatives recognizes the  
2 19 Ongoing Covenant With Black Iowa as a valuable program  
2 20 to improve the life and future of Black Iowans, and  
2 21 thanks the Iowa Commission on the Status of  
2 22 African-Americans and all those persons who  
2 23 participated in the creation of the Ongoing Covenant  
2 24 Initiative.  
2 25 LSB 2875HH 82  
2 26 jr:nh/je/5



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## Senate Amendment 3307

PAG LIN

1 1 Amend House File 827, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Section 1. Section 15G.111, subsection 1,  
1 6 paragraph c, Code 2007, is amended to read as follows:  
1 7 c. The department shall require an applicant for  
1 8 moneys appropriated under this subsection to include  
1 9 in the application a statement regarding the intended  
1 10 return on investment. The return on investment  
1 11 calculation shall not include confidential information  
1 12 unless the applicant waives such confidentiality. A  
1 13 recipient of moneys appropriated under this subsection  
1 14 shall annually submit a statement to the department  
1 15 regarding the progress achieved on the intended return  
1 16 on investment stated in the application. The  
1 17 department, in cooperation with the department of  
1 18 revenue, shall develop a method of identifying and  
1 19 tracking each new job created and the leveraging of  
1 20 moneys through financial assistance from moneys  
1 21 appropriated under this subsection. The department of  
1 22 economic development shall identify research and  
1 23 development activities funded through financial  
1 24 assistance from not more than ten percent of the  
1 25 moneys appropriated under this subsection, and,  
1 26 instead of determining return on investment and job  
1 27 creation for the identified funding, determine the  
1 28 potential impact on the state's economy.>  
1 29 #2. By renumbering as necessary.  
1 30  
1 31  
1 32  
1 33 PAUL MCKINLEY  
1 34 STEVE KETTERING  
1 35 NANCY J. BOETTGER  
1 36 JERRY BEHN  
1 37 HUBERT HOUSER  
1 38 JAMES F. HAHN  
1 39 DAVID JOHNSON  
1 40 HF 827.203 82  
1 41 tm/es/8492

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Senate Amendment 3308

PAG LIN

1 1 Amend House File 827, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, line 2, by striking the word  
1 4 <paragraph> and inserting the following:  
1 5 <paragraphs>.  
1 6 #2. Page 1, by inserting after line 8 the  
1 7 following:  
1 8 <NEW PARAGRAPH. i. Of the moneys appropriated  
1 9 each fiscal year under this subsection, sixty-five  
1 10 percent of the moneys shall be reserved for providing  
1 11 financial assistance to entrepreneurial small  
1 12 businesses with less than one hundred employees. On  
1 13 January 1 of each fiscal year, any moneys reserved  
1 14 pursuant to this paragraph that remain unexpended or  
1 15 unobligated may be used for any other purpose provided  
1 16 under this subsection.  
1 17 NEW PARAGRAPH. j. By January 1 of each fiscal  
1 18 year, the department shall file a written report with  
1 19 the general assembly and the governor regarding the  
1 20 number of net new jobs created as a result of  
1 21 financial assistance awards from moneys appropriated  
1 22 under this subsection during the previous fiscal  
1 23 year.>  
1 24  
1 25  
1 26  
1 27 PAUL MCKINLEY  
1 28 STEVE KETTERING  
1 29 NANCY J. BOETTGER  
1 30 JERRY BEHN  
1 31 HUBERT HOUSER  
1 32 JAMES F. HAHN  
1 33 DAVID JOHNSON  
1 34 HF 827.201 82  
1 35 tm/es/8491  
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Senate Amendment 3309

PAG LIN

1 1 Amend House File 611, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 5, by inserting after line 28 the  
1 4 following:  
1 5 <12. The board of directors of each school  
1 6 district shall appoint a human growth and development  
1 7 citizen advisory board to make recommendations to the  
1 8 school board regarding the human growth and  
1 9 development curriculum and materials. The advisory  
1 10 board shall consist of five members, one of whom shall  
1 11 be a member of the clergy and one of whom shall be a  
1 12 physician licensed under chapter 148, 150, or 150A.>  
1 13  
1 14  
1 15  
1 16 PAUL McKINLEY  
1 17 JERRY BEHN  
1 18 BRAD ZAUN  
1 19 RON WIECK  
1 20 NANCY J. BOETTGER  
1 21 E. THURMAN GASKILL  
1 22 JAMES A. SEYMOUR  
1 23 DAVID JOHNSON  
1 24 JAMES F. HAHN  
1 25 DAVE MULDER  
1 26 MARK ZIEMAN  
1 27 DAVID L. HARTSUCH  
1 28 LARRY McKIBBEN  
1 29 JEFF ANGELO  
1 30 HUBERT HOUSER  
1 31 STEVE KETTERING  
1 32 HF 611.513 82  
1 33 kh/je/8197  
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**Senate Amendment 3310**

PAG LIN

1 1 Amend House File 742, as passed by the House, as  
 1 2 follows:  
 1 3 #1. Page 29, by inserting after line 9 the  
 1 4 following:  
 1 5 <Sec. \_\_\_\_\_. Section 423.3, subsection 8, paragraph  
 1 6 a, Code 2007, is amended to read as follows:  
 1 7 a. The farm machinery and equipment shall be  
 1 8 directly and primarily used in production of  
 1 9 agricultural products, including any of the following  
 1 10 activities:  
 1 11 (1) Coming into actual physical contact with the  
 1 12 soil or crops during planting, cultivating,  
 1 13 harvesting, or soil preparation.  
 1 14 (2) Inspection or repair of fences.  
 1 15 (3) Livestock monitoring.  
 1 16 (4) Viewing or inspection of crops.>  
 1 17 #2. Title page, line 1, by inserting after the  
 1 18 word <regulation> the following: <and taxation>.  
 1 19 #3. By renumbering as necessary.  
 1 20  
 1 21  
 1 22  
 1 23 NANCY J. BOETTGER  
 1 24 HF 742.301 82  
 1 25 dea/cf/8940

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## Senate Amendment 3311

PAG LIN

1 1 Amend House File 611, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 5, by striking lines 4 through 15 and  
1 4 inserting the following:  
1 5 <d. "Research-based" means information  
1 6 statistically validated using randomized, double-blind  
1 7 methods in controlled, scientifically designed studies  
1 8 subjected to peer review.>  
1 9  
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1 12 NANCY J. BOETTGER  
1 13 JERRY BEHN  
1 14 BRAD ZAUN  
1 15 PAUL McKINLEY  
1 16 RON WIECK  
1 17 DAVE MULDER  
1 18 HF 611.304 82  
1 19 kh/cf/8196  
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Senate Amendment 3312

PAG LIN

1 1 Amend House File 611, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 4, line 4, by inserting after the word  
1 4 <agency> the following: <, individual,>.  
1 5  
1 6  
1 7  
1 8 NANCY J. BOETTGER  
1 9 JERRY BEHN  
1 10 RON WIECK  
1 11 JEFF ANGELO  
1 12 LARRY NOBLE  
1 13 DAVID JOHNSON  
1 14 JAMES A. SEYMOUR  
1 15 DAVID L. HARTSUCH  
1 16 DAVE MULDER  
1 17 STEVE KETTERING  
1 18 PAUL McKINLEY  
1 19 BRAD ZAUN  
1 20 MARK ZIEMAN  
1 21 JAMES F. HAHN  
1 22 JOHN PUTNEY  
1 23 E. THURMAN GASKILL  
1 24 HUBERT HOUSER  
1 25 LARRY McKIBBEN  
1 26 PAT WARD  
1 27 MARY A. LUNDBY  
1 28 HF 611.211 82  
1 29 kh/es/8191  
1 30  
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## Senate Amendment 3313

PAG LIN

1 1 Amend House File 611, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 5, line 17, by striking the word <also>  
1 4 and inserting the following: <instead>.  
1 5  
1 6  
1 7  
1 8 BRAD ZAUN  
1 9 PAUL McKINLEY  
1 10 TOM HANCOCK  
1 11 JERRY BEHN  
1 12 NANCY J. BOETTGER  
1 13 MARK ZIEMAN  
1 14 HF 611.516 82  
1 15 kh/je/8201  
1 16  
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## Senate Amendment 3314

PAG LIN

1 1 Amend Senate File 265, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 1, line 6, by inserting after the word  
1 4 <site> the following: <and all activities>.  
1 5 #2. Page 1, by striking line 10 and inserting the  
1 6 following: <structure renovation, demolition, or  
1 7 collapse.>  
1 8 #3. Page 1, by striking line 21 and inserting the  
1 9 following: <asbestos contractor.>  
1 10 #4. Page 1, by inserting after line 21 the  
1 11 following:  
1 12 <Sec. \_\_\_\_ . NEW SECTION. 88B.2 JURISDICTION OF  
1 13 OTHER AGENCIES.  
1 14 This chapter shall not be construed to prevent the  
1 15 department of natural resources from implementing and  
1 16 enforcing the federal national emission standard for  
1 17 asbestos under 40 C.F.R. pt. 61, subpt. M, and other  
1 18 relevant provisions of environmental law.>  
1 19 #5. By renumbering as necessary.  
1 20 SF 265.H  
1 21 ak/jg/265  
1 22  
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**Senate Amendment 3315**

PAG LIN

1 1 Amend Senate File 155, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 #1. Page 2, by inserting after line 23 the  
1 4 following:  
1 5 <d. To the extent feasible, in making the  
1 6 appointments under paragraphs "a" through "c", the  
1 7 persons authorized to appoint shall give consideration  
1 8 to the appointment of minority persons to the  
1 9 commission.>  
1 10 #2. By renumbering as necessary.  
1 11 SF 155.H  
1 12 sc/jg/25  
1 13  
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## Senate Amendment 3316

PAG LIN

1 1 Amend House File 773, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, line 27, by inserting after the word  
1 4 <designations.> the following: <If more than one  
1 5 designation is awarded annually, the criteria shall  
1 6 include a requirement that the department award the  
1 7 designations to cities of varying populations.>  
1 8  
1 9  
1 10  
1 11 AMANDA RAGAN  
1 12 HF 773.702 82  
1 13 rn/gg/8326  
1 14  
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## Senate Amendment 3317

PAG LIN

1 1 Amend House File 817, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, line 35, by striking the word <If> and  
1 4 inserting the following: <Unless>.  
1 5 #2. Page 2, line 1, by striking the words <does  
1 6 not> and inserting the following: <votes to>.  
1 7 #3. Page 2, line 2, by striking the word  
1 8 <unanimous> and inserting the following:  
1 9 <two-thirds>.  
1 10 #4. Page 2, line 2, by inserting after the words  
1 11 <at the> the following: <earlier of the>.  
1 12 #5. Page 2, line 3, by inserting after the word  
1 13 <commission> the following: <or a special meeting of  
1 14 the commission called by the commission within thirty  
1 15 days of the date the proposed rule is submitted>.  
1 16 #6. Title page, line 4, by striking the word  
1 17 <affairs> and inserting the following: <affairs,>.  
1 18  
1 19  
1 20  
1 21 DARYL BEALL  
1 22  
1 23  
1 24  
1 25 STEVE WARNSTADT  
1 26 JAMES A. SEYMOUR  
1 27 HF 817.502 82  
1 28 ec/je/8780  
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Iowa General Assembly  
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Senate Resolution 35 - Introduced

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S.R. \_\_\_\_\_ H.R. \_\_\_\_\_

1 1 SENATE RESOLUTION NO.  
1 2 BY JOHNSON, DVORSKY, and HAHN  
1 3 A Resolution recognizing the Uncommon Public Service  
1 4 Award.  
1 5 WHEREAS, Herbert Hoover once said: "...[T]he  
1 6 future of America rests not in mediocrity, but in the  
1 7 constant renewal of leadership in every phase of our  
1 8 national life."; and  
1 9 WHEREAS, in that spirit the Herbert Hoover  
1 10 Presidential Library Association has created the  
1 11 Uncommon Public Service Award; and  
1 12 WHEREAS, the association will annually present the  
1 13 Uncommon Public Service Award to Iowa legislators who  
1 14 exemplify Hoover's humanitarian efforts and have gone  
1 15 above and beyond the call of duty to demonstrate  
1 16 uncommon service and commitment to the people of Iowa;  
1 17 and  
1 18 WHEREAS, recipients of the award will become  
1 19 honorary members of the Herbert Hoover Presidential  
1 20 Library Association for one year and one thousand  
1 21 dollars will be donated in their name to the  
1 22 charitable organization of their choice; and  
1 23 WHEREAS, a plaque for each recipient will be hung  
1 24 on the "Wall of Uncommon Iowans" which will be on  
1 25 permanent display in the Herbert Hoover Presidential  
1 26 Library Museum; NOW THEREFORE,  
1 27 BE IT RESOLVED BY THE SENATE, That the Senate  
1 28 recognizes the Herbert Hoover Presidential Library  
1 29 Association and thanks its members for the creation of  
1 30 the Uncommon Public Service Award.



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Senate Resolution 35 - Introduced continued

2 1 LSB 2878SS 82  
2 2 jr:nh/es/88