

MAR 7 2005
Place On Calendar

HOUSE FILE 613
BY COMMITTEE ON COMMERCE,
REGULATION AND LABOR

(SUCCESSOR TO HSB 170)

Passed House, Date 3-21-05 Passed Senate, Date 4-14-05
Vote: Ayes 97 Nays 1 Vote: Ayes 49 Nays 0
Approved 4/22/05

A BILL FOR

1 An Act relating to the regulation of hot water heating boilers
2 for swimming pools and spas.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF
613

1 Section 1. Section 89.4, subsection 1, paragraph h, Code
2 2005, is amended to read as follows:

3 h. Hot water heating boilers used for heating pools or
4 ~~spas where burner input is no greater than eighteen thousand~~
5 ~~seven hundred seventy two British thermal units per hour~~
6 regulated by the department of public health pursuant to
7 chapter 135I.

8 EXPLANATION

9 This bill modifies language providing for exemptions from
10 Code chapter 89, regulating boilers and unfired steam pressure
11 vessels, by striking language exempting hot water heating
12 boilers used for heating pools or spas at a certain level of
13 burner input per hour and inserting language to exempt hot
14 water heating boilers used for heating pools or spas that are
15 subject to Code chapter 135I, which provides for the
16 department of public health's regulation of swimming pools and
17 spas.

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WILDERDYKE, CH
JEWKINS
D. TAYLOR

HSB 170
COMMERCE, REGULATION & LABOR

SENATE/HOUSE FILE _____

BY (PROPOSED DEPARTMENT OF
WORKFORCE DEVELOPMENT BILL)

Succeeded by
SF ~~0145~~
613

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

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7 chapter 135I.

8 EXPLANATION

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Iowa Workforce Development

Thomas J. Vilsack, Governor

Sally J. Pederson, Lt. Governor

Richard V. Running, Director

Putting Iowa
to Work

MEMORANDUM

Date: January 11, 2004

To: General Assembly

From: Jane S. Barto, Deputy Director
Iowa Workforce Development
(515) 281-5082

RE: LSB #1206DP – An Act relating to boilers and unfired steam pressure vessels.

Section 1 of this bill strikes language that appears to give the Labor Commissioner authority over hot water heating boilers used for heating pools or spas.

Problem: Iowa Code Section 89.4(1) on its face seems to give the Labor Commissioner authority over heating boilers used for heating pools or spas where is burner input over 18,727 Btu's per hour. However, Iowa Code Chapter 135I gives authority over this equipment to the Department of Inspections and Appeals. A 1992 Attorney General's opinion concluded that the Labor Commissioner no longer has no authority over this category of equipment, yet the language remains in Iowa Code Section 89.4(1) and generates confusion.

Solution: The legislation makes the code reflect the actual legal status of the Labor Commissioner's authority over hot water heating boilers used for heating pools or spas. Iowa's new Boiler and Pressure Vessel Board endorsed this change.

regulated by the department of public health pursuant to chapter 135I.

CHRISTOPHER C. RANTS
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 613, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 4/22, 2005

THOMAS J. VILSACK
Governor

HOUSE FILE 613

AN ACT
RELATING TO THE REGULATION OF HOT WATER HEATING BOILERS FOR
SWIMMING POOLS AND SPAS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 89.4, subsection 1, paragraph h, Code 2005, is amended to read as follows:

h. Hot water heating boilers used for heating pools or spas ~~where burner input is no greater than eighteen thousand seven hundred seventy two British thermal units per hour~~