

of a board of adjustment serving unexpired terms of office on the effective date of this Act, shall expire according to their original appointments.

Sec. 4. This Act is effective January first following its enactment.

Approved June 6, 1979

CHAPTER 89
REVENUE BONDS FOR REGENTS INSTITUTIONS

S. F. 448

AN ACT authorizing cities and counties to issue revenue bonds under chapter four hundred nineteen (419) of the Code for the purpose of financing projects for the use of a state of Iowa institution under the board of regents.

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

Section 1. Section four hundred nineteen point one (419.1), subsection two (2), Code 1979, is amended to read as follows:

2. "Project" means all or any part of, or any interest in, (a) any land, buildings or improvements, whether or not in existence at the time of issuance of the bonds issued under authority of this chapter, which shall be suitable for the use of any voluntary nonprofit hospital, clinic or health care facility as defined in section 135C.1, subsection 4, or of any private college or university, or any state institution governed under chapter two hundred sixty-two (262) of the Code, whether for the establishment or maintenance of such college or university, or of any industry or industries for the manufacturing, processing or assembling of any agricultural or manufactured products, even though such processed products may require further treatment before delivery to the ultimate consumer, or of any commercial enterprise engaged in storing, warehousing or distributing products of agriculture, mining or industry including but not limited to barge facilities and river-front improvements useful and convenient for the handling and storage of goods and products or (b) pollution control facilities which shall be suitable for use by any industry, commercial enterprise or utility. "Pollution control facilities" means any land, buildings, structures, equipment, pipes, pumps, dams, reservoirs, improvements, or other facilities useful for the purpose of reducing, preventing, or eliminating pollution of the water or air by reason of the operations of any industry, commercial enterprise or utility. "Improve", "improving" and "improvements" shall embrace any real property, personal property or mixed property of any and every kind that can be used or that will be useful in connection with a project, including, without limiting the generality of the foregoing, rights of way, roads, streets, sidings, trackage, foundations, tanks, structures, pipes, pipelines, reservoirs,

utilities, materials, equipment, fixtures, machinery, furniture, furnishings, improvements, instrumentalities and other real, personal or mixed property of every kind, whether above or below ground level.

Sec. 2. Section four hundred nineteen point two (419.2), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. To issue revenue bonds for the purpose of retiring existing indebtedness of any private or state of Iowa college or university or of any person who incurred the indebtedness to finance a project for any private or state of Iowa college or university, to secure payment of the bonds as provided in this chapter, and to enter into agreements with others with respect to these bonds for such payments and upon such terms and conditions as the governing body may deem advisable in accordance with the provisions of this chapter. The retiring of any existing indebtedness of a private or state of Iowa college or university or of any person who incurred the indebtedness to finance a project for a private or state of Iowa college or university shall be deemed a "project" for the purposes of this chapter.

Sec. 3. Section four hundred nineteen point eleven (419.11), Code 1979, is amended to read as follows:

419.11 TAX EQUIVALENT TO BE PAID--ASSESSMENT PROCEDURE--APPEAL. Any municipality acquiring, purchasing, constructing, reconstructing, improving or extending any industrial buildings or pollution control facilities, as provided in this chapter, shall annually pay out of the revenue from such industrial buildings or pollution control facilities to the state of Iowa and to the city, school district and any other political subdivision, authorized to levy taxes, a sum equal to the amount of tax, determined by applying the tax rate of the taxing district to the assessed value of the property, which the state, county, city, school district or other political subdivision would receive if the property were owned by any private person or corporation, any other statute to the contrary notwithstanding. For purposes of arriving at such tax equivalent, the property shall be valued and assessed by the assessor in whose jurisdiction the property is located, in accordance with chapter 441, but the municipality, the lessee on behalf of the municipality, and such other persons as are authorized by chapter 441 shall be entitled to protest any assessment and take appeals in the same manner as any taxpayer. Such valuations shall be included in any summation of valuations in the taxing district for all purposes known to the law. Income from this source shall be considered under the provisions of section 384.16, subsection 1, paragraph "b".

PARAGRAPH DIVIDED. If and to the extent the proceedings under which the bonds authorized to be issued under the provisions of this chapter so provide, the municipality may agree to co-operate with the lessee of a project in connection with any administrative or judicial proceedings for determining the validity or amount of any such payments and may agree to appoint or designate and reserve the right in and for such lessee to take all action which the municipality may lawfully take in respect of such payments and all matters relating thereto, provided, however, that such lessee shall bear and pay all costs and expenses of the municipality thereby incurred at the request of such lessee or by reason of any such action taken by such

lessee in behalf of the municipality. Any lessee of a project which has paid, as rentals additional to those required to be paid pursuant to section 419.5, the amounts required by the first sentence of this section to be paid by the municipality shall not be required to pay any such taxes to the state or to any such county, city, school district or other political subdivision, any other statute to the contrary notwithstanding. To the extent that any lessee or contracting party pays taxes on a project or part thereof, the municipality shall not be required to pay the tax equivalent herein provided, and to such extent the lessee or contracting party shall not be required to pay amounts to the municipality for such purpose.

PARAGRAPH DIVIDED. This section shall not be applicable to any municipality acquiring, purchasing, constructing, reconstructing, improving, or extending any buildings for the purpose of establishing, maintaining, or assisting any private or state of Iowa college or university, nor to any municipality in connection with any project for the benefit of a voluntary nonprofit hospital, clinic, or health care facility, the property of which is otherwise exempt under the provisions of chapter 427. The payment, collection, and apportionment of the tax equivalent shall be subject to the provisions of chapters 445, 446 and 447.

Sec. 4. This Act, being deemed of immediate importance, shall take effect from and after its publication in The Record, a newspaper published in Cedar Falls, Iowa, and in the Lee Town News, a newspaper published in Des Moines, Iowa.

Approved April 30, 1979

I hereby certify that the foregoing Act, Senate File 448, was published in The Record, Cedar Falls, Iowa on May 8, 1979, and in the Lee Town News, Des Moines, Iowa on May 10, 1979.

J. HERMAN SCHWEIKER, *Deputy Secretary of State*

CHAPTER 90

MUNICIPAL MULTISTATE BUSINESS HEADQUARTERS

S. F. 299

AN ACT to authorize municipal support for the establishment of national, regional or divisional headquarters facilities of multistate businesses in Iowa by permitting municipal acquisition, lease, sale and loan of property, issuance of revenue bonds, and granting of easements.

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

Section 1. Section four hundred nineteen point one (419.1), subsection two (2), Code 1979, is amended to read as follows:

2. "Project" means all or any part of, or any interest in, (a) any land, buildings or improvements, whether or not in existence at the time of