

CHAPTER 1024
LIBRARY RECORDS

H. F. 2240

AN ACT relating to the confidentiality of certain library records.

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

Section 1. Section sixty-eight A point seven (68A.7), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. The records of a library which, by themselves or when examined with other public records, would reveal the identity of the library patron checking out or requesting an item from the library.

Sec. 2. This Act, being deemed of immediate importance, takes effect from and after its publication in The Waterloo Courier, a newspaper published in Waterloo, Iowa, and in the Atlantic-News Telegraph, a newspaper published in Atlantic, Iowa.

Approved March 21, 1980

I hereby certify that the foregoing Act, House File 2240, was published in The Waterloo Courier, Waterloo, Iowa on March 26, 1980, and in the Atlantic News-Telegraph, Atlantic, Iowa on March 25, 1980.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 1025
PUBLIC INTEREST-BEARING OBLIGATIONS

S. F. 2282

AN ACT relating to the rates of interest payable on interest-bearing obligations issued by public agencies and on special assessments levied by public agencies, and including a correlating amendment removing the limitation on the tax levy authorized by section three hundred fifty-eight point twenty-one (358.21) of the Code with respect to interest-bearing obligations issued under that section.

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

DIVISION I*

Section 1. Section seventy-four point one (74.1), Code 1979, is amended to read as follows:

74.1 APPLICABILITY.

*References in this Act to chapter 74A of the Code are referring to sections 9 to 15 of this Act

1. ~~This~~ The procedures of this chapter shall apply to all warrants which are legally drawn on a public treasury, including the treasury of a city, and which, when presented for payment, are not paid for want of funds.

2. ~~This~~ The procedures of this chapter and--its--precedures--shall also apply whenever a municipality, as defined in section 24.2, or a city shall determine that there are not or will not be sufficient funds on hand to pay the legal obligations of a fund. ~~Said--municipality~~ Each of these municipalities and cities is authorized to provide for the payment of such present and future obligations by drawing one or more anticipatory warrants payable to a bank or other business entity authorized by law to loan money in an amount or amounts legally available and believed to be sufficient to cover the anticipated deficiencies. The duties imposed on the treasurer by this chapter may be assigned by ~~the~~ a city council to another city officer.

3. The procedures of this chapter also apply to the issuance of anticipatory warrants by the state under section nineteen point eight (19.8) of the Code.

4. The procedures of this chapter also apply to anticipatory warrants, pledge orders, improvement certificates, anticipatory certificates or similar obligations payable from special assessments against benefited properties, or payable from charges, fees or other operating income from a publicly owned enterprise or utility.

Sec. 2. Section seventy-four point two (74.2), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section three (3), is amended to read as follows:

74.2 ENDORSEMENT AND INTEREST. ~~Except-as-provided-in-section-74-87-when any-such~~ If a warrant other than an anticipatory warrant is presented for payment, and is not paid for want of funds, or is only partially paid, the treasurer shall endorse the fact thereon, with the date of presentation, and sign the endorsement, and thereafter the warrant or the balance due thereon, shall draw bear interest at ~~six--percent--per--annum--on--state--and--county warrants,--and--six-percent-per-annum-on-city-and-school-warrants,--unless-the treasurer-arranges-for-the-sale-of-said-warrant-at-par-at--a--lower--rate--of interest~~ the rate specified in section ten (10) of this Act.

An anticipatory warrant issued under the authority of section seventy-four point one (74.1), subsection one (1) of the Code shall bear interest at a rate determined by the issuing governmental body, but not exceeding that permitted by chapter seventy-four A (74A) of the Code.

Sec. 3. Section seventy-four point three (74.3), Code 1979, is amended to read as follows:

74.3 RECORD OF WARRANTS OBLIGATIONS. The treasurer shall keep a record of ~~all-warrants-so-endorsed,~~ each interest-bearing obligation which ~~record~~ shall show the number and amount, the date ~~of--presentation~~ interest commences, the rate of interest, and the name and post-office address of the holder, ~~of-each-warrant~~ of the obligation.

Sec. 4. Section seventy-four point four (74.4), Code 1979, is amended to read as follows:

74.4 ASSIGNMENT OF WARRANT OBLIGATION. When ~~any--warrant--shall--be~~ a nonnegotiable interest-bearing obligation is assigned or transferred ~~after~~

~~being so endorsed, the assignee or transferee shall be under duty, for his own protection, to~~ shall notify the treasurer in writing of such the assignment or transfer and of his the post-office address of the assignee or transferee. Upon receiving ~~such~~ notification, the treasurer accordingly shall correct the aforesaid record accordingly the record maintained under section three (3) of this Act.

Sec. 5. Section seventy-four point five (74.5), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

74.5 CALL FOR PAYMENT. When a fund contains sufficient money to pay one or more interest-bearing obligations which are outstanding against the fund, the treasurer shall call those obligations for payment. Obligations may be paid in the order of presentation. This section does not authorize a fixed-term obligation to be called at a date earlier than is provided by the conditions and terms upon which it was issued.

Sec. 6. Section seventy-four point six (74.6), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

74.6 NOTICE OF CALL--TERMINATION OF INTEREST.

1. The treasurer shall make a call for payment under section five (5) of this Act by mailing to the holder of the obligation, as shown in the records maintained under section three (3) of this Act, a notice of call which describes the obligation by number and amount, and which specifies a date, not more than ten days thereafter when interest ceases to accrue on the obligation. The treasurer shall enter the date of mailing of the notice in the records maintained under section three (3) of this Act.

2. Interest on an interest-bearing obligation shall cease to accrue as of the date specified in the notice of call issued under subsection one (1) of this section.

3. This section does not apply if the parties have otherwise agreed in writing.

Sec. 7. Section seventy-four point seven (74.7), Code 1979, is amended to read as follows:

74.7 ENDORSEMENT OF INTEREST. When ~~a warrant~~ an obligation which legally draws interest is paid, the treasurer shall endorse upon it the date of payment, and the amount of interest ~~allowed paid.~~ The treasurer also shall enter into the records maintained under section three (3) of this Act the date of payment and the amount of interest paid.

Sec. 8. Sections nine (9) through fifteen (15) of this Act are enacted as a new chapter seventy-four A (74A) of the Code, which shall be entitled "INTEREST RATES FOR PUBLIC OBLIGATIONS AND ASSESSMENTS".

Sec. 9. NEW SECTION. APPLICABILITY.

1. Except as otherwise provided by law, this chapter establishes the interest rates which are applicable to all bonds, warrants, anticipatory warrants, pledge orders, improvement certificates, and anticipation certificates issued by a governmental body or agency under the laws of this state, and the interest rates which are applicable to assessments levied by a governmental body or agency under the laws of this state against benefited properties for the retirement of public debt.

2. This chapter does not authorize the issuance of a public obligation or the levying of an assessment, and does not create an obligation to pay interest, and does not determine when interest commences or ceases to accrue.

3. This chapter does not impose an interest rate or interest rate limitation where by law the rate of interest payable on an obligation is within the discretion of the governmental body or agency, unless that discretion is expressly made subject to the limitations contained in this chapter.

Sec. 10. NEW SECTION. UNPAID WARRANTS. A warrant not paid upon presentation for want of funds bears interest on unpaid balances at the rate in effect at the time the warrant is first presented for payment, as established by rule pursuant to section fourteen (14), subsection two (2) of this Act. This section does not apply to an obligation which by law bears interest from the time it is issued.

Sec. 11. NEW SECTION. INTEREST RATES FOR PUBLIC OBLIGATIONS. Except as otherwise provided by law, the rates of interest on obligations issued by this state, or by a county, school district, city special improvement district, or any other governmental body or agency are as follows:

1. General obligation bonds, warrants, or other evidences of indebtedness which are payable from general taxation or from the state's sinking fund for public deposits may bear interest at a rate to be set by the issuing governmental body or agency.

2. Revenue bonds, warrants, pledge orders or other obligations, the principal and interest of which are to be paid solely from the revenue derived from the operations of the publicly owned enterprise or utility for which the bonds or obligations are issued, may bear interest at a rate to be set by the issuing governmental body or agency.

3. Special assessment bonds, certificates, warrants or other obligations, the principal and interest of which are payable from special assessments levied against benefited property may bear interest at a rate to be set by the issuing governmental body or agency.

Sec. 12. NEW SECTION. MAXIMUM RATES ON SPECIAL ASSESSMENTS. Except as otherwise provided by law, the rate of interest payable on unpaid balances of special assessments levied against benefited properties shall not exceed the maximum rate in effect at the time of adoption of the final assessment schedule, as established by rule pursuant to section fourteen (14), subsection two (2) of this Act.

Sec. 13. NEW SECTION. RELATIVE RATE ON ASSESSMENT BONDS. Bonds payable from special assessments shall not be sold bearing a higher rate of interest than is payable on the assessments from which those bonds are made payable.

Sec. 14. NEW SECTION. RULES TO ESTABLISH RATES.

1. The rule-making authority contained in this section shall be exercised by a committee composed of the treasurer of state, the superintendent of banking and the commissioner of insurance.

2. The committee shall adopt rules pursuant to chapter seventeen A (17A) of the Code establishing the annual interest rate to be applicable to obligations referred to in section ten (10) of this Act, and the maximum* annual interest rate to be applicable to obligations referred to in section twelve (12) of this Act.

*According to enrolled Act

3. The committee shall adopt rules pursuant to section*seventeen A (17A) of the Code establishing recommended rates, or formulae for determining recommended rates, to be applicable to obligations referred to in sections eleven (11) and fifteen (15) of this Act.

4. The committee shall establish and from time to time modify one or more of the interest rates referred to in subsections two (2) and three (3) of this section as may be necessary in the opinion of the committee to permit the orderly financing of governmental activities, and to minimize interest costs to governmental bodies while permitting a fair return to persons whose funds are used to finance governmental activities. The committee shall consider relevant indices of actual interest rates in the economy when establishing rates under this section, including but not necessarily limited to maximum lawful interest rates payable by depository financial institutions on customer deposits, interest rates payable on obligations issued by the United States government, and interest rates payable on obligations issued by governmental bodies other than those of this state.

5. An interest rate established by the committee under this section shall be in effect commencing on the date specified in the rule, and until superseded by a subsequent rule.

6. The committee shall not establish interest rates for types or categories of obligations other than as specified in this section.

Sec. 15. NEW SECTION. SCHOOL DISTRICT WARRANTS.

1. The treasurer of a school district shall sell anticipatory warrants authorized by section one (1), subsection two (2) of this Act at a rate of interest to be determined by the board of the school district.

2. The treasurer may offer the warrants for public sale at par, by publishing notice of the sale for two consecutive weeks in a newspaper of general circulation in the jurisdiction of the school district issuing the warrants, giving not less than ten days' notice of the time and place of the sale. The notice shall include a statement of the amount of the warrants offered for sale.

3. Sealed bids may be received at any time up to the time all bids are opened. The treasurer shall sell the warrants to the bidder offering the lowest interest rate, provided that the treasurer may reject all bids and readvertise the sale of the warrants pursuant to the provisions of this section.

4. This section applies only to school districts whose anticipated receipts allocable to the current budget are at least equal to their legally approved budget for the current year.

DIVISION II

Sec. 16. Section nineteen point eight (19.8), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section one (1), is amended to read as follows:

19.8 ANTICIPATION OF REVENUES. The executive council may anticipate the revenues for any year, when the current revenues for that year are insufficient to pay all warrants issued in that year, by causing state warrants, in an amount not exceeding the estimated state revenues for that year, and ~~drawing-not-to-exceed-six-percent-per-annum~~ bearing interest at a

*According to enrolled Act

rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, to be issued, advertised, and sold on sealed bids, and to the highest bidder offering the lowest interest rate. All bids and all records pertaining thereto, ~~and the names of all purchasers~~ shall be kept on file. The treasurer of state shall comply with the provisions of chapter seventy-four (74) of the Code.

Sec. 17. Section twenty-eight F point eight (28F.8), Code 1979, is amended to read as follows:

28F.8 DETAILS OF REVENUE BONDS. Revenue bonds issued pursuant to the provisions of this chapter shall bear interest at a rate or rates not exceeding ~~seven-percentum-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, may be in one or more series, may bear such date or dates, may mature at such time or times not exceeding forty years from their respective dates, may be payable in such medium of payment, at such place or places within the state, may carry such registration privileges, may be subject to such terms of prior redemption, with or without premium, may be executed in such manner, may contain such terms, covenants and conditions, and may be in such form otherwise, as such resolution or subsequent resolutions shall provide.

Sec. 18. Section thirty-seven point six (37.6), Code 1979, is amended to read as follows:

37.6 BONDS. For the purpose of providing funds for the acquisition of necessary ground therefor, and for purchasing, erecting, constructing, or reconstructing such building or monument, and for the necessary equipment therefor, the county may issue bonds to be known as liberty memorial bonds, to be issued and sold as provided by law relative to general county bonds; it shall provide for portions of such bonds to become due at different, definite periods, but none in more than twenty years from date. In issuing such bonds, such county may become indebted in an amount which, added to all other indebtedness, shall not exceed five percent of the actual value of the taxable property in such county as determined by the last state and county tax lists. Such bonds shall bear interest at a rate not exceeding ~~seven percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. Bonds issued by a city must be issued in accordance with provisions of law relating to general corporate purpose bonds of a city.

Sec. 19. Section thirty-seven point twenty-eight (37.28), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section two (2), is amended to read as follows:

37.28 ANTICIPATORY WARRANTS. If the funds raised under the provisions of this chapter are insufficient for any fiscal year to pay the principal and interest due in that year on any bonds issued for hospital purposes under section 37.6 and to pay the expenses of the operation and maintenance of the hospital and any other hospital expenses authorized by this chapter for the fiscal year, the commission may issue tax anticipatory warrants drawn on the funds to be raised by the taxes levied under sections 37.7 and 37.8. The warrants shall be in denominations of one hundred, five hundred and one thousand dollars and shall draw interest at a rate not ~~to exceed six-percent per-annum~~ exceeding that permitted by chapter seventy-four A (74A) of the

Code. These warrants shall not be a general obligation of any political subdivision which owns the hospital.

Sec. 20. Section one hundred eleven A point six (111A.6), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

In order to make immediately available to the county conservation board the proceeds of the annual tax hereinbefore authorized to be levied for recreation and conservation purposes, bonds of any county may be issued in anticipation of the collection of such tax in the manner hereinafter provided. Upon the filing of a petition by the conservation board with the county board of supervisors asking that bonds be issued in a specified amount for the purpose of paying the cost of acquiring land and developing the same for public museum, park, parkway, preserve, playground, or other recreation or conservation purposes within the county, then the board of supervisors may call a special election to be held in the county to vote on the proposition of issuing such bonds. Notice of such election shall be published once each week for at least four consecutive weeks in one of the official county newspapers, and the election shall be held on a day not less than five nor more than twenty days after the last publication of such notice. Voting machines may be used for the purpose of voting on said proposition or, in the discretion of the board of supervisors, the proposition may be submitted to the voters on paper ballots. The proposition shall be submitted in substantially the following form:

"Shall County, Iowa, issue its bonds in the amount of \$..... for the purpose of"

The expenses incurred in connection with the conduct of such election shall be paid by the conservation board from the county conservation fund. If the vote in favor of issuing the bonds is equal to at least sixty percent of the total votes cast for and against the proposition, the board of supervisors shall issue the bonds in the amount voted, and shall provide for the levy of an annual tax, within the limits of the special tax hereinbefore authorized, sufficient to pay said bonds and the interest thereon as the same respectively become due. Said bonds shall mature in not more than twenty years, shall bear interest at a rate or rates not exceeding ~~seven-percent-per annum~~ that permitted by chapter seventy-four A (74A) of the Code, shall be in such form as the board of supervisors shall by resolution provide, and shall be payable as to both principal and interest from the proceeds of the annual levy of the tax hereinbefore authorized to be levied for recreation and conservation purposes, or so much thereof as will be sufficient to pay the principal thereof and interest thereon, and prior to the authorization and issuance of such bonds the board of supervisors may, with or without notice, negotiate and enter into an agreement or agreements with any bank, investment banker, trust company or insurance company or group thereof whereunder the marketing of such bonds may be assured and consummated. The proceeds of such bonds shall be deposited in a special fund, to be kept separate and apart from all other funds of the county, and shall be paid out upon warrants drawn by the county auditor upon requisition of the conservation board to pay the cost of acquiring land and developing the same for recreation and conservation purposes as specified in the election proposition.

Sec. 21. Section one hundred forty-five A point seventeen (145A.17), Code 1979, is amended to read as follows:

145A.17 INDEBTEDNESS AND BONDS. Boards of hospital trustees may acquire sites and erect and equip buildings for use by area hospitals and may contract indebtedness and issue bonds bearing interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code to raise funds for such purposes in accordance with chapter 75.

Sec. 22. Section two hundred two point five (202.5), Code 1979, is amended to read as follows:

202.5 INTEREST ON INSTALLMENTS. All unpaid installments of the special assessment tax levied against the property described in section 202.4 shall bear interest at ~~the rate of six-percent~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code and all delinquent installments shall be subject to the same penalties as are now applied to delinquent general taxes.

Sec. 23. Section two hundred two point six (202.6), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section four (4), is amended to read as follows:

202.6 ANTICIPATORY WARRANTS. The board shall have the authority for the purpose of financing and carrying out the provisions of this chapter to issue anticipatory warrants drawn on the county, in denominations of one hundred dollars, five hundred dollars and one thousand dollars, which anticipatory warrants shall draw interest at ~~not more than six-percent-per-annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code; and shall not be a general obligation on the county and be secured only by the special assessment tax levy as herein provided.

Sec. 24. Section two hundred eighty A point twenty-two (280A.22), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

In order to make immediately available to the merged area the proceeds of the voted tax hereinbefore authorized to be levied, the board of directors of any such merged area is hereby authorized, without the necessity for any further election, to borrow money and enter into loan agreements in anticipation of the collection of such tax, and such board shall, by resolution, provide for the levy of an annual tax, within the limits of the special voted tax hereinbefore authorized, sufficient to pay the amount of any such loan and the interest thereon to maturity as the same becomes due. A certified copy of this resolution shall be filed with the county auditors of the counties in which such merged area is located, and the filing thereof shall make it a duty of such auditors to enter annually this levy for collection until funds are realized to repay the loan and interest thereon in full. Said loan must mature within the number of years for which the tax has been voted and shall bear interest at a rate or rates not exceeding ~~seven percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. Any loan agreement entered into pursuant to authority herein contained shall be in such form as the board of directors shall by resolution provide and the loan shall be payable as to both principal and interest from the proceeds of the annual levy of the voted tax hereinbefore authorized, or so much thereof

as will be sufficient to pay the loan and interest thereon. In furtherance of the foregoing the board of directors of such merged area may, with or without notice, negotiate and enter into a loan agreement or agreements with any bank, investment banker, trust company, insurance company or group thereof, whereunder the borrowing of the necessary funds may be assured and consummated. The proceeds of such loan shall be deposited in a special fund, to be kept separate and apart from all other funds of the merged area, and shall be paid out upon warrants drawn by the president and secretary of the board of directors to pay the cost of acquiring the school facilities for which the tax was voted.

Sec. 25. Section two hundred eighty-five point ten (285.10), subsection seven (7), paragraph b, Code 1979, is amended to read as follows:

b. May purchase buses and enter into contract to pay for such buses over a five-year period as follows: One-fourth of the cost when bus is delivered and the balance in equal annual installments, plus simple interest due. The interest rate shall be the lowest rate available and shall not exceed ~~four percent--simple--interest~~ the rate in effect under section ten (10) of this Act. The bus shall serve as security for balance due. Bus bodies and chassis shall be purchased on separate contracts unless the bus is constructed as an integral unit, inseparable as to body and chassis, by the manufacturer or is a used or demonstrator bus.

Sec. 26. Section two hundred ninety-six point one (296.1), Code 1979, is amended to read as follows:

296.1 INDEBTEDNESS AUTHORIZED. Subject to the approval of the voters thereof, school districts are hereby authorized to contract indebtedness and to issue general obligation bonds to provide funds to defray the cost of purchasing, building, furnishing, reconstructing, repairing, improving or remodeling a schoolhouse or schoolhouses and additions thereto, gymnasium, stadium, field house, school bus garage, teachers' or superintendent's home or homes, and procuring a site or sites therefor, or purchasing land to add to a site already owned, or procuring and improving a site for an athletic field, or improving a site already owned for an athletic field, and for any one or more of such purposes. Taxes for the payment of said bonds shall be levied in accordance with chapter 76, and said bonds shall mature within a period not exceeding twenty years from date of issue, shall bear interest at a rate or rates not exceeding ~~seven--percent--per--annum~~ that permitted by chapter seventy-four A (74A) of the Code and shall be of such form as the board of directors of such school district shall by resolution provide, but the aggregate indebtedness of any school district shall not exceed five percent of the actual value of the taxable property within said school district, as ascertained by the last preceding state and county tax lists.

Sec. 27. Section two hundred ninety-eight point twenty-two (298.22), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

All of said bonds shall be substantially in the form provided for county bonds, but subject to changes that will conform them to the action of the board providing therefor; shall run not more than twenty years, and may be sooner paid if so nominated in the bond; bear a rate of interest not exceeding ~~seven--percent--per--annum~~ that permitted by chapter seventy-four A

(74A) of the Code, payable semiannually; be signed by the president and countersigned by the secretary of the board of directors; and shall not be disposed of for less than par value, nor issued for other purposes than this chapter provides.

Sec. 28. Section three hundred two point twelve (302.12), Code 1979, is amended to read as follows:

302.12 BONDS TO COVER LOSSES. When any sum not less than one thousand dollars shall be so audited and so become a debt of the state to the fund, as provided by the Constitution, the auditor of state shall issue the bond or bonds of the state in favor of the fund, bearing ~~six-percent~~ interest at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable semiannually on the first day of January and July after issuance, and the amount to pay the interest as it becomes due is appropriated out of any funds in the state treasury.

Sec. 29. Section three hundred nine point forty-seven (309.47), subsection four (4), Code 1979, is amended to read as follows:

4. The rate of interest which each certificate shall bear which shall not exceed ~~five-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, payable annually.

Sec. 30. Section three hundred nine point seventy-three (309.73), unnumbered paragraph three (3), Code 1979, is amended to read as follows:

Taxes for the payment of county bonds shall be levied in accordance with chapter 76 and said bonds shall be payable in not more than twenty years and bear interest at a rate not exceeding ~~five-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, and shall be of such form as the respective councils or board of supervisors shall by resolution provide, but no city or county shall become indebted in excess of five percent of the actual value of taxable property within its taxing jurisdiction as shown by the last preceding state and county tax lists. The indebtedness incurred for the purpose provided in this section shall not be considered an indebtedness incurred for general or ordinary purposes.

Sec. 31. Section three hundred eleven point sixteen (311.16), unnumbered paragraph two (2), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-eight (68), section one (1), is amended to read as follows:

On the final determination the board shall levy the assessments and all installments thereof upon the real estate within the district as finally established. The entire amount of the assessment shall be then due and payable, and bear interest at ~~six-percent-per-annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code commencing twenty days from the date of the levy, and shall be collected at the succeeding September semiannual payment of ordinary taxes.

Sec. 32. Section three hundred eleven point seventeen (311.17), unnumbered paragraph one (1), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-eight (68), section two (2), is amended to read as follows:

If an owner other than the state or a county or city, of any tracts of land on which the assessment is more than ten dollars, shall, within twenty

days from the date of the assessment, agree in writing filed in the office of the county auditor, that in consideration of the owner having the right to pay the assessment in installments, the owner will not make any objection of illegality or irregularity as to the assessment upon the real estate, and will pay the assessment plus ~~six-percent-annual~~ interest, the assessment shall be payable in ten equal installments. The first installment shall be payable on the date of the agreement. The other installments with interest on the whole amount unpaid shall be paid annually at the same time and in the same manner as the September semiannual payment of ordinary taxes. The rate of interest shall be as established by the board, but not exceeding that permitted by chapter seventy-four A (74A) of the Code.

Sec. 33. Section three hundred eleven point twenty-eight (311.28), Code 1979, is amended to read as follows:

311.28 CERTIFICATES ANTICIPATING ASSESSMENTS. In order to render immediately available that amount of the estimated cost of an improvement which has been specially assessed, the board may issue road certificates in the name of the county in an aggregate amount not exceeding the then unpaid amount of the special assessment levied in said district. Each issue of certificates shall be under, and in accordance with, a duly adopted resolution of the board and which shall recite (1) the name or designation of the road district on account of which the certificates are issued; (2) that a stated amount (naming the amount) has been specially assessed against the lands within said district; (3) that a stated amount of said aggregate special assessment has not yet been paid (naming the unpaid amount); (4) that it is necessary to render such unpaid amount immediately available; (5) the number of road certificates authorized and the specific amount of each certificate; (6) the specific numbering or designation of such certificates; (7) the rate of interest which each certificate shall bear from date, ~~to-wit,~~ not to exceed six-percent-per-annum exceeding that permitted by chapter seventy-four A (74A) of the Code; (8) the fact that said certificates are payable solely from the proceeds of the special assessments which have been levied on the lands within said districts; (9) that each certificate shall be payable on or before the first day of January of the first year following the maturity of the last installment of such special assessments, and that interest thereon shall be paid annually; (10) the authorization to the chairman of the board, and to the county auditor, respectively, to sign and countersign each of said certificates.

Sec. 34. Section three hundred thirty point seven (330.7), unnumbered paragraph five (5), Code 1979, is amended to read as follows:

Taxes for the payment of said bonds shall be levied in accordance with chapter 76 and said bonds shall be payable in not more than twenty years and bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code and shall be of such form as the governing body shall by resolution provide, but no county or township shall become indebted in excess of five percent of the actual value of its taxable property, as shown by the last preceding state and county tax lists. The indebtedness incurred for the purpose provided in this section shall not be considered an indebtedness incurred for general or ordinary purposes.

Sec. 35. Section three hundred thirty point fourteen (330.14), Code 1979, is amended to read as follows:

330.14 PAYMENT FROM EARNINGS. All political subdivisions authorized by this chapter to acquire, establish, improve, maintain, and operate airports may, in connection therewith, purchase or construct, or contract for the construction of, and maintain and operate, hangars, administration and office buildings and other aeronautical and commercial facilities for which fees are charged, and pay for the same solely and only out of the earnings thereof. Such political subdivisions are authorized to borrow money for the purpose of purchasing or constructing the improvements herein authorized, and as evidence of such money borrowed to issue their bonds payable solely and only from the revenues derived from such improvements. Such bonds may be issued in such amounts as may be necessary to provide sufficient funds to pay all the costs of construction and operation of such improvement, including engineering and other expenses, together with interest to a date six months subsequent to the estimated date of completion. Bonds issued under the provisions of this section are declared to be negotiable instruments. The principal and interest of said bonds shall be payable solely and only from the special fund herein provided for such payments, and said bonds shall not in any respect be a general obligation of such political subdivision, nor shall they be payable in any manner by taxation. All details pertaining to the issuance of such bonds and the terms and conditions thereof shall be determined by ordinance or resolution duly adopted by the governing body of such political subdivision, which may pledge the property purchased or constructed, and the net earnings thereof, to the payment of said bonds and the interest thereon, and provide that the net earnings thereof shall be set apart as a sinking fund for that purpose. Such political subdivision is authorized and directed to charge the users of such improvements at rates which at all time, shall be sufficient to pay the principal and interest on the bonds issued under the provisions of this chapter, and the cost of operation and maintenance, and to provide an adequate depreciation fund. Bonds issued pursuant to the provisions of this section shall bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. This section shall be construed as granting additional power, without limiting the power already existing in political subdivisions.

Sec. 36. Section three hundred thirty point sixteen (330.16), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Taxes for the payment of said bonds shall be levied in accordance with chapter 76 and said bonds shall be payable in not more than twenty years and bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code and shall be of such form as the governing body shall by resolution provide, but no county or township shall become indebted in excess of five percent of the actual value of its taxable property, as shown by the last preceding state and county tax lists. The indebtedness incurred for the purpose provided in this section shall not be considered an indebtedness incurred for general or ordinary purposes.

Sec. 37. Section three hundred thirty A point nine (330A.9), subsection one (1), Code 1979, is amended to read as follows:

1. The bonds issued by an authority pursuant to this chapter shall be authorized by resolution of the board thereof and shall be either term or serial bonds, shall bear such date or dates, mature at such time or times, not exceeding forty years from their respective dates, bear interest at such rate or rates, not exceeding ~~eight-per-centum-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, payable semiannually, be in such denominations, be in such form, either coupon or fully registered, shall carry such registration, exchangeability and interchangeability privileges, be payable in such medium of payment and at such place or places, within or without the state, be subject to such terms of redemption and be entitled to such priorities on the revenues, rates, fees, rentals, or other charges or receipts of the authority as such resolution or any resolution subsequent thereto may provide. The bonds shall be executed either by manual or facsimile signature by such officers as an authority shall determine, provided that such bonds shall bear at least one signature which is manually executed thereon, and the coupons attached to such bonds shall bear the facsimile signature or signatures of such officer or officers as shall be designated by an authority and the bonds shall have the seal of the authority, affixed, imprinted, reproduced, or lithographed thereon, all as may be prescribed in such resolution or resolutions. Said bonds shall be sold at public sale at such price or prices as the authority shall determine to be in the best interests of the authority provided that such bonds shall not be sold at less than the par value thereof, plus accrued interest and provided that the net interest cost shall not exceed ~~eight--per--centum--per~~ annum that permitted by chapter seventy-four A (74A) of the Code. Pending the preparation of definitive bonds, interim certificates or temporary bonds may be issued to the purchaser or purchasers of such bonds, and may contain such terms and conditions as the authority may determine.

Sec. 38. Section three hundred thirty-two point forty-four (332.44), subsection eight (8), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Bonds issued pursuant to the provisions of this section shall bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code.

Sec. 39. Section three hundred forty-five point sixteen (345.16), Code 1979, is amended to read as follows:

345.16 INTEREST RATE ON BONDS. Bonds issued pursuant to the provisions of this chapter shall bear interest at a rate not exceeding ~~seven-percent-per~~ annum that permitted by chapter seventy-four A (74A) of the Code.

Sec. 40. Section three hundred forty-six point three (346.3), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Said bonds shall bear interest ~~not-exceeding-seven-percent-per-annum~~ at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable semiannually, and be substantially in the following form, but subject to changes that will conform them to the resolution of said board, to wit:

Sec. 41. Section three hundred forty-six point twenty-three (346.23), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Such bonds shall be in denominations of not less than one hundred dollars nor more than ten thousand dollars, and shall draw interest at a rate not ~~to exceed--seven--percent-per-annum~~ exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually or semiannually. Such bonds shall be due and payable in not more than twenty years from the date of issuance but may be made subject to redemption in such manner and upon such terms as is stated on the face thereof, shall be in such form as the board of supervisors shall by resolution provide, and shall show on their face that they are county sanitary disposal bonds payable from the fund hereinafter provided. Funds available pursuant to the levy authorized by section 455B.81 shall be used to pay the interest and principal of such bonds as they become due. The limitation referred to in section 455B.81 shall not limit the source of payment of bonds and interest but shall only restrict the amount of bonds which may be issued. The money arising from such levies shall be known as the sanitary disposal bond fund and shall be used for the payment of such bonds and interest thereon only; and the treasurer shall open and keep in his or her books a separate account thereof, which shall show the exact condition of such fund. Such bonds shall be sold at public sale and the county treasurer shall comply with and be governed by all provisions of chapter 75.

Sec. 42. Section three hundred forty-six point twenty-six (346.26), subsection three (3), Code 1979, is amended to read as follows:

3. County bonds may bear interest at a rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code payable semiannually and the principal shall be scheduled to mature in not more than twenty years from the date of the bonds. When a county has issued bonds it shall annually levy on all taxable property in the county, a tax sufficient to pay the interest and principal of the bonds as they become due, and each county may levy taxes sufficient to pay its portion of the cost of operating, maintaining, and keeping insured the building acquired or constructed under this section.

Sec. 43. Section three hundred forty-six point twenty-seven (346.27), subsection fourteen (14), Code 1979, is amended to read as follows:

14. Bonds issued under this section may be issued as serial or term bonds, shall be of such denomination or denominations and form, including interest coupons to be attached, shall be payable at such place or places and bear such date as the board of commissioners fix by the resolution authorizing the bonds, shall mature within a period not to exceed fifty years, and may be redeemable prior to maturity with or without premium, at the option of the board of commissioners, upon terms and conditions the board shall fix by the resolution authorizing the issuance of bonds. The board of commissioners may provide for the registration of bonds in the name of the owner as to the principal alone or as to both principal and interest upon terms and conditions the board determines. All bonds issued by an authority shall be sold at a price so that the interest cost to the commission of the proceeds of the bonds shall not exceed ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, payable semiannually, computed

to maturity, and shall be sold in the manner and at the time the board of commissioners determines.

Sec. 44. Section three hundred forty-six A point three (346A.3), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

"Shall the county of, in the state of Iowa issue bonds in the amount of for the purpose of" No such proposition shall be declared carried unless the vote in favor of the issuance of the bonds is equal to at least sixty percent of the total vote cast for and against the proposition at the election. Before the issuance of bonds under this chapter, the board shall adopt a resolution providing for the levy of annual taxes sufficient to pay maturing installments of the principal of and interest on said bonds in accordance with the provisions of chapter 76, and said bonds shall mature within a period not exceeding twenty years from date of issue, shall bear interest at a rate or rates not exceeding ~~seven-percent per-annum~~ that permitted by chapter seventy-four A (74A) of the Code and shall be of such form as the board shall by resolution provide, but the aggregate indebtedness of any such county shall not exceed five percent of the actual value of the taxable property within the county as ascertained by the last preceding state and county tax lists.

Sec. 45. Section three hundred forty-seven point five (347.5), Code 1979, is amended to read as follows:

347.5 BONDS. Should a majority of all the votes cast upon the proposition at a general election be in favor of establishing such hospital, the board of supervisors shall proceed to issue bonds of the county not to exceed the amount specified in said proposition, in denominations of not less than one hundred dollars nor more than one thousand dollars, drawing interest at a rate not ~~to exceed seven-percent-per-annum~~ exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually or semiannually. Said bonds shall be due and payable in twenty years from date of issuance, but at the option of the county payable at any time after ten years from such date, and shall be substantially in the form provided for county bonds, and shall show on their face that they are county public hospital bonds payable only from the county public hospital fund as provided for in section 347.7.

Sec. 46. Section three hundred forty-seven point twenty-seven (347.27), unnumbered paragraphs one (1) and three (3), Code 1979, are amended to read as follows:

Any county having theretofore established a county public hospital being operated under the provisions of this chapter may equip, enlarge, and improve the county public hospital and acquire the necessary lands, rights of way, and other property. For the purpose of equipping, enlarging, and improving any such county public hospital, including the acquisition of the necessary lands, rights of way, and other property, any county may, pursuant to resolution of the board of supervisors of the county and after it has been determined by the board of hospital trustees to be advisable, from time to time issue and dispose of its negotiable interest-bearing revenue bonds, payable solely as to both principal and interest from the revenues derived from the operation of the county public hospital. All such bonds may bear such date or dates, may mature at such time or times not exceeding thirty

years from their respective dates, may bear interest at such rate or rates not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code payable semiannually, may be in such form and payable at such place or places, and may be subject to such redemption privileges as are stated on the face thereof and as may be provided in the resolution.

Under no circumstances shall any revenue bonds issued under the provisions of this section be or become an indebtedness of the county within the purview of any constitutional or statutory limitation or provision. It shall be plainly stated on the face of each bond that it does not constitute such an indebtedness, but is payable solely from revenues derived from the operation of the county hospital. All the bonds shall be sold in a manner and upon terms prescribed by the resolution authorizing the issuance of the bonds, however no bonds shall be sold upon terms that will result in an interest cost computed to maturity of the bonds according to standard tables of bond values ~~of more than seven-percent-per-annum~~ which exceeds that permitted by chapter seventy-four A (74A) of the Code. The resolution authorizing the revenue bonds may contain any covenants determined by the board of supervisors to be desirable in connection with the use and application of the bond proceeds, the operation of the county public hospital, and the custody and application of the revenues from this operation. The sole remedy for any breach or default of the terms of any bonds or proceedings for their issuance shall be by mandamus in a court of competent jurisdiction to compel performance and compliance therewith.

Sec. 47. Section three hundred forty-seven A point two (347A.2), Code 1979, is amended to read as follows:

347A.2 BONDS--AUTHORIZATION--PAYMENT. For the purpose of acquiring, constructing, equipping, enlarging or improving such hospital or any part thereof, any such county may, pursuant to resolution of the board of supervisors of such county, from time to time issue and dispose of its negotiable interest-bearing revenue bonds payable solely as to both principal and interest from the revenues to be derived from the operation of such hospital. All such bonds may bear such date or dates, may mature at such time or times not exceeding thirty years from their respective dates, may bear interest at such rate or rates not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code payable semiannually, may be in such form and payable at such place or places, and may be subject to such redemption privileges as is stated on the face thereof and as may be provided in such resolution. After a resolution authorizing such revenue bonds has been adopted the county auditor shall publish notice of such adoption in at least one newspaper of general circulation in the county at least once each week for two consecutive weeks. Such notice shall identify the resolution by the date of its adoption and shall specify the amount of bonds proposed to be issued, and if within twenty days following the date of the first publication of such notice a petition is filed with the county auditor signed by qualified voters of said county in number equal to or exceeding twenty percent of the total number of votes cast in such county for governor at the last preceding regular election whereat a governor was elected then the bonds authorized by such resolution shall not be issued

unless and until the proposition to issue same shall have been submitted at an election throughout the county and approved by not less than sixty percent of the votes cast for and against the proposition. When any such petition is filed it shall be referred to the board of supervisors at its next meeting and thereupon the board of supervisors may either repeal the bond resolution or order the election which shall be called and conducted in the manner provided by chapter 345. If there be no petition filed within the time hereinbefore provided or if there be a petition filed and the proposition of issuing such bonds is approved at such election then the board of supervisors may proceed with the acquisition, construction, equipment, operation and maintenance of the county hospital and the issuance of bonds in connection therewith, all as in this chapter permitted and provided. Under no circumstances shall any revenue bonds issued under the provisions of this chapter be or become an indebtedness of the county within the purview of any constitutional or statutory limitation or provision, and it shall be plainly stated on the face of each bond that it does not constitute such an indebtedness, but is payable solely from the revenues as aforesaid. All such bonds shall be sold in such manner and upon such terms as is prescribed by the resolution authorizing the issuance thereof, provided, that no bonds shall be sold upon terms that will result in an interest cost computed to maturity of the bonds according to standard tables of bond values ~~of--more than-seven-percent-per-annum~~ which exceeds that permitted by chapter seventy-four A (74A) of the Code. The resolution authorizing such revenue bonds may contain such covenants as are determined by the board of supervisors to be desirable in connection with the use and application of the bond proceeds, the operation of the county hospital and the custody and application of the revenues from such operation. The sole remedy for any breach or default of the terms of any such bonds or proceedings for their issuance shall be by mandamus in a court of competent jurisdiction to compel performance and compliance therewith.

Sec. 48. Section three hundred forty-seven A point seven (347A.7), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

For the purpose of enlarging and improving any county hospital or hospitals theretofore acquired and being operated under the provisions of this chapter, any such county, upon petition and recommendation of the board of hospital trustees, and pursuant to resolution of the board of supervisors of such county, may from time to time incur indebtedness and issue and sell the negotiable interest-bearing general obligation bonds of said county, provided that the principal amount of all such bonds which may be issued and outstanding under this section shall not be in excess of two percent of the assessed value of the taxable property in such county as shown by the latest state and county tax lists. All such bonds may bear such date or dates, may mature at such time or times not exceeding twenty years from their respective dates, may bear interest at such rate or rates not exceeding ~~seven-percent per-annum~~ that permitted by chapter seventy-four A (74A) of the Code payable semiannually, may be in such form and payable at such place or places, and may be made subject to such privileges of redemption prior to maturity and upon such terms of redemption as are stated on the face of such bonds and as may be provided in such resolution.

Sec. 49. Section three hundred fifty-seven point twenty (357.20), Code 1979, is amended to read as follows:

357.20 DUE DATE--BONDS. Assessments of less than ten dollars will come due at the first tax-paying date after the approval of the final assessment, and assessments of ten dollars or more may be paid in ten annual installments with interest ~~at six percent~~ on the unpaid balance at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code. The board of supervisors shall issue bonds against the completed assessment in an amount equal to the total cost of the project, so that the amount of the assessment will be approximately ten percent greater than the amount of the bonds.

Sec. 50. Section three hundred fifty-seven A point eleven (357A.11), subsection eight (8), Code 1979, is amended to read as follows:

8. Have power to finance up to ninety-five percent of the cost of the construction or purchase of any project necessary to carry out the purposes for which the district is incorporated, provided the balance of the cost of construction or purchase is acquired by subscription, donation, gift, or otherwise than through the medium of loans, or to refinance up to ninety-five percent of the original cost of any such project, and to evidence such financing by issuance of revenue bonds or notes which shall mature in a period not to exceed forty years from date of issuance, shall bear interest, or combined interest and insurance charges, at a rate not to exceed ~~six percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, shall be payable only from revenue derived from sale of water by the district, and shall never become or be construed to be a debt against the state of Iowa or any of its political subdivisions other than the district issuing the bonds. A statutory mortgage lien shall exist upon the water system and appurtenances and extensions so acquired in favor of the holders of the bonds and notes.

Sec. 51. Section three hundred fifty-seven B point four (357B.4), Code 1979, is amended to read as follows:

357B.4 ANTICIPATION OF TAX. The board of trustees of a benefited fire district may anticipate the collection of taxes authorized under section 357B.3 and, for the purpose of providing fire protection, may issue bonds payable in not more than ten equal installments at an interest rate not exceeding ~~seven-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. The bonds shall be in such form and payable at such place as specified by resolution of the board of trustees. The provisions of sections 23.12 to 23.16 and chapter 384 shall apply to such bonds to the extent applicable.

Sec. 52. Section three hundred fifty-seven C point ten (357C.10), Code 1979, is amended to read as follows:

357C.10 BONDS IN ANTICIPATION OF REVENUE. Benefited street lighting districts may anticipate the collection of taxes by the levy herein provided, and to carry out the purposes of this chapter may issue bonds payable in not more than ten equal installments, with the rate of interest thereon ~~to not exceed seven-percent-per-annum~~ exceeding that permitted by chapter seventy-four A (74A) of the Code. No indebtedness shall be incurred under this Act until authorized by an election. Such election shall be held and notice

given in the same manner as the election provided herein for the authorization of a tax levy, and the same sixty percent vote shall be necessary to authorize indebtedness. Both propositions may be submitted to the voters in the same election.

Sec. 53. Section three hundred fifty-eight point twenty-one (358.21), unnumbered paragraph four (4), Code 1979, is amended to read as follows:

The proceeds of any bond issue made under the provisions of this section shall be used only for the purpose of acquiring, locating, laying out, establishing and construction of drainage facilities, conduits, treatment plants, pumping plants, works, ditches, channels and outlets of such capacity and character as may be required for the treatment, carrying off and disposal of the sewage and industrial wastes and other drainage incidental thereto of such district, or to repair, change, enlarge and add to such facilities as may be necessary or proper to meet the requirements present and future for the purposes aforesaid. Proceeds from such bond issue may also be used for the payment of special assessment deficiencies. Said bonds shall be payable in not more than forty annual installments and ~~at--interest--not--exceeding seven--percent--per--annum~~ with interest at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, and shall be made payable at such place and be of such form as the board of trustees shall by resolution designate. Any sanitary district issuing bonds as authorized in this section is hereby granted authority to pledge the future avails of a tax levy ~~not exceeding--one--dollar--and--thirty--five--cents--per--thousand--dollars--of--assessed value--of--taxable--property--per--annum~~ to the payment of the principal and interest of such bonds after the same come due, and the power to impose and certify said levy is hereby granted to the trustees of sanitary districts organized under the provisions of this chapter.

Sec. 54. Section three hundred fifty-nine point forty-five (359.45), Code 1979, is amended to read as follows:

359.45 ANTICIPATORY BONDS. Townships may anticipate the collection of taxes authorized by section 359.43 and for such purposes may issue bonds payable in not more than ten equal annual installments and at a rate of interest not exceeding ~~seven--percent--per--annum~~ that permitted by chapter seventy-four A (74A) of the Code and payable at such place and be in such form as the board of trustees shall designate by resolution. Sections 23.12 to 23.16, inclusive, and provisions of law relating to essential corporate purpose bonds of a city, so far as applicable, shall apply to such bonds.

Sec. 55. Section three hundred eighty-four point fifty-seven (384.57), Code 1979, is amended to read as follows:

384.57 MONTHLY PAYMENTS. The city may contract to pay not to exceed ninety percent of the engineer's estimated value of the acceptable work completed during the month to the contractor at the end of each month. Payment may be made in warrants drawn on any fund or funds from which payment for the work may be made. ~~The warrants, unless paid upon presentation, draw interest--at--a--rate--not--to--exceed--seven--percent--per--annum--from--and--after--the--date--of--presentation--for--payment.~~ If such funds are depleted, anticipatory warrants may be issued bearing a rate of interest not exceeding that permitted by chapter seventy-four A (74A) of the Code, which do not

constitute a violation of section 384.10, even if the collection of taxes or special assessments or income from the sale of bonds applicable to the public improvement is after the end of the fiscal year in which the warrants are issued. If the city arranges for the private sale of anticipatory warrants, they may be sold and the proceeds used to pay the contractor. Such warrants may also be used to pay other persons furnishing services constituting a part of the cost of the public improvement.

Sec. 56. Section three hundred eighty-four point sixty (384.60), subsections three (3) and five (5), Code 1979, are amended to read as follows:

3. Provide for interest on all unpaid installments at ~~not more than seven percent-per-annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code.

5. Direct the clerk to certify the final schedule to the auditor of the county or counties in which the assessed property is located, and to publish notice thereof once each week for two consecutive weeks in the manner provided in section 362.3, the first publication of which shall be not more than fifteen days from the date of filing of the final schedule. On or before the second publication of the notice, the clerk shall send by certified mail to each property owner whose property is subject to assessment for the improvement, as shown by the records in the office of the county auditor, a copy of the notice. Such notice shall also include a statement in substance that assessments may be paid in full or in part without interest within thirty days after the date of certification, and thereafter all unpaid special assessments ~~will draw annual interest at seven percent~~ bear interest at the rate specified by the board, but not exceeding that permitted by chapter seventy-four A (74A) of the Code, computed to the December 1 next following the due dates of the respective installments, and each installment will be delinquent on September 30 following its due date, and will draw additionally the same delinquent interest and the same penalties as ordinary taxes. Such notice shall also state substantially that property owners may elect to pay any installment semiannually in advance. If a property is shown by the records to be in the name of more than one owner at the same mailing address, a single notice may be mailed to all owners at that address. Failure to receive a mailed notice is not a defense to the special assessment.

The county auditor shall place on the tax list the amounts to be assessed against each lot within the assessment district, as certified.

Sec. 57. Section three hundred eighty-four point sixty-eight (384.68), subsections two (2) and four (4), Code 1979, are amended to read as follows:

2. All special assessment bonds are negotiable, must state on their face that they are issued under the provisions of this division, and are payable as to both principal and interest from the proceeds of the special assessments levied for the public improvement. Such bonds may bear interest at a rate not exceeding ~~seven percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code payable annually or semiannually, must mature serially on December 1 of the years in which any of the principal is scheduled to become due, and may contain a provision that the city reserves

the right and option of calling and redeeming any or all of the bonds prior to maturity on any interest payment date or within forty-five days thereafter upon the terms specified therein. Such bonds must be called "improvement bonds", must designate the general type of improvement or improvements for which issued, and may be issued in any denomination, not exceeding ten thousand dollars. Bonds issued for a public improvement authorized in section 384.38, subsection 2, must be named in a way to distinguish them from other improvement bonds of the city, and to designate the property specially assessed for the improvement. Improvement bonds issued for any one levy must bear the same date and be divided into as many series as there are years in which installments of the special assessment mature, and each series must be as nearly equal in amount as practicable.

4. Special assessment bonds must be sold at public or private sale in the manner provided by chapter 75, and may not be sold for less than par value with accrued interest from date to the time of delivery, or if no bids are received at public sale, bonds bearing the same rate of interest as the special assessment may be delivered to the contractor in payment of the cost of the public improvement. The proceeds of the sale must be applied to the payment of the cost of the public improvement.

Sec. 58. Section three hundred eighty-four point eighty-three (384.83), subsections three (3) and six (6), Code 1979, are amended to read as follows:

3. Revenue bonds may bear dates, bear interest at rates not exceeding ~~any limitations imposed by chapter 75~~ that permitted by chapter seventy-four A (74A) of the Code, mature in one or more installments, be in either coupon or registered form, carry registration and conversion privileges, be payable as to principal and interest at times and places, be subject to terms of redemption prior to maturity with or without premium, and be in one or more denominations, all as provided by the resolution of the governing body authorizing their issuance. The resolution may also prescribe additional provisions, terms, conditions, and covenants which the governing body deems advisable, consistent with the provisions of the city code, including provisions for creating and maintaining reserve funds, the issuance of additional revenue bonds ranking on a parity with such revenue bonds and additional revenue bonds junior and subordinate to such revenue bonds, and that such revenue bonds shall rank on a parity with or be junior and subordinate to any revenue bonds which may be then outstanding. Revenue bonds are a contract between the city and holders and the resolution is a part of the contract.

6. A city may issue pledge orders pursuant to a resolution of the governing body of the city utility, combined utility system, city enterprise, or combined city enterprise, adopted by a majority of the total number of members to which the governing body is entitled, at a regular or special meeting, ordering their issuance and delivery in payment for all or part of the cost of a project. Pledge orders may bear interest at rates not exceeding ~~eight percent per annum~~ that permitted by chapter seventy-four A (74A) of the Code.

Sec. 59. Section three hundred eighty-six point twelve (386.12), subsection four (4), Code 1979, is amended to read as follows:

4. Payment for the costs of an improvement may also be made in warrants drawn on any fund from which payment for the improvement may be made. ~~The warrants,--unless--paid--upon--presentation,--draw--interest--at--a--rate--not--to--exceed--seven--percent--per--annum--from--the--date--of--presentation--for--payment.~~ If such funds are depleted, anticipatory warrants may be issued bearing a rate of interest not exceeding that permitted by chapter seventy-four A (74A) of the Code, which do not constitute a violation of section 384.10, even if the collection of taxes or income from the sale of bonds applicable to the improvement is after the end of the fiscal year in which the warrants are issued. If the city arranges for the private sale of anticipatory warrants, they may be sold and the proceeds used to pay the costs of the improvement. Such warrants may be used to pay other persons furnishing services constituting a part of the cost of the improvement.

Sec. 60. Section three hundred ninety-four point one (394.1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Taxes for the payment of said bonds shall be levied in accordance with chapter 76, and said bonds shall be payable through the debt service fund in not more than twenty years, and bear interest at a rate not exceeding ~~seven percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, and shall be of such form as the city council shall by resolution provide, but no city shall become indebted in excess of five percent of the actual value of the taxable property within said city, as shown by the last preceding state and county tax lists. The indebtedness incurred for the purpose provided in this section shall not be considered an indebtedness incurred for general or ordinary purposes.

Sec. 61. Section four hundred three point nine (403.9), subsection three (3), Code 1979, is amended to read as follows:

3. Bonds issued under this section shall be authorized by resolution or ordinance of the local governing body and may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates not exceeding ~~seven-per-centum-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption, with or without premium, be secured in such manner, and have such other characteristics, as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

Sec. 62. Section four hundred three A point thirteen (403A.13), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Bonds of a municipality shall be authorized by its resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, not exceeding ~~seven per-centum-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code, be in such denomination or denominations, be in such form either coupon

or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium) as such resolution, its trust indenture or mortgage may provide.

Sec. 63. Section four hundred fifty-four point twenty (454.20), Code 1979, as amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-four (24), section five (5), is amended to read as follows:

454.20 INTEREST. The warrants shall bear interest from date at a rate not to exceed ~~six percent~~ that permitted by chapter seventy-four A (74A) of the Code, which interest shall be payable at the end of each year, or for such shorter period as the warrants may remain unpaid.

Sec. 64. Section four hundred fifty-five point sixty-four (455.64), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. To pay one-third of the amount of such assessment at the time of filing such agreement; one-third within twenty days after the engineer in charge shall certify to the auditor that the improvement is one-half completed; and the remaining one-third within twenty days after the improvement has been completed and accepted by the board. All such installments shall be without interest if paid at said times, otherwise said assessments shall bear interest from the date of the levy at ~~the rate of not to exceed seven percent per annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually, and be collected as other taxes on real estate, with like penalty for delinquency.

2. To pay such assessments in not less than ten nor more than twenty equal installments, the number to be fixed by the board and interest at the rate fixed by the board, not exceeding ~~seven percent per annum~~ that permitted by chapter seventy-four A (74A) of the Code. One such installment shall be payable at the September semiannual taxpaying date in each year; provided, however, that the county treasurer shall, at the September semiannual taxpaying date, require only the payment of a sufficient portion of the assessments to meet the interest and the amount maturing on bonds or certificates prior to the regular time for the payment of the second installment of taxes and the balance shall be collected with such second installment and without penalty.

Sec. 65. Section four hundred fifty-five point seventy-seven (455.77), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The board may provide by resolution for the payment of assessments in not more than twenty annual installments with interest at ~~not to exceed seven percent per annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code. The board may issue warrants bearing interest at the same rate, which warrants shall be numbered and state a maturity date in which event they shall bear interest from the date of issuance without being presented for payment and marked unpaid for want of funds. The warrants may be sold by the board for cash in an amount not less than the face value thereof, together with accrued interest, if any.

Sec. 66. Section four hundred fifty-five point seventy-nine (455.79), Code 1979, is amended to read as follows:

455.79 INTEREST--PLACE OF PAYMENT. Such certificates shall bear interest ~~not to exceed seven percent per annum~~ at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually, and shall be paid by the taxpayer to the county treasurer, who shall receipt for the same and cause the amount to be credited on the certificates issued therefor.

Sec. 67. Section four hundred fifty-five point eighty-three (455.83), Code 1979, is amended to read as follows:

455.83 AMOUNT--INTEREST--MATURITY. In no case shall the aggregate amount of all bonds issued exceed the benefits assessed. ~~Such~~ The bonds shall not be issued for a greater amount than the aggregate amount of assessments for the payment of which they are issued, nor for a longer period of maturity than twenty years, ~~and bear a rate of interest not to exceed seven percent per annum.~~ The bonds shall bear interest at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable semiannually, on June 1 and December 1 of each year. Whenever the interest on bonds issued pursuant to the provisions of this chapter exceeds four percent per annum the interest on unpaid assessments shall equal the interest on such bonds but not to exceed seven percent per annum, the provisions of sections 455.57 and 455.64 to the contrary notwithstanding. The interest on unpaid assessments shall be at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code.

Sec. 68. Section four hundred fifty-five point one hundred seventy-five (455.175), Code 1979, is amended to read as follows:

455.175 FUNDS. Payment to the county auditor for such certificate shall be from the fund of said drainage or levee district, or subdistrict, on a warrant issued against that fund which shall have precedence over all other outstanding warrants drawn against that fund in the order of their payment. Should there not be a sufficient amount in the fund of said district, or subdistrict, to pay said warrant then the board of supervisors, or the trustees of the district, as the case may be, are authorized to borrow a sum of money sufficient for that purpose on a warrant for that amount on the fund of the district, or subdistrict, which warrant shall bear interest from date at ~~six percent per annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code and shall have preference in payment over all other unpaid warrants on said fund, and the county treasurer shall so enter the same on the list of warrants in his office and call the same for payment as soon as there is sufficient money in said fund.

Sec. 69. Section four hundred fifty-five point one hundred ninety-eight (455.198), Code 1979, is amended to read as follows:

455.198 WARRANTS NOT PAID FOR WANT OF FUNDS. Chapter 74 shall be applicable to all warrants which are legally drawn on levee and drainage district funds and are not paid for want of funds, ~~except that such warrants shall bear interest at not to exceed seven percent per annum.~~

Sec. 70. Section four hundred fifty-five point two hundred thirteen (455.213), Code 1979, is amended to read as follows:

455.213 INSTALLMENTS--WARRANTS. The board shall levy the costs contemplated in section 455.202 upon all of the lands of the district on the basis of the classification for benefits as finally established and the

assessments so levied shall be paid in one installment unless the board in its discretion shall provide for the payment thereof in not more than twenty equal installments with interest at ~~not to exceed seven percent per annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code. The board may issue anticipatory warrants bearing interest at ~~not to exceed seven percent per annum against assessments~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code. The warrants may be numbered and state a maturity date ~~in which event they shall bear interest from the date of issue without being presented for payment and marked unpaid for want of funds.~~ The warrants may be sold by the board for cash in an amount not less than the face value thereof, together with accrued interest, if any.

Sec. 71. Section four hundred sixty point seven (460.7), Code 1979, is amended to read as follows:

460.7 ADVANCED PAYMENTS. The board on construction of such improvement may advance out of the secondary road construction fund or the secondary road maintenance fund, or out of both of said funds that portion to be collected by special assessment, the amount so advanced to be replaced in said road funds as the first special assessments are collected. The board may in lieu of making such advancements, issue warrants to be known as "Drainage Warrants", said warrants to ~~draw not to exceed four percent interest per annum~~ bear interest at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code payable annually from the date of issue and to be paid out of the special assessments levied therefor, when the same are collected.

Sec. 72. Section four hundred sixty-one point fourteen (461.14), Code 1979, is amended to read as follows:

461.14 FORM OF BONDS. Such bonds shall be issued in sums of not less than one hundred dollars or more than one thousand dollars each, running not more than twenty years, bearing interest not exceeding ~~six percent per annum~~ that permitted by chapter seventy-four A (74A) of the Code, payable annually or semiannually, and shall be substantially in the form provided by law for funding bonds issued for drainage purposes.

Sec. 73. Section four hundred sixty-three point ten (463.10), Code 1979, is amended to read as follows:

463.10 FORM OF BONDS. Drainage refunding bonds shall be issued in denominations of not less than one hundred dollars nor more than one thousand dollars, each, running not more than forty years, bearing interest ~~not exceeding six percent per annum~~ at a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable semiannually, and shall be substantially in the form provided by law relating to drainage bonds, with such changes as shall be necessary to conform with this chapter.

Sec. 74. Section four hundred sixty-four point nine (464.9), Code 1979, is amended to read as follows:

464.9 REFUNDING BONDS. The court shall direct the board of supervisors to issue bonds in lieu of the outstanding drainage bonds for said drainage district, and additional bonds for the accrued interest and other indebtedness of said drainage district. Said bonds shall be payable in

amounts, and at the time and manner, and with priority of payments as has been determined by order of court, as provided by section 464.8, and shall be called "conservator's drainage district bonds". Each bond shall be numbered and shall state on its face that it is a conservator's drainage district bond; that it is issued in pursuance of a resolution adopted by the board of supervisors, under order of court, and giving the name of the court and the county where such court is held; that it is issued to pay indebtedness of the drainage district; shall state the county where such district is located, and the number of the drainage district for which it is issued; shall state the date of maturity of the bond, the rate of interest thereon, which rate shall not ~~be--less-than-three-and-one-half-percent-per-annum~~ exceed that permitted by chapter seventy-four A (74A) of the Code, and that the bond is to be paid only from taxes assessed, levied and collected on the lands within the drainage district for which the bond is issued subject to the provisions of section 464.8. All bonds shall be signed by the chairman of the board of supervisors and countersigned by the conservator designated as such. The interest coupons attached to said bonds shall be attested by the signature of the conservator or a facsimile thereof. When the bonds have been executed as herein required, the conservator may sell said bonds at not less than par with accrued interest thereon, and pay the indebtedness of said drainage district, or may exchange said bonds with the creditors of said drainage district in amounts as have been fixed and determined by the court, and the conservator shall cancel all drainage bonds, improvement certificates, warrants or other evidence of indebtedness received by him in lieu of the conservator's bonds.

Sec. 75. Section four hundred sixty-seven A point thirty-three (467A.33), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The governing body upon receiving the reports from three appointed appraisers and after holding the hearings shall transmit and certify the amounts of assessments to the respective boards of supervisors which upon receipt of certification from the governing body of the district, make the necessary levy of such assessments as fixed by the governing body upon the land within such subdistrict and all assessments shall be levied at that time as a tax and shall bear interest at ~~not-more-than-four-percent--per--annum~~ a rate not exceeding that permitted by chapter seventy-four A (74A) of the Code from that date payable annually except as hereafter provided as to cash payments therefor within a specified time. The assessment so levied shall be kept in a separate account by the appropriate county treasurer or treasurers, identified by the official name of the subdistrict and expenditures therefrom shall be made on requisition of the chairman and secretary of the governing body of the subdistrict.

Sec. 76. Section four hundred sixty-seven A point thirty-five (467A.35), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. To pay one half of the amount of such assessment at the time of filing such agreement and the remaining one half shall become due and payable one year from the date of filing such agreement. All such installments shall be without interest if paid at said times, otherwise said assessments shall bear interest from the date of the levy at ~~the-rate-of-four-percent-per-annum~~ a

rate fixed by the governing body of the subdistrict, but not exceeding that permitted by chapter seventy-four A (74A) of the Code, payable annually, and be collected as other taxes on real estate, with like penalty for delinquency.

2. To pay such assessments in not less than ten nor more than forty equal installments, the number to be fixed by the governing body of the subdistrict and interest at the rate fixed by the governing body of the subdistrict, not exceeding ~~four-percent-per-annum~~ that permitted by chapter seventy-four A (74A) of the Code. The first installment of each assessment shall become due and payable at the October semiannual tax paying date after the date of filing such agreement, unless the agreement is filed with the county auditor less than thirty days prior to such October semiannual tax paying date, in that event, the first installment shall become due and payable at the next succeeding October semiannual tax paying date. The second and each subsequent installment shall become due and payable at the October semiannual tax paying date each year thereafter. All such installments shall be collected with interest accrued on the unpaid balance to the October semiannual tax paying date and as other taxes on real estate, with like penalty for delinquency.

Sec. 77. Sections seventy-four point eight (74.8), seventy-five point eleven (75.11) and seventy-five point twelve (75.12), Code 1979, are repealed. It is the intent of the general assembly that the repeal of these sections, and the enactment of sections eleven (11), thirteen (13) and fifteen (15) of this Act shall be construed as a continuation of prior law, except to the extent amended by sections eleven (11) and fifteen (15) of this Act.

Sec. 78. Bonds sold on or after the effective date of this Act to finance an improvement for which a final assessment schedule was adopted prior to the effective date of this Act may bear any rate of interest permitted by section eleven (11) of this Act, and section thirteen (13) of this Act and any similar statutory restrictions do not apply to these bonds.

Sec. 79. Commencing on December 1, 1980, the rate of interest payable on the unpaid balance of a special assessment which was levied on or after November 1, 1979, and prior to the effective date of Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File 500, shall be increased to the rate of ten percent per annum.

Sec. 80. The provisions of this Act which remove limitations on rates of interest supersede limitations on rates of interest established by Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File five hundred (500), section six (6). Rules adopted pursuant to this Act which establish rates of interest applicable under sections ten (10) and twelve (12) of this Act supersede any rates of interest established by Acts of the Sixty-eighth General Assembly, 1980 Session, Senate File five hundred (500), section six (6).

Sec. 81. This Act, being deemed of immediate importance, shall take effect from and after its publication in the Muscatine Journal, a newspaper

published in Muscatine, Iowa, and in the Carroll Daily Times-Herald, a newspaper published in Carroll, Iowa.

Approved May 20, 1980

I hereby certify that the foregoing Act, Senate File 2282, was published in the Muscatine Journal, Muscatine, Iowa on May 29, 1980 and republished on June 6, 1980 and published in the Carroll Daily Times-Herald, Carroll, Iowa on May 29, 1980 and republished June 10, 1980.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 1026
OCCUPATIONAL HEARING LOSS

S. F. 359

AN ACT relating to workers' compensation for occupational hearing loss.

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

Section 1. NEW SECTION. Sections two (2) through fifteen (15) of this Act shall be known as the "Iowa occupational hearing loss Act".

Sec. 2. NEW SECTION. All employers as defined in chapter eighty-five (85) of the Code are subject to sections two (2) through fifteen (15) of this Act.

Sec. 3. NEW SECTION. All employees as defined in chapter eighty-five (85) of the Code who incur an occupational hearing loss arising out of and in the course of employment, are subject to sections two (2) through fifteen (15) of this Act.

Sec. 4. NEW SECTION.

1. "Occupational hearing loss" means a permanent sensorineural loss of hearing in one or both ears in excess of twenty-five decibels if measured from international standards organization or American national standards institute zero reference level, which arises out of and in the course of employment caused by prolonged exposure to excessive noise levels.

In the evaluation of occupational hearing loss, only the hearing levels at the frequencies of five hundred, one thousand, two thousand, and three thousand Hertz shall be considered.

2. "Excessive noise level" means sound capable of producing occupational hearing loss.

Sec. 5. NEW SECTION. An excessive noise level is sound which exceeds the times and intensities listed in the following table:

<u>Duration</u> <u>per day</u> <u>hours</u>	<u>Sound level,</u> <u>dBA slow</u> <u>response</u>	<u>Duration</u> <u>per day</u> <u>minutes</u>	<u>Sound level,</u> <u>dBA slow</u> <u>response</u>
8	90	52	106
7	91	45	107
6	92	37	108