

CHAPTER 1126**UNEMPLOYMENT COMPENSATION TEMPORARY TAX***S.F. 2273*

AN ACT relating to balancing the unemployment compensation trust fund and repaying any loans made by the federal government to Iowa for the payment of unemployment compensation benefits.

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

Section 1. Section 96.7, subsections 15 and 16, Code 1981, are amended by striking the subsections and inserting in lieu thereof the following:

15. **TEMPORARY EMERGENCY TAX.** If on the first day of the third month in any calendar quarter in 1983, the department has an outstanding balance of interest accrued on advance moneys received from the federal government for the payment of unemployment compensation benefits, or is projected to have an outstanding balance of accruing federal interest for that calendar quarter, the director shall collect a temporary emergency tax for that calendar quarter in 1983, retroactive to the beginning of that calendar quarter. The tax shall be set at the rate necessary to pay the interest accrued on the moneys advanced to the department by the federal government, and to pay any additional federal interest which will accrue for the remainder of that calendar quarter. However, the tax shall not be greater than one-tenth of one percent of taxable wages for that calendar quarter. The tax shall apply to all employers except government entities, nonprofit organizations, and employers assigned a zero contribution rate for calendar year 1983. The director shall prescribe the manner in which the tax will be collected. Interest shall accrue on all unpaid tax under this subsection at the same rate as on regular contributions and shall be collectible in the same manner. The tax shall not affect the computation of regular contributions under this chapter.

A special fund to be known as the temporary emergency tax fund is created in the state treasury. The special fund is separate and distinct from the unemployment compensation trust fund. All contributions collected from the temporary emergency tax shall be deposited in the special fund. The special fund shall be used only to pay interest accruing on advance moneys received from the federal government for the payment of unemployment compensation benefits.

16. If on March 1, 1983, the total unemployment compensation trust funds available for the payment of benefits are less than ten times the average total weekly benefits paid during four consecutive weeks of January and February, 1983, the department may require an advance payment of all or a portion of the actual or projected employer contributions due for the calendar quarter ending March 31, 1983, payable on March 31, 1983.

Sec. 2. Section 96.13, subsection 3, unnumbered paragraph 3, Code 1981, is amended to read as follows:

Balances to the credit of the special employment security contingency fund shall not lapse at any time but shall continuously be available to the department for expenditures consistent herewith with this subsection. However, if on July 1 of any year the balance in the special employment security contingency fund exceeds fifty thousand dollars by ten thousand dollars or more, the treasurer of state shall promptly transfer the entire amount over fifty thousand

dollars to the unemployment compensation fund established in section 96.9 unless the department determines that such transfer should not be made because of immediate obligations to be met from the fund.

Sec. 3. Section 96.19, subsection 21, Code 1981, is amended to read as follows:

21. "COMPUTATION DATE". The computation date for contribution rates shall be July 1 of that calendar year preceding the calendar year with respect to which such rates are to be effective. If the total trust funds available for payment of unemployment compensation benefits through April 1, 1978, is projected to fall below twenty million dollars, the director of the Iowa department of job service shall prepare and adopt such procedures for advance payment of a portion of the employer's unemployment contributions projected due for the first quarter of the calendar year beginning January 1, 1978.

Approved April 22, 1982

CHAPTER 1127

MERGED AREA XIII LEGALIZING ACT

S.F. 2267

AN ACT to legalize and validate the proceedings of the board of directors of the Iowa western community college (merged area XIII) in the counties of Adair, Adams, Audubon, Cass, Crawford, Fremont, Harrison, Mills, Monona, Montgomery, Page, Pottawattamie and Shelby in connection with certain contracts to construct and to lease facilities with purchase option effective upon publication.

WHEREAS, the board of directors of the Iowa western community college (merged area XIII) advertised for and received bids for the construction and lease with purchase option of a project designated as the continuing education lecture center and Kanesville center addition to its campus; and

WHEREAS, it appears from the records of the Iowa western community college that the most favorable bid by Knudson, Inc. was accepted by the board of directors under which the contractor was obligated to execute a contract to construct and a lease agreement with purchase option pursuant to section 280A.38 setting forth the terms of the lease of the project to the college; and

WHEREAS, the Iowa western community college and the contractor have by change order amended a term of the lease agreement with purchase option with respect to the dates on which the college may exercise its right to purchase and corrected errors in the lease and established the terms of the lease at fifteen years; and

WHEREAS, doubts have arisen concerning the validity and legal sufficiency of that action and it is deemed advisable to put such doubts and all others that might arise concerning the proceedings forever at rest; **NOW THEREFORE,**

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

Section 1. That all proceedings taken by the board of directors of the Iowa western com-