

CHAPTER 1072**REST AREAS***S.F. 2273*

AN ACT relating to the establishment and construction of rest areas and rest area buildings.

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

Section 1. 1970 Iowa Acts, chapter 1004, section 2, is repealed.

Sec. 2. The state department of transportation may resume construction of the uncompleted rest areas and rest area buildings on the interstate highway system. The state department of transportation shall designate by January 1, 1992 those uncompleted rest areas and rest area buildings which it elects to complete, and report those designations to the state transportation commission. If the state department of transportation elects not to complete the construction of an uncompleted rest area or rest area building, the department may sell the land acquired by the department for the rest area back to the adjacent landowners.

Approved April 12, 1988

CHAPTER 1073**ELDERS' ELIGIBILITY***S.F. 2180*

AN ACT relating to the eligibility policies established by the commission of elder affairs.

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

Section 1. Section 249D.14, Code 1987, is amended by adding the following new subsection:
NEW SUBSECTION. 10. Adopt policies by which eligibility for federal, state, and local funding is established at age sixty, with preference in service delivery given to elders age seventy-five or older.

Approved April 12, 1988

CHAPTER 1074**INTERSTATE NATURAL GAS PIPELINES***S.F. 2205*

AN ACT relating to interstate natural gas pipelines by establishing a new chapter to define jurisdiction over interstate natural gas pipelines, removing references to interstate natural gas pipelines from the current chapter relating to pipelines and natural gas storage, and adjusting fees.

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

Section 1. NEW SECTION. 479A.1 PURPOSE.

It is the purpose of the general assembly in enacting this law to confer upon the utilities board the power and authority to implement certain controls over the transportation of natural

gas to protect landowners and tenants from environmental or economic damages which may result from the construction, operation, or maintenance of a pipeline within the state. It is also the purpose of the general assembly in enacting this law to provide for the board to act as an agent for the federal government in determining pipeline company compliance with the standards of the federal government for pipelines within the boundaries of the state.

Sec. 2. NEW SECTION. 479A.2 DEFINITIONS.

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

1. "Board" means the utilities board within the utilities division of the department of commerce.
2. "Pipeline" means an interstate pipe, pipes, or pipelines used for the transportation or transmission of natural gas within or through this state.
3. "Pipeline company" means a person engaged in or organized for the purpose of owning, operating, or controlling pipelines.
4. "Underground storage" means the storage of natural gas in a subsurface stratum or formation of the earth by a pipeline company.

Sec. 3. NEW SECTION. 479A.3 CONDITIONS ATTENDING OPERATION.

A pipeline company shall not construct, maintain, or operate pipeline under, along, over, or across any public or private highways, grounds, waters, or streams of any kind in this state except in accordance with this chapter.

Sec. 4. NEW SECTION. 479A.4 CONSTRUCTION INSPECTION.

The board shall supervise pipelines, pipeline companies, and underground storage, and shall inspect the construction, maintenance, and condition of pipelines and underground storage facilities in accordance with section 479A.18. When inspecting for safety standard compliance, the board shall apply only United States department of transportation safety standards.

Sec. 5. NEW SECTION. 479A.5 NOTICE PRIOR TO CONSTRUCTION.

Before beginning construction in this state, a pipeline company shall provide an adequate opportunity for state inspection, by giving written notice to the chairperson of the board stating the time, date, location, and nature of the construction. The notice shall be filed with the chairperson of the board not less than five business days before commencement of the construction.

Sec. 6. NEW SECTION. 479A.6 COST OF CONSTRUCTION INSPECTION.

A pipeline company shall pay actual unrecovered costs directly attributable to construction inspections conducted by the board or the board's designee.

Sec. 7. NEW SECTION. 479A.7 ANNUAL INSPECTION FEE.

A pipeline company shall pay an annual inspection fee of fifty cents per mile of pipeline or fraction thereof for each inch of diameter of the pipeline located in this state. The annual inspection fee shall be paid for the calendar year in advance between January 1 and February 1 of each year.

Sec. 8. NEW SECTION. 479A.8 FAILURE TO PAY — PENALTIES.

The board shall collect the inspection fees, and failure to pay an inspection fee within thirty days after the time the fee becomes due is cause for the assessment of civil penalties in accordance with section 479A.16.

Sec. 9. NEW SECTION. 479A.9 DEPOSIT OF FUNDS.

Except as otherwise provided in section 479A.14, subsection 8, moneys received under this chapter shall be credited to the utilities trust fund established in section 476.10.

Sec. 10. NEW SECTION. 479A.10 RULES.

The board shall adopt rules, pursuant to chapter 17A for the enforcement of this chapter.

Sec. 11. NEW SECTION. 479A.11 DAMAGES.

Pipeline companies operating pipelines or underground storage shall be given reasonable access to the pipelines and storage areas for the purpose of constructing, reconstructing, enlarging, repairing, or locating their pipes, pumps, pressure apparatus, or other stations, wells, devices, or equipment used in or upon a pipeline or storage area, but shall pay the owner of the lands for the right of entry and the owner of crops on the land all damages caused by entering, using, or occupying the lands for these purposes; and shall pay to the owner of the lands, after the completion of construction of the pipeline or storage, all damages caused by settling of the soil along and above the pipeline, and wash or erosion of the soil along the pipeline due to the construction of the pipeline. However, this section does not prevent the execution of an agreement with other terms between the pipeline company and the owner of the land or crops with reference to their use.

Sec. 12. NEW SECTION. 479A.12 FINANCIAL CONDITION OF COMPANY – BOND OR OTHER SECURITY.

Before construction is begun by a pipeline company, the company shall satisfy the board that the company has property subject to execution within this state other than pipelines, of a value in excess of two hundred fifty thousand dollars, or the company must file and maintain with the board a surety bond in the penal sum of two hundred fifty thousand dollars with surety approved by the board, conditioned that the company will pay any and all damages legally recovered against it growing out of the construction or operation of its pipeline and underground storage facilities in this state, or the company shall deposit with the board security satisfactory to the board as a guaranty for the payment of that amount of damages, or furnish to the board satisfactory proofs of its solvency and financial ability to pay that amount of damages.

Sec. 13. NEW SECTION. 479A.13 VENUE – SERVICE OF ORIGINAL NOTICE.

In all cases arising under this chapter, the district court of any county in which property of a pipeline company is located, has jurisdiction of a case involving that company, and service of original notice on the pipeline company may be made by serving the chairperson of the board.

Sec. 14. NEW SECTION. 479A.14 LAND RESTORATION – STANDARDS – INSPECTION.

1. The board shall adopt rules establishing standards to protect underground improvements during the construction of pipelines, to protect soil conservation and drainage structures from being permanently damaged by pipeline construction, and for the restoration of agricultural lands after pipeline construction. To ensure that all interested persons are informed of this rulemaking procedure and are afforded a right to participate, the board shall schedule an opportunity for oral presentations on the proposed rulemaking and, in addition to the requirements of section 17A.4, shall distribute copies of the notice of intended action and opportunity for oral presentations to each county board of supervisors. A county board of supervisors may, under chapter 17A and subsequent to the rulemaking proceedings, petition for additional rulemaking to establish standards to protect soil conservation practices, structures, and drainage structures within that county. Upon the request of the petitioning county, the board shall schedule a hearing to consider the merits of the petition. Rules adopted under this section do not apply within the boundaries of a city.

2. The county board of supervisors shall cause an on-site inspection for compliance with the standards adopted under this section to be performed at any pipeline construction project in the county. A professional engineer familiar with the standards adopted under this section

and registered under chapter 114 shall be placed in charge of the inspection. The reasonable costs of the inspection shall be borne by the pipeline company.

3. If the inspector determines that there has been a violation of the standards adopted under this section, the inspector shall give oral notice, followed by written notice, to the pipeline company and the contractor operating for the pipeline company, and order corrective action to be taken in compliance with the standards. The costs of the corrective action shall be borne by the contractor operating for the pipeline company.

4. As a part of the inspection process, the inspector shall ascertain that the trench excavation has been filled in a manner to provide that the topsoil has been replaced on top and rocks and debris have been removed from the topsoil of the easement area. An existing topsoil layer extending at least one foot in width on either side of the pipeline excavation at a maximum depth of one foot shall be removed separately and shall be stockpiled and preserved separately during subsequent construction operations, unless other means for separating the topsoil are provided in the easement. The topsoil shall be replaced so the upper portion of the pipeline excavation and the crowned surface contain only the topsoil originally removed.

5. Adequate inspection of underground improvements altered during construction of a pipeline shall be conducted at the time of the replacement or repair of the underground improvements. An inspector shall be present on the site at all times at each phase and separate activity of the opening of the trench, the restoration of underground improvements, and backfilling. The pipeline company and its contractor shall keep all county inspectors continually informed of the work schedule and any schedule changes.

6. If the pipeline company or its contractor does not comply with the orders of the inspector for compliance with the standards, the county board of supervisors may direct the county attorney to petition the district court for an order requiring corrective action to be taken in compliance with the standards adopted under this section.

7. The pipeline company shall allow landowners and inspectors to view the proposed center line of the pipeline before commencing trenching operations to ensure that construction takes place in the proper location.

8. An inspector may temporarily halt the construction if the construction is not in compliance with this chapter and the standards adopted under it, or the terms of the agreement with the pipeline company regarding topsoil removal and replacement, drainage structures, soil moisture conditions, or the location of construction, until the inspector consults with the supervisory personnel of the pipeline company. If the construction is continued over the inspector's objection and is found not to be in compliance with this chapter, the standards, or the agreement, and is found to cause damage, a civil penalty recovered under section 479A.16 as a result of that violation shall be paid to the landowner.

9. The board shall instruct inspectors appointed by the county board of supervisors regarding the content of this chapter and the standards and the inspectors' responsibility to require construction conforming with them.

10. An underground drain tile damaged, cut, or removed shall be temporarily repaired and maintained as necessary to allow for its proper function during construction of the pipeline. If temporary repair is determined not to be necessary, the exposed line shall be screened or otherwise protected to prevent the entry of foreign material or small animals into the tile line system.

11. This section does not preclude the application of provisions for protecting or restoring property contained in agreements independently executed by the pipeline company and the landowner if the provisions are not inconsistent with state law or with rules adopted by the board.

Sec. 15. NEW SECTION. 479A.15 ENTRY FOR LAND SURVEYS.

A pipeline company may enter upon private land for the purpose of making land surveys to determine direction or depth of pipelines by giving ten days' written notice by restricted certified mail to the landowner and to any person residing on or in possession of the land. For purposes of this section only, "landowner" means a person listed on the tax assessment rolls as responsible for the payment of real estate taxes imposed on the property. The entry for land surveys authorized in this section is not a trespass and may be aided by injunction. The pipeline company shall pay the actual damages caused by the entry and survey.

Sec. 16. NEW SECTION. 479A.16 CIVIL PENALTY.

A person who violates a provision of this chapter or a rule or standards issued pursuant to this chapter is subject to a civil penalty not to exceed one thousand dollars for each violation. Each day that the violation continues constitutes a separate offense. However, the civil penalty shall not exceed two hundred thousand dollars for any related series of violations.

A civil penalty may be compromised by the board. In determining the amount of the penalty, or the amount agreed upon in compromise, the appropriateness of the penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance after notification of a violation, shall be considered. The amount of the penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owed by the state to the person charged, or may be recovered in a civil action.

Sec. 17. NEW SECTION. 479A.17 REHEARING — JUDICIAL REVIEW.

Rehearing procedure for a person aggrieved by the action of the board in assessing or failing to assess civil penalties under this chapter shall be as provided in section 476.12. Judicial review may be sought in accordance with chapter 17A.

Sec. 18. NEW SECTION. 479A.18 FEDERAL INSPECTION.

The board may enter into agreements with and receive moneys from the United States department of transportation for the inspection of pipelines to determine compliance with the applicable standards of pipeline safety as provided by Pub. L. No. 90-481, the Natural Gas Pipeline Safety Act of 1968, 49 U.S.C. § 1671-1684.

Sec. 19. NEW SECTION. 479A.19 RIGHT TO CANCEL AGREEMENT.

1. A person seeking to acquire an easement or other property interest for the construction, maintenance, or operation of a pipeline shall allow the landowner or a person serving in a fiduciary capacity in the landowner's behalf to cancel an agreement granting an easement or other interest by certified mail with return requested to the company's principal place of business if received by the company within seven days, excluding Saturday and Sunday, of the date of the contract; shall inform the landowner or fiduciary in writing of the right to cancel prior to the signing of the agreement by the landowner or fiduciary; and shall provide the landowner or fiduciary with a form in duplicate for the notice of cancellation.

2. A person seeking to acquire an easement or other property interest for the construction, maintenance, or operation of a pipeline shall not record an agreement until after the period for cancellation has expired, and shall not include in an agreement a waiver of the right to cancel in accordance with this section.

3. The landowner or a person serving in a fiduciary capacity in the landowner's behalf may exercise the right of cancellation only once for each pipeline project.

Sec. 20. NEW SECTION. 479A.20 ARBITRATION AGREEMENTS.

Notwithstanding conflicting provisions of chapter 679A, if an easement or other written agreement between a landowner and a pipeline company provides for the determination through

arbitration of the amount of monetary damages sustained by a landowner and caused by the construction, maintenance, or repair of a pipeline, and if either person has not appointed its arbitrator or agreed to an arbitrator under the agreement within thirty days after the other person has invoked the arbitration provisions of the agreement by written notice to the other party by restricted certified mail, the landowner or the pipeline company may petition a magistrate in the county where the real property is located for the appointment of an arbitrator to serve in place of the arbitrator who would have been appointed or agreed to by the other person. Before filing the petition the landowner or pipeline company shall give notice of the petitioning of the magistrate by restricted certified mail to the other person and file proof of mailing with the petition. If, after hearing, the magistrate finds that the landowner or pipeline company has not been diligent in appointing or reasonable in agreeing to an arbitrator, the magistrate shall appoint an impartial arbitrator who shall have all of the powers and duties of an arbitrator appointed or agreed to by the other person under the agreement.

For purposes of this section only, "landowner" means the persons who signed the easement or other written agreement, their heirs, successors, and assigns.

Sec. 21. NEW SECTION. 479A.21 SUBSEQUENT PIPELINES.

A pipeline company shall not install a subsequent pipeline upon its existing easement when a damage claim from the installation of its previous pipeline has not been determined by negotiation, arbitration, or action of the courts. However, this section does not apply if the damage claim is under litigation or arbitration.

Sec. 22. NEW SECTION. 479A.22 DAMAGE STATEMENT.

A pipeline company shall not install a pipeline unless there is a written statement on file with the board as to how damages resulting from the construction of the pipeline shall be determined and paid, except in cases of eminent domain. The company shall provide a copy of the statement to the landowner.

Sec. 23. NEW SECTION. 479A.23 NEGOTIATED ANNUAL FEE.

In lieu of a one-time lump sum payment for an easement or other property interest allowing a pipeline to cross property, a landowner and the pipeline company may negotiate an annual fee, to be paid over a fixed number of years. Unless the easement provides otherwise, the annual fee shall run with the land and shall be payable to the owner of record.

Sec. 24. NEW SECTION. 479A.24 PARTICULAR DAMAGE CLAIMS.

1. The loss of gain by, or the death or injury of livestock caused by the interruption or relocation of normal feeding of the livestock due to the construction or repair of a pipeline is a compensable loss and shall be so recognized by a pipeline company.

2. A claim for damage for future crop deficiency within the easement strip shall not be precluded from renegotiation under section 472.52 on the grounds that it was apparent at the time of settlement unless the settlement expressly releases the pipeline company from claims for damage to the productivity of the soil. The landowner shall notify the company thirty days prior to harvest in each year to assess crop deficiency.

3. With the exception of claims for damage to drain tile and future crop deficiency, landowners and tenants must submit in writing their claims for damages caused by installation of the pipeline within one year of completion of installation of a pipeline as determined by the county board of supervisors.

Sec. 25. NEW SECTION. 479A.25 DETERMINATION OF INSTALLATION DAMAGES.

1. The county board of supervisors shall determine when installation of a pipeline has been completed in that county for the purposes of this section. Within one year of the completion

of installation, a landowner whose land was affected by the installation of the pipeline may file with the board of supervisors a petition asking that a compensation commission determine the damages arising from the installation of the pipeline.

2. If the board of supervisors by resolution approves the petition, the landowner shall commence the proceeding by filing an application with the chief judge of the judicial district of the county for the appointment of a compensation commission as provided in section 472.4.

The application shall contain all of the following:

a. The name and address of the petitioning landowner and a description of the land on which the damage is claimed to have occurred.

b. A description of the nature of the damage claimed to have occurred and the amount of the damage claimed.

c. The name and address of the pipeline company claimed to have caused the damage.

3. After the commissioners have been appointed, the landowner shall serve notice on the pipeline company stating all of the following:

a. That a compensation commission has been appointed to determine the damages caused by the installation of the pipeline.

b. The name and address of the landowner and a description of the land on which the damage is claimed to have occurred.

c. The place, date, and time when the commissioners will view the premises and proceed to appraise the damages.

d. That the pipeline company may appear before the commissioners.

Sections 472.10 to 472.13 apply to this notice. If more than one landowner petitions the county board of supervisors, the application to the chief judge, notice to the pipeline company, and appraisal of damages shall be consolidated into one application, notice, and appraisal. The county attorney may assist in coordinating the consolidated application and notice, but does not become an attorney for the landowners by doing so.

4. The commissioners shall view the land at the time provided in the notice and assess the damages sustained by the landowner by reason of the installation of the pipeline. The commissioners shall file their report with the sheriff. The appraisal of damages returned by the commissioners is final unless appealed. After the appraisal of damages has been delivered to the sheriff by the compensation commission, the sheriff shall give written notice by ordinary mail to the pipeline company and the landowner of the date the appraisal of damages was made, the amount of the appraisal, and that any interested party may appeal to the district court within thirty days of the date of mailing. The sheriff shall endorse the date of mailing of notice on the original appraisal of damages. At the time of appeal, the appealing party shall give written notice to the adverse party or the party's attorney and the sheriff.

5. Chapter 472 applies to this section to the extent it is applicable and consistent with this section.

6. The pipeline company shall pay all costs of the assessment made by the commissioners and reasonable attorney fees and costs incurred by the landowner as determined by the commissioners, if the award of the commissioners exceeds one hundred ten percent of the final offer of the pipeline company prior to the determination of damages. If the award does not exceed one hundred ten percent, the landowners shall pay the fees and costs incurred by the pipeline company. The pipeline company shall file with the sheriff an affidavit setting forth the most recent offer made to the landowner. Commissioners shall receive a per diem of fifty dollars and actual and necessary expenses incurred in the performance of their official duties. The pipeline company shall also pay all costs occasioned by the appeal, including reasonable attorney fees to be taxed by the court, unless on the trial of the appeal the same or a lesser

amount of damages is awarded than was allowed by the commission from which the appeal was taken.

7. As used in this section, "damages" means compensation for damages to the land, crops, and other personal property caused by the construction activity of installing a pipeline and its attendant structures but does not include compensation for a property interest, and "landowner" includes a tenant.

8. This section does not apply if the easement provides for any other means of negotiation or arbitration.

Sec. 26. NEW SECTION. 479A.26 SUBSEQUENT TILING.

Additional costs of new tile construction caused by an existing pipeline shall be paid by the pipeline company. The additional costs shall be paid by the pipeline company upon presentation of an invoice, verified by the county engineer or soil conservation district conservationist and specifically showing the added costs caused by the presence of the pipeline. A copy of the county engineer's or district conservationist's verification of additional costs shall accompany the invoice to the pipeline company.

Before performing earthwork, tiling, or excavation within three hundred feet of an existing pipeline, a landowner, tenant, contractor, or the representative of any one of them shall notify the pipeline company or its representative by calling the pipeline company telephone number listed on the roadside right-of-way marker. The pipeline company shall mark the location of the existing pipeline within forty-eight hours of notification with appropriate marker flags or stakes on the land surface directly above the pipeline for a distance of one hundred fifty feet either side of the proposed work site. Markers shall be placed at twenty-five foot intervals, where physically possible, along with the pipeline route indicating the diameter of the pipeline. The pipeline company shall not charge the landowner, tenant, or contractor for the placement of the markers. Excavation, earthwork, or tiling shall not be commenced in that area until the markers are in place and the pipeline company representative is present and has notified the contractor of the depth of the pipeline at the site of crossing. The pipeline company representative shall be present during all the excavation, earthwork, or tiling within the marked area when that area is any one of the following:

1. Land located outside the corporate limits of a city.
2. Agricultural land within the corporate limits of a city.
3. Nonagricultural land within the corporate limits of a city when the pipeline facility is operated at a pressure in excess of one hundred fifty pounds per square inch.

As used in this section, "agricultural land" means land of one or more acres suitable for cultivation for the production of crops, fruit, or other horticultural purposes or for the grazing or production of livestock.

Sec. 27. Section 479.1, Code 1987, is amended to read as follows:

479.1 PURPOSE AND POLICY.

~~It is hereby declared to be the purpose and policy of the legislature in enacting this law to confer upon the utilities board the power and authority to supervise the transportation or transmission of any solid, liquid, or gaseous substance, except water, within or through this state by pipeline, whether specifically mentioned herein in this chapter or not, and the power and authority to supervise the underground storage of gas, so as to protect the safety and welfare of the public in its use of any public or private highways, grounds, waters, and streams of any kind in this state. However, this chapter does not apply to interstate natural gas pipelines, pipeline companies, and underground storage, as these terms are defined in chapter 479A.~~

Sec. 28. Section 479.2, unnumbered paragraphs 1 and 2, Code 1987, are amended to read as follows:

The term "pipeline" insofar "Pipeline" as used in this chapter is concerned shall include and mean any means a pipe, pipes, or pipelines used for the transportation or transmission of any a solid, liquid, or gaseous substance, except water, within or through this state. However, the term does not include interstate pipe, pipes, or pipelines used for the transportation or transmission of natural gas.

The term "pipeline "Pipeline company"; insofar as used in this chapter is concerned shall include and mean any means a person, firm, copartnership, association, corporation or syndicate engaged in or organized for the purpose of owning, operating, or controlling pipelines for the transportation or transmission of any solid, liquid, or gaseous substance, except water, within or through this state. However, the term does not include a person owning, operating, or controlling interstate pipelines for the transportation or transmission of natural gas.

Sec. 29. Section 479.5, unnumbered paragraph 5, Code 1987, is amended to read as follows:

The person, ~~company, or corporation~~ seeking the permit shall give notice of the informational meeting to each person, ~~company, or corporation~~ determined to be the a landowner affected by the proposed project and any each person, ~~company or corporation~~ in possession of or residing on the property. For the purposes of this section the informational meeting, "landowner" means a person, ~~company, or corporation~~ listed on the tax assessment rolls as responsible for the payment of real estate taxes imposed on the property and "pipeline" means any a line transporting any a solid, liquid, or gaseous substance, except water, under pressure in excess of one hundred fifty pounds per square inch and extending a distance of not less than five miles or having a future anticipated extension of an overall distance of five miles.

Sec. 30. Section 479.12, Code 1987, is amended to read as follows:

479.12 FINAL ORDER — CONDITION.

It ~~The board~~ may grant such a permit in whole or in part upon such terms, conditions, and restrictions as to safety requirements and as to location and route as may be determined by it to be just and proper. ~~Provided, however, that before any~~ Before a permit shall be is granted to any a pipeline company proposing to engage in intrastate commerce, the board shall, after a public hearing as provided in this chapter, shall determine whether the services proposed to be rendered will promote the public convenience and necessity, and an affirmative finding to such that effect shall be is a condition precedent to the granting of such a permit.

Sec. 31. Section 479.13, Code 1987, is amended to read as follows:

479.13 COSTS AND FEES.

~~Applicant~~ The applicant shall pay all costs and expenses of the informational meetings, hearing, and necessary preliminary investigation in connection therewith including the cost of publishing notice of hearing, and shall pay a construction inspection fee in the sum of fifty cents per mile of pipeline or fraction thereof for each inch of diameter of such pipeline located in the state the actual unrecovered costs directly attributable to construction inspections conducted by the board or the board's designee.

Sec. 32. Section 479.14, Code 1987, is amended to read as follows:

479.14 INSPECTION FEE.

Every A pipeline company shall pay an annual inspection fee in the sum of twenty-five fifty cents per mile of pipeline or fraction thereof for each inch of diameter of such the pipeline located in the state, and said the inspection fee to be paid to the board for the calendar year in advance between January 1 and February 1 of each year to the board.

Sec. 33. Section 479.33, Code 1987, is amended to read as follows:

479.33 AUTHORIZED FEDERAL AID.

The board may enter into agreements with and receive moneys from the United States department of transportation for the inspection of pipelines to determine compliance with applicable standards of pipeline safety, and for enforcement of the applicable standards of pipeline safety as provided by Public Law 90-481, the Natural Gas Pipeline Safety Act of 1968 (49 United States Code 1671-1684).

Approved April 12, 1988

CHAPTER 1075
BANK INVESTMENTS IN SHARES
S.F. 2302

AN ACT relating to the investment powers of state banks.

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

Section 1. Section 524.901, subsection 3, Code Supplement 1987, is amended by adding the following new lettered paragraphs:

NEW LETTERED PARAGRAPH. k. Shares in the federal agricultural mortgage corporation.

NEW LETTERED PARAGRAPH. l. When approved by the superintendent, shares of a corporation certified by the federal agricultural mortgage corporation which is engaged solely in pooling agricultural loans for federal agricultural mortgage corporation guarantees, not to exceed twenty percent of the capital and surplus of the state bank.

Approved April 14, 1988

CHAPTER 1076
GARNISHMENT NOTICE
S.F. 2281

AN ACT relating to service of notice on a judgment debtor in garnishment proceedings.

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

Section 1. Section 642.14, unnumbered paragraph 1, Code 1987, is amended to read as follows:

Judgment against the garnishee shall not be entered until the principal defendant ~~shall have~~ has had ten days' notice of the garnishment proceedings, to be served in the same manner as original notices. However, if the garnishment is to earnings owed the defendant by the garnishee, judgment may be entered if notice to the defendant is served with the notice of garnishment to the garnishee who shall deliver the notice to the defendant with the remainder of or in lieu of the defendant's earnings. The garnishee shall state in answer to the service of notice of garnishment whether or not service of notice was delivered to the defendant.

Approved April 14, 1988