

e. A contract for acquisition, construction, erection, demolition, alteration, or repair by a private person of real or personal property to be lease-purchased by the director pursuant to this chapter is exempt from section 18.6, subsections 1 and 9, unless the lease-purchase contract is funded in advance by a deposit of the lessor's moneys to be administered by the director under a lease-purchase contract which requires rent payments to commence upon delivery of the lessor's moneys to the lessee.

This subsection provides an alternative and independent method for carrying out projects under this chapter and for entering into lease-purchase contracts in connection therewith, without reference to any other statute, and is not an amendment of or subject to the provision of any other law. No publication of any notice, whether under section 23.12 or otherwise, and no other or further proceedings with respect to the lease-purchase contracts is required except as set forth in this chapter, any provisions of other statutes of the state to the contrary notwithstanding.

For purposes of this subsection and subsection 11, "state agency" means a board, commission, bureau, division, office, department, or branch of state government.

Sec. 2. Section 18.12, Code Supplement 1987, is amended by adding the following new subsection:

**NEW SUBSECTION.** 13. With the authorization of a constitutional majority of each house of the general assembly and approval by the governor, dispose of real property belonging to the state and its state agencies upon terms, conditions, and consideration as the director may recommend. If real estate subject to sale under this subsection has been purchased or acquired from appropriated funds, the proceeds of the sale shall be deposited with the treasurer of state and credited to the general fund of the state or other fund from which appropriated. There is appropriated from that same fund, with the prior approval of the executive council and in cooperation with the director, a sum equal to the proceeds so deposited and credited to the state agency to which the disposed property belonged or by which it was used, for purposes of the state agency.

Sec. 3. Section 18.12, Code Supplement 1987, is amended by adding the following new subsection:

**NEW SUBSECTION.** 14. Subject to the selection procedures of section 12.30, employ financial consultants, banks, insurers, underwriters, accountants, attorneys, and other advisors or consultants necessary to implement the provisions of subsection 9A.

Approved May 7, 1988

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## CHAPTER 1181

### DOG LICENSING

*H.F. 2462*

**AN ACT** relating to the licensing of dogs, subjecting violators to a penalty, and providing an effective date.

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

Section 1. Section 351.1, Code 1987, is amended to read as follows:

#### 351.1 ANNUAL LICENSE.

The owners of all dogs ~~six~~ four months old or over, except dogs kept in state or federally licensed kennels and not allowed to run at large, shall annually obtain a license ~~therefor~~, as ~~herein provided~~ in this chapter.

Sec. 2. Section 351.3, Code 1987, is amended to read as follows:

351.3 APPLICATION BY OWNER.

The owner of a dog for which a license is required shall, on or before the first day of January of each year, apply to ~~the auditor of the county in which the owner resides~~ for a license for each dog owned. An owner residing in a city which licenses dogs shall apply to the city clerk. An owner not residing in a city which licenses dogs shall apply to the auditor of the county in which the owner resides.

Sec. 3. Section 351.5, unnumbered paragraph 1, Code 1987, is amended to read as follows:

~~Such~~ The application shall be in writing on blanks provided by the city clerk or county auditor and shall state the breed, sex, age, color, markings, and name, if any, of the dog, and the address of the owner, and be signed by the owner.

Sec. 4. Section 351.6, Code 1987, is amended to read as follows:

351.6 FEE.

The annual license fee shall be set by the city council or the board of supervisors, as applicable. The fee shall accompany the application.

Sec. 5. Section 351.7, Code 1987, is amended to read as follows:

351.7 TAG.

The city clerk or the county auditor shall, upon receipt of ~~said~~ the application, deliver or mail to the applicant a license which shall be in the form of a metal tag stamped as follows:

1. The year Year in which issued.
2. Name of city or county issuing it.
3. Serial number as shown by the record book in the office of the city clerk or county auditor.

Sec. 6. Section 351.11, Code 1987, is amended to read as follows:

351.11 TRANSFER ON CHANGE OF RESIDENCE.

When a dog licensed in one county is permanently transferred to another county or is permanently transferred to a city which licenses dogs, the owner shall surrender the original license tag to the auditor of the county or to the clerk of the city to which the dog is removed. When a dog licensed in a city is permanently transferred outside the city, the owner shall surrender the original license tag to the city to which the dog is removed, if the city licenses dogs, or to the auditor of the county if the dog is removed outside a city or to a city which does not license dogs. The city clerk or auditor shall preserve the surrendered tag, and, without license fee, issue a new license tag. The city clerk or auditor shall note on the license record the fact that the newly issued license tag is issued to effect a transfer of, and is in lieu of, such surrendered license tag.

Sec. 7. Section 351.14, Code 1987, is amended to read as follows:

351.14 DUPLICATE TAG.

Upon the filing of an affidavit that the license tag has been lost or destroyed, the owner may obtain another tag on the payment of twenty-five cents. The city clerk or county auditor shall enter in the license record the new number assigned.

Sec. 8. Section 351.16, Code 1987, is amended to read as follows:

351.16 PAYMENT TO ASSESSOR.

~~If the~~ The owner of any dog required to be licensed by the county and upon which a license fee is due so desires, the owner may pay such the fee to the assessor and the assessor shall give a receipt ~~therefor for it~~, showing the name of the owner, the number of dogs owned upon which the fee is paid, the sex of each ~~such~~ dog, and the amount of the fee for each ~~such~~ dog. The assessor shall ~~forthwith~~ promptly pay ~~said~~ the fees collected to the auditor and shall make a full report to ~~said~~ the auditor showing the name and address of the owner, the number of

dogs and the sex of each dog owned by each owner, the evidence of rabies vaccination for each dog, and the fee paid on each such dog. The auditor shall ~~forthwith~~ promptly mail to said the owner the proper license tag or tags. The auditor may also assign the license tags to the assessor who may issue and record them when license fees are collected by the assessor as provided in this section.

Sec. 9. Section 351.22, unnumbered paragraph 1, Code 1987, is amended to read as follows:

The city clerk or county auditor shall keep a book to be known as the record of licenses which shall show:

Sec. 10. This Act takes effect January 1, 1989.

Approved May 7, 1988

## CHAPTER 1182

### SALE AND TAXATION OF DEGRADABLE PACKAGING PRODUCTS

*H.F. 2453*

**AN ACT** relating to the sale and use of packaging products, providing sales and use tax incentives for the use of degradable packaging products, subjecting violators to a penalty, and providing an effective date.

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

Section 1. Section 455B.301, Code Supplement 1987, is amended by adding the following new subsections:

**NEW SUBSECTION. 16.** "Degradable" means capable of decomposing by biodegradation, photodegradation, or chemical process into harmless component parts after exposure to natural elements for not more than three hundred sixty-five days.

**NEW SUBSECTION. 17.** "Biodegradable" means degradable through a process by which fungi or bacteria secrete enzymes to convert a complex molecular structure to simple gasses and organic compounds.

**NEW SUBSECTION. 18.** "Photodegradable" means degradable through a process in which ultraviolet radiation in sunlight causes a chemical change in a material.

**NEW SUBSECTION. 19.** "Beverage" means wine as defined in section 123.3, subsection 7, alcoholic liquor as defined in section 123.3, subsection 8, beer as defined in section 123.3, subsection 10, wine cooler or drink, tea, potable water, soda water and similar carbonated soft drinks, mineral water, fruit juice, vegetable juice, or fruit or vegetable drinks, which are intended for human consumption.

**NEW SUBSECTION. 20.** "Beverage container" means a sealed glass, plastic, or metal bottle, can, jar, or carton containing a beverage.

Sec. 2. **NEW SECTION. 455B.314 BEVERAGE CONTAINER CONNECTORS — PROHIBITION.**

1. A distributor as defined in section 455C.1, subsection 5, shall not sell or offer to sell any beverage container if the beverage container is connected to another beverage container by a device constructed of a material which is not biodegradable or photodegradable.

2. A distributor violating subsection 1 is guilty of a serious misdemeanor.