

notice. Notwithstanding the provisions of section 362.3, Code 1979, such the notice shall be given by the thirtieth day prior to the public hearing.

Approved February 23, 1989

CHAPTER 3

PROFESSIONAL REGULATION

S.F. 89

AN ACT relating to professional licensing in the department of public health by revising certain rulemaking procedures and deleting requirements with respect to departmental approval of colleges in which the professions are taught.

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

Section 1. Section 157.14, Code 1989, is amended to read as follows:
157.14 RULES.

The board shall ~~promulgate~~ adopt rules under the provisions of pursuant to chapter 17A to administer the provisions of this chapter. However, any rules adopted by the board shall first be submitted to the department for approval.

Sec. 2. Section 158.15, Code 1989, is amended to read as follows:
158.15 RULES.

The board shall ~~promulgate~~ adopt rules under the provisions of pursuant to chapter 17A to administer the provisions of this chapter. However, any rules adopted by the board shall first be submitted to the department for approval.

Sec. 3. Section 147.32, Code 1989, is repealed.

Approved March 3, 1989

CHAPTER 4

COLLECTION OF DELINQUENT RAILWAY TAXES

S.F. 91

AN ACT to repeal the state department of transportation's authority to collect delinquent property taxes owed by railway companies.

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

Section 1. Section 307B.9, unnumbered paragraph 1, Code 1989, is amended to read as follows:

Except as provided in this chapter, all obligations are payable solely out of the pledged receipts as designated in the bond proceedings. Tax funds which the authority receives from a political subdivision of the state shall not be pledged for payment of the obligations. Except for those tax funds deposited in the special railroad facility fund as provided in sections ~~307.29, 307B.23, subsection 3,~~ 435.9 and 324A.8, the state shall not appropriate tax funds, directly or

indirectly, to the authority for the purpose of payment of obligations of the authority. Obligations shall be authorized by resolution of the board and bond proceedings shall provide for the purpose of the obligations, the principal amount, the principal maturity or maturities, not exceeding twenty-five years from the date of issuance, the interest rate or rates or the maximum interest rate, the date of the obligations and the dates of payment of interest on them, their denomination, and the establishment within or without the state of a place or places of payment of bond service charges. As much as is practicable within the legal and fiscal limitations inherent in bond issuance, a portion of the bonds shall be issued in denominations of five thousand dollars and smaller, in order to allow smaller investors in the state to purchase the bonds. The purpose of the obligations may be stated in the bond proceedings in terms describing the general purpose or purposes to be served. The bond proceedings shall also provide, subject to other applicable bond proceedings, for the pledge of all or such part, as the authority may determine, of the pledged receipts to the payment of bond service charges, which pledges may be made either prior or subordinate to other expenses, claims or payments, and may be made to secure the obligations on a parity with obligations issued at other times, if and to the extent provided in the bond proceedings. The pledged receipts so pledged and received by the authority are immediately subject to the lien of the pledge without physical delivery or further act, and the pledge of the pledged receipts is effective and these moneys may be applied to the purposes for which pledged without necessity for an Act of appropriation. Every pledge and every covenant and agreement with respect to a pledge made in the bond proceedings may be extended to the benefit of the owners and holders of obligations authorized by this chapter, and to any trustee for owners and holders, for the further security of the payment of the bond service charges. The authority shall issue a prospectus or official statement in connection with the offering of obligations. Obligations may be issued in coupon or in registered form, or both. Provision may be made for the registration of obligations with coupons attached as to principal alone or as to both principal and interest, their exchange for obligations so registered, and for the conversion or reconversion into obligations with coupons attached of any obligations registered as to both principal and interest, and for reasonable charges for registration, exchange, conversion and reconversion. Obligations may be sold at public or private sale at the price, in the manner, and at the time determined by the governing board. Chapter 75 and sections 23.12 to 23.16 do not apply to obligations issued under this chapter. All obligations are negotiable instruments.

Sec. 2. Section 307B.23, subsection 1, unnumbered paragraph 1, Code 1989, is amended to read as follows:

There is created in the office of the state treasurer a "special railroad facility fund". This fund shall include moneys credited to this fund under ~~sections 307.29,~~ section 435.9, and other moneys which by law may be credited to the special railroad facility fund. The moneys in the special railroad facility fund are appropriated to and for the purposes of the authority as provided in this chapter. The funds in the special railroad facility fund shall not be considered as a part of the general fund of the state, are not subject to appropriation for any other purpose by the general assembly, and in determining a general fund balance shall not be included in the general fund of the state but shall remain in the special railroad facility fund to be used for the purposes set forth in this section. The treasurer of state shall act as custodian of the fund and disburse amounts contained in it as directed by the authority. The treasurer of state is authorized to invest the funds deposited in the special railroad facility fund at the direction of the authority and subject to any limitations contained in the bond proceedings. The income from ~~such~~ the investment shall be credited to and deposited in the special railroad facility fund. This fund shall be administered by the authority and may be used to purchase or upgrade railroad right-of-way and trackage facilities or to purchase general or limited partnership interests in a partnership formed to purchase, upgrade, or operate railroad right-of-way and trackage facilities, to pay or secure obligations issued by the authority, to pay obligations, judgments, or debts for which the authority becomes liable in its capacity as a general partner, or for any other use authorized under this chapter. The fund may also be used to purchase

or upgrade railroad right-of-way and trackage facilities for the development of railroad passenger tourism.

Sec. 3. Section 307.29, Code 1989, is repealed.

Approved March 3, 1989

CHAPTER 5

EDUCATIONAL EXCELLENCE PROGRAM

S.F. 38

AN ACT relating to the payment of moneys to teachers under the educational excellence program, including calculation of payments, the frequency and manner of payments, eligibility for payments, and deadlines for submission of plans and reports of moneys expended.

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

Section 1. Section 294A.6, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the moneys allocated for phase I for a school year exceed the moneys required to pay the total minimum salary supplements to all school districts and area education agencies, the board of directors of a school district that has employed one or more additional teachers as a result of a whole grade sharing agreement completed under section 282.7 may request approval from the department of education for additional funding for its minimum salary supplement for that school year and succeeding school years if the other school district or districts that are parties to the sharing agreement have correspondingly reduced their number of teachers. If the department of education approves the payment of the additional salary supplement to a district, the department shall certify to the department of revenue and finance that the additional payment be made. The payment shall be equal to the amount of the difference between eighteen thousand dollars and the teacher's regular compensation, plus the amount required to make the payments on the additional salary moneys for the employer's share of the federal social security and Iowa public employees' retirement system, or a pension and annuity retirement system established under chapter 294. If the phase I moneys remaining are insufficient to pay the entire amount approved by the department of education, the department of revenue and finance shall prorate the payments to school districts.

Sec. 2. Section 294A.14, unnumbered paragraph 5, Code 1989, is amended to read as follows:

For school districts, a performance-based pay plan may provide for additional salary for individual teachers, ~~for teachers assigned to a specific discipline, or for additional salary~~ for all teachers assigned to an attendance center. For area education agencies, a performance-based pay plan may provide for additional salary for individual teachers, ~~or for additional salary~~ for all teachers assigned to a specific discipline within an area education agency, ~~or for additional salary for individual teachers assigned to a multidisciplinary team within an area education agency.~~ If the plan provides additional salary for all teachers assigned to an attendance center, ~~or specific discipline, or multidisciplinary team,~~ the receipt of additional salary by those teachers shall be determined on the basis of whether that attendance center, ~~or specific discipline, or multidisciplinary team~~ meets specific objectives adopted for that attendance center, ~~or specific discipline, or multidisciplinary team.~~ For school districts, the objectives may include,