

dollars per year. The penalty shall be assessed for a violation occurring ten days following written notice of the violation delivered to the person by the department or a county board of health. Moneys collected by the department or a county board of health from the imposition of civil penalties shall be deposited in the general fund of the state.

Sec. 2. DATES OF APPLICABILITY.

1. This Act takes effect March 1, 1991.

2. A person issued a license to clean private sewage disposal facilities and dispose of waste from the facilities by a county board of health before March 1, 1991, is not required to obtain a license from the department of natural resources under section 455B.172, until the license issued by the county board of health expires or until March 1, 1992, whichever occurs first.

Approved May 6, 1990

CHAPTER 1244

SENATORIAL ELECTIONS AFTER REDISTRICTING

S.F. 2372

AN ACT relating to the 1991 redistricting process for the election of senators in conformity with Article III, section 6 of the Constitution of the State of Iowa.

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

Section 1. Section 42.4, subsection 8, Code 1989, is amended to read as follows:

8. Each bill embodying a plan drawn under this section shall include provisions for election of senators to the general assemblies which take office in the years ending in three and five, which shall be in conformity with article III, section 6 of the Constitution of the State of Iowa. With respect to any plan drawn for consideration in the year ~~1981~~ 1991, those provisions shall be substantially as follows:

a. Each ~~odd-numbered~~ even-numbered senatorial district shall elect a senator in ~~1982~~ 1992 for a four-year term commencing in January, ~~1983~~ 1993. If an incumbent senator who was elected to a four-year term which commenced in January, ~~1981~~ 1991, or was subsequently elected to fill a vacancy in such a term, is residing in an ~~odd-numbered~~ even-numbered senatorial district on ~~April 2, 1982~~ March 13, 1992, that senator's term of office shall be terminated on January 1, ~~1983~~ 1993.

b. Each ~~even-numbered~~ odd-numbered senatorial district shall elect a senator in ~~1984~~ 1994 for a four-year term commencing in January, ~~1985~~ 1995.

(1) If one and only one incumbent state senator is residing in an ~~even-numbered~~ odd-numbered senatorial district on ~~April 2, 1982~~ March 13, 1992, and that senator ~~was elected to a four-year term which commenced in January, 1981 or was subsequently elected to fill a vacancy in such a term~~ meets all of the following requirements, the senator shall represent the district in the senate for the ~~Seventieth~~ Seventy-fifth General Assembly:

(a) The senator was elected to a four-year term which commenced in January 1991 or was subsequently elected to fill a vacancy in such a term.

(b) The senatorial district in the plan which includes the place of residence of the state senator on the date of the senator's last election to the senate is the same as the odd-numbered senatorial district in which the senator resides on March 13, 1992, or is contiguous to such odd-numbered senatorial district. Areas which meet only at the points of adjoining corners are not contiguous.

(2) Each ~~even-numbered~~ odd-numbered senatorial district to which subparagraph (1) of this paragraph is not applicable shall elect a senator in ~~1982~~ 1992 for a two-year term commencing in January, ~~1983~~ 1993.

Approved May 6, 1990

CHAPTER 1245

REAL PROPERTY MORTGAGORS' RIGHTS

S.F. 390

AN ACT relating to the transfer of agricultural land, by restricting the time land can be held by financial and insurance institutions, providing for valuation of land, the opportunity to repurchase land, for redemption, and providing effective dates and dates of applicability.

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

Section 1. Section 524.910, subsection 2, Code 1989, is amended to read as follows:

2. Real property purchased by a state bank at sales upon foreclosure of mortgages or deeds of trust owned by it, or acquired upon judgments or decrees obtained or rendered for debts due it, or real property conveyed to it in satisfaction of debts previously contracted in the course of its business, or real property obtained by it through redemption as a junior mortgagee or judgment creditor, shall be sold or otherwise disposed of by the state bank within five years after title is vested in the state bank, unless the time is extended by the superintendent. Agricultural land held by a state bank pursuant to this subsection shall be valued on the books of the bank at a value determined by obtaining the per acre average of the valuations for the current year and the four previous years for agricultural land in the county in which the agricultural land is located as published by Iowa state university of science and technology. If an appraisal conducted by an independent real estate appraiser is available for the current year, the five-year county average shall be adjusted by either adding or subtracting from the five-year average the percentage by which the particular farm's current appraised value exceeds or is less than the current year's county average value. To the extent permitted by federal law, national banks may value agricultural land on the same basis as state banks. ~~Before the state bank sells or otherwise disposes of agricultural land held pursuant to this subsection, the state bank shall first offer the prior owner the opportunity to repurchase the agricultural land on the terms the state bank proposes to sell or dispose of the agricultural land.~~

Sec. 2. Section 654.16, Code 1989, is amended by striking the section and inserting in lieu thereof the following:

654.16 SEPARATE REDEMPTION OF HOMESTEAD.

If a sheriff's sale is ordered on agricultural land used for farming, as defined in section 175.2, the mortgagor may, by a date set by the court but not later than ten days before the sale, designate to the court the portion of the land which the mortgagor claims as a homestead. The homestead may be any contiguous portion of forty acres or less of the real estate subject to the sheriff's sale. The homestead shall contain the residence of the mortgagor and shall be as compact as practicable.

If a homestead is designated, the court shall determine the fair market value of the designated homestead before the sheriff's sale. The court may consult with the county appraisers appointed pursuant to section 450.24, or with one or more independent appraisers, to determine the fair market value of the designated homestead.