

by obligations of any state, or of any political subdivision or agency thereof of the state, or of at least one hundred percent of the amount of the loan or extension of credit if it is secured by a segregated, earmarked deposit account with the state bank.

Approved March 28, 1991

CHAPTER 21

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

S.F. 92

AN ACT to create an advisory commission on intergovernmental relations, specify its membership, and enumerate its powers and duties.

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

Section 1. NEW SECTION. 28C.1 FINDINGS AND OBJECTIVES.

The general assembly finds that there is a need for an intergovernmental body to study and report on the following:

1. Current pattern of local governmental structure.
2. Powers and functions of local governments, including their fiscal powers.
3. Existing, necessary, and desirable relationships among local governments and the state.
4. Necessary and desirable allocation of state and local fiscal resources.
5. Necessary and desirable roles of the state as the creator of local governmental systems.
6. Special problems in interstate areas facing their general local governments, interstate regional units, and areawide bodies, the studies, where possible, to be conducted in conjunction with studies of commissions on intergovernmental relations of other states.

Sec. 2. NEW SECTION. 28C.2 COMMISSION CREATED — MEMBERSHIP.

1. An Iowa advisory commission on intergovernmental relations is created.
2. The membership of the commission shall be:
 - a. Four elected or appointed state officers, four elected or appointed county officers, four elected or appointed city officers, four elected or appointed officers of school corporations, and one member or staff member of a regional council of governments established under chapter 28I,* appointed by the governor.
 - b. Two state senators appointed by the majority leader of the senate.
 - c. Two state representatives appointed by the speaker of the house of representatives.
3. In making all appointments, consideration shall be given to gender, race or ethnic representation, population and demographic factors, and representation of different geographic regions. All appointments shall comply with sections 69.16 and 69.16A.
4. The initial chairperson of the commission shall be designated by the governor from among the commission members for a term of one year. Subsequent chairpersons shall be elected by the commission from among its membership for a term of one year. A vice chairperson may be elected by the commission from among its membership for a one-year term. In case of the absence or disability of the chairperson and vice chairperson, the members of the commission shall elect a temporary chairperson by a majority vote of those members who are present and voting.
5. The members shall be appointed to two-year staggered terms and the terms shall commence on February 1 of the year of appointment. If a vacancy occurs, a successor shall be appointed to serve the unexpired term. If a member ceases to be an officer or employee of the governmental unit or agency which qualifies the person for membership on the commission, a vacancy exists and a successor shall be appointed in the same manner and subject to the same qualifications as the original appointment to serve the unexpired term.

*Chapter 28H probably intended

6. Of the members who are county officers appointed by the governor, not more than two shall be members of the same political party. Of the members appointed by the majority leader of the senate and the speaker of the house of representatives, not more than one from each house shall be a member of the same political party.

7. A majority of the commission constitutes a quorum.

Sec. 3. NEW SECTION. 28C.3 POWERS AND DUTIES.

The commission shall:

1. Engage in activities and make studies and investigations as necessary or desirable to accomplish the purposes specified in section 28C.1.

2. Encourage and, where appropriate, coordinate studies relating to intergovernmental relations conducted by universities, state, local, and federal agencies, and research and consulting organizations.

3. Review the recommendations of national commissions studying federal, state, and local government relationships and problems and assess their possible application to this state.

4. Carry out studies and investigations relating to intergovernmental problems and relations as requested by the legislative council.

Sec. 4. NEW SECTION. 28C.4 ORGANIZATION – MEETINGS.

1. The commission shall meet quarterly and at other times as necessary. The commission may hold public hearings on matters within its purview.

2. The commission may establish committees as it deems advisable and feasible, whose membership shall include at least one member of the commission, but only the commission may take final action on a proposal or recommendation of a committee.

3. The commission is not an agency as defined in, or for the purpose of, chapter 17A.

4. All meetings of the commission or a committee established by the commission at which public business is discussed or formal action is taken, shall comply with the requirements of chapter 21.

Sec. 5. NEW SECTION. 28C.5 STAFF – FACILITIES – EXPENSES.

1. The commission and committees established by the commission may accept technical and operational assistance from the staff of the legislative service bureau and the legislative fiscal bureau, other state or federal agencies, units of local governments, or any other public or private source. The directors of the legislative service bureau and the legislative fiscal bureau may assign professional, technical, legal, clerical, or other staff, as necessary and authorized by the legislative council for continued operation of the commission. However, the technical and operational assistance shall be provided within existing appropriations made to or with existing resources of the state or local agencies to carry out its powers and duties.

2. The legislative council may also provide available facilities and equipment as requested by the commission.

3. The members of the commission are entitled to reimbursement for travel and other necessary expenses incurred in the performance of official duties. Each member may also be eligible to receive compensation as provided in section 7E.6. The expenses shall be paid from funds appropriated pursuant to section 2.12.

Sec. 6. NEW SECTION. 28C.6 REPORTS.

The commission shall submit an annual report of its findings and recommendations to the governor, president of the senate, speaker of the house, and the majority and minority leaders of each house, and make the report available to legislators upon request. The report shall also be made available to the public.

Sec. 7. NEW SECTION. 28C.7 INFORMATION.

The commission may request from any state agency or official the information and assistance as needed to perform the duties of the commission. A state agency or official shall furnish the information or assistance requested within the authority and resources of the state agency or official. This section does not require the production or opening of any public record which is required by law to be kept confidential.

Sec. 8. NEW SECTION. 28C.8 REPEALER.

This chapter is repealed effective July 1, 1995.

Approved April 4, 1991

CHAPTER 22

ARTISAN'S LIEN AGAINST AIRCRAFT AND EQUIPMENT

H.F. 220

AN ACT to create a lien against aircraft and certain aircraft equipment in favor of persons who have installed the equipment in the aircraft and providing priority of the lien against prior lienholders of record, and providing an effective date.

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

Section 1. Section 577.1, Code 1991, is amended to read as follows:

577.1 NATURE OF LIEN.

1. Any person who renders any service or furnishes any material in the making, repairing, improving, or enhancing the value of any inanimate personal property, with the assent of the owner, express or implied, shall have a lien thereon for the agreed or reasonable compensation for the service and material while such property is lawfully in the person's possession, which possession the person may retain until such compensation is paid, but such lien shall be subject to all prior liens of record, unless notice is given to all lienholders of record and written consent is obtained from all lienholders of record to the making, repairing, improving, or enhancing the value of any inanimate personal property and in this event the lien created under this section shall be prior to liens of record.

2. The assent of the owner shall be implied, for purposes of determining whether a lien on inanimate personal property exists, if all of the following are established:

a. The inanimate personal property is a multi-engine aircraft, eligible for registration under section 501 of the federal Aviation Act of 1958, 49 U.S.C. 1401.

b. The aircraft is either owned, leased, operated, or on order by an air carrier certified under section 604(b) of the federal Aviation Act of 1958, 49 U.S.C. 1424(b), or by any other person that rents or leases commercial airliners to certified air carriers in the regular course of business.

c. The material furnished is new electronic navigation or communications aviation equipment.

d. The equipment is delivered for installation on the aircraft at the request of a lessee, operator, or other person, or an agent of the lessee, operator, or other person, who has an interest in or exercises control over the aircraft.

The aircraft and equipment shall be deemed, for purposes of determining priority over perfected security interests, to be in the possession of the person who furnished the equipment, if the person either manufactures or sells the equipment in the regular course of business and allows the equipment to be made available for installation on the aircraft by releasing it for delivery. Possession of the aircraft and equipment shall be deemed to continue up to, and including, ninety days after the equipment is fully installed on the aircraft, except that if a notice of lien is filed with the federal aviation administration, and no subsequent release of the lien is on file, it shall be deemed to continue indefinitely. A notice of lien under this section is not required to be verified or notarized, but shall be signed by the lienholder, the lienholder's designated agent, or the lienholder's attorney and must identify the aircraft which is the subject of the lien. Notwithstanding subsection 1, liens obtained under this subsection attach and take priority over all other prior liens of record without the giving of prior notice or the obtaining of consent and are enforceable against all persons, including a bona fide purchaser.