

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This chapter is repealed effective July 1, 1995.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.

Sec. 2. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 8, 1991

CHAPTER 23

ASSISTANCE FOR COMMUNITY ECONOMIC DEVELOPMENT

S.F. 254

AN ACT relating to economic development by transferring funds to the revolving fund of the rural community 2000 program, establishing time frames for the completion of the community builder program, establishing a planning category in the rural community 2000 program, and providing an effective date.

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

Section 1. Section 15.282, Code 1991, is amended to read as follows:
15.282 PURPOSE.

The purpose of this part is to assist communities and rural areas of the state with their development and governmental responsibilities by providing low-interest and no-interest loans or grants for traditional infrastructure, new infrastructure, and housing, and their efforts relating to community, business, and economic development under the community builder program established in section 15.308.

The department may also provide assistance for infrastructure assessment or planning efforts pursuant to rules established by the department.

Sec. 2. Section 15.283, subsection 2, Code 1991, is amended to read as follows:

2. The program shall provide for ~~three~~ four categories of assistance. These are the traditional infrastructure category, the new infrastructure category, ~~and the housing category, and the planning category.~~

Sec. 3. Section 15.283, subsection 3, Code 1991, is amended to read as follows:

3. All moneys available for the traditional infrastructure category, ~~and the new infrastructure category, and the planning category~~ shall be administered by the department. All moneys available for the housing category shall be administered by the Iowa finance authority. The Iowa finance authority may transfer a portion of the funds appropriated for the housing category to the department for purposes of the planning category to be administered by the department.

Sec. 4. Section 15.283, subsection 4, Code 1991, is amended by striking the subsection and inserting in lieu thereof the following:

4. Moneys available under this program for the traditional infrastructure category, the new infrastructure category, and the planning category shall be allocated by the director. Annually, not more than three hundred thousand dollars of the funds for the program shall be allocated for the planning category. Moneys available under this program for the housing category shall be allocated by the executive director of the Iowa finance authority who may transfer a portion of the moneys to the department for the planning category. If moneys allocated to the housing category are not used or dedicated by April 1 of the fiscal year, the moneys shall be reallocated to the other categories that have the most need as determined by the department. At least one-third of the moneys allocated for the traditional infrastructure category, the new infrastructure category, and the housing category shall be set aside for cities with populations of five thousand or less. For the purposes of this set-aside, a city located in a county