

CHAPTER 37

ON-SITE WASTEWATER SYSTEMS ASSISTANCE PROGRAM

S.F. 479

AN ACT relating to wastewater systems, establishing a fund, appropriating moneys from the fund, and providing an effective date.

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

Section 1. Section 466.7, subsection 4, Code 2001, is amended by striking the subsection.

Sec. 2. NEW SECTION. 466.8 ON-SITE WASTEWATER SYSTEMS ASSISTANCE PROGRAM.

The department of natural resources shall establish an on-site wastewater¹ assistance program for the purpose of providing low-interest loans to homeowners residing outside the boundaries of a city for improving on-site wastewater disposal systems.

1. The environmental protection commission shall adopt rules for carrying out the program including but not limited to criteria for homeowner participation, the methods used to provide loans, and financing terms and limits.

2. The department may make and execute agreements with public or private entities, including lending institutions as defined in section 12.32, as required to administer the program.

3. Assistance provided to homeowners shall not be used to pay the nonfederal share of the cost of any wastewater system projects receiving grants under the federal Clean Water Act, 33 U.S.C. § 1381-1387.

4. The department shall report to the general assembly annually on the progress of the on-site wastewater² assistance program.

Sec. 3. NEW SECTION. 466.9 ON-SITE WASTEWATER SYSTEMS ASSISTANCE FUND.

1. An on-site wastewater systems assistance fund is established as a separate fund in the state treasury under the control of the department. Moneys in the fund are appropriated to the department for the exclusive purpose of supporting and administering the on-site wastewater systems assistance program as established in section 466.8.

2. The fund shall consist of all of the following:

a. Moneys appropriated to the department by the general assembly for deposit in the fund or to carry out the purposes of the on-site wastewater systems assistance program.

b. Moneys provided to the department by the federal government to carry out the purpose of administering the programs, policies, and undertakings authorized in the federal Clean Water Act, 33 U.S.C. § 1381-1387.

c. Moneys collected by the department pursuant to loan agreements from homeowners receiving loans under the on-site wastewater systems assistance program.

d. Any other moneys obtained or accepted by the department for deposit in the fund.

3. a. The fund shall consist of the following accounts:

(1) The financing account which shall be used for the exclusive purpose of providing financing to homeowners residing outside the boundaries of a city with improving on-site wastewater systems under the on-site wastewater systems assistance program.

(2) The administration account which shall be used by the department to defray expenses associated with carrying out the on-site wastewater systems assistance program.

b. Of all moneys deposited into the fund each year, the department shall credit at least ninety-six percent of the moneys to the financing account and any remaining moneys to the administration account.

¹ See chapter 176, §69 herein

² See chapter 176, §70 herein

4. The moneys in the fund are not considered part of the general fund of the state, and in determining a general fund balance shall not be included in the general fund of the state. The moneys in the fund are not subject to section 8.33 and shall not be transferred, used, obligated, appropriated, or otherwise encumbered except as provided in this section. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the fund shall be credited to the fund.

Sec. 4. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 17, 2001

CHAPTER 38

NOTARIAL ACTS AND OFFICERS

H.F. 259

AN ACT relating to the duties and office of the secretary of state in commissioning notarial officers.

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

Section 1. Section 9E.3, Code 2001, is amended by adding the following new subsection: **NEW SUBSECTION.** 4. A person shall not be appointed as a notary public by the secretary of state unless the person is at least eighteen years of age and not disqualified from voting as provided in section 48A.6.¹

Sec. 2. Section 9E.6, subsection 3, Code 2001, is amended by striking the subsection.²

Sec. 3. **NEW SECTION.** 9E.6A ACQUISITION AND USE OF STAMP OR SEAL.

1. Each person performing a notarial act pursuant to section 9E.10 must acquire and use a stamp or seal as provided in this chapter. However, this section shall not apply to a person performing a notarial act under federal authority. The stamp or seal shall contain all of the following:

a. For a person appointed as a notary public pursuant to section 9E.3, all of the following:

- (1) The words "Notarial Seal" and "Iowa".
- (2) The person's name.
- (3) The words "Commission Number" followed by a number assigned to the notary public by the secretary of state.

(4) The words "My Commission Expires" followed either by the date that the notary public's term would ordinarily expire as provided in section 9E.4 or a blank line. If the seal or stamp contains a blank line, the person must print the date that the notary public's term would ordinarily expire on the blank line imprinted on each document, instrument, or paper subject to a notarial act.

b. For any other person, all of the following:

- (1) The words "Notarial Seal" and "Iowa".
- (2) The person's name.
- (3) The person's title under which the person may perform a notarial act under section 9E.10.³

¹ See chapter 176, §45, 46 herein

² See chapter 176, §45, 46 herein

³ See chapter 176, §45, 46 herein