

Reprinted 3/26

FILED MAR 17 1980

SENATE FILE 2354

By COMMITTEE ON STATE GOVERNMENT

(FORMER SSB 2081)

Approved 3/10 (p. 743)

Passed Senate, Date 3-30-80 (p. 980) Passed House, Date _____

Vote: Ayes 29 Nays 17 Vote: Ayes _____ Nays _____

Approved _____

Motion to Reconsider 3/21 (p. 981) w/d 3/24

A BILL FOR

1 An Act providing for the joint financing by public agencies
2 of electric power facilities and other facilities.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4

5

6

7

8

9

10

11

12

S.F. 23.

SENATE FILE 2354

S-5458

1 Amend Senate File 2354 as follows:

2 1. Page 1, by inserting after line 24 the follow-
3 ing:

4 "Sec. _____. Section twenty-eight F point three
5 (28F.3), Code 1979, is amended by adding the follow-
6 ing new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
8 provisions of the preceding paragraph, a proposal
9 to finance electric power facilities under this
10 chapter involving a public agency shall not be
11 submitted to the governing bond of the public agency
12 involved or the voters of the public agency until a
13 certificate for the facility has been obtained in
14 compliance with chapter four hundred seventy-six A
15 (476A) of the Code."

16 2. By numbering and renumbering as necessary.

S-5458 FILED

MARCH 19, 1980

4/10 3/20 (p. 980)

BY GARY L. BAUGHER

1 Section 1. Section twenty-eight F point one (28F.1), Code
2 1979, is amended to read as follows:

3 28F.1 SCOPE OF CHAPTER. This chapter is intended to
4 provide a means for the joint financing by public agencies
5 of works or facilities useful and necessary for the collection,
6 treatment, purification and disposal in a sanitary manner
7 of liquid and solid waste, sewage, and industrial waste, also
8 electric power facilities constructed within the state of
9 Iowa, water supply systems, swimming pools or golf courses.
10 The provisions of this chapter ~~shall be deemed to~~ apply to
11 the acquisition, construction, reconstruction, ownership,
12 operation, repair, extension or improvement of such works
13 or facilities, by a separate administrative or legal entity
14 created pursuant to chapter 28E. When the legal entity created
15 under this chapter is comprised solely of cities, counties,
16 and sanitary districts established under chapter 358, or any
17 combination thereof or any combination of the foregoing with
18 other public agencies, the entity shall be both a corporation
19 and a political subdivision with the name under which it was
20 organized. The legal entity may sue and be sued, contract,
21 acquire and hold real and personal property necessary for
22 corporate purposes, adopt a corporate seal and alter the same
23 at pleasure, and execute all the powers conferred in this
24 chapter.

25 Sec. 2. Section twenty-eight F point seven (28F.7), Code
26 1979, is amended to read as follows:

27 28F.7 CONSTRUCTION AND OPERATION OF PROJECT. ~~Such an~~
28 An entity shall operate, maintain and preserve the project
29 or projects in good repair and working order, and shall
30 construct and operate the project or projects in an efficient
31 and economical manner, provided, ~~however,~~ that the entity
32 may lease or rent the project or projects or any part thereof,
33 or otherwise provide for the construction and operation of
34 the project or projects or any part thereof in ~~such~~ the manner
35 and upon ~~such~~ the terms as the governing body of the entity

1 shall direct notwithstanding any other law governing the
2 construction of public projects or contracts relating thereto.

3 The electric light and power plant and system of any public
4 agency participating in and receiving wholesale power from
5 electric power facilities owned, operated or financed pursuant
6 to this chapter shall meet the standards of the national
7 electric safety code of 1968, as amended to and including
8 January 1, 1980, of the national fire protection association.

9 Sec. 3. Section twenty-eight F point eight (28F.8), Code
10 1979, is amended to read as follows:

11 28F.8 DETAILS OF REVENUE BONDS. Revenue bonds issued
12 pursuant to the provisions of this chapter shall bear interest
13 at a rate or rates ~~not exceeding seven percentum per annum~~
14 allowed under section seventy-five point twelve (75.12),
15 subsection two (2) of the Code for revenue bonds or obligations
16 issued by a city, may be in one or more series, may bear such
17 date or dates, may mature at such time or times not exceeding
18 forty years from their respective dates, may be payable in
19 such medium of payment, at such place or places within the
20 state, may carry such registration privileges, may be subject
21 to such terms of prior redemption, with or without premium,
22 may be executed in such manner, may contain such terms,
23 covenants and conditions, may be sold at public or private
24 sale in the manner and on terms provided by the entity or
25 may be exchanged for outstanding interim notes, and may be
26 in such form otherwise, as such resolution or subsequent
27 resolutions shall provide.

28 Sec. 4. Section twenty-eight F point nine (28F.9), Code
29 1979, is amended by striking the section and inserting in
30 lieu thereof the following:

31 28F.9 ISSUANCE OF INTERIM NOTES. The entity shall have
32 the power, at any time and from time to time, to borrow money
33 for the purposes for which bonds may be issued in anticipation
34 of the receipt of the proceeds of the sale of bonds. Notes
35 shall be issued for all moneys so borrowed under the provi-

1 sions of this section, and such notes may be renewed from
2 time to time. The notes shall be authorized by resolution
3 of the governing body of the entity and may be thereafter
4 issued from time to time, shall be in such denomination or
5 denominations, shall bear interest at such rate or rates not
6 exceeding the maximum rate of interest prescribed in section
7 three hundred eighty-four point eighty-three (384.83),
8 subsection six (6) of the Code for pledge orders issued by
9 a city, shall be in such form and shall be executed in such
10 manner, all as such entity shall prescribe. If the notes
11 shall be renewal notes, they may be exchanged for notes then
12 outstanding on such terms as the governing body of the entity
13 shall determine. Notes may be sold at public or private sale
14 or may be issued to persons furnishing materials and services
15 constituting a part of the cost of the acquisition,
16 construction, reconstruction, repair, extension or improvement
17 of a project or projects. The governing body of the entity
18 may, in its discretion, retire any such notes from the revenues
19 derived from the project or projects or from other moneys
20 of the entity which are lawfully available therefor or from
21 a combination of each, in lieu of retiring them by means of
22 bond proceeds.

23 Sec. 5. Section twenty-eight F point eleven (28F.11),
24 Code 1979, is amended to read as follows:

25 28F.11 EMINENT DOMAIN. Any public agency participating
26 in an agreement authorizing the joint exercise of governmental
27 powers pursuant to this chapter may exercise its power of
28 eminent domain to acquire interests in property, under
29 provisions of law then in effect and applicable to such public
30 agency, for the use of the entity created to carry out such
31 agreement; provided, that the power of eminent domain is not
32 used to acquire interests in property which is part of a
33 system of facilities in existence, under construction or
34 planned, for the generation, transmission or sale of electric
35 power. Any interests in property so acquired shall be deemed

1 acquired for a public purpose of the condemning public agency,
2 and the payment of the costs of ~~such~~ the acquisition may be
3 made pursuant to ~~such~~ the agreement or to any separate
4 agreement between ~~or-among-said~~ the public agency and ~~such~~
5 the entity or the other public agencies participating in ~~such~~
6 the entity or any of them. Upon payment of ~~such~~ costs, any
7 property so acquired shall be ~~and-become~~ the property of the
8 entity.

9

EXPLANATION

10 The bill permits the joint financing of electric power
11 facilities under chapter 28F. The bill also ties the interest
12 rate payable on bonds issued under this chapter to the maximum
13 rate allowed under section 75.12 for revenue bonds or obliga-
14 tions issued by a city. Likewise, any notes issued by the
15 entity under chapter 28F shall not bear interest in excess
16 of that prescribed in section 384.83 for pledge orders issued
17 by a city. The power of eminent domain under chapter 28F
18 cannot be used to acquire property which is part of a system
19 of facilities for the generation, transmission or sale of
20 electric power.

21 The bill takes effect July first after enactment.

22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE FILE 2354

S-5468

- 1 Amend Senate File 2354 as follows:
2 1. Page 2, by striking lines 1 and 2 and inserting
3 in lieu thereof the words "shall direct.".

S-5468 FILED

BY STEPHEN BIENIUS

MARCH 20, 1980

ADOPTED (p. 974)

SENATE FILE 2354

S-5469

- 1 Amend Senate File 2354 as follows:
2 1. Page 4, by inserting after line 8 the following
3 new section:
4 "Sec. _____. Section four hundred seventy-six point
5 one (476.1), Code 1979, unnumbered paragraphs one (1) and
6 two (2) are amended to read as follows:
7 The Iowa state commerce commission shall regulate
8 the rates and services of public utilities and public
9 agencies owning or operating electric power facilities
10 financed pursuant to chapter 28F or receiving electric
11 power from any facility so financed to the extent and
12 in the manner hereinafter provided.

13 As used in this chapter, "public utility" shall
14 include such public agencies and any person, part-
15 nership, business association, or corporation, domestic
16 or foreign, owning or operating any facilities for:

- 17 1. Furnishing gas by piped distribution system or
18 electricity to the public for compensation.
19 2. Furnishing communications services to the
20 public for compensation.
21 3. Furnishing water by piped distribution system
22 to the public for compensation."

S-5469 FILED

BY JULIA B. GENTLEMAN

MARCH 20, 1980

EDGAR H. HOLDEN

RULED OUT OF ORDER (p. 979)

SENATE FILE 2354

S-5471

- 1 Amend Senate File 2354 as follows:
2 1. Page 4, by inserting after line 8 the following:
3 "Sec. _____. Chapter twenty-eight F (28F), Code
4 1979, is amended by adding the following new section:
5 NEW SECTION. A proposal to finance electric power
6 facilities by joint financing under this chapter which
7 involves political subdivisions of this state is
8 subject to the approval of the voters of each political
9 subdivision of this state that is to participate in
10 the joint financing agreement. The proposal must
11 obtain a majority vote of the registered electors
12 of each of these political subdivisions."
13 2. By renumbering sections.

S-5471 FILED & LOST (p. 980)
MARCH 20, 1980

BY DAVID M. READINGER

S-5463

1 Amend Senate File 2354 as follows:

2 1. Page 1, by inserting after line 24 the follow-

3 ing:

4 "Sec. _____. Section twenty-eight F point three
5 (28F.3), Code 1979, is amended by adding the follow-

6 ing new unnumbered paragraph:

7 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
8 provisions of the preceding paragraph, a proposal
9 to finance electric power facilities under this
10 chapter involving a public agency shall not be
11 submitted to the governing body of the public agency
12 involved or the voters of the public agency until a
13 certificate for the facility has been obtained in
14 compliance with chapter four hundred seventy-six A
15 (476A) of the Code."

S-5463 FILED & LOST (p. 979) BY GARY L. BAUGHER
MARCH 20, 1980

SENATE FILE 2354

S-5467

1 Amend Senate File 2354 as follows:

2 1. Page 4, by inserting after line 8 the following:

3 "Sec. _____. Section four hundred seventy-six point
4 one (476.1), unnumbered paragraphs two (2) and three
5 (3), Code 1979, are amended to read as follows:

6 As used in this chapter, "public utility" shall
7 include any person, partnership, municipality, business
8 association, or corporation, domestic or foreign,
9 owning or operating any facilities for:

10 Mutual telephone companies in which at least fifty
11 percent of the users are owners, co-operative telephone
12 corporations or associations, telephone companies
13 having less than two thousand stations, ~~municipally~~
14 ~~owned-utilities~~, and unincorporated villages which
15 own their own distribution system shall not be subject
16 to the rate regulation provided for in this chapter;
17 provided, however, that nothing contained in this
18 chapter shall be construed to apply to municipally
19 owned water works or rural water districts incorporated
20 and organized pursuant to chapters 357A and 504A.
21 Telephone companies otherwise exempt from rate
22 regulation and having telephone exchange facilities
23 which cross state lines may elect, in writing, filed
24 with the commission, to have their rates regulated
25 by the commission. When such election, in writing,
26 has been filed with the commission, the commission
27 shall assume rate regulation jurisdiction over said
28 companies."

29 2. Title Page, line 2, by inserting after the
30 words "other facilities" the words "and for the
31 regulation of municipal utilities by the commerce
32 commission".

33 3. Number as required by this amendment.

S-5467 FILED BY STEPHEN W. BISENIUS

MARCH 20, 1980

RULED OUT OF ORDER (p. 979)

State Government: Hansen of O'Brien, Chair; Hoffmann and Brandt.

SENATE FILE 2354

COMMITTEE ON STATE GOVERNMENT

Senate File 2354

Ways and Means: Pope, Chair; Clark of Lee, Conlon, Brandt and Husak.

(AS AMENDED AND PASSED BY THE SENATE MARCH 20, 1980)

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act providing for the joint financing by public agencies
2 of electric power facilities and other facilities.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

* = Language Stricken
by the Senate

1 Section 1. Section twenty-eight F point one (28F.1), Code
2 1979, is amended to read as follows:

3 28F.1 SCOPE OF CHAPTER. This chapter is intended to
4 provide a means for the joint financing by public agencies
5 of works or facilities useful and necessary for the collection,
6 treatment, purification and disposal in a sanitary manner
7 of liquid and solid waste, sewage, and industrial waste, also
59/2 8 electric power facilities constructed within the state of
9 Iowa, water supply systems, swimming pools or golf courses.
10 The provisions of this chapter ~~shall be deemed to~~ apply to
11 the acquisition, construction, reconstruction, ownership,
12 operation, repair, extension or improvement of such works
13 or facilities, by a separate administrative or legal entity
14 created pursuant to chapter 28E. When the legal entity created
15 under this chapter is comprised solely of cities, counties,
16 and sanitary districts established under chapter 358, or any
17 combination thereof or any combination of the foregoing with
18 other public agencies, the entity shall be both a corporation
19 and a political subdivision with the name under which it was
20 organized. The legal entity may sue and be sued, contract,
21 acquire and hold real and personal property necessary for
22 corporate purposes, adopt a corporate seal and alter the same
23 at pleasure, and execute all the powers conferred in this
24 chapter.

5876 >
25 Sec. 2. Section twenty-eight F point seven (28F.7), Code
26 1979, is amended to read as follows:

27 28F.7 CONSTRUCTION AND OPERATION OF PROJECT. ~~Such an~~
28 An entity shall operate, maintain and preserve the project
29 or projects in good repair and working order, and shall
30 construct and operate the project or projects in an efficient
31 and economical manner, provided, ~~however,~~ that the entity
32 may lease or rent the project or projects or any part thereof,
33 or otherwise provide for the construction and operation of
34 the project or projects or any part thereof in ~~such~~ the manner
35 and upon ~~such~~ the terms as the governing body of the entity

* 1 shall direct.

2 The electric light and power plant and system of any public
3 agency participating in and receiving wholesale power from
4 electric power facilities owned, operated or financed pursuant
5 to this chapter shall meet the standards of the national
6 electric safety code of 1968, as amended to and including
7 January 1, 1980, of the national fire protection association.

8 Sec. 3. Section twenty-eight F point eight (28F.8), Code
9 1979, is amended to read as follows:

10 28F.8 DETAILS OF REVENUE BONDS. Revenue bonds issued
11 pursuant to the provisions of this chapter shall bear interest
12 at a rate or rates ~~not-exceeding-seven-percentum-per-annum~~
13 allowed under section seventy-five point twelve (75.12),
14 subsection two (2) of the Code for revenue bonds or obligations
15 issued by a city, may be in one or more series, may bear such
16 date or dates, may mature at such time or times not exceeding
17 forty years from their respective dates, may be payable in
18 such medium of payment, at such place or places within the
19 state, may carry such registration privileges, may be subject
20 to such terms of prior redemption, with or without premium,
21 may be executed in such manner, may contain such terms,
22 covenants and conditions, may be sold at public or private
23 sale in the manner and on terms provided by the entity or
24 may be exchanged for outstanding interim notes, and may be
25 in such form otherwise, as such resolution or subsequent
26 resolutions shall provide.

27 Sec. 4. Section twenty-eight F point nine (28F.9), Code
28 1979, is amended by striking the section and inserting in
29 lieu thereof the following:

30 28F.9 ISSUANCE OF INTERIM NOTES. The entity shall have
31 the power, at any time and from time to time, to borrow money
32 for the purposes for which bonds may be issued in anticipation
33 of the receipt of the proceeds of the sale of bonds. Notes
34 shall be issued for all moneys so borrowed under the provi-
35 sions of this section, and such notes may be renewed from

1 time to time. The notes shall be authorized by resolution
2 of the governing body of the entity and may be thereafter
3 issued from time to time, shall be in such denomination or
4 denominations, shall bear interest at such rate or rates not
5 exceeding the maximum rate of interest prescribed in section
6 three hundred eighty-four point eighty-three (384.83),
7 subsection six (6) of the Code for pledge orders issued by
8 a city, shall be in such form and shall be executed in such
9 manner, all as such entity shall prescribe. If the notes
10 shall be renewal notes, they may be exchanged for notes then
11 outstanding on such terms as the governing body of the entity
12 shall determine. Notes may be sold at public or private sale
13 or may be issued to persons furnishing materials and services
14 constituting a part of the cost of the acquisition,
15 construction, reconstruction, repair, extension or improvement
16 of a project or projects. The governing body of the entity
17 may, in its discretion, retire any such notes from the revenues
18 derived from the project or projects or from other moneys
19 of the entity which are lawfully available therefor or from
20 a combination of each, in lieu of retiring them by means of
21 bond proceeds.

22 Sec. 5. Section twenty-eight F point eleven (28F.11),
23 Code 1979, is amended to read as follows:

24 28F.11 EMINENT DOMAIN. Any public agency participating
25 in an agreement authorizing the joint exercise of governmental
26 powers pursuant to this chapter may exercise its power of
27 eminent domain to acquire interests in property, under
28 provisions of law then in effect and applicable to such public
29 agency, for the use of the entity created to carry out such
30 agreement; provided, that the power of eminent domain is not
31 used to acquire interests in property which is part of a
32 system of facilities in existence, under construction or
33 planned, for the generation, transmission or sale of electric
34 power. Any interests in property ~~so~~ acquired shall be deemed
35 acquired for a public purpose of the condemning public agency,

1 and the payment of the costs of ~~such~~ the acquisition may be
2 made pursuant to ~~such~~ the agreement or to any separate
3 agreement between ~~or-among-said~~ the public agency and ~~such~~
4 the entity or the other public agencies participating in ~~such~~
5 the entity or any of them. Upon payment of ~~such~~ costs, any
6 property ~~so~~ acquired shall be ~~and-become~~ the property of the
7 entity.

5876

8
9
10
11
12
13
14
15
16
17

FISCAL NOTE
Senate File 2354
Requested by Representative Schroeder
March 26, 1980

In compliance with a written request there is hereby submitted
a Fiscal Note for Senate File 2354 pursuant to Joint Rule 16.
Senate File 2354 would provide for public agencies to jointly finance the
ownership of electric power facilities.

Section 427.1(2) of the Code provides for a property tax exemption for
property owned by local governments. However, property of a municipally
owned electric utility held under joint ownership is subject to assessment
and taxation under the provisions of Chapter 428 and 437. As a result, an
electric utility plant jointly owned by a municipality would apparently be
taxable. The impact of such taxation on local property valuations cannot
be determined due to the absence of information regarding the market value
of affected property.

Source: Department of Revenue
FILED APRIL 15, 1980

BY GERRY D. RANKIN
Legislative Fiscal Bureau

34
35

mg/slc/26c

SENATE FILE 2354

H-5876

1 Amend Senate File 2354 as amended, passed and re-
2 printed by the Senate, as follows:

3 1. Page 1, by inserting after line 24 the
4 following:

5 "A city shall not join an entity created under
6 this chapter or any separate administrative or legal
7 entity created pursuant to chapter twenty-eight E
8 (28E) of the Code for the purpose of utilizing the
9 provisions of this chapter for financing electric
10 power facilities until the proposal of the city to
11 join such entity has been submitted to and approved
12 by the voters pursuant to chapter three hundred eighty-
13 eight (388) of the Code."

14 2. Page 4, by inserting after line 7 the following:

15 "Sec. ____ . NEW SECTION. "Electric power agency"
16 means an entity financing or acquiring electric power
17 facilities pursuant to chapter twenty-eight E (28E)
18 or twenty-eight F (28F) of the Code.

19 Sec. ____ . Section three hundred eighty-four point
20 ninety-five (384.95), subsection two (2), Code 1979,
21 is amended to read as follows:

22 2. "Governing body" means the council of a city,
23 a utility board of trustees or an administrative
24 agency which is charged with the management and control
25 of a building or improvement project or an electric
26 power facility financed under the provisions of chapter
27 twenty-eight F (28F) of the Code.

28 Sec. ____ . Section four hundred twenty-seven point
29 one (427.1), subsection two (2), Code 1979, is amended
30 to read as follows:

31 2. MUNICIPAL AND MILITARY PROPERTY. The property
32 of a county, township, city, school corporation, levee
33 district, drainage district or military company of
34 the state of Iowa, when devoted to public use and
35 not held for pecuniary profit except property of a
36 municipally owned electric utility held under joint
37 ownership which shall be subject to assessment and
38 taxation under provisions of chapters 428 and 437
39 and except property of an electric power facility
40 financed under the provisions of chapter twenty-eight
41 F (28F) of the Code.

42 Sec. ____ . Section four hundred twenty-eight point
43 twenty-four (428.24), Code 1979, is amended to read
44 as follows:

45 428.24 PUBLIC UTILITY PLANTS. The lands,
46 buildings, machinery, and mains belonging to
47 individuals or corporations operating waterworks or
48 gasworks or pipe lines; the lands, buildings,
49 machinery, tracks, poles, and wires belonging to
50 individuals, ~~or~~ corporations or electric power agencies

H-5876
Page Two

1 furnishing electric light or power; the lands,
2 buildings, machinery, poles, wires, overhead
3 construction, tracks, cables, conduits, and fixtures
4 belonging to individuals or corporations operating
5 railways by cable or electricity, or operating elevated
6 street railways; and the lands, buildings, tracks,
7 and fixtures of street railways operated by animal
8 power, shall be listed and assessed by the department
9 of revenue. In the making of any such assessment
10 of waterworks plants, the value of any interest in
11 the property so assessed, of the municipal corporation
12 wherein the same is situated, shall be deducted,
13 whether such interest be evidenced by stock, bonds,
14 contracts, or otherwise.

15 Sec. _____. Section four hundred twenty-eight point
16 twenty-eight (428.28), unnumbered paragraph two (2),
17 Code 1979, is amended to read as follows:

18 Every individual, copartnership, corporation, asso-
19 ciation or city which operates a public utility on
20 a nonprofit basis, as defined in section 428.24 shall
21 annually, on or before the first day of May of each
22 calendar year, make a report on blanks to be provided
23 by the department of revenue of all of the property
24 owned by such individual, copartnership, corporation,
25 association or city within the incorporated limits
26 of any city in the state, and give such other
27 information as the director of revenue shall require.
28 Any ~~public~~ city utility which reports according to
29 this paragraph shall not be assessed.

30 Sec. _____. Section four hundred twenty-eight point
31 thirty-seven (428.37), subsection one (1), paragraph
32 b, Code 1979, is amended to read as follows:

33 b. "Electric power generating plant" means each
34 taxable name plate rated electric power generating
35 plant owned solely or jointly by any person or electric
36 power facility financed under the provisions of chapter
37 twenty-eight F (28F) of the Code in which electrical
38 energy is produced from other forms of energy,
39 including all equipment used in the production of
40 such energy through its step-up transformer.

41 Sec. _____. Section four hundred twenty-eight point
42 thirty-seven (428.37), subsection two (2), paragraph
43 c, Code 1979, is amended to read as follows:

44 c. Notwithstanding the provisions of paragraph
45 "b" of this subsection, if the owner is a municipal
46 electric utility or electric power facility financed
47 under the provisions of chapter twenty-eight F (28F)
48 of the Code, the remaining taxable value shall be
49 allocated to each taxing district in which the
50 municipal electric utility is serving customers and

1 has electric meters in operation in the ratio that
2 the number of operating electric meters of the
3 municipal electric utility located in the taxing
4 district bears to the total number of operating
5 electric meters of the municipal electric utility
6 in the state as of January 1 of the calendar year
7 in which the assessment is made. If the municipal
8 electric utility or electric power facility financed
9 under the provisions of chapter twenty-eight F (28F)
10 of the Code has no operating electric meters in this
11 state, then the remainder shall be assessed and levied
12 on at the current rate of the taxing district in which
13 the electric power generating plant is located. Tax
14 moneys received from such remainder assessment and
15 levies shall be paid to the county treasurer, who
16 shall pay such tax moneys to the treasurer of state
17 not later than fifteen days from the date the tax
18 moneys are received by the county treasurer for deposit
19 in the general fund of the state.

20 All municipal electric utilities which shall have
21 taxable value apportioned under this section shall,
22 annually on or before the first day of May of each
23 calendar year, make a report listing the total
24 operating meters of the municipal electric utility
25 in each taxing district it serves as of the first
26 day of January of each calendar year on forms provided
27 by the department of revenue."

28 3. By numbering and renumbering as is necessary.

H-5876 FILED
APRIL 2, 1980

BY COMMITTEE ON STATE GOVERNMENT
CRAWFORD, Chair

SENATE FILE 2354

H-5912

1 Amend Senate File 2354 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, line 8, by inserting after the word
4 "facilities" the words "which are not nuclear fueled and"

H-5912 FILED
APRIL 8, 1980

BY WOODS of Polk
HALVORSON of Webster

SENATE FILE 2354

H-5889

1 Amend amendment H-5876 to Senate File 2354 as
2 amended, passed and reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 37 through 41, and
4 inserting in lieu thereof the following: "ownership or
5 property of an electric power facility financed under
6 the provisions of chapter twenty-eight F (28F) of the
7 Code which shall be subject to assessment and taxation
8 under provisions of chapters 428 and 437. "

H-5889 FILED
APRIL 3, 1980

BY CRAWFORD of Story