

CHAPTER 117**SCHOOLS — POSTSECONDARY ENROLLMENT COSTS —
ORGANIZATION MEMBERSHIPS***H.F. 384*

AN ACT relating to tuition reimbursements of postsecondary institutions by school districts under the postsecondary enrollment options Act and membership in organizations relating to duties of a board of directors of a school corporation.

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

Section 1. Section 261C.8, Code 1993, is amended to read as follows:
261C.8 PROHIBITION ON CHARGES.

An eligible postsecondary institution that enrolls an eligible pupil under this chapter shall not charge that pupil for tuition, textbooks, materials, or fees directly related to the course in which the pupil is enrolled except that the pupil may be required to purchase equipment that becomes the property of the pupil. However, if the pupil fails to complete and receive credit for the course, the pupil is responsible for all costs directly related to the course as provided in section 261C.6 and shall reimburse the school district for its costs. If the pupil is under eighteen years of age, the pupil's parent, guardian, or custodian shall sign the student registration form indicating that the parent, guardian, or custodian is responsible for all costs directly related to the course, if the pupil fails to complete and receive credit for the course.

If the local area education agency verifies that the pupil was unable to complete the course for reasons including but not limited to the pupil's physical incapacity, death in the family, or the pupil's move to another school district, a verification by the area education agency shall constitute a waiver to the requirement that the pupil, pupil's parent, guardian, or legal custodian pay the costs of the course to the school district.

Sec. 2. **NEW SECTION. 261C.9 TUITION REFUND.**

An eligible postsecondary institution shall make pro rata adjustments to tuition reimbursement amounts based upon federal guidelines established pursuant to 20 U.S.C. § 1091b.

Sec. 3. **NEW SECTION. 279.38A MEMBERSHIP IN OTHER ORGANIZATIONS.**

Duly elected members of boards of directors and designated administrators of school corporations may join, including the payment of dues, and participate in local, regional, and national organizations which directly relate to the functions of the board of directors.

Approved May 11, 1993

CHAPTER 118**AVIATION AUTHORITY BONDS***H.F. 472*

AN ACT relating to bonds issued by airport authorities.

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

Section 1. Section 330A.9, subsections 1 and 2, Code 1993, are amended to read as follows:

1. The bonds issued by an authority pursuant to this chapter shall be authorized by resolution of the board thereof and shall be either term or serial bonds, shall bear such date or dates, mature at such time or times, not exceeding forty years from their respective dates, bear interest at such rate or rates, not exceeding that permitted by chapter 74A payable semiannually, be

in such denominations, be in such form, either coupon or fully registered, shall carry such registration, exchangeability and interchangeability privileges, be payable in such medium of payment and at such place or places, within or without the state, be subject to such terms of redemption and be entitled to such priorities on the revenues, rates, fees, rentals, or other charges or receipts of the authority as ~~such~~ the resolution or any subsequent resolution subsequent thereto may provide. The bonds shall be executed either by manual or facsimile signature by ~~such~~ the officers as an authority shall determine, provided that ~~such~~ the bonds shall bear at least one signature which is manually executed thereon, and the coupons attached to ~~such~~ the bonds shall bear the facsimile signature or signatures of ~~such~~ the officer or officers as shall be designated by an authority and the bonds shall have the seal of the authority, affixed, imprinted, reproduced, or lithographed thereon, all as may be prescribed in ~~such~~ the resolution or resolutions. ~~Said~~ The bonds shall may be sold at public or private sale at ~~such~~ the price or prices as the authority shall determine to be in the best interests of the authority provided that such bonds shall not be sold at less than the par value thereof, plus accrued interest and provided that. However, the net interest cost shall not exceed that permitted by chapter 74A. Pending the preparation of definitive bonds, interim certificates or temporary bonds may be issued to the purchaser or purchasers of ~~such~~ the bonds, and may contain ~~such~~ terms and conditions as the authority may determine.

2. An authority shall have the power, at any time and from time to time after the issuance of bonds ~~thereof~~ shall have been authorized, to borrow money for the purposes for which ~~such~~ the bonds are to be issued in anticipation of the receipt of the proceeds of the sale of ~~such~~ the bonds and within the authorized maximum amount of ~~such~~ the bond issue. Any ~~such~~ loan shall be paid within three years after the date of the initial loan. Bond anticipation notes shall be issued for all moneys ~~so~~ borrowed under the ~~provisions~~ of this section, and ~~such~~ the notes may be renewed from time to time, but all ~~such~~ renewal notes shall mature within the time above limited for the payment of the initial loan. ~~Such~~ The notes shall be authorized by resolution of the board and shall be in such denomination or denominations, shall bear interest at such rate or rates not exceeding the maximum rate permitted by the resolution authorizing the issuance of the bonds, shall be in such form and shall be executed in such manner, all as ~~such~~ the authority shall prescribe. ~~Such~~ The notes shall may be sold at public or private sale or, if ~~such~~ the notes shall be renewal notes, they may be exchanged for notes then outstanding on such terms as the board shall determine. The board may, in its discretion, retire ~~any~~ ~~such~~ the notes from the revenues derived from its aviation facilities or from ~~such~~ other moneys of the authority which are lawfully available ~~therefor~~ or from a combination of each, in lieu of retiring them by means of bond proceeds; ~~provided, however, that.~~ However, before the retirement of ~~such~~ the notes by any means other than the issuance of bonds it shall amend or repeal the resolution authorizing the issuance of the bonds, in anticipation of the proceeds of the sale of which ~~such~~ the notes ~~shall have been were~~ issued, so as to reduce the authorized amount of the bond issue by the amount of the notes ~~so~~ retired. ~~Such~~ The amendatory or repealing resolution ~~shall take~~ takes effect upon its passage.

Approved May 11, 1993

CHAPTER 119**USE OF MOBILE TRANSMITTERS TO HUNT COYOTES***H.F. 533*

AN ACT allowing the use of mobile transmitters to hunt coyotes and subjecting violators to an existing scheduled fine.

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

Section 1. Section 481A.24, Code 1993, is amended to read as follows:

481A.24 USE OF MOBILE TRANSMITTER PROHIBITED.

A person who is hunting shall not use a mobile radio transmitter to communicate the location or direction of game or fur-bearing animals or to ~~co-ordinate~~ coordinate the movement of other hunters. This section does not apply to the hunting of coyotes ~~from January 1 through March 31~~ except during the shotgun deer season as set by the commission under section 481A.38.

Approved May 11, 1993

CHAPTER 120**COMMERCIAL WASTE INCINERATORS — MORATORIUM***H.F. 632*

AN ACT placing a moratorium on construction and operation of certain commercial waste incinerators and providing an effective date.

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

Section 1. **NEW SECTION. 455B.151 MORATORIUM — COMMERCIAL WASTE INCINERATORS.**

1. The department shall not grant a permit for the construction or operation of a commercial waste incinerator until such time as the department or the United States environmental protection agency adopts rules which establish safe emission standards for releases of toxic air emissions from commercial waste incinerators.

2. For purposes of this section:

a. "Commercial waste incinerator" means an incinerator which burns waste, at least one-third of which is waste as defined by paragraph "c", and the owner or operator of the incinerator derives at least one-third of its expenditures or profits from the incineration of the waste as defined in paragraph "c". A commercial waste incinerator does not include those facilities that use incineration as an emission control device to comply with the federal Clean Air Act Amendments of 1990 or those facilities which use incineration only as part of their waste reduction programs for reducing waste produced by that facility.

b. "Incinerator" means any enclosed combustion device including a boiler, an industrial furnace, a waste-to-energy facility, a kiln, and a cogeneration unit.

c. "Waste" means toxic or hazardous waste as identified and included in the consolidated chemical list pursuant to Title III of the federal Superfund Amendments and Reauthorization Act of 1986, or substances which have been treated with a toxic or hazardous waste. "Waste" does not include waste oil which is burned under federal environmental protection agency guidelines for purposes of volume reduction, heat production, or energy cogeneration.

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

Approved May 11, 1993