

327I.4 Definitions.

For purposes of this chapter, unless the context otherwise requires:

1. "*Authority*" means the Iowa railway finance authority created by this chapter.
2. "*Bond proceedings*" means the resolution, order, trust agreement, indenture, lease, and other agreements, and amendments, and supplements to the foregoing authorizing or providing for the terms and conditions applicable to or the provisions contained within, or providing for the security of, obligations issued pursuant to this chapter.
3. "*Bond service charges*" means principal, including mandatory sinking fund requirements for retirement of obligations, interest and redemption premium, if any, required to be paid by the authority on obligations.
4. "*Department*" means the Iowa department of transportation.
5. "*Financial assistance*" means direct loans and other loans, grants, and forms of assistance authorized under this chapter.
6. "*Governing board*" or "*board*" means the governing board of the authority created by section 327I.6.
7. "*Governmental action*" means any action by a governmental agency relating to the establishment, development, or operation of railway facilities that the governmental agency acting has authority to take or provide for the purpose under law, including, but not limited to, actions relating to contracts and agreements, zoning, building, permits, acquisition and disposition of property, public capital improvements, utility and transportation service, taxation, employee recruitment and training, and liaison and coordination with and among governmental agencies.
8. "*Governmental agency*" means the state or any state department, division, commission, institution, or authority; a municipal corporation, city, county, or township, or any agency thereof; any other political subdivision or public corporation; the United States or any agency thereof; any agency, commission, or authority established pursuant to an interstate compact or agreement; or any combination of the foregoing.
9. "*Obligations*" means bonds, notes or other evidence of debt, including interest coupons of the foregoing, issued under this chapter.
10. "*Person*" means an individual, firm, partnership, association, corporation or governmental agency, or any combination thereof.
11. "*Pledged receipts*" means the revenues and receipts received or to be received by the authority from the lease, operation or sale or disposition of railway facilities; from loan or other agreements relating to financial assistance; from grants, gifts or payments on guarantees made to the authority by any person; from accrued interest received from the sale of obligations; from income from the investment of special funds of the authority; from the revenues and receipts deposited in the special railroad facility fund; and from any other moneys which are available for the payment of bond service charges.
12. "*Project costs*" means any portion of the costs of railway rehabilitation, acquisition, construction, reconstruction, repair, alteration, improvement or extension of any railway facilities, providing, supplementing and relocating public capital facilities, studies, surveys, plans, specifications, architectural and engineering services, estimates of costs, legal, organizational, marketing or feasibility studies, and all other necessary and incidental expenses related to the foregoing, and reimbursement of any moneys advanced or applied by a governmental agency or other person for project costs. Project costs include, in connection with obligations, a principal and interest reserve together with interest on obligations to a date not later than six

months subsequent to the estimated date of completion of the railway facilities that are the object of the financial assistance.

13. "*Public capital improvements*" means capital improvements or facilities including, but not limited to, railroad facilities and related ancillary facilities, that a governmental agency has authority to acquire, pay the costs of, own or maintain, or to do the foregoing by contract with other persons.

14. "*Railway facilities*" means land, structures, fixtures, buildings and equipment, except rolling stock, necessary or useful in providing railroad transportation services, including but not limited to roadbeds, track, trestle, depot, switching and signaling equipment and all necessary, useful and related equipment and appurtenances and all franchises, easements and other interests in land and rights-of-way necessary or convenient as a site or sites for any of the foregoing or any part of or combination of the foregoing.

[C81, § 307B.4; 81 Acts 2nd Ex, ch 3, § 4, 5]

C93, § 327I.4

94 Acts, ch 1107, §57