

CHAPTER 25  
VALUATION AND ASSESSMENT OF PROPERTY

H. F. 757

AN ACT relating to equalization and assessment procedures by providing for the valuation of agricultural land on the basis of its productivity and net earning capacity, providing for the valuation of agricultural and residential property at a percentage of its actual value for tax purposes, providing for the biennial assessment and equalization of property, providing that equalized values be included in the assessment for the current assessment year commencing in 1979, adjusting the dates related to assessment and equalization completion, delivery of abstracts of assessments, notification of taxpayers of adjusted values, the filing of protests and the sessions of local boards of review and providing for an interim study of the property tax structure.

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

Section 1. Section twenty-four point forty-eight (24.48), Code 1979, is amended to read as follows:

24.48 APPEAL TO STATE BOARD FOR SUSPENSION OF LIMITATIONS. If the property tax valuations effective ~~January 1, 1979~~ or January 1, 1979 and January first of any subsequent year, are reduced or there is an unusually low growth rate in the property tax base of a political subdivision, the political subdivision may appeal to the state appeal board to request suspension of the statutory property tax levy limitations to continue to fund the present services provided. A political subdivision may also appeal to the state appeal board where the property tax base of the political subdivision has been reduced or there is an unusually low growth rate for any of the following reasons:

1. Any unusual increase in population as determined by the preceding certified federal census.
2. Natural disasters or other emergencies.
3. Unusual problems relating to major new functions required by state law.
4. Unusual staffing problems.
5. Unusual need for additional funds to permit continuance of a program which provides substantial benefit to its residents.
6. Unusual need for a new program which will provide substantial benefit to residents, if the political subdivision establishes the need and the amount of the necessary increased cost.

The state appeal board may approve or modify the request of the political subdivision for suspension of the statutory property tax levy limitations.

Upon decision of the state appeal board, the state comptroller shall make the necessary changes in the total budget of the political subdivision and

certify the total budget to the governing body of the political subdivision and the appropriate county auditors.

For purposes of this section only, "political subdivision" means a city, county, school district, or any other special purpose district which certifies its budget to the county auditor and derives funds from a property tax levied against taxable property situated within the political subdivision.

For the purpose of this section, the city finance committee shall be the state appeal board when the political subdivision is a city.

Sec. 2. Section four hundred twenty-eight point four (428.4), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Property shall be assessed for taxation each year. Personal property shall be listed and assessed each year in the name of the owner of the personal property on the first day of January and the assessment made shall be the value of the personal property as of January ± first of the year of the assessment. Real estate shall be listed and assessed in ~~1978~~ 1981 and every two years thereafter. The assessment of real estate shall be the value of the real estate as of January ± first of the year of the assessment. The year ~~1978~~ 1981 and each ~~even-numbered~~ odd-numbered year thereafter shall be a reassessment year. In any year, after the year in which an assessment has been made of all the real estate in any assessing jurisdiction, it shall be the duty of the assessor to value and assess or revalue and reassess, as the case may require, any real estate that the assessor finds was incorrectly valued or assessed, or was not listed, valued and assessed, in the real estate assessment year immediately preceding, also any real estate the assessor finds has changed in value subsequent to January ± first of the preceding real estate assessment year. However, a percentage increase on a class of property shall not be made in a year not subject to an equalization order unless ordered by the department of revenue. The assessor shall determine the actual value and compute the taxable value thereof as of January ± first of the year of the revaluation and reassessment. The assessment shall be completed as specified in section 441.28, but no reduction or increase in actual value shall be made for prior years. If an assessor makes a change in the valuation of the real estate as provided for herein, the provisions of sections 441.23, 441.37, 441.38 and 441.39 shall apply.

Sec. 3. Section four hundred forty-one point twenty-one (441.21), subsection one (1), unnumbered paragraphs two (2), six (6) and eight (8), Code 1979, are amended to read as follows:

The actual value of all property subject to assessment and taxation shall be the fair and reasonable market value of such property except as otherwise provided in this section. "Market value" is defined as the fair and reasonable exchange in the year in which the property is listed and valued between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and each being familiar with all the facts relating to the particular property. Sale prices of the property or comparable property in normal transactions reflecting market value, and the probable availability or unavailability of persons interested in purchasing the

property, shall be taken into consideration in arriving at its market value. In arriving at market value, sale prices of property in abnormal transactions not reflecting market value shall not be taken into account, or shall be adjusted to eliminate the effect of factors which distort market value, including but not limited to sales to immediate family of the seller, foreclosure or other forced sales, contract sales, discounted purchase transactions or purchase of adjoining land or other land to be operated as a unit.

~~Notwithstanding the provisions of this section, in assessing and determining the actual value of agricultural property as of January 1, 1978, and January 1, 1979, the~~ The actual value of agricultural property shall be determined on the basis of productivity and net earning capacity of the property determined on the basis of its use for agricultural purposes capitalized at a rate of seven percent and applied uniformly among counties and among classes of property.

Notwithstanding any other provision of this section, the actual value of any property shall not exceed its fair and reasonable market value, except agricultural property which shall be valued exclusively as provided in unnumbered paragraph six (6) of this subsection. ~~For agricultural property, the assessed value as determined under this section shall not exceed the actual value of such property and the assessed value of residential property as determined under this section shall not exceed the fair and reasonable market value of such property.~~

Sec. 4. Section four hundred forty-one point twenty-one (441.21), subsection one (1), Code 1979, is amended by striking paragraphs a and b and unnumbered paragraph five (5).

Sec. 5. Section four hundred forty-one point twenty-one (441.21), subsections five (5), eight (8), and twelve (12), Code 1979, are amended to read as follows:

5. For valuations established as of January 1, 1979, the percentage of actual value at which agricultural and residential property shall be assessed shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the dividend as determined for each class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, plus six percent of the amount so determined. However, if the difference between the dividend so determined for either class of property and the dividend for that class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, is less than six percent, the 1979 dividend for the other class of property shall be the dividend as determined for that class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the

percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, plus a percentage of the amount so determined which is equal to the percentage by which the dividend as determined for the other class of property for valuations established as of January 1, 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessors on the abstracts of assessment for 1978, is increased in arriving at the 1979 dividend for the other class of property. The divisor for each class of property shall be the total actual value of all such property in the state in the preceding year, as reported by the assessors on the abstracts of assessment submitted for 1978, plus the amount of value added to said total actual value by the revaluation of existing properties in 1979 as equalized by the director of revenue pursuant to section four hundred forty-one point forty-nine (441.49) of the Code. The director shall utilize information reported on abstracts of assessment submitted pursuant to section 441.45 in determining such percentage. For valuations established as of January 1, 1980, and each year thereafter, the percentage of actual value as equalized by the director of revenue as provided in section four hundred forty-one point forty-nine (441.49) of the Code at which agricultural and residential property shall be assessed shall be calculated in accordance with the methods provided herein including the limitation of increases in agricultural and residential assessed values to the percentage increase of the other class of property if the other class increases less than the allowable limit adjusted to include the applicable and current values as equalized by the director of revenue, except that any references to six percent in this subsection shall be four percent.

8. For valuations established as of January 1, 1979, against which taxes will be levied for the fiscal year beginning in the 1979 calendar year by any special charter city that levies and collects its own taxes, the percentage of actual value at which agricultural and residential property shall be assessed shall be the quotient of the dividend and divisor as defined in this section. The dividend for each class of property shall be the valuation for each class of property for valuations established as of January 1, 1978, and upon which any special charter city levied its taxes in 1978, adjusted by the product obtained by multiplying the percentage determined for that year by the amount of any additions or deletions to actual value, excluding those resulting from the revaluation of existing properties, as reported by the assessor on the abstract of assessment for 1978, plus six percent of the amount so determined. The divisor for each class of property shall be the total actual value of all such property in the city in the preceding year, as reported by the assessor on the abstract of assessment submitted for 1978, plus the amount of value added to said total actual value by the revaluation of existing properties in 1979. However, if the estimated statewide growth in assessed valuation is less than six percent for either class of property for 1979, the director shall estimate the percentages by which the statewide

valuation of residential and agricultural property will increase in 1979. The lower percentage shall be used in lieu of six percent for both classes of property in calculating the percentages at which agricultural and residential property shall be assessed. The percentage at which agricultural and residential property shall be assessed will be certified by the director on or before May 31, 1979 to the appropriate city official in special charter cities that levy and collect their own taxes. The percentage so certified shall be applicable only to those valuations against which the special charter city levies its own tax. For valuations established as of January 1, 1980, and each year thereafter for any special charter city that levies and collects its own taxes, the percentage of actual value as equalized by the director of revenue as provided in section four hundred forty-one point forty-nine (441.49) of the Code at which agricultural and residential property shall be assessed shall be calculated in accordance with the methods provided herein adjusted to include the applicable and current values as equalized by the director of revenue, except that any references to six percent in this subsection shall be four percent. The assessor shall provide valuation information to the director of revenue sufficient for the computation of the assessment percentage by May fifteenth of each year on forms prescribed by the director of revenue.

12. Not later than ~~November 1, 1978~~ and November 1, 1979, and November first of each subsequent year, the director shall certify to the county auditor of each county the percentages of actual value at which residential and agricultural property in each assessing jurisdiction in the county shall be assessed for taxation. The county auditor shall proceed to determine the assessed values of agricultural and residential property by applying such percentages to the current actual value of such property, as reported to the county auditor by the assessor, and the assessed values so determined shall be the taxable values of such properties upon which the levy shall be made.

Sec. 6. Section four hundred forty-one point twenty-one (441.21), subsection six (6), Code 1979, is amended to read as follows:

6. Beginning with valuations established as of January 1, 1978, the assessors shall report the aggregate taxable values and the number of dwellings located on agricultural land and the aggregate taxable value of all other structures on agricultural land. Beginning with valuations established as of January 1, ~~1980~~ 1981, such agricultural structures and agricultural dwellings located on agricultural land shall be valued at their market value as defined in this section and agricultural structures and agricultural dwellings shall each constitute a separate class of property.

Sec. 7. Section four hundred forty-one point twenty-three (441.23), Code 1979, is amended to read as follows:

441.23 NOTICE OF VALUATION. If there has been an increase or decrease in the valuation of the property, or upon the written request of the person assessed, the assessor shall, at the time of making the assessment, inform the person assessed, in writing, of the valuation put upon the taxpayer's property, and notify the person, if he or she feels aggrieved, to appear before the board of review and show why the assessment should be changed. ~~In odd-numbered years,~~ The owners of real property shall be notified not

later than April ~~15~~ fifteenth of any adjustment of the real property assessment. ~~In even-numbered years, the notice of an increase or decrease in the valuation of the property shall be provided to the owners of real property not later than June 30 as provided in section 441.49.~~

Sec. 8. Section four hundred forty-one point twenty-four (441.24), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. However, all or part of the penalty imposed under this section may be waived by the board of review upon application to the board by the assessor or the property owner. The waiver or reduction in the penalty shall be allowed only on the valuation of real property against which the penalty has been imposed.

Sec. 9. Section four hundred forty-one point twenty-six (441.26), Code 1979, is amended to read as follows:

441.26 ASSESSMENT ROLLS AND BOOKS. The director of revenue shall each year prescribe the form of assessment roll to be used by all assessors in assessing real and personal property, including moneys and credits, in this state, also the form of pages of the assessor's assessment book. Such assessment rolls shall be in such form as will permit entering thereon, separately, the names of all persons, partnerships, corporations, or associations assessed; shall contain a form of oath or affirmation to be administered to each person assessed, and shall also contain a notice in substantially the following form:

"If you are not satisfied that the foregoing assessment is correct, you may file a protest against such assessment with the board of review on or after April ~~16~~ sixteenth, to and including May ~~5~~ fifth, of the year of the assessment, such protest to be confined to the grounds specified in section 441.37. Dated ..... day of ....., 19....., ..... County/City Assessor."

~~The dates specified in the notice sent to the owner of property in even-numbered years shall contain the dates for filing of protests as provided in section 441.49.~~

The notice in 1981 and each odd-numbered year thereafter shall contain a statement that the assessments are subject to equalization pursuant to an order issued by the director of revenue, that the county auditor shall give notice on or before October fifteenth by publication in an official newspaper of general circulation to any class of property affected by the equalization order, and that the board of review shall be in session from October fifteenth to November fifteenth to hear protests of affected property owners or taxpayers whose valuations have been adjusted by the equalization order.

Such assessment rolls shall be used in listing the property and showing the values affixed to such property of all persons, partnerships, corporations, or associations assessed, which rolls shall be made in duplicate. Said duplicate roll shall be signed by the assessor, detached from the original and delivered to the person assessed if there has been an increase or decrease in the valuation of the property, or upon the written request of the person assessed. It shall be lawful to combine the affidavit or form of oath or affirmation with reference to real and personal property, and the affidavit or form of oath or affirmation as to moneys and credits,

into one affidavit or form of oath or affirmation, and only the one such affidavit or form of oath or affirmation shall be sufficient on the assessment roll. The pages of the assessor's assessment book shall contain columns ruled and headed for the information required by this chapter and that which the director of revenue may deem essential in the equalization work of the director. The assessor shall return all assessment rolls and any schedules therewith to the county auditor, along with the completed assessment book, as provided in this chapter, and the county auditor shall carefully keep and preserve all such rolls, schedules and book for a period of five years from the time of filing of the same in ~~his~~ the county auditor's office.

Beginning with valuations for January 1, 1977 and each succeeding year, for each parcel of property entered in the assessment book, the assessor shall list the classification of the property.

Sec. 10. Section four hundred forty-one point twenty-eight (441.28), Code 1979, is amended to read as follows:

441.28 ASSESSMENT ROLLS--CHANGE--NOTICE TO TAXPAYER. The assessment shall be completed not later than April ~~15-in-odd-numbered-years-and-not later-than-May-15--in--even-numbered--years~~ fifteenth each year. If the assessor makes any change in an assessment after it has been entered on the assessor's rolls, ~~he~~ the assessor shall note on said roll, together with the original assessment, the new assessment and the reason for the change, together with ~~his~~ the assessor's signature and the date of the change. Provided, however, in the event the assessor increases any assessment ~~he~~ the assessor shall give notice in writing thereof to the taxpayer by mail prior to the meeting of the board of review. No changes shall be made on the assessment rolls after April ~~15-in-odd-numbered-years-and--after--May--15--in-even-numbered--years~~ fifteenth except by order of the board of review or by decree of court.

Sec. 11. Section four hundred forty-one point thirty (441.30), Code 1979, is amended to read as follows:

441.30 COMPLETION OF ASSESSMENT--OATH. The assessment shall be completed by ~~the-first-day-of-May-in-odd-numbered-years--or--June--1--in--even-numbered years,~~ April fifteenth and the assessor shall attach to the assessment rolls his or her oath in the following form:

"I, (A ..... B .....), assessor of city/county of ..... state of Iowa, do solemnly swear (or affirm) that the taxable values of all property, money, and credits, of which a statement has been made and verified by the oath of the person required to list the same, is herein set forth in such statement; that in every case, where I have been required to ascertain the amount or value of any property, I have diligently, and by the best means in my power, endeavored to ascertain the true amount and value, and as I verily believe the taxable values thereof are set forth in the annexed return; in no case have I knowingly omitted to demand of any person, of whom I was required to do so, a statement of the items of ~~his~~ the person's property which ~~he~~ the person was required by law to list, nor to administer the oath to ~~him~~ the person, unless ~~he~~ the person refused to take it, nor in

any way connive at any violation or evasion of any of the requirements of the law in relation to the assessment of property for taxation.

.....  
Assessor

Subscribed and sworn to (or affirmed) this ..... day of .....  
A.D....., before me.

.....  
Notary Public/Clerk of Court"

Sec. 12. Section four hundred forty-one point thirty-three (441.33), Code 1979, is amended to read as follows:

441.33 SESSIONS OF BOARD OF REVIEW. The board of review shall be in session from May ± first to May 31-in thirty-first each ~~odd-numbered~~ year and for such additional period as may be required under section 441.37 and shall hold as many meetings as are necessary to discharge its duties. On June ± first in ~~any--odd-numbered-year~~ those years in which a session has not been extended as required under section 441.37, said board shall return all books, records and papers to the assessor except undisposed of protests and records pertaining thereto. If it has not completed its work prior to June ± first, in those years in which the session has not been extended under section 441.37 the director of revenue may authorize the board of review to continue in session for such period as is necessary to complete its work, but in no event shall the director of revenue approve a continuance extending beyond July ±5 fifteenth. On June ± first or on the final day of any extended session required under section 441.37 or authorized by the director of revenue as herein provided the board of review shall be adjourned until May ± first of the following year. It shall adopt its own rules of procedure, elect its own chairman from its membership, and keep minutes of its meetings. The board shall appoint a clerk who may be a member of such board or any other qualified person, except the assessor or any member of ~~his~~ the assessor's staff. It may be reconvened by the director of revenue. All undisposed protests in its hands on July ±5 fifteenth shall be automatically overruled and returned to the assessor together with its other records.

~~In--even-numbered--years,--the--board-of-review-shall-be-in-session-at-the times-designated-in-section-441-49.~~

Within fifteen days following the adjournment of any regular or special session, the board of review shall submit to the director of revenue, on forms prescribed by the director, a report of any actions taken during that session.

Sec. 13. Section four hundred forty-one point thirty-seven (441.37), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

Any property owner or aggrieved taxpayer who is dissatisfied with his or her assessment may file a protest against such assessment with the board of review on or after April ±6 sixteenth, to and including May 5 fifth, of the year of the assessment. In any county which has been declared to be a disaster area by proper federal authorities after March ± first and prior to May ±20 twentieth of said year of assessment, the board of review shall be authorized to remain in session until June fifteenth and the time for filing a protest shall be extended to and include the period from May 25 twenty-



fifth to June 5 fifth of such year. Said protest shall be in writing and signed by the one protesting or by his or her duly authorized agent. ~~The dates specified in this section shall apply only in odd-numbered years. The time for filing of protests in even-numbered years shall be as provided in section 441.49.~~ ~~Taxpayer~~ The taxpayer may have an oral hearing thereon if request therefor in writing is made at the time of filing the protest. Said protest must be confined to one or more of the following grounds:

Sec. 14. Section four hundred forty-one point forty-five (441.45), Code 1979, is amended to read as follows:

441.45 ABSTRACT TO STATE DEPARTMENT OF REVENUE. The county assessor of each county and each city assessor shall, on or before July ~~1 in odd-numbered years and on or before September 15 in even-numbered years~~ first of each year, make out and transmit to the department of revenue an abstract of the real and personal property in his or her county or city, as the case may be, and file a copy thereof with the county auditor, in which ~~he~~ the assessor shall set forth:

1. The number of acres of land and the aggregate taxable values of the same, exclusive of city lots, returned by the assessors, as corrected by the board of review.

2. The aggregate taxable values of real estate by class in each school district, township and city in the county, returned as corrected by the board of review.

3. The aggregate taxable values of personal property.

4. Other facts as may be required by the director of revenue.

In any case where a board of review continues in session beyond June ~~17 in any odd-numbered year, or beyond August 15 in even-numbered years~~ first, under provisions of sections 441.33 and 441.37 the abstract of the real and personal property shall be made out and transmitted to the department of revenue within fifteen days after the date of final adjournment by said board.

Sec. 15. Section four hundred forty-one point forty-eight (441.48), Code 1979, is amended to read as follows:

441.48 NOTICE OF ADJUSTMENT. Before the director of revenue shall adjust the valuation of any class of property any such percentage, the director shall serve ten days' notice by mail, on the ~~assessor~~ county auditor of the county whose valuation is proposed to be adjusted and the director shall hold an adjourned meeting after such ten days' notice, at which time ~~such~~ the county or assessing jurisdiction may appear by its city council or board of supervisors, city or county attorney, and other assessing jurisdiction, city or county officials, and make written or oral protest against such proposed adjustment, which protest shall consist simply of a statement of the error, or errors, complained of with such facts as may lead to their correction, and at such adjourned meeting final action may be taken in reference thereto.

Sec. 16. Section four hundred forty-one point forty-nine (441.49), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

441.49 ADJUSTMENT BY AUDITOR. The director shall keep a record of the review and adjustment proceedings and finish the proceedings on or before

October first unless for good cause the proceedings cannot be completed by that date. The director shall notify each county auditor by mail of the final action taken at the proceedings and specify any adjustments in the valuations of any class of property to be made effective for the jurisdiction.

However, an assessing jurisdiction may request the director to permit the use of an alternative method of applying the equalization order to the property values in the assessing jurisdiction, provided that the final valuation shall be equivalent to the director's equalization order. The assessing jurisdiction shall notify the county auditor of the request for the use of an alternative method of applying the equalization order and the director's disposition of the request. The request to use an alternative method of applying the equalization order, including procedures for notifying affected property owners and appealing valuation adjustments, shall be made within ten days from the date the county auditor receives the equalization order and the valuation adjustments, and appeal procedures shall be completed by November thirtieth of the year of the equalization order. Compliance with the provisions of section four hundred forty-one point twenty-one (441.21) of the Code is sufficient grounds for the director to permit the use of an alternative method of applying the equalization order.

On or before October fifteenth the county auditor shall cause to be published in official newspapers of general circulation the final equalization order. Failure to publish the equalization order has no effect upon the validity of the orders.

The county auditor shall add to or deduct from the valuation of each class of property in the county the required percentage, rejecting all fractions of fifty cents or less in the result, and counting all fractions over fifty cents as one dollar. For any special charter city that levies and collects its own tax based on current year assessed values, the equalization percentage shall be applied to the following year's values, and shall be considered the equalized values for that year for purposes of this chapter.

The local board of review shall reconvene in special session from October fifteenth to November fifteenth for the purpose of hearing the protests of affected property owners or taxpayers within the jurisdiction of the board whose valuation of property if adjusted pursuant to the equalization order issued by the director of revenue will result in a greater value than permitted under section four hundred forty-one point twenty-one (441.21) of the Code. The board of review shall accept protests only during the first ten days following the date the local board of review reconvenes. The board of review shall limit its review to only the timely filed protests. The board of review may adjust all or a part of the percentage increase ordered by the director of revenue by adjusting the actual value of the property under protest to one hundred percent of actual value. Any adjustment so determined by the board of review shall not exceed the percentage increase provided for in the director's equalization order. The determination of the board of review on filed protests is final, subject to review by the director of revenue for the purpose of determining whether the board's actions substantially altered the equalization order. In making the review, the

director has all the powers provided in chapter four hundred twenty-one (421) of the Code, and in exercising the powers the director is not subject to chapter seventeen A (17A) of the Code. Not later than ten days following the adjournment of the board, the board of review shall submit to the director of revenue, on forms prescribed by the director, a report of all actions taken by the board of review during this session.

Not later than ten days after the date the final equalization order is issued, the city or county officials of the affected county or assessing jurisdiction may appeal the final equalization order to the state board of tax review. The appeal shall not delay the implementation of the equalization orders.

Tentative and final equalization orders issued by the director of revenue are not rules as defined in section seventeen A point two (17A.2), subsection seven (7) of the Code.

Sec. 17. NEW SECTION. DEFINITION. As used in this Act, "committee" means the county finance committee.

Sec. 18. NEW SECTION. COUNTY FINANCE COMMITTEE.

1. There is created a county finance committee consisting of nine members. The members of the committee shall be:

a. The auditor of state or a designee of the auditor of state.

b. The state comptroller or a designee of the state comptroller.

c. Five elected county officials who are regularly involved in budget preparation. One county official shall be from a county with a population of less than eleven thousand five hundred, one from a county with a population of more than eleven thousand five hundred but not more than sixteen thousand, one from a county with a population of more than sixteen thousand but not more than twenty-two thousand five hundred, one from a county with a population of more than twenty-two thousand five hundred but not more than eighty thousand and one from a county with a population of more than eighty thousand. The governor shall select and appoint the county officials, subject to the approval of two-thirds of the members of the senate.

d. A certified public accountant experienced in governmental accounting selected and appointed by the governor with the approval of two-thirds of the members of the senate.

e. An operations research analyst experienced in cost effectiveness analysis of county services appointed by, and to serve at the pleasure of, the legislative council.

2. The members of the committee appointed by the governor are appointed for four-year terms except that of the initial appointments, two county official members shall be appointed to two-year terms. When a county official member no longer holds the office which qualified him or her for appointment, he or she shall no longer be a member of the committee. Any person appointed to fill a vacancy shall be appointed to serve the unexpired term. Any member is eligible for reappointment, but a member shall not be appointed to serve more than two four-year terms.

Sec. 19. NEW SECTION. OFFICE--STAFF--COMPENSATION.

1. The committee is located for administrative purposes within the office of state comptroller. The state comptroller shall provide office space,

staff assistance, and necessary supplies and equipment for the committee. The state comptroller shall budget funds to pay the compensation and expenses of the committee.

2. Each member is entitled to reimbursement for actual and necessary expenses incurred in the performance of committee duties. Each member, except officers and employees of the state and full-time elected county officials, is entitled to receive a per diem of forty dollars for each day spent in the performance of committee duties.

3. The committee shall select its own officers except that the state comptroller or a designee of the state comptroller shall serve as chairperson.

Sec. 20. NEW SECTION. POWERS AND DUTIES OF THE COMMITTEE. The committee shall:

1. Design budget forms for all county funds.

2. Establish guidelines for program budgeting and accounting and the preparation of five-year capital improvement plans. It shall, where practicable, use recommendations of the national council on governmental accounting.

3. Review and comment on county budgets to county officials and provide assistance to enable counties to improve upon and use sound financial procedures.

4. Conduct studies of county revenues and expenditures.

5. Advise and make recommendations annually to the governor and the general assembly concerning county budgets and finance.

6. Promulgate its rules in compliance with chapter seventeen A (17A) of the Code.

Sec. 21. NEW SECTION. ADDITIONAL DUTIES. In addition to the powers and duties specified in the preceding section of this Act, the committee shall prepare legislation for submission to the general assembly in January, 1981, which would have as its principal purpose the consolidation of current county funds into not more than seven functional funds. The committee shall also make recommendations for appropriate budget or levy limitations for the proposed consolidated funds.

Sec. 22. NEW SECTION. The county finance committee established by this Act is abolished on July 1, 1981.

Sec. 23. The legislative council is directed to create a ten-member study committee composed of five members each from the standing committees on ways and means of the senate and house of representatives representing both political parties, which committee shall conduct during the 1979 legislative interim a comprehensive study of the present property tax structure. The study shall include, but not be limited to, the following:

1. How different types and classes of property should be valued for property tax assessment purposes.

2. The impact of property taxes upon multifamily and multipurpose residential property, determining the amount of such property in this state.

3. The impact of the current property tax system on commercial property.

Expenses of the study committee, including the cost for employing persons or business firms to assist the committee in its study shall be paid from funds available under section two point twelve (2.12) of the Code.

The study committee shall transmit copies of its final report to the governor and the members of the Sixty-eighth General Assembly, 1980 Session, not later than December 1, 1979. The final report shall include findings of fact and its recommendations.

Sec. 24. When the board of review meets in special session from October 15, 1979 to November 15, 1979 to hear protests on property valuation which have been adjusted in 1979 by the equalization order, the board shall also review any application for waiver of reduction allowed to be filed with the board under section eight (8) of this Act.

Approved June 4, 1979

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**CHAPTER 26**  
**NATIONAL GUARD LIABILITY**

H. F. 706

AN ACT relating to the liability of the state of Iowa for actions occurring while the national guard is not in state service.

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

Section 1. Section twenty-five A point fourteen (25A.14), Code 1979, is amended by adding the following new subsection:

NEW SUBSECTION. A claim based upon damage to or loss or destruction of private property, both real and personal, or personal injury or death, when the damage, loss, destruction, injury or death occurred as an incident to the training, operation, or maintenance of the national guard while not in "active state service" as defined in section twenty-nine A point one (29A.1), subsection five (5) of the Code.

Sec. 2. This Act shall take effect from and after its publication in The Thompson Courier, Inc., a newspaper published in Thompson, Iowa, and in the Marshalltown Times-Republican, a newspaper published in Marshalltown, Iowa.

Approved June 4, 1979

I hereby certify that the foregoing Act, House File 706, was published in The Thompson Courier, Inc., Thompson, Iowa on June 14, 1979, and in the Marshalltown Times-Republican, Marshalltown, Iowa on June 11, 1979.

MELVIN D. SYNHORST, *Secretary of State*