

CHAPTER 142
CEMETERY FUNDS INVESTED

S. F. 283

AN ACT relating to the investment of cemetery perpetual care funds by cities.

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

Section 1. Section six hundred eighty-two point twenty-three (682.23), subsection fourteen (14), Code 1979, is amended to read as follows:

14. LIMITATION AS TO COURT-APPROVED INVESTMENTS. ~~Nothing in this~~ This section shall be construed as prohibiting does not prohibit investment of such funds in a savings account or time certificate of deposit of a bank or savings and loan association, located in within the city or its county of this state and when first approved by the court. However, a city that is the trustee of a cemetery as provided in section five hundred sixty-six point fourteen (566.14) of the Code may invest perpetual care funds in a savings account or certificates of deposit at a bank or savings and loan association, located in this state without court approval.

Sec. 2. This Act is effective January first following its enactment.

Approved May 7, 1979

CHAPTER 143
EFFECTIVE DATE OF COURT RULES

H. F. 64

AN ACT providing that rules and forms submitted by the supreme court to the general assembly shall take effect the July first following their submission.

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

Section 1. Section six hundred eighty-four point nineteen (684.19), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

684.19 REPORT TO GENERAL ASSEMBLY--ENROLLMENT. Any such rules and forms prescribed by the supreme court shall be reported by it to the general assembly within twenty days after the commencement of either regular session and shall take effect July ± first following the ~~adjournment of such session~~ date of their submission, with such changes, if any, as may have been enacted at such session; and thereafter all laws in conflict therewith shall be of no further force or effect.

Sec. 2. In the case of rules and forms filed within twenty days after the commencement of the second session of the Sixty-seventh General Assembly which did not become effective because the general assembly did not adjourn prior to July 1, 1978, such rules and forms shall become effective July 1, 1979 as if they had been reported within twenty days after commencement of the first session of the Sixty-eighth General Assembly.

Sec. 3. This Act shall take effect and be in force on and retroactive to January 8, 1979 for rules and forms filed during the first session of the Sixty-eighth General Assembly, after its publication in The Clinton Herald, a newspaper published in Clinton, Iowa, and in The Des Moines Register, a newspaper published in Des Moines, Iowa.

Approved April 12, 1979

I hereby certify that the foregoing Act, House File 64, was published in The Clinton Herald, Clinton, Iowa on April 19, 1979, and in The Des Moines Register, Des Moines, Iowa on April 20, 1979.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 144

QUESTIONS OF LAW IN SUPREME COURT CERTIFIED

S. F. 294

AN ACT to provide uniform procedures for certifying questions of law.

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

Section 1. NEW SECTION. POWER TO ANSWER. The supreme court may answer questions of law certified to it by the supreme court of the United States, a court of appeals of the United States, a United States district court or the highest appellate court or the intermediate appellate court of another state, when requested by the certifying court, if there are involved in a proceeding before it questions of law of this state which may be determinative of the cause then pending in the certifying court and as to which it appears to the certifying court there is no controlling precedent in the decisions of the appellate courts of this state.

Sec. 2. NEW SECTION. METHOD OF INVOKING. This Act may be invoked by an order of a court referred to in section one (1) of this Act upon the court's own motion or upon the motion of a party to the cause.

Sec. 3. NEW SECTION. CONTENTS OF CERTIFICATION ORDER. A certification order shall set forth the questions of law to be answered and a statement of facts relevant to the questions certified, showing fully the nature of the controversy in which the questions arose.

Sec. 4. NEW SECTION. PREPARATION OF CERTIFICATION ORDER. The certification order shall be prepared by the certifying court, signed by the judge presiding at the hearing, and forwarded to the supreme court by the