

**CHAPTER 1077**  
STATE ELEVATOR CODE  
*S.F. 2210*

**AN ACT** relating to the enforcement of the Iowa state elevator code, and providing a civil penalty.

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

Section 1. Section 104.6, subsection 3, Code 1981, is amended to read as follows:

3. Every facility shall be inspected not less frequently than annually, except that the commissioner may adopt rules providing for inspections of facilities at intervals other than annually.

Sec. 2. Chapter 104, Code 1981, is amended by adding the following new section:

**NEW SECTION. CIVIL PENALTY.** If upon notice and hearing the commissioner determines that an owner has operated a facility after an order of the commissioner that suspends, revokes, or refuses to issue an operating permit for the facility has become final under section 104.10, subsection 2, the commissioner may assess a civil penalty against the owner in an amount not exceeding five hundred dollars, as determined by the commissioner. An order assessing a civil penalty is subject to appeal and judicial review under section 104.10, subsection 2, in the same manner and to the same extent as decisions referred to in that subsection. The commissioner may commence an action in the district court to enforce payment of the civil penalty. No record of assessment against or payment of a civil penalty by any person for a violation of this section shall be admissible as evidence in any court in any civil action. Revenue from the penalty provided in this section shall be remitted to the treasurer of state for deposit in the state general fund.

Approved April 9, 1982

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**CHAPTER 1078**  
TERRACE HILL AUTHORITY  
*S.F. 2282*

**AN ACT** to establish the Terrace Hill authority.

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

Section 1. Chapter 7, Code 1981, is amended by adding the following new section:

**NEW SECTION. TERRACE HILL AUTHORITY.**

1. There is established the Terrace Hill authority consisting of a governor's designee and eight persons appointed by the governor who are knowledgeable in business management, historic preservation and renovation. The terms of the appointed members shall be for three years beginning on July 1 and ending on June 30.

2. The Terrace Hill authority is established to implement the intent of the original gift of Terrace Hill and the federal and state laws regarding historic preservation and public buildings, to complete the preservation, renovation and landscaping of Terrace Hill, and to raise the necessary funds for these purposes.

3. The Terrace Hill authority may enter into contracts, subject to chapter 18, to execute its purposes.

4. The Terrace Hill authority may consult with the Terrace Hill Society, Terrace Hill Foundation, the executive and legislative branches of this state and other persons interested in the property.

Sec. 2. Members of the Terrace Hill authority appointed under the terms of the governor's executive order 26 shall continue to serve the terms provided for under that order. Upon the expiration of those terms, appointments shall be made under this Act.

Approved April 9, 1982

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**CHAPTER 1079****APPEAL PROCEDURES WHEN LOCAL GOVERNMENT BUDGET AMENDED***H.F. 2371*

**AN ACT** to revise the procedures of the state appeal board in the consideration of the budgets of local governments and providing an effective date.

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

Section 1. Section 24.9, unnumbered paragraph 4, Code 1981, is amended to read as follows:

Budget estimates adopted and certified in accordance with this chapter may be amended and increased as the need arises to permit appropriation and expenditure during the fiscal year covered by ~~such~~ the budget of unexpended cash balances on hand at the close of the preceding fiscal year and which cash balances had not been estimated and appropriated for expenditure during the fiscal year of the budget sought to be amended, and also to permit appropriation and expenditure during the fiscal year covered by ~~such~~ the budget of amounts of cash anticipated to be available during ~~such~~ the year from sources other than taxation and which had not been estimated and appropriated for expenditure during the fiscal year of the budget sought to be amended. Such amendments to budget estimates may be considered and adopted at any time during the fiscal year covered by the budget sought to be amended, by filing ~~such~~ the amendments and upon publishing ~~the same~~ them and giving notice of the public hearing ~~thereon~~ in the manner required in this section. Within ~~twenty~~ ten days of the decision