

1996, the sum of one million dollars to provide funds for the purposes of and deposits in the area school job training fund created in section 280C.6. The money appropriated under this section is a loan from the permanent school fund to the area school job training fund. The interest on the loan shall be prepaid for the a three-year period of the loan from funds appropriated by this section. The rate of interest shall be determined by the treasurer of state. ~~Notwithstanding section 8.33, moneys remaining of the appropriations made under this section on June 30, 1986 and June 30, 1987 shall not revert to the permanent school fund but remain in the area school job training fund. All moneys in the area school job training fund on June 30, 1988 and each fiscal year thereafter shall revert to the permanent school fund. Moneys to repay the amount of the loan from the permanent school fund shall be paid from funds to be credited to the "Surplus" account of the Iowa plan fund for economic development created in section 99E.31.~~

At the end of each calendar quarter the treasurer of state shall transfer moneys to repay the amount of the loan from the permanent school fund from the following sources:

1. Moneys in the permanent school fund repayment account created in section 280C.6,\* paragraph "a".

2. Moneys to be credited to the "surplus" account of the Iowa plan fund for economic development created in section 99E.31.

On and after June 30, 1996, the moneys reserved by the Iowa department of economic development from the revolving loan account created in section 280C.6,\* paragraph "b", shall be used to repay a portion of the loan from the permanent school fund provided the conditions stated in section 280C.6,\* paragraph "b", are met.

Sec. 4. Moneys in the old advance account of the area school job training fund on the effective date of this Act shall be transferred to the new revolving loan account of the area school job training fund. Moneys in the old repayment account of the area school job training fund on the effective date of this Act shall be transferred to the new permanent school fund repayment account of the area school job training fund.

Sec. 5. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 28, 1988

## CHAPTER 1132

### LIBRARY FINANCIAL SUPPORT BY GOVERNMENTAL SUBDIVISIONS

*S.F. 2301*

**AN ACT** relating to the maintenance of local financial support by governmental subdivisions for operating expenses of local libraries.

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

Section 1. Section 303B.6, subsection 12, Code 1987, is amended to read as follows:

12. ~~Shall require, as a condition for receiving services, that a encourage governmental subdivision assure maintenance of subdivisions to maintain local effort to financial support for~~ the operating expenses of a local ~~library~~ libraries.

Sec. 2. Section 303B.9, Code 1987, is amended to read as follows:

\*280C.6, subsection 1, probably intended.

### 303B.9 LOCAL FINANCIAL SUPPORT.

A regional board shall have the authority to require as a condition for receiving services under section 303B.6 that a governmental subdivision maintain any tax levy for library maintenance purposes that is in effect on July 1, 1973. Commencing July 1, 1977, each city within its corporate boundaries and each county within the unincorporated area of the county shall levy a tax of at least six and three-fourths cents per thousand dollars of assessed value on the taxable property or at least the monetary equivalent thereof when all or a portion of the funds are obtained from a source other than taxation, for the purpose of providing financial support to the public library which provides library services within the respective jurisdictions.

Approved April 28, 1988

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## CHAPTER 1133

### SERVICE OF LEGAL PROCESS AND LEVY OF EXECUTION

*S.F. 2331*

**AN ACT** relating to the collection of fees for and the rights and duties of the sheriff regarding service of legal process and levy of execution.

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

Section 1. Section 79.5, subsection 3, Code 1987, is amended to read as follows:

3. When the orders, judgments, or decrees of a court are to be entered, or performed, ~~or its writs executed in divorce-related matters including child support, temporary custody, restraining orders, and writs of habeas corpus.~~

Sec. 2. Section 331.655, subsection 1, paragraph j, Code 1987, is amended to read as follows:

j. Mileage at the rate specified in section 79.9 in all cases required by law, going and returning. Mileage fees do not apply where provision is made for expenses, and both mileage and expenses shall not be allowed for the same services and for the same trip. If the sheriff transports one or more persons by auto to a state institution or any other destination required by law or if one or more legal papers are served on the same trip, the sheriff is entitled to one mileage, the mileage cost of which shall be prorated to the persons transported or papers served. However, in serving original notices in civil cases and in serving and returning a subpoena, the sheriff shall be allowed mileage in each action where the original notice or subpoena is served, with a minimum mileage of one dollar for each service. The sheriff may refuse to serve ~~original notices~~ any legal processes in civil cases until the fees and estimated mileage for service have been paid.

Sec. 3. Section 626.50, Code 1987, is amended to read as follows:

#### 626.50 DUTY TO LEVY — NOTICE OF OWNERSHIP OR EXEMPTION.

An officer is bound to levy an execution on any personal property in the possession of, or that the officer has reason to believe belongs to, the defendant, or on which the plaintiff directs the officer to levy, after having received written instructions for the levy from the plaintiff or the attorney who had the execution issued to the sheriff, unless the officer has received notice in writing under oath from some other person, the or that person's agent or attorney, that such the property belongs to the person, stating the nature of the person's interests therein in the property, how and from whom the person acquired the same property, and the consideration paid therefor for the property; or from the defendant, that the property is exempt from execution.

Approved April 28, 1988