

the fiscal year beginning July 1, 1997, and succeeding fiscal years, the provisions of section 144.46, requiring the vital records fee to be set by rule based on the average administrative costs, shall apply.

Approved April 27, 1993

CHAPTER 56

COMMUNITY ACTION AGENCY BOARDS

H.F. 565

AN ACT relating to membership of community action agency boards and providing effective and retroactive applicability dates.

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

Section 1. Section 216A.94, subsection 1, unnumbered paragraph 1, Code 1993, is amended to read as follows:

A recognized community action agency shall be governed by a board of directors composed of at least ~~fifteen~~ nine members but ~~not more than thirty-three~~ members. The board membership shall be as follows:

Sec. 2. **EFFECTIVE DATE – APPLICABILITY.** This Act, being deemed of immediate importance, takes effect upon enactment and applies retroactively to January 1, 1993.

Approved April 27, 1993

CHAPTER 57

SANITARY DISTRICTS

H.F. 603

AN ACT relating to sanitary districts by providing for the funding of sanitary districts by special assessment and the disposition of property after annexation.

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

Section 1. Section 358.22, unnumbered paragraphs 1 and 2, Code 1993, are amended to read as follows:

The board of trustees of a sanitary district may provide for payment of all or any portion of the costs of acquiring, locating, laying out, constructing, reconstructing, repairing, changing, enlarging, or extending conduits, ditches, channels, outlets, drains, sewers, laterals, treatment plants, pumping plants, and other necessary adjuncts thereto, by assessing all, or any portion of the costs, on adjacent property according to the benefits derived. For the purposes of this chapter, the board of trustees may define "adjacent property" as all that included within a designated benefited district or districts to be fixed by the board, which may be all of the property located within the sanitary district or any lesser portion of that property. It is not a valid objection to a special assessment that the improvement for which the assessment is levied is outside the limits of the sanitary district, but a special assessment shall not be made upon property situated outside of the sanitary district. Special assessments pursuant to this

section shall be in proportion to the special benefits conferred upon the property, and not in excess of the benefits, and an assessment shall not exceed twenty-five percent of the actual value of the property at the time of levy, and the last preceding assessment roll shall be taken as prima facie evidence of that value. The value of a property is the present fair market value of the property with the proposed public improvements completed. Payment of installments of a special assessment against property used and assessed as agricultural property shall be deferred upon the filing of a request by the owner in the same manner and under the same procedures as provided in chapter 384 for special assessments by cities.

The assessments may be made to extend over a period of ten not to exceed fifteen years, payable in as nearly equal annual installments as practicable. A majority vote of the board of trustees is requisite and sufficient for any action required by the board of trustees under this section.

Sec. 2. NEW SECTION. 358.30 ANNEXATION OF LAND BY A CITY.

A sanitary district shall be fairly compensated for losses resulting from annexation. The governing body of a city or city utility and the board of trustees of the sanitary district may agree to terms which provide that the facilities owned by the sanitary district and located within the city shall be retained by the sanitary district for the purpose of sanitary service to customers outside the city. If an agreement is not reached within ninety days, the issues may be submitted to arbitration. If submitted, an arbitrator shall be selected by a committee which includes one member of the governing body of the city or its designee, one member of the sanitary district's board of trustees or its designee, and a disinterested party selected by the other two members of the committee. A list of qualified arbitrators may be obtained from the American arbitration association or another recognized arbitration organization or association.

Approved April 27, 1993

CHAPTER 58

EMERGENCY MEDICAL SERVICES

S.F. 48

AN ACT designating the Iowa department of public health as the lead agency for the coordination and regulation of emergency medical services and establishing an emergency medical services fund.

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

Section 1. NEW SECTION. 135.25 EMERGENCY MEDICAL SERVICES FUND.

An emergency medical services fund is created in the state treasury under the control of the department. The fund includes, but is not limited to, amounts appropriated by the general assembly, and other moneys available from federal or private sources which are to be used for purposes of this section. Funds remaining in the fund at the end of each fiscal year shall not revert to the general fund of the state but shall remain in the emergency medical services fund, notwithstanding section 8.33. The fund is established to assist counties by matching, on a dollar-for-dollar basis, moneys spent by a county for the acquisition of equipment for the provision of emergency medical services and by providing grants to counties for education and training in the delivery of emergency medical services, as provided in this section and section 422D.6. A county seeking matching funds under this section shall apply to the emergency medical services division of the department. The department shall adopt rules concerning the application and awarding process for the matching funds and the criteria for the allocation of moneys in the fund if the moneys are insufficient to meet the emergency medical services needs of the counties.