

CHAPTER 1072

ASBESTOS REMOVAL IN SCHOOLS — FUNDING

H.F. 2435

AN ACT repealing a provision authorizing the raising of an additional enrichment amount to fund asbestos removal projects.

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

Section 1. Section 279.52, unnumbered paragraph 1, Code 1999, is amended to read as follows:

The board of directors may pay the actual cost of an asbestos project from any funds in the general fund of the district, funds received from the physical plant and equipment levy, ~~funds received from the additional enrichment amount for an asbestos project in section 279.53,~~ or moneys obtained through a federal asbestos loan program, to be repaid from any of the funds specified in this subsection¹ over a three-year period.

Sec. 2. Section 298.14, unnumbered paragraphs 1 and 2, Code 1999, are amended to read as follows:

For each fiscal year, the cumulative total of the percents of surtax approved by the board of directors of a school district and collected by the department of revenue and finance under sections 257.21, 257.29, ~~279.54,~~ and 298.2, and the enrichment surtax under section 442.15, Code 1989, and an income surtax collected by a political subdivision under chapter 422D, shall not exceed twenty percent.

A school district income surtax fund is created in the office of treasurer of state. Income surtaxes collected by the department of revenue and finance under sections 257.21, 257.29, ~~279.54,~~ and 298.2 and section 442.15, Code 1989, shall be deposited in the school district income surtax fund to the credit of each school district. A separate accounting of each surtax, by school district, shall be maintained.

Sec. 3. Sections 279.53 and 279.54, Code 1999, are repealed.

Approved April 7, 2000

CHAPTER 1073

HAZARDOUS WASTE FACILITIES — PARTIAL SUSPENSION OF PERMITTING REQUIREMENTS

H.F. 2438

AN ACT extending a partial suspension of permitting requirements of facilities that deal with hazardous waste.

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

Section 1. 1987 Iowa Acts, chapter 233, section 204, subsection 5, as amended by 1989 Iowa Acts, chapter 311, section 21, as amended by 1990 Iowa Acts, chapter 1260, section 20, as amended by 1994 Iowa Acts, chapter 1198, section 30, is amended to read as follows:

5. It is the intention of the general assembly in adopting the appropriation under subsection 1 and this subsection to cease funding for the department's implementation of

¹ See chapter 1232, §64 herein

the federal Resource Conservation and Recovery Act permit program for hazardous waste facilities in this state. Section 455B.411, subsections 6, 9, and 10, section 455B.412, subsections 2 through 4, and sections 455B.413 through 455B.421 are suspended and do not apply as they pertain to that permit program, but are not suspended and do apply as they pertain to abandoned and uncontrolled sites, used oil, and site licensing under chapter 455B, division IV, part 6. The suspension provided by this subsection begins July 1, 1987 ~~and ends June 30, 1999.~~

Approved April 7, 2000

CHAPTER 1074

VACATION OF ROADS AND RIGHTS-OF-WAY

S.F. 2194

AN ACT relating to the vacation of roads and road rights-of-way.

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

Section 1. Section 306.11, Code 1999, is amended to read as follows:

306.11 HEARING — PLACE — DATE.

In proceeding to the vacation and closing of ~~any a~~ road, part thereof, or railroad crossing, the agency in control of ~~said the~~ road, or road system, shall fix a date for a hearing ~~thereon on the vacation and closing~~ in the county where ~~said the~~ road, or part thereof, or crossing, is located, and if located in more than one county, then in a county ~~wherein in which~~ any part of ~~such the~~ road or crossing is located. If the road to be vacated or changed is a secondary road located in more than one county, the boards of supervisors of ~~such the~~ counties, acting jointly, shall fix a date for a hearing ~~thereon on the vacation or change~~ in either or any of the counties where ~~such the~~ road, or part thereof, is located. If the proposed vacation is¹ part of a road right-of-way held by easement and will not change the existing traveled portion of the road or deny access to the road by adjoining landowners, a hearing is not required.

Sec. 2. Section 306.12, Code 1999, is amended to read as follows:

306.12 NOTICE — SERVICE.

Notice of the hearing under section 306.11 shall be published in a newspaper of general circulation in the county or counties where the road is located, not less than four nor more than twenty days prior to the date of hearing. The agency which is holding the hearing shall notify all adjoining property owners, all utility companies whose facilities adjoin the road right-of-way or are on the road right-of-way, and the department, boards of supervisors, or agency in control of affected state lands, of the time and place of the hearing, by certified mail, ~~and shall notify all property owners located outside the boundary of a city, who own ten or more acres of land within one mile of the road, by regular mail.~~

Approved April 12, 2000

¹ See chapter 1232, §65 herein