

CHAPTER 115
COMMERCIAL VEHICLES TEMPORARY PERMITS

H. F. 729

AN ACT to extend the temporary operating authority to forty-five days for commercial vehicles.

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

Section 1. Section 326.11, unnumbered paragraph 2, Code 1981, is amended to read as follows:

The director may issue temporary written authorization to carriers for vehicles acquired by a fleet owner and added to the fleet owner's prorate fleet after the beginning of the registration year. The temporary authority shall permit the operation of a commercial vehicle until permanent identification is issued, except that the temporary authority shall expire after ~~thirty~~ forty-five days.

Approved May 1, 1981

CHAPTER 116
RAILROAD ASSISTANCE FUND

S. F. 440

AN ACT authorizing the use of railroad assistance funds for the restoration, conservation, and improvement of railroad main lines, switching yards, and sidings and providing funds.

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

Section 1. Section 327H.18, Code 1981, is amended to read as follows:

327H.18 RAILROAD ASSISTANCE FUND ESTABLISHED. There is established a railroad assistance fund in the office of the treasurer of state. Moneys in this fund shall be expended for providing assistance ~~to--railroads~~ for the restoration, conservation and improvement of railroad main lines, branch lines, switching yards, and sidings. Any unencumbered funds appropriated pursuant--to--Acts--of--the--65--G.A.--chapter--1113--section--13--or--other--funds appropriated by the general assembly for branch line railroad assistance shall be deposited in the railroad assistance fund. However, not more than twenty percent of the funds appropriated to the railroad assistance fund from the general fund of the state in any fiscal year shall be used for restoration, conservation, and improvement of railroad main lines, switching

yards and sidings. Any moneys received by the state department of ~~transportation~~ by agreements, grants, gifts, or other means from individuals, companies, ~~or--either~~ business entities, ~~or~~ cities and, or counties for the purposes ~~set-forth-for-the-fund-established-pursuant-to~~ of this section shall be credited to the railroad assistance fund.

Sec. 2. Section 327H.20, Code 1981, is amended by striking the section and inserting in lieu thereof the following:

327H.20 ASSISTANCE AGREEMENTS. The department may enter into agreements with railroad corporations, the United States government, persons, cities, and counties for carrying out the purposes of this chapter. Agreements entered into between the department and railroad corporations under this section may require a railroad corporation to reimburse all or part of the costs paid from the railroad assistance fund from revenue derived from all railroad cars and traffic using the main line, branch line, switching yard, or sidings defined in the agreement. An agreement which does not require the repayment of railroad assistance funds used for rehabilitation projects shall require the railroad corporation to establish and maintain a separate corporation account to which an amount equal to all or part of the costs paid from the railroad assistance fund shall be credited from revenue derived from all railroad cars and traffic using the main line, branch line, switching yard, or siding defined in the agreement. Credits to the corporation account by the railroad corporation may be used for the improvement, restoration, or conservation of the railroad corporation's main line, branch lines, switching yards, and sidings within the state. The agreement shall stipulate the terms and conditions governing the use of credits to the corporation account as well as a penalty for the use of the account in a manner other than as provided in the agreement.

Sec. 3. Section 327H.21, Code 1981, is amended to read as follows:

327H.21 FEDERAL FUNDS. The ~~state department of-transportation~~ may accept federal funds to carry out the ~~provisions~~ purposes of this ~~section-and sections-327H-18-to-327H-20, 327H-22-to-327H-25~~ chapter. All federal funds received under ~~provisions-of-said-sections~~ this section are appropriated for the purposes set forth in the federal grants.

Sec. 4. Section 327H.23, Code 1981, is amended to read as follows:

327H.23 CITY AND COUNTY FUNDS. ~~The-board-of-supervisors-of-a~~ A city or county may with the approval of the state department ~~of-transportation,~~ appropriate funds from the city or county general fund to the railroad assistance fund. ~~The~~ A city or county may, ~~according-to-the-provisions-of section-327H-20,~~ enter into an agreement with the department to receive a partial or total reimbursement for this appropriation. The amount received by a city or county shall not exceed the amount appropriated to the railroad assistance fund by the city or county. The money appropriated from the city or county general fund to the railroad assistance fund shall be used in accordance with this ~~section--and-sections-327H-18-to-327H-22, 327H-24-and 327H-25~~ chapter only for conservation, restoration, or improvement of railroad main lines, branch lines, switching yards, and sidings within the city or county providing the funds. ~~In--any--year--the--amount--of--money transferred--to-the-railroad-assistance-fund-by-a-county-shall-not-exceed-the~~

~~amount-of-property-taxes-levied-against--the--railroad--property--within--the county-~~

Sec. 5. Section 327H.25, Code 1981, is amended to read as follows:

327H.25 TRANSFER OF DUTIES. The administration of the railroad assistance fund shall be transferred from the energy policy council to the state department ~~of--transportation~~ not later than July 1, 1976. All agreements for railroad assistance entered into by the energy policy council with railroads and other persons ~~pursuant-to-section-93-9-or-this-section-and sections--327H-18--to-327H-24~~ shall be carried out by the state department of transportation.

Sec. 6. Chapter 327H, Code 1981, is amended by adding the following new section:

NEW SECTION. As used in this chapter, unless the context otherwise requires:

1. "Department" means the state department of transportation.

Sec. 7. Section 327H.22, Code 1981, is repealed.

Approved June 15, 1981

CHAPTER 117
HOME RULE FOR COUNTIES
S. F. 130

AN ACT to implement home rule for counties by supplementing and recodifying statutes relating to the organization and functions of county government and the powers and duties of the board of supervisors and other county officers and employees, making corresponding amendments, and providing penalties.

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

DIVISION I

Sec. 100. NEW SECTION. DEFINITIONS. As used in sections 100 through 907 of this Act, unless the context otherwise requires:

1. "Board" means the board of supervisors of a county.
2. "Supervisor" means a member of the board of supervisors.
3. "Auditor" means the county auditor or a deputy auditor or employee designated by the county auditor.
4. "Treasurer" means the county treasurer or a deputy treasurer or employee designated by the county treasurer.
5. "Recorder" means the county recorder or a deputy recorder or employee designated by the county recorder.
6. "County attorney" means the county attorney or a deputy county attorney or assistant county attorney designated by the county attorney.