

map to be timely provided to the commission and affected parties including owners of electric supply lines located within six-tenths of one mile of proposed construction of such lines, wires or cables. A person who seeks to construct, erect, maintain or operate a transmission line, wire or cable which will operate at an electric voltage of less than thirty-four and one-half kilovolts outside of cities and which cannot secure the necessary voluntary easements to do so may petition the commission pursuant to section 478.3, subsection 1 for a franchise granting authority for such construction, erection, maintenance or operation, and for the use of the right of eminent domain.

Sec. 3. Section 478.19, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. All transmission lines, wires or cables outside of cities for the transmission, distribution or sale of electric current at any voltage shall be constructed and maintained in accordance with standards adopted by rule by the commission.

Approved April 17, 1984

CHAPTER 1102
SECONDARY ROAD BUDGET YEAR
S.F. 2250

AN ACT relating to the budget year and annual report provisions for secondary roads.

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

Section 1. Section 17.9, Code 1983, is amended to read as follows:

17.9 STATE DEPARTMENT OF TRANSPORTATION. The annual report of the state department of transportation shall cover the year ending June 30 and shall be filed not later than September 1 of each year, provided the summary report of county highway engineers may be filed on a date not later than February 1.

Sec. 2. Section 309.1, Code 1983, is amended to read as follows:

309.1 DEFINITION. As used in this chapter, unless the context otherwise requires, "department":

1. "Department" means the state department of transportation.
2. "Fiscal year" means the period of twelve months beginning on July 1 and ending on June 30.

Sec. 3. Section 309.10, unnumbered paragraph 1, Code Supplement 1983, is amended to read as follows:

Notwithstanding the provisions of section 310.4, if the board of supervisors of a county does not plan to utilize its farm-to-market road fund allocation for the succeeding calendar fiscal year for farm-to-market projects, the board may annually, by stipulation in the secondary road construction program and secondary road budget submitted to the department in accordance

with sections 309.22 and 309.93, determine an amount of the unobligated portion of their allocation, up to a maximum of fifty percent of their anticipated total annual allocation, for the construction and reconstruction of local secondary roads. However, moneys from the farm-to-market road fund shall not be so used if the moneys are needed to match federal funds available for farm-to-market road projects.

Sec. 4. Section 309.22, Code 1983, is amended to read as follows:

309.22 CONSTRUCTION PROJECT PROGRAM – PROGRESS REPORT BY ENGINEER.

On or before the ~~first fifteenth~~ day of ~~December~~ April of each year the board of supervisors, with the assistance of the county engineer, shall, subject to the approval of the department, adopt a secondary road construction program which shall include a project accomplishment list for the next calendar fiscal year, and a project priority list for the succeeding four fiscal years based upon the construction funds, local secondary and farm-to-market, estimated to be available for such year the period. Subject to departmental approval, any project on the approved priority list may be advanced to and constructed in the accomplishment year and the project accomplishment list may be revised due to unforeseen conditions.

~~At~~ After the close of each fiscal year, and not later than September 15, the county engineer as a part of his shall submit an annual report to the said department. The annual report shall include a statement of the progress made toward the completion of each project contained in the approved project accomplishment list on which work was accomplished, a statement of the total amount expended on each such project during the year, and a statement of what portion of the work on each such project was done on contract and the amount so expended on each contract for each such project.

Sec. 5. Chapter 309, Code 1983, is amended by adding the following new section:

NEW SECTION. 309.23 REVIEW BY DEPARTMENT AND OPERATION OF PROGRAM. The secondary road construction program is subject to review by the department under section 309.94 and subject to program operation requirements under section 309.96, subsection 2.

Sec. 6. Section 309.93, Code 1983, is amended to read as follows:

309.93 ITEMIZED STATEMENT. On or before ~~December 1~~ April 15 of each year, the board of supervisors, with the assistance of the county engineer, shall adopt and submit to the department for approval the county secondary road budget for the next ~~calendar~~ fiscal year. The budget shall include an itemized statement of:

1. Estimated revenues to be raised by property taxation for secondary road purposes.
2. Estimated revenues to be received from the state road use tax fund.
3. ~~Estimates of~~ Estimated revenues from all other sources for secondary road purposes.
4. The proposed expenditures from each the road fund during the next ~~calendar~~ fiscal year. The estimates of ~~such~~ proposed expenditures shall be itemized and classified in a manner which prescribed by the department shall prescribe.
5. The actual expenditures for the ~~last preceding two prior~~ last preceding two prior fiscal years and the estimated expenditures for the current fiscal year. These shall be itemized and classified in the same manner as proposed expenditures.
6. The cash balance of each the road fund at the end of the ~~last prior~~ last prior preceding fiscal year, an estimate of the cash balance at the end of the current fiscal year, and an estimate of the cash balance at the end of the next ~~calendar~~ fiscal year.

Sec. 7. Section 309.94, Code 1983, is amended to read as follows:

309.94 REVIEW BY DEPARTMENT. The department shall have the power to approve or disapprove the budget adopted by the board of supervisors. If the budget is not approved, the department shall list the disapproved expenditures and shall state the reasons for disapproval when the budget is returned to the county. The department shall act upon a budget and return the budget to the county within forty-five days after the budget is received by the department not later than June 1. Upon disapproval of any proposed expenditure in a budget, the county may submit a revised budget to the department for approval. The department shall act upon such a the revised budget within thirty days.

Sec. 8. EFFECTIVE DATE—TRANSITION.

1. Sections 1 through 7 of this Act are effective July 1, 1985.

2. This section takes effect July 1, 1984. On or before December 1, 1984, the board of supervisors shall adopt a secondary road budget for the fiscal period beginning January 1, 1985 and ending June 30, 1986. The county secondary road construction program and the county secondary road budget shall be prepared and adopted as provided in chapter 309, but the program and the budget shall be effective for the eighteen-month period beginning January 1, 1985 and ending June 30, 1986 in lieu of the calendar year period required under sections 309.22 and 309.93.

Approved April 17, 1984

CHAPTER 1103

LEASE-PURCHASE AGREEMENTS

S.F. 2284

AN ACT relating to lease-purchase agreements made by an area education agency.

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

Section 1. Section 273.2, unnumbered paragraph 2, Code 1983, is amended to read as follows:

An area education agency established under the provisions of this chapter is a body politic as a school corporation for the purpose of exercising powers granted under this chapter, and as such may sue and be sued. An area education agency may hold property and execute lease-purchase agreements pursuant to the provisions of section 273.3, subsection 7, and if the purchase price of the property to be acquired pursuant to the a lease-purchase agreement exceeds five thousand dollars, the lease-purchase agreement must be approved at the regular school election or a special election held throughout the area education agency shall conduct a public hearing on the proposed lease-purchase agreement and receive approval from the area education agency board of directors and the state board of public instruction before entering into the agreement. Section 277.3 is applicable to an election called under this section by the board of directors of an area education agency.

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