

Roads and Highways.  
February 24, 1933.

House File No. 409. ✓  
By LAUGHLIN. ✓

*To create a Board of Unemployment Relief*

## A BILL FOR

An Act to relieve unemployment, to provide work on the secondary roads, to provide for the employment of citizens of Iowa on such work, to amend Section forty-six hundred forty-four-c eight (4644-c8) and Section five thousand ninety-three-a nine (5093-a9) of the Code, 1931, to provide for the improvement of secondary roads, and to provide ways and means for meeting the cost of such secondary road improvement.

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

1 Section 1. The intent of this Act is to provide work on  
2 the secondary roads as a means of relieving unemployment, to  
3 provide for the employment of a maximum number of Iowa citizens  
4 on such work, and to provide a means for speeding up secondary  
5 road improvements.

1 Sec. 2. Insofar as practicable, all labor employed on any  
2 contract under this Act, shall be citizens of the county in which  
3 such project is located. Provided that on any contract held by  
4 a contractor from outside the county or state, the superintendent,  
5 foreman, and timekeeper need not be a citizen of the county.  
6 Insofar as practicable team outfits shall be used on grading  
7 contracts.

1 Sec. 3. No person employed on such contract, except the  
2 superintendent, foreman and timekeeper, shall be permitted  
3 to work more than thirty hours in any week, provided that,  
4 subject to the approval of the board of supervisors, such  
5 persons as may appear necessary may be permitted to work more

6 than thirty hours per week. The contractor shall, on each pay  
7 day, file with the county board a certified copy of this pay-  
8 roll. Said payroll shall show the names, positions, and home  
9 addresses of the persons employed by him on said contract,  
10 and dates and hours worked, rate of pay, the amount due each  
11 such person.

1 Sec. 4. That Section forty-six hundred forty-four c  
2 eight (4644-c8) of the Code, 1931, is hereby amended by strik-  
3 ing therefrom all of lines five (5) and six (6) (being sub-  
4 paragraph two (2) of said Section) and renumbering the remaining  
5 paragraphs three (3) and four (4) respective, two (2) and three  
6 (3).

1 Sec. 5. That Section five thousand ninety-three a nine  
2 (5093-a9) of the Code, 1931, is hereby amended as follows:

3 (a) By striking from lines five (5) and six (6) of said  
4 Section the words "secondary road construction fund of the  
5 several counties of the state" and substituting in lieu thereof  
6 the words "state farm to market road fund".

7 (b) By striking all of said Section following the comma  
8 (,) after the word "month" in line eleven (11) of said Section  
9 and substituting the following in lieu thereof: "certify to  
10 the auditor of state and the state highway commission the  
11 amount so apportioned to each county and to the county auditor  
12 of each county the amount apportioned to that county".

1 Sec. 6. There is hereby created a state farm to market  
2 road fund. Said fund shall include such motor vehicle fuel

3 license fees and such other funds as may by law be credited  
4 to the state farm to market road fund.

1 Sec. 7. The state farm to market road fund shall be  
2 apportioned among the counties of the state in the ratio that  
3 the area of the county bears to the total area of the state.

1 Sec. 8. The state farm to market road fund allotted to  
2 any county shall be expended for the establishment and  
3 construction of secondary roads in said county, the acquiring  
4 of additional right of way, the payment of interest, and the  
5 redemption of any bonds or certificates issued in anticipation  
6 of said county's allotment of the state farm to market road  
7 fund, and all other expenses incurred in the construction of  
8 secondary roads in said county.

1 Sec. 9. The state farm to market road fund shall be paid  
2 out by the treasurer of state on warrants drawn by the auditor  
3 of state on vouchers submitted by the board of supervisors and  
4 approved by the state highway commission.

1 Sec. 10. The state highway commission shall keep accounts  
2 in relation to the state farm to market road fund allotted to  
3 each county, crediting each county's allotment with all amounts  
4 by law creditable thereto and charging each with the amount of  
5 all duly and finally approved vouchers for claims properly  
6 chargeable thereto. The state highway commission's account  
7 shall also show the amount, number, date of maturity, and  
8 interest rate of each separate issue of maturity, and interest  
9 rate of each separate issue of secondary road bonds or certif-

10 icates payable out of said county's allotment of the state farm  
11 to market road fund.

1 Sec. 11. Before proceeding with any secondary road  
2 improvement project hereunder the board of supervisors shall  
3 submit such project to the state highway commission for approval.

1 Sec. 12. All contracts for secondary road improvement under  
2 this Act shall be awarded by the board of supervisors and shall  
3 be approved by the state highway commission before becoming  
4 effective.

1 Sec. 13. In the selection of projects for improvement under  
2 this Act, preference shall be given to those roads which will  
3 provide a connection and outlet for towns and villages which have  
4 no surfaced road connection with a surfaced primary or secondary  
5 road.

1 Sec. 14. The plans and specifications for all secondary  
2 road construction projects under this Act shall be approved by  
3 the state highway commission. If the estimated cost exceeds one  
4 thousand dollars (\$1,000.00) the board of supervisors shall  
5 proceed to advertise for bids for the construction of said  
6 improvement.

1 Sec. 15. In the award of contracts, due consideration shall  
2 be given not only to the prices bid but also to the mechanical  
3 and other equipment and the financial responsibility of the  
4 bidder and his ability and experience in the performance of  
5 similar or like contracts. The board of supervisors may  
6 reject any or all bids, or may let by private contract at

7 a cost not to exceed the lowest bids received, or, if the  
8 estimated cost of the work does not exceed the sum of five  
9 thousand dollars (\$5,000.00) may, subject to the approval of  
10 the state highway commission, proceed to the construction of  
11 same by day labor. All contracts shall be in writing and  
12 shall be secured by bond for the faithful performance thereof  
13 as provided by law.

1 Sec. 16. All claims shall be itemized on voucher forms  
2 prepared for that purpose, sworn to by the claimants, certifi-  
3 ed to by the county engineer, approved by the board of super-  
4 visors, and then forwarded to the state highway commission for  
5 audit and approval.

1 Sec. 17. If any county has authorized bonds under the  
2 provisions of Chapter 242 of the Code, 1931, for the improve-  
3 ment of secondary roads, such county's allotment of the state  
4 farm to market road fund or such portion thereof as may be  
5 necessary, shall be used in the payment of any bonds or  
6 interest thereon maturing in any year. Whenever any of such  
7 bonds or interest are about to mature or accrue, the state  
8 highway commission shall prepare a voucher in payment thereof  
9 in favor of the county treasurer in said county and drawn  
10 against said county's allotment of the state farm to market  
11 road fund. Upon approval by the commission, said voucher shall  
12 be forwarded to the auditor of state who shall draw a warrant  
13 therefor in favor of the county treasurer of said county  
14 and payable out of said county's allotment of the state farm

15 to market road fund. The county treasurer shall use the funds  
16 so received for the payment of interest and principal of county  
17 road bonds issued under the provisions of Chapter 242 of the  
18 Code, 1931, and for no other purpose.

1 Sec. 18. In order to hasten the improvement under this Act  
2 of the secondary roads of any county which has no outstanding  
3 secondary road bonds issued under Chapter 242 of the Code, 1931,  
4 the state executive council shall, upon request in writing by  
5 the board of supervisors, approved by the state highway commis-  
6 sion, cause to be issued and sold, certificates in anticipation  
7 of said county's allotment of the state farm to market road  
8 fund.

1 Sec. 19. The amount of certificates issued in anticipat-  
2 ion of any county's allotment of the state farm to market road  
3 fund, together with any such certificates then outstanding,  
4 shall not exceed ten times the amount of said county's allot-  
5 ment of the state farm to market road funds for the current  
6 year, as estimated by the state highway commission. Such  
7 certificate shall be due and payable in not more than fifteen  
8 years from the date of issue.

1 Sec. 20. Such certificates shall be authorized by a duly  
2 adopted resolution of the state executive council, which  
3 resolution shall specify (1) the amount of the certificates  
4 authorized; (2) the number and denomination of each certificate;  
5 (3) the rate of interest which each certificate shall bear;  
6 (4) the amount of certificates then outstanding in anticip-

7 ation of said county's allotment; (5) the estimated amount of  
8 said county's allotment of the state farm to market road fund;  
9 (6) the amount of county road bonds (if any) which said county  
10 has outstanding under Chapter 242 of the Code, 1931, and which  
11 are payable from said county's allotment of the state farm to  
12 market road fund; (7) the authorization of the Governor to sign  
13 and the auditor of state to countersign such certificates.

1 Sec. 21. Each certificate shall recite (1) the amount of  
2 such certificate; (2) that said certificate and the interest  
3 thereon is payable solely out of said county's allotment of  
4 the state farm to market road fund; (3) the rate of interest  
5 which such certificate shall bear; (4) that the interest on  
6 said certificate shall be payable semi-annually on May first  
7 and November first of each year; (5) the date on which said  
8 certificate is due and payable; and (6) the place where such  
9 certificate and the interest thereon will be paid.

1 Sec. 22. The certificates in anticipation of any county's  
2 allotment of the state farm to market road fund shall, together  
3 with the interest thereon, be payable solely out of said county's  
4 allotment of the state farm to market road fund. The interest  
5 and principal of such certificate shall constitute a first lien  
6 on said county's allotment of the state farm to market road fund.

1 Sec. 23. After such certificates have been signed by  
2 the Governor and countersigned by the auditor of state, said  
3 latter officer shall deliver such certificates to the treasurer  
4 of state, who shall be responsible therefor on his bond. The

5 treasurer of state shall sell said certificates in accordance  
6 with the provisions of Chapter 63 of the Code, 1931, for the  
7 best obtainable price and at not less than par plus accrued  
8 interest, shall credit the county's allotment of the state  
9 farm to market road fund with the amount obtained from the sale  
10 of such certificates, and shall certify to the county auditor,  
11 the auditor of state and the state highway commission the amount  
12 so credited to the said county's allotment.

1     Sec. 24. The funds derived from the sale of certificates  
2 issued in anticipation of any county's allotment of the state  
3 farm to market road fund, shall be used for the improvement of  
4 secondary roads in such county and for no other purpose. Said  
5 funds shall be paid out by the treasurer of state in the same  
6 manner and for the same purpose as specified in this Act for  
7 the payment of state farm to market road funds.

1     Sec. 25. The treasurer of state shall, in disposing of  
2 such certificates, keep a record of the name and postoffice  
3 address of all persons to whom any of such certificates are  
4 issued, with the particular designation and description of the  
5 certificates delivered to each person. Any subsequent holder  
6 of any such certificates may present the same to the treasurer  
7 of state and cause his name and postoffice address to be  
8 entered in lieu of that of such former holder. Whenever any  
9 of such certificates are about to mature, the treasurer of  
10 state shall, by mail, notify the record holder of such certifi-  
11 cates of such fact and that the same will be paid upon

12 presentation at the place designated thereon. Interest on  
13 such certificates shall cease on the maturity date thereof.

1     Sec. 26. Said county's allotment of the state farm to  
2 market road fund, or so much thereof as may be required each  
3 year, shall stand pledged for the payment of such certificate  
4 and the interest thereon, and shall be used for no other purpose.

1     Sec. 27. Should any county's allotment of the state farm  
2 to market road fund in any year, be not sufficient to fully pay  
3 such certificates and the interest thereon as the same mature  
4 and accrue, the executive council shall cause refunding certifi-  
5 cates in an amount sufficient to make up the deficiency, to be  
6 issued in the same manner as provided in this Act for the  
7 original issue of such certificates. **Such refunding certificates**  
8 and the interest thereon shall be paid from said county's allot-  
9 ment of the state farm to market road fund and shall be supported  
10 by the same terms, conditions, and pledge of funds as provided  
11 in this Act for the original issue of certificates.