

FILED JAN 31 1977

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SENATE FILE 53

By COMMITTEE ON COUNTY GOVERNMENT
(Page 1/31(242))

Passed Senate, Date 2-7-77 (304) Passed House, Date 2/22/77 (456)
Vote: Ayes 48 Nays 0 Vote: Ayes 93 Nays 0
Approved Jan 4, 1977

A BILL FOR

- 1 An Act relating to the expenditure of federal funds for
 - 2 county buildings or facilities.
 - 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- S-3069

- 1 Amend Senate File 53 as follows:
- 2 1. Page 2, line 14, by striking the words
- 3 "seventy-five thousand" and inserting in lieu there-
- 4 of the words "fifty thousand".

S-3069 FILED & ADOPTED (p. 303) BY ROGER J. SHAFF
FEBRUARY 7, 1977

S-3067

- 1 Amend Senate File 53 as follows:
- 2 1. Page 2, line 4, by inserting after the word
- 3 "project," the word "or". A
- 4 2. Page 2, line 5, by striking the word "funds," B
- 5 and inserting in lieu thereof the words "funds and".
- 6 3. Page 2, line 6, by striking the word "county"
- 7 and inserting in lieu thereof the word "county,".

S-3067 FILED A- adopted, B. withdrawn BY PHILIP B. HILL
FEBRUARY 3, 1977 2/7/77 (303) C. W. HUTCHINS

S-3068

- 1 Amend Senate File 53 as follows:
- 2 1. Page 2, by striking lines 11 through 13
- 3 and inserting in lieu thereof the following:
- 4 "government. When the probable project cost
- 5 exceeds fifty thousand dollars, the board
- 6 shall provide notice and hold a public hear-
- 7 ing on the project. When the expenditures"

S-3068 FILED & WITHDRAWN BY ROGER J. SHAFF
FEBRUARY 7, 1977

1 Section 1. Section three hundred forty-five point one
2 (345.1), Code 1977, is amended to read as follows:

3 345.1 EXPENDITURES--WHEN VOTE NECESSARY. The board of
4 supervisors shall not order the erection of, or the building
5 of an addition or extension to, or the remodeling or recon-
6 struction or relocation and replacement of a courthouse, jail,
7 county hospital, county care facility or any other county
8 building or facility, except as otherwise provided, when the
9 probable cost will exceed ten thousand dollars, nor the
10 purchase of real estate for county purposes exceeding ten
11 thousand dollars in value, until a proposition therefor shall
12 have been first submitted to the qualified electors of the
13 county, and voted for by a majority of all persons voting
14 for and against such proposition at a general or special
15 election, notice of the same being given as in other special
16 elections. However, such proposition need not be submitted
17 to the voters if any such erection, construction, remodeling,
18 reconstruction, relocation and replacement, or purchase of
19 real estate may be accomplished from funds on hand or from
20 federal revenue-sharing funds or federal matching funds and
21 without the levy of additional taxes and if the probable cost
22 of the entire project will not exceed one hundred thousand
23 dollars in a county having a population of twenty-five thousand
24 or less, one hundred fifty thousand dollars in counties having
25 a population of more than twenty-five thousand but not more
26 than fifty thousand, two hundred thousand dollars in counties
27 having a population of more than fifty thousand but not more
28 than one hundred thousand, two hundred fifty thousand dollars
29 in counties having a population of more than one hundred
30 thousand but not more than two hundred thousand, and five
31 hundred thousand dollars in counties having a population of
32 more than two hundred thousand. If a county project should
33 be determined to cost in excess of the dollar limitation for
34 the population category of such county, the proposition must
35 be submitted to the qualified electors of the county without

1 regard to the source from which such funds may be derived.
 2 However a proposition need not be submitted to the qualified
 3 electors to expend federal revenue-sharing funds for a mental
 4 health or mental retardation project, when specific projects
 5 using federal funds other than federal revenue-sharing funds,
 6 not requiring any matching funds are approved for a county
 7 or when a relocation and replacement is made necessary by
 8 the acquisition of county property for a federal or state
 9 project, and the cost of the relocation does not exceed the
 10 amount of the award of damages by the state or federal
 11 government. ~~When the probable project cost exceeds fifty~~
 12 ~~thousand dollars, the board shall provide notice and hold~~
 13 ~~a public hearing on the project.~~ When the expenditures
 14 authorized in this section exceed seventy-five thousand dollars
 15 and the proposition need not be submitted to the voters, the
 16 board of supervisors shall hold a public hearing on the
 17 proposition. Notice of the hearing shall be published at
 18 least two weeks prior to the hearing, in the newspaper
 19 published in the county having the largest circulation in
 20 the county. In determining whether the expenditure should
 21 be made, the board of supervisors shall give full consideration
 22 to the testimony given during the hearing.

23 Sec. 2. This Act, being deemed of immediate importance,
 24 shall take effect and be in force from and after its publica-
 25 tion in The Cedar Rapids Gazette, a newspaper published in
 26 Cedar Rapids, Iowa, and in the Ames Daily Tribune, a news-
 27 paper published in Ames, Iowa.

28 EXPLANATION

29 This bill authorizes the expenditure of federal funds other
 30 than federal revenue-sharing, not requiring any matching funds
 31 for county buildings or facilities without a public referendum.

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LSB 632S
 tj/jw/5

SENATE FILE 53
FISCAL NOTE

DATE PREPARED: February 3, 1977
REQUESTED BY: Senator Redmond

Prepared in regard to Senate File 53, An Act relating to the expenditure of federal funds for county buildings or facilities.

Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16.

S.F. 53 authorizes the expenditure of federal funds other than federal revenue-sharing, not requiring any matching funds for county buildings or facilities without a public referendum.

According to the County Officers Association, it would not be possible to establish a dollar effect that S.F. 53 would have. However, there should be a savings on specific projects using federal funds other than federal revenue-sharing funds not requiring any matching funds because a special election would not be necessary.

Source: County Officers Association

FILED
FEBRUARY 3, 1977

GERRY D. RANKIN
LEGISLATIVE FISCAL DIRECTOR

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 7, 1977)

Passed Senate, Date 2-7-77 (304) Passed House, Date 2-22-77 (456)

Vote: Ayes 48 Nays 0 Vote: Ayes 93 Nays 0

Approved March 4, 1977

A BILL FOR

1 An Act relating to the expenditure of federal funds for
2 county buildings or facilities.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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Proof of publication on page 732 of the Senate Journal

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_____ = New Language
by the Senate

1 Section 1. Section three hundred forty-five point one
2 (345.1), Code 1977, is amended to read as follows:

3 345.1 EXPENDITURES--WHEN VOTE NECESSARY. The board of
4 supervisors shall not order the erection of, or the building
5 of an addition or extension to, or the remodeling or recon-
6 struction or relocation and replacement of a courthouse, jail,
7 county hospital, county care facility or any other county
8 building or facility, except as otherwise provided, when the
9 probable cost will exceed ten thousand dollars, nor the
10 purchase of real estate for county purposes exceeding ten
11 thousand dollars in value, until a proposition therefor shall
12 have been first submitted to the qualified electors of the
13 county, and voted for by a majority of all persons voting
14 for and against such proposition at a general or special
15 election, notice of the same being given as in other special
16 elections. However, such proposition need not be submitted
17 to the voters if any such erection, construction, remodeling,
18 reconstruction, relocation and replacement, or purchase of
19 real estate may be accomplished from funds on hand or from
20 federal revenue-sharing funds or federal matching funds and
21 without the levy of additional taxes and if the probable cost
22 of the entire project will not exceed one hundred thousand
23 dollars in a county having a population of twenty-five thousand
24 or less, one hundred fifty thousand dollars in counties having
25 a population of more than twenty-five thousand but not more
26 than fifty thousand, two hundred thousand dollars in counties
27 having a population of more than fifty thousand but not more
28 than one hundred thousand, two hundred fifty thousand dollars
29 in counties having a population of more than one hundred
30 thousand but not more than two hundred thousand, and five
31 hundred thousand dollars in counties having a population of
32 more than two hundred thousand. If a county project should
33 be determined to cost in excess of the dollar limitation for
34 the population category of such county, the proposition must
35 be submitted to the qualified electors of the county without

1 regard to the source from which such funds may be derived.
 2 However a proposition need not be submitted to the qualified
 3 electors to expend federal revenue-sharing funds for a mental
 4 health or mental retardation project, or when specific projects
 5 using federal funds other than federal revenue-sharing funds,
 6 not requiring any matching funds are approved for a county,
 7 or when a relocation and replacement is made necessary by
 8 the acquisition of county property for a federal or state
 9 project, and the cost of the relocation does not exceed the
 10 amount of the award of damages by the state or federal
 11 government. ~~When the probable project cost exceeds fifty~~
 12 ~~thousand dollars, the board shall provide notice and hold~~
 13 ~~a public hearing on the project.~~ When the expenditures
 14 authorized in this section exceed fifty thousand dollars and
 15 the proposition need not be submitted to the voters, the board
 16 of supervisors shall hold a public hearing on the proposition.
 17 Notice of the hearing shall be published at least two weeks
 18 prior to the hearing, in the newspaper published in the county
 19 having the largest circulation in the county. In determining
 20 whether the expenditure should be made, the board of
 21 supervisors shall give full consideration to the testimony
 22 given during the hearing.

23 Sec. 2. This Act, being deemed of immediate importance,
 24 shall take effect and be in force from and after its publica-
 25 tion in The Cedar Rapids Gazette, ^{3/9/77} a newspaper published in
 26 Cedar Rapids, Iowa, and in the Ames ^{3/21/77} Daily Tribune, a news-
 27 paper published in Ames, Iowa.

28 EXPLANATION

29 This bill authorizes the expenditure of federal funds other
 30 than federal revenue-sharing, not requiring any matching funds
 31 for county buildings or facilities without a public referendum.

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SENATE FILE 53

AN ACT

RELATING TO THE EXPENDITURE OF FEDERAL FUNDS FOR COUNTY BUILDINGS OR FACILITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section three hundred forty-five point one (145.1), Code 1977, is amended to read as follows:

145.1 EXPENDITURES--WHEN VOTE NECESSARY. The board of supervisors shall not order the erection of, or the building of an addition or extension to, or the remodeling or reconstruction or relocation and replacement of a courthouse, jail, county hospital, county care facility or any other county building or facility, except as otherwise provided, when the probable cost will exceed ten thousand dollars, nor the purchase of real estate for county purposes exceeding ten thousand dollars in value, until a proposition therefor shall have been first submitted to the qualified electors of the county, and voted for by a majority of all persons voting for and against such proposition at a general or special election, notice of the same being given as in other special elections. However, such proposition need not be submitted to the voters if any such erection, construction, remodeling, reconstruction, relocation and replacement, or purchase of real estate may be accomplished from funds on hand or from federal revenue-sharing funds or federal matching funds and without the levy of additional taxes and if the probable cost of the entire project will not exceed one hundred thousand dollars in a county having a population of twenty-five thousand or less, one hundred fifty thousand dollars in counties having a population of more than twenty-five thousand but not more than fifty thousand, two hundred thousand dollars in counties

having a population of more than fifty thousand but not more than one hundred thousand, two hundred fifty thousand dollars in counties having a population of more than one hundred thousand but not more than two hundred thousand, and five hundred thousand dollars in counties having a population of more than two hundred thousand. If a county project should be determined to cost in excess of the dollar limitation for the population category of such county, the proposition must be submitted to the qualified electors of the county without regard to the source from which such funds may be derived. However a proposition need not be submitted to the qualified electors to expend federal revenue-sharing funds for a mental health or mental retardation project, or when specific projects using federal funds other than federal revenue-sharing funds, not requiring any matching funds are approved for a county, or when a relocation and replacement is made necessary by the acquisition of county property for a federal or state project, and the cost of the relocation does not exceed the amount of the award of damages by the state or federal government. ~~When the probable project cost exceeds fifty thousand dollars, the board shall provide notice and hold a public hearing on the project.~~ When the expenditures authorized in this section exceed seventy-five fifty thousand dollars and the proposition need not be submitted to the voters, the board of supervisors shall hold a public hearing on the proposition. Notice of the hearing shall be published at least two weeks prior to the hearing, in the newspaper published in the county having the largest circulation in the county. In determining whether the expenditure should be made, the board of supervisors shall give full consideration to the testimony given during the hearing.

Sec. 2. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Cedar Rapids Gazette, a newspaper published in