

County Government
Redmond, Chairperson
Hutchins
Briles

2/10 to you for 5286 3/2 (p. 496)

Reprinted 3/78

SENATE FILE 2115

By RUSH, JUNKINS and SCOTT

REPRINTED

FILED FEB 14 1978

Passed Senate, Date 3-9-78 (p. 496) Passed House, Date _____
Vote: Ayes 2/3 Nays 2 Vote: Ayes _____ Nays _____
Approved 6/12/78

A BILL FOR

1 An Act authorizing the temporary transfer of money from the
2 general fund of the county to the county conservation fund
3 to match federal funds.

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

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SENATE FILE 2115

S-5286

1 Amend Senate File 2115 as follows:
2 1. Page 3, by striking lines 3 through 7.

S-5286 FILED *Law 2/9 (p. 496)*
MARCH 2, 1978

BY JAMES M. REDMOND, Chairperson
COMMITTEE ON COUNTY GOVERNMENT

1 Section 1. Section twenty-four point twenty-two (24.22),
2 Code 1977, is amended to read as follows:

3 24.22 TRANSFER OF ACTIVE FUNDS--POOR FUND. Upon the
4 approval of the state board, it shall be lawful to make
5 temporary or permanent transfers of money from one fund of
6 the municipality to another fund thereof; but in no event
7 shall there be transferred for any purpose any of the funds
8 collected and received for the construction and maintenance
9 of secondary roads. The certifying board or levying board,
10 as the case may be, shall provide that money temporarily
11 transferred shall be returned to the fund from which it was
12 transferred within such time and upon such conditions as the
13 state board shall determine, provided that it shall not be
14 necessary to return to the emergency fund, or to any other
15 fund no longer required, any money transferred therefrom to
16 any other fund. However, the board of supervisors may
17 temporarily transfer any unobligated funds from the county
18 general fund to the county conservation fund without approval
19 of the state board as provided in section one hundred eleven
20 A point six (111A.6) of the Code. No transfer shall be made
21 to a poor fund unless there is a shortage in said fund after
22 the maximum permissible levy has been made for said fund.

23 Sec. 2. Section one hundred eleven A point six (111A.6),
24 unnumbered paragraph one (1), Code 1977, is amended to read
25 as follows:

26 111A.6 FUNDS--TAX LEVY--GIFTS--ANTICIPATORY BONDS. Upon
27 the adoption of any county of the provisions of this chapter,
28 the county board of supervisors of such county may by
29 resolution appropriate an amount of money from the general
30 fund of the county for the payment of expenses incurred by
31 the county conservation board in carrying out its powers and
32 duties, ~~and it~~. The board of supervisors may temporarily
33 transfer by resolution, any unobligated funds from the general
34 fund of the county to the county conservation fund in
35 anticipation of or to match committed receipts of federal

1 funds from the bureau of outdoor recreation. The transferred
2 funds shall be returned to the general fund of the county
3 within such time as specified by the board of supervisors
4 or upon receipt of the federal funds, whichever date is
5 earlier. The board of supervisors may levy or cause to be
6 levied an annual tax, in addition to all other taxes, of not
7 more than twenty-seven cents per thousand dollars of the
8 assessed value of all real and personal property subject to
9 taxation within such county, upon proper certification by
10 said county conservation board made pursuant to and in
11 compliance with all of the provisions of chapter 24, which
12 tax shall be collected by the county treasurer as other taxes
13 are collected, and shall be paid into a separate and distinct
14 fund to be known as the county conservation fund, to be paid
15 out upon the warrants drawn by the county auditor upon
16 requisition of the county conservation board for the payment
17 of expenses incurred in carrying out the powers and duties
18 of said conservation board. The county conservation board
19 shall have no power or authority to contract any debt or
20 obligation in any year in excess of the moneys in the hands
21 of the county treasurer immediately available for such
22 purposes, except the board of supervisors may authorize
23 deferred payments for land acquisition purchases not to exceed
24 one-fourth of the annual conservation fund levy nor to extend
25 over a period of ten years or except for projects to be
26 financed from unobligated funds in the county conservation
27 fund and committed federal matching grants. Any single
28 expenditure of, or contract to expend, a sum of five thousand
29 dollars shall be subject to the provisions of chapter 23.
30 Gifts, contributions and bequests of money and all rent,
31 licenses, fees and charges and other revenue or money received
32 or collected by the board shall be deposited in the county
33 conservation fund to be used for the purchase of land, property
34 and equipment and the payment of expenses incurred in carrying
35 out the activities of the board, except that moneys given,

1 bequeathed, or contributed upon specified trusts shall be
2 held and applied in accordance with the trust specified.
3 Sec. 3. This Act, being deemed of immediate importance,
4 shall take effect and be in force from and after its
5 publication in The Cedar Rapids Gazette, a newspaper published
6 in Cedar Rapids, Iowa, and in the Evening Democrat, a newspaper
7 published in Fort Madison, Iowa.

8 EXPLANATION

9 This bill authorizes the board of supervisors to temporarily
10 transfer money from the general fund of the county to the
11 county conservation fund in anticipation of or to match
12 committed receipts of federal funds for conservation projects.

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SENATE FILE 2115

S-5344

1 Amend Senate File 2115 as follows:
2 1. Page 2, line 3, by inserting after the word
3 "time" the words "not to exceed five (5) years".

S-5344 FILED & ADOPTED (p. 496) BY BOB RUSH
MARCH 9, 1978

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SENATE FILE 2115

S-5342

1 Amend Senate File 2115 as follows:
DIV 2 1. Page 2, line 1, by striking the words "bureau
A 3 of outdoor recreation" and inserting in lieu thereof
4 the words "Heritage Conservation and Recreation Service".
DIV 5 2. Page 2, line 27, by inserting after the word
B 6 "and" the word "/or".

S-5342 FILED BY CALVIN O. HULTMAN
MARCH 9, 1978 (p. 496)
DIV. A - ADOPTED - DIV. B - WITHDRAWN (p. 496)

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LSB 3600S
tj/sd/14

1 Section 1. Section twenty-four point twenty-two (24.22),
2 Code 1977, is amended to read as follows:

3 24.22 TRANSFER OF ACTIVE FUNDS--POOR FUND. Upon the
4 approval of the state board, it shall be lawful to make
5 temporary or permanent transfers of money from one fund of
6 the municipality to another fund thereof; but in no event
7 shall there be transferred for any purpose any of the funds
8 collected and received for the construction and maintenance
9 of secondary roads. The certifying board or levying board,
10 as the case may be, shall provide that money temporarily
11 transferred shall be returned to the fund from which it was
12 transferred within such time and upon such conditions as the
13 state board shall determine, provided that it shall not be
14 necessary to return to the emergency fund, or to any other
15 fund no longer required, any money transferred therefrom to
16 any other fund. However, the board of supervisors may
17 temporarily transfer any unobligated funds from the county
18 general fund to the county conservation fund without approval
19 of the state board as provided in section one hundred eleven
20 A point six (111A.6) of the Code. No transfer shall be made
21 to a poor fund unless there is a shortage in said fund after
22 the maximum permissible levy has been made for said fund.

23 Sec. 2. Section one hundred eleven A point six (111A.6),
24 unnumbered paragraph one (1), Code 1977, is amended to read
25 as follows:

26 111A.6 FUNDS--TAX LEVY--GIFTS--ANTICIPATORY BONDS. Upon
27 the adoption of any county of the provisions of this chapter,
28 the county board of supervisors of such county may by
29 resolution appropriate an amount of money from the general
30 fund of the county for the payment of expenses incurred by
31 the county conservation board in carrying out its powers and
32 ~~duties, and it.~~ The board of supervisors may temporarily
33 transfer by resolution, any unobligated funds from the general
34 fund of the county to the county conservation fund in
35 anticipation of or to match committed receipts of federal

1 funds from the Heritage Conservation and Recreation Service.
2 The transferred funds shall be returned to the general fund
3 of the county within such time not to exceed five (5) years
4 as specified by the board of supervisors or upon receipt of
5 the federal funds, whichever date is earlier. The board of
6 supervisors may levy or cause to be levied an annual tax,
7 in addition to all other taxes, of not more than twenty-seven
8 cents per thousand dollars of the assessed value of all real
9 and personal property subject to taxation within such county,
10 upon proper certification by said county conservation board
11 made pursuant to and in compliance with all of the provisions
12 of chapter 24, which tax shall be collected by the county
13 treasurer as other taxes are collected, and shall be paid
14 into a separate and distinct fund to be known as the county
15 conservation fund, to be paid out upon the warrants drawn
16 by the county auditor upon requisition of the county
17 conservation board for the payment of expenses incurred in
18 carrying out the powers and duties of said conservation board.
19 The county conservation board shall have no power or authority
20 to contract any debt or obligation in any year in excess of
21 the moneys in the hands of the county treasurer immediately
22 available for such purposes, except the board of supervisors
23 may authorize deferred payments for land acquisition purchases
24 not to exceed one-fourth of the annual conservation fund levy
25 nor to extend over a period of ten years or except for projects
26 to be financed from unobligated funds in the county
27 conservation fund and committed federal matching grants.
28 Any single expenditure of, or contract to expend, a sum of
29 five thousand dollars shall be subject to the provisions of
30 chapter 23. Gifts, contributions and bequests of money and
31 all rent, licenses, fees and charges and other revenue or
32 money received or collected by the board shall be deposited
33 in the county conservation fund to be used for the purchase
34 of land, property and equipment and the payment of expenses
35 incurred in carrying out the activities of the board, except

1 that moneys given, bequeathed, or contributed upon specified
2 trusts shall be held and applied in accordance with the trust
3 specified.

4 Sec. 3. This Act, being deemed of immediate importance,
5 shall take effect and be in force from and after its
6 publication in The Cedar Rapids Gazette, a newspaper published
7 in Cedar Rapids, Iowa, and in the Evening Democrat, a newspaper
8 published in Fort Madison, Iowa.

9 EXPLANATION

10 This bill authorizes the board of supervisors to temporarily
11 transfer money from the general fund of the county to the
12 county conservation fund in anticipation of or to match
13 committed receipts of federal funds for conservation projects.

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SF 2115
tj/slc/26C

SENATE FILE 2115

H-6567

1 Amend Senate File 2115 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, line 32, by striking the word "The"
4 and inserting in lieu thereof the words "After approval
5 of a ballot issue on the question, the".
6 2. Page 1, line 33, by striking the words "by
7 resolution,".
8 3. Page 2, by inserting after line 1 the follow-
9 ing:
10 "If the board desires to transfer the funds, it
11 shall, by a resolution adopted at least fifty-five
12 days prior to the next pending primary or general
13 election in the county, direct the county commissioner
14 of elections to place the question of transferring
15 the funds before the voters of the county at that
16 election. The question shall be submitted and voted
17 upon in the same manner as any other ballot issue
18 and shall be decided by a simple majority of all the
19 votes cast for and against the proposal."

H-6567 FILED *James H. [unclear]* BY WYCKOFF of Benton
MAY 8, 1978

SENATE FILE 2115

H-6015

- 1 Amend Senate File 2115, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 2, line 1, by inserting after the word
4 "Service." the words "However, the funds transferred
5 from the general fund of the county shall not exceed
6 an amount equal to twenty-seven cents per thousand
7 dollars of the assessed value of the taxable property
8 in the county."

H-6015 FILED *Handwritten* BY WYCKOFF of Benton
APRIL 12, 1978 *Handwritten*

SENATE FILE 2115

H-6090

- 1 Amend Senate File 2115 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking lines 1 through 22.

H-6090 FILED *Handwritten* BY WYCKOFF of Benton
APRIL 17, 1978 *Handwritten*

SENATE FILE 2115

H-6091

- 1 Amend amendment H-6015 to Senate File 2115
2 as follows:
3 1. Page 1, by striking line 8 and inserting
4 in lieu thereof the following: "in the county,
5 or two hundred thousand (200,000) dollars, which-
6 ever is smaller."

H-6091 FILED *Handwritten* BY WYCKOFF of Benton
APRIL 17, 1978 *Handwritten*

SENATE FILE 2115

H-6437

- 1 Amend Senate File 2115 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, line 5, by inserting after the word
4 "earlier." the words "The transferred funds shall
5 not be used to acquire abandoned railroad rights-of-
6 way."

H-6437 FILED *Handwritten* BY WYCKOFF of Benton
MAY 1, 1978

SENATE FILE 2115

H-6647

1 Amend Senate File 2115 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 22 the follow-
4 ing:

5 "Sec. ____ . Section one hundred eleven A point
6 four (111A.4), subsection two (2), Code 1977, is
7 amended to read as follows:

8 2. To acquire in the name of the county by gift,
9 purchase, lease, agreement or otherwise, in fee or
10 with conditions, suitable real estate within or without
11 the territorial limits of the county areas of land
12 and water for public museums, parks, preserves,
13 parkways, playgrounds, recreation centers, forests,
14 wildlife and other conservation purposes and for
15 participation in watershed, drainage and flood control
16 programs for the purpose of increasing the recreational
17 resources of the county. The state conservation
18 commission, the county board of supervisors, or the
19 governing body of any city or village may, upon request
20 of the county conservation board, designate, set apart
21 and transfer to the county conservation board for
22 use as museums, parks, preserves, parkways,
23 playgrounds, recreation centers, play fields, tennis
24 courts, skating rinks, swimming pools, gymnasiums,
25 rooms for arts and crafts, camps and meeting places,
26 community forests, wildlife areas and other
27 recreational purposes, any land and buildings owned
28 or controlled by the state conservation commission
29 or such county or municipality and not devoted or
30 dedicated to any other inconsistent public use. In
31 acquiring or accepting land, due consideration shall
32 be given to its scenic, historic, archaeological,
33 recreational or other special features, and no land
34 shall be acquired or accepted which in the opinion
35 of the board and the state conservation commission
36 is of low value from the standpoint of its proposed
37 use."

38 2. By renumbering the sections to conform with
39 this amendment.

H-6647 FILED *W. Wyckoff* BY WYCKOFF of Benton
MAY 11, 1978 *W. Wyckoff*

SENATE FILE 2115

AN ACT

AUTHORIZING THE TEMPORARY TRANSFER OF MONEY FROM THE GENERAL FUND OF THE COUNTY TO THE COUNTY CONSERVATION FUND TO MATCH FEDERAL FUNDS.

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

Section 1. Section twenty-four point twenty-two (24.22), Code 1977, is amended to read as follows:

24.22 TRANSFER OF ACTIVE FUNDS--POOR FUND. Upon the approval of the state board, it shall be lawful to make temporary or permanent transfers of money from one fund of the municipality to another fund thereof; but in no event shall there be transferred for any purpose any of the funds collected and received for the construction and maintenance of secondary roads. The certifying board or levying board, as the case may be, shall provide that money temporarily transferred shall be returned to the fund from which it was transferred within such time and upon such conditions as the state board shall determine, provided that it shall not be necessary to return to the emergency fund, or to any other fund no longer required, any money transferred therefrom to any other fund. However, the board of supervisors may temporarily transfer any unobligated funds from the county general fund to the county conservation fund without approval of the state board as provided in section one hundred eleven A point six (111A.6) of the Code. No transfer shall be made to a poor fund unless there is a shortage in said fund after the maximum permissible levy has been made for said fund.

Sec. 2. Section one hundred eleven A point six (111A.6), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

111A.6 FUNDS--TAX LEVY--GIFTS--ANTICIPATORY BONDS. Upon

the adoption of any county of the provisions of this chapter, the county board of supervisors of such county may by resolution appropriate an amount of money from the general fund of the county for the payment of expenses incurred by the county conservation board in carrying out its powers and duties ~~and it.~~ The board of supervisors may temporarily transfer by resolution, any unobligated funds from the general fund of the county to the county conservation fund in anticipation of or to match committed receipts of federal funds from the Heritage Conservation and Recreation Service. The transferred funds shall be returned to the general fund of the county within such time not to exceed five (5) years as specified by the board of supervisors or upon receipt of the federal funds, whichever date is earlier. The board of supervisors may levy or cause to be levied an annual tax, in addition to all other taxes, of not more than twenty-seven cents per thousand dollars of the assessed value of all real and personal property subject to taxation within such county, upon proper certification by said county conservation board made pursuant to and in compliance with all of the provisions of chapter 24, which tax shall be collected by the county treasurer as other taxes are collected, and shall be paid into a separate and distinct fund to be known as the county conservation fund, to be paid out upon the warrants drawn by the county auditor upon requisition of the county conservation board for the payment of expenses incurred in carrying out the powers and duties of said conservation board. The county conservation board shall have no power or authority to contract any debt or obligation in any year in excess of the moneys in the hands of the county treasurer immediately available for such purposes, except the board of supervisors may authorize deferred payments for land acquisition purchases not to exceed one-fourth of the annual conservation fund levy nor to extend over a period of ten years or except for projects to be financed from unobligated funds in the county

conservation fund and committed federal matching grants.

Any single expenditure of, or contract to expend, a sum of five thousand dollars shall be subject to the provisions of chapter 23. Gifts, contributions and bequests of money and all rent, licenses, fees and charges and other revenue or money received or collected by the board shall be deposited in the county conservation fund to be used for the purchase of land, property and equipment and the payment of expenses incurred in carrying out the activities of the board, except that moneys given, bequeathed, or contributed upon specified trusts shall be held and applied in accordance with the trust specified.

Sec. 3. 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 Cedar Rapids, Iowa, and in the Evening Democrat, a newspaper published in Fort Madison, Iowa.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2115, Sixty-seventh General Assembly.

KEVIN P. LIGHT
Acting Secretary of the Senate

Approved 6/12, 1978

ROBERT D. RAY
Governor