

1 **FILED** JAN 26 1983

SENATE FILE 145

BY COMMITTEE ON TRANSPORTATION
Approved 1/26 (p 265)
(FORMERLY SSB 10)

Passed Senate, Date 2-2-83 (p 312) Passed House, Date _____
Vote: Ayes 44 Nays 3 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to repeal the mandate to the state department of
2 transportation to dispose of all right-of-way owned by
3 the department and not needed for projects by January 1,
4 1985.

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

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SENATE FILE 145

S-3033

1 Amend Senate File 145 as follows:
2 1. Page 1, by striking lines 1 through 7 and
3 inserting in lieu thereof the following:
4 "Section 1. 1981 Iowa Acts, Second Extraordinary
5 Session, chapter 2, section 18, is amended to read
6 as follows:
7 SEC. 18. It is the intent of the general assembly
8 that not later than ~~January 1, 1985~~ July 1, 1992,
9 the state department of transportation shall dispose
10 of all right of way owned by the department and not
11 needed for projects."
12 2. Title, by striking lines 1 through 4, and
13 inserting in lieu thereof the following: "An Act
14 requiring the state department of transportation to
15 dispose of all right of way owned by the department
16 and not needed for projects by July 1, 1992."

S-3033 FILED
FEBRUARY 2, 1983
ADOPTED (p. 312)

BY RICHARD F. DRAKE
BERL PRIEBE

1 Section 1. 1981 Iowa Acts, Second Extraordinary Session,
2 chapter 2, section 18, is repealed.

3 Sec. 2. This Act, being deemed of immediate importance,
4 takes effect from and after its publication in The Cascade
5 Pioneer-Advertiser, a newspaper published in Cascade, Iowa,
6 and in The Messenger, a newspaper published in Fort Dodge,
7 Iowa.

8 EXPLANATION

9 In 1981, the Sixty-ninth General Assembly enacted legisla-
10 tion directing that the state department of transportation
11 dispose of all right-of-way owned by the department and not
12 needed for projects not later than January 1, 1985. The bill
13 repeals this provision and takes effect upon publication.

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Transportation: Cochran, Chair: Bennett and Davitt.

Amend per 3257 + Do Pass 3/14/83 (p. 740)

SENATE FILE 145
BY COMMITTEE ON TRANSPORTATION

(AS AMENDED AND PASSED BY THE SENATE ON FEBRUARY 2, 1983)

As Passed Senate, Date 4-19-83 (p. 1312) Passed House, Date 4-12-83 (p. 1233)

Vote: Ayes 40 Nays 3 Vote: Ayes 91 Nays 5

Approved May 12, 1983 (p. 1719)

A BILL FOR

1 An Act requiring the state department of transportation to
2 dispose of all right of way owned by the department and not
3 needed for projects by July 1, 1992.

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

HOUSE AMENDMENT TO SENATE FILE 145

S-3568

1 Amend Senate File 145 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1 line 6 by inserting after the word
4 "projects." the words "In determining need, the
5 department shall consider both its five-year program
6 requirements and its long-range, state-wide corridor
7 development needs. In determining need based upon
8 long-range, state-wide corridor development, the
9 department shall give careful consideration to
10 economically depressed urban areas not served directly
11 by the national system of interstate and defense
12 highways."

S-3568 FILED
APRIL 18, 1983

RECEIVED FROM THE HOUSE
Senate concurred 4/19/83 (p. 1312)

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1 Section 1. 1981 Iowa Acts, Second Extraordinary Session,
2 chapter 2, section 18, is amended to read as follows:

3 SEC. 18. It is the intent of the general assembly that
4 not later than ~~January-17-1985~~ July 1, 1992, the state
5 department of transportation shall dispose of all right of
6 way owned by the department and not needed for projects.

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SENATE FILE 145

H-3257

1 Amend Senate File 145 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 6, by inserting after the word
4 "projects." the words "In determining need, the
5 department shall consider both its five-year program
6 requirements and its long-range, state-wide corridor
7 development needs. In determining need based upon
8 long-range, state-wide corridor development, the
9 department shall give careful consideration to
10 economically depressed urban areas not served directly
11 by the national system of interstate and defense
12 highways."

H-3257 FILED MARCH 15, 1983

BY COMMITTEE ON TRANSPORTATION

Adopted 4/12/83 (p. 1233)

SENATE FILE 145

H-3410

1 Amend Senate File 145, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, by inserting after line 6 the following
4 section:
5 "Sec. ____ Section 306A.10, Code 1983, is amended
6 to read as follows:
7 306A.10 NOTICE TO RELOCATE--COSTS PAID BY-STATE.
8 Whenever the state department of transportation shall
9 determine, city or county determines that relocation
10 or removal of any utility facility now located in,
11 over, along, or under any highway or street, is
12 necessitated by the construction of a project on
13 routes of the national system of interstate and defense
14 highways including extensions within cities or on
15 streets or highways resulting from interstate
16 substitutions in a qualified metropolitan area under
17 title 23, U.S.C., the utility owning or operating
18 such the facility shall relocate or remove the same
19 in accordance with statutory notice. The costs of
20 relocation or removal, including the costs of
21 installation in a new location, shall be ascertained
22 by the state-department authority having jurisdiction
23 over the project or as determined in condemnation
24 proceedings for such purposes and may be paid by the
25 state-out-of-the-primary-road-fund-as-part-of-the
26 cost-of-such-federally-aided-projects from participating
27 federal aid or other funds."
28 2. Renumber sections and correct internal
29 references as necessary in accordance with this
30 amendment.

BY McINTEE of Black Hawk

DIEMER of Black Hawk

VAN GERPEN of Black Hawk

H-3410 FILED MARCH 28, 1983

H/C 4/12 (p. 1233)

H-3474

1 Amend Senate File 145, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 6 the following
4 sections:

5 "Sec. ____ . Section 306A.10, Code 1983, is amended
6 to read as follows:

7 306A.10 NOTICE TO RELOCATE--COSTS PAID BY-STATE.
8 Whenever the state department of transportation shall
9 ~~determine~~, city or county determines that relocation
10 or removal of any utility facility now located in,
11 over, along, or under any highway or street, is
12 necessitated by the construction of a project on
13 routes of the national system of interstate and defense
14 highways including extensions within cities or on
15 streets or highways resulting from interstate
16 substitutions in a qualified metropolitan area under
17 title 23, U.S.C., the utility owning or operating
18 ~~such~~ the facility shall relocate or remove the same
19 in accordance with statutory notice. The costs of
20 relocation or removal, including the costs of
21 installation in a new location, shall be ascertained
22 by the ~~state-department~~ authority having jurisdiction
23 over the project or as determined in condemnation
24 proceedings for such purposes and may be paid by-the
25 ~~state-out-of-the-primary-road-fund-as-part-of-the~~
26 ~~cost-of-such-federally-aided-project~~ from participating
27 federal aid or other funds.

28 Sec. ____ . Section 306A.12, Code 1983, is amended
29 to read as follows:

30 306A.12 LIMITATION ON REIMBURSEMENT. No A
31 reimbursement shall not be made for any relocation
32 or removal of facilities under this ~~division~~ chapter
33 unless funds to be provided by federal aid amount
34 to at least ninety eighty-five percent of each
35 reimbursement payment."

36 2. Renumber sections and correct internal
37 references as necessary in accordance with this
38 amendment.

BY McINTEE of Black Hawk
DIEMER of Black Hawk
VAN GERPEN of Black Hawk
SHOULTZ of Black Hawk

H-3474 FILED MARCH 30, 1983

N/D 4/12 (p 1233)

urban areas not served directly by the national system of interstate and defense highways.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 145, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 12, 1983

TERRY E. BRANSTAD
Governor

SENATE FILE 145

AN ACT

REQUIRING THE STATE DEPARTMENT OF TRANSPORTATION TO DISPOSE OF ALL RIGHT OF WAY OWNED BY THE DEPARTMENT AND NOT NEEDED FOR PROJECTS BY JULY 1, 1992.

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

Section 1. 1981 Iowa Acts, Second Extraordinary Session, chapter 2, section 18, is amended to read as follows:

SEC. 18. It is the intent of the general assembly that not later than ~~January 1, 1985~~ July 1, 1992, the state department of transportation shall dispose of all right of way owned by the department and not needed for projects. In determining need, the department shall consider both its five-year program requirements and its long-range, statewide corridor development needs. In determining need based upon long-range, statewide corridor development, the department shall give careful consideration to economically depressed