

all access points to roads on this system from other public roads, to adequately warn the public they are entering a section of road which has a lesser level of maintenance effort than other public roads. In addition, area service "C" classification roads shall adequately warn the public that access is limited.

Roads may only be classified as area service "C" by ordinance or resolution upon petition signed by all landowners adjoining the road. The ordinance or resolution shall specify the level of maintenance effort and the persons who will have access rights to the road. The county shall only allow access to the road to the owner, lessee, or person in lawful possession of any adjoining land, or the agent or employee of the owner, lessee, or person in lawful possession, or to any peace officer, magistrate, or public employee whose duty it is to supervise the use or perform maintenance of the road. Access to the road shall be restricted by means of a gate or other barrier.

Notwithstanding section 716.7, subsection 4, entering or remaining upon an area service "C" road without justification after being notified or requested to abstain from entering or to remove or vacate the road by any person lawfully allowed access shall be a trespass as defined in section 716.7.

A road with an area service "C" classification shall retain the classification until such time as a petition for reclassification is submitted to the board of supervisors. The petition shall be signed by adjoining landowners. The board of supervisors shall approve or deny the request for reclassification within sixty days of receipt of the petition.

The county and officers, agents, and employees of the county are not liable for injury to any person or for damage to any vehicle or equipment, or contents of any vehicle or equipment, which occurs proximately as a result of the maintenance of a road which is classified as area service "B," "B" or "C" if the road has been maintained to the level required for roads classified as area service "B," "B" or "C".

Approved April 16, 1996

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## CHAPTER 1104

### CONTINUING APPROPRIATIONS FOR CITY PUBLIC IMPROVEMENTS

S.F. 2131

AN ACT relating to a continuing appropriation for city public improvements.

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

Section 1. Section 384.20, Code 1995, is amended by adding the following new unnumbered paragraph:

**NEW UNNUMBERED PARAGRAPH.** Continuing appropriation means the unexpended portion of the cost of public improvements, as defined in section 384.95, which cost was adopted through a public hearing pursuant to section 384.102 and was included in an adopted or amended budget of a city. A continuing appropriation does not expire at the conclusion of a fiscal year. A continuing appropriation continues until the public improvement is completed, but expenditures under the continuing appropriation shall not exceed the resources available for paying for the public improvement.

Approved April 16, 1996

**CHAPTER 1105****IMPLEMENTATION OF NEW OR REVISED FEDERAL BLOCK GRANTS***H.F. 2256*

**AN ACT** providing requirements for implementation of new or revised federal block grant provisions which affect local governments and providing an effective date and applicability provision.

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

Section 1. Section 8.41, Code 1995, is amended by adding the following new subsection:

**NEW SUBSECTION.** 3. a. If, in any federal fiscal year, the federal government provides for a block grant which requires a new or revised program than was required in the prior fiscal year, each state agency required to administer the block grant program shall develop a block grant plan detailing program changes.

b. To the extent allowed by federal law, the block grant plan shall be developed in accordance with the following:

(1) The primary goal of the plan shall be to attain savings for taxpayers and to avoid shifting costs from the federal government to state and local governments.

(2) State agency planning meetings shall be held jointly with officials of the affected political subdivision and affected members of the public.

(3) The plan shall address proposed expenditures and accountability measures and shall be published so as to provide reasonable opportunity for public review and comment.

(4) (a) Preference shall be given to any existing service delivery system capable of delivering the required service. If an existing service delivery system is not used, the plan shall identify those existing delivery systems which were considered and the reasons those systems were rejected. This subparagraph subdivision applies to any service delivered pursuant to a federal block grant, including, but not limited to any of the following block grant areas: health, human services, education, employment, community and economic development, and criminal justice.

(b) If a service delivered pursuant to a federal block grant and implemented by a political subdivision was previously provided for by a categorical grant, the state agency shall allow the political subdivision adequate transition time to accommodate related changes in federal and state policy. Transition activities may include, but are not limited to, revision of the political subdivision's laws, budgets, and administrative procedures.

(c) The state agency shall allow the political subdivision the flexibility to implement a service in a manner so as to address identifiable needs within the context of meeting broad national objectives.

(5) State administrative costs shall not exceed the limits allowed for under the federal law enacting the block grant.

(6) A federal mandate that is eliminated or waived for the state shall be eliminated or waived for a political subdivision.

(7) Federal block grants shall not be used to supplant existing funding efforts by the state.

c. The state agency shall send copies of the proposed block grant plan to the legislative fiscal committee and to the appropriate appropriations subcommittee chairpersons and ranking members of the general assembly. The plan and any program changes contained within the plan shall be adopted as rules in accordance with chapter 17A.

Sec. 2. **EFFECTIVE DATE – APPLICABILITY.** This Act, being deemed of immediate importance, takes effect upon enactment and applies to new or revised federal block grant provisions which take effect on or after the effective date of this Act.

Approved April 16, 1996