

*N. J. C. substituted for S. J. 4 - S. J. 3 482 - 3-13-61
Conf. Com. rep. & amend. adopted 4-11-61 - 1079 - 89-2*

January 11, 1961.

House File 6

County and Township Affairs.

By FISHER of Greene, MENSING,
WALTER, HANRAHAN and DENMAN.

Failed
Passed House, Date *3-9-61* Passed Senate, Date *3-13-61*

Vote: Ayes *53* Nays *51* Vote: Ayes *16* Nays *31*

Reconsideration Approved *4-26-61* Date *3-22-61*
House Vote 3/10/61

A BILL FOR

*aye 37 nays 10
Conf. Com. rep. adopted 4/17
Bill Vote: 26-21
4-17-61*

An Act to permit the county board of supervisors to establish, under certain circumstances, public disposal grounds and operate and maintain them from fees collected or a general tax levy, or both.

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

1 Section 1. The board of supervisors of any county may
2 purchase, lease, or otherwise acquire tracts of lands within
3 their county in areas reasonably accessible to all residents and
4 may establish thereon public disposal grounds for the deposit
5 of garbage, rubbish, junk, and other abandoned items unless
6 another governing body of competent jurisdiction has already pro-
7 vided a facility deemed adequate by the board of supervisors to
8 serve that area.

1 Sec. 2. The board of supervisors shall provide for the opera-
2 tion, maintenance and identification of such disposal grounds,
3 either directly or by contract, and shall adopt and enforce such
4 rules, regulations and uniform fees for the use thereof as it shall
5 deem necessary. All fees collected shall be paid into the "county
6 dump fund" as hereinafter provided.

1 Sec. 3. The board of supervisors for each county may
2 establish a "county dump fund" into which shall be paid all
3 fees charged by the county for use by the public of the disposal
4 grounds and out of which the cost of obtaining, operating and
5 maintaining such disposal grounds shall be paid. In the event

6 the fees thus collected are inadequate to meet the expense of
 7 obtaining and maintaining the disposal grounds, the county
 8 may at the time of levying other taxes, estimate the amount
 9 necessary to meet such expense in the coming year and may
 10 levy a tax not to exceed one-fourth (1/4) mill and only on
 11 property outside the corporate limits of cities and towns to
 12 meet the deficit which shall be paid into the "county dump
 13 fund". This fund shall not be diverted to any other purpose.
 14 Should any county fail to levy a tax sufficient to meet this ex-
 15 pense the deficiency shall be paid from the county general fund
 16 by transferring the necessary funds to the "county dump fund".

EXPLANATION OF HOUSE FILE 6

This act would permit the board of supervisors of each county to establish a disposal grounds located in different areas of the county for deposit of garbage, rubbish, junk, and other abandoned items. The boards, also, would provide for their operation, maintenance and identification, and establish rules, regulations and uniform fees for the use thereof. If such disposal grounds were established a fund would also be created for the deposit of all fees collected and out of which the cost of operating and maintaining the disposal grounds would be paid. In the event the cost of operation and maintenance exceeded the fees collected, the board could levy a general tax to make up the deficit.

REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE 6

Adopted

Your committee appointed to resolve the differences between the House and Senate on the passage of House File 6 makes the following recommendation:

*Date Bill
89-2
48-
89-10-19*

Amend House File 6 by striking all after the enacting clause and inserting the following:

Section 1. The board of supervisors of any county may determine that a public disposal ground is needed in their county and may make a finding as to where such disposal ground shall be located.

Sec. 2. Said boards may within their respective jurisdictions make a determination of which townships of the county will be best served by such disposal ground and levy a tax of not to exceed one-fourth mill on all the property in said townships outside the incorporated limits of any city or town for the purpose of acquiring and maintaining such disposal grounds. Such funds shall be placed in a township dump fund.

Sec. 3. The board of supervisors may make such rules and regulations for the use of such disposal grounds as it shall deem necessary, and may adopt and enter into contractual agreements with cities and towns for the use of such disposal grounds. Any funds derived from such agreements shall be placed in the township dump fund established for that purpose and none other.

Further amend House File 6 by striking from the title all after the words "An Act" and inserting in lieu thereof the following:

"to permit the county boards of supervisors to establish under certain circumstances, public disposal grounds and to operate and maintain them and to levy a tax therefor."

C. RAYMOND FISCHER.
 A. L. MENSING.
 WILLIAM F. DENMAN.
 PAUL M. WALTER.
On the Part of the House.

EARL ELIJAH.
 MARTIN WILEY.
 DAVID O. SHAFF.
 GEORGE E. O'MALLEY.
On the Part of the Senate.

HOUSE FILE 6

- 1 Amend House File 6 by inserting in section two (2)
- 2 line five (5) after the word "necessary." the following
- 3 sentence:
- 4 It may be permitted by the board of supervisors to
- 5 enter into contracts with cities and towns for use of such
- 6 disposal ground on a fee basis.

Filed
January 30, 1961.

CAMP of Clinton.

HOUSE FILE 6

- 1 Amend House File 6 as follows:
- 2 1. Amend Section 2 by striking all of lines four (4), five
- 3 (5) and six (6) and insert in lieu thereof the following: "rules
- 4 and regulations for the use thereof as it shall deem necessary,
- 5 and may adopt and enforce such uniform fees for the use thereof
- 6 as it shall deem necessary. It may be permitted by the board
- 7 of supervisors to enter into contracts with cities and towns for
- 8 use of such disposal grounds on a fee basis. All fees collected
- 9 shall be paid into the 'county dump fund' as hereinafter
- 10 provided."
- 11 2. Amend Section 3 by striking all of lines fourteen (14),
- 12 fifteen (15) and sixteen (16).

Filed
February 8, 1961.

COMMITTEE ON WAYS AND MEANS,
ARTHUR C. HANSON, *Chairman.*

HOUSE FILE 6

- 1 Amend House File 6, section three (3), by
- 2 striking all after the period (.) in line five (5)
- 3 through and including the first period (.) in line
- 4 thirteen (13).

Filed
February 17, 1961.

VERMEER of Marion.

HOUSE FILE 6

- 1 Amend House File 6 by adding to section one (1) the following:
- 2 "In the event the Board of Supervisors purchases, leases or
- 3 otherwise so acquires said tracts of lands for the purposes above
- 4 provided, a part of such tract shall be set aside for the express
- 5 purpose of burning junk motor vehicles prior to sale, resale, or
- 6 disposition of such junk motor vehicles by their owners."

Filed and lost.
March 9, 1961.

RILEY of Linn.

HOUSE FILE 6

- 1 Amend House File 6, section 3, by striking all of lines
- 2 fourteen (14), fifteen (15) and sixteen (16).

Filed and adopted
March 10, 1961.

HANSON of Lyon.

HOUSE FILE 6

- 1 Amend House File 6, section 3, by striking all after
- 2 the period (.) in line 5.

Filed and ruled out of order
March 13, 1961.

By LONG.

HOUSE FILE 6

- 1 Amend House File 6 by striking all after the enacting clause
- 2 and inserting in lieu thereof the following:
- 3 Section 1. In any county having a population of more than
- 4 seventy-five thousand the board of supervisors may, and in
- 5 counties under said population the board of trustees of any
- 6 township may, purchase, lease, or otherwise acquire tracts of
- 7 lands in areas reasonably accessible to all residents and may
- 8 establish thereon public disposal grounds for the deposit of
- 9 garbage, rubbish, junk, and other abandoned items unless another
- 10 governing body of competent jurisdiction has already provided a
- 11 facility deemed adequate to serve that area.
- 12 Sec. 2. Said boards within their respective jurisdictions
- 13 may provide for the operation, maintenance and identification
- 14 of such disposal grounds, either directly or by contract, and
- 15 shall adopt and enforce such rules and regulations and provide
- 16 for such uniform fees for use thereof as it shall deem necessary.
- 17 Said boards may enter into contracts with cities and towns for
- 18 use of such disposal grounds on a fee basis. All fees col-
- 19 lected shall be paid into a "dump fund" as hereinafter provided.
- 20 Sec. 3. Said boards may establish a dump fund from which all
- 21 cost of obtaining, operating and maintaining such disposal
- 22 grounds shall be paid. In the event the fees are inadequate to
- 23 meet the expense of such disposal grounds said boards may levy
- 24 a tax of one-fourth mill on the property within their jurisdic-
- 25 tions outside the limits of any city or town. The proceeds
- 26 of said tax shall be paid into the dump fund and shall be used
- 27 for no other purpose.

Filed
March 17, 1961.

By WILEY.

HOUSE FILE 6

- 1 Amend House File 6 as follows:
- 2 1. Amend the Wiley amendment filed on March 17,
- 3 1961, by adding the word "all" following the word "in"
- 4 in line 4.
- 5 2. Further amend the Wiley amendment by striking
- 6 the words "under said population." in line 5.

Filed and adopted
March 21, 1961.

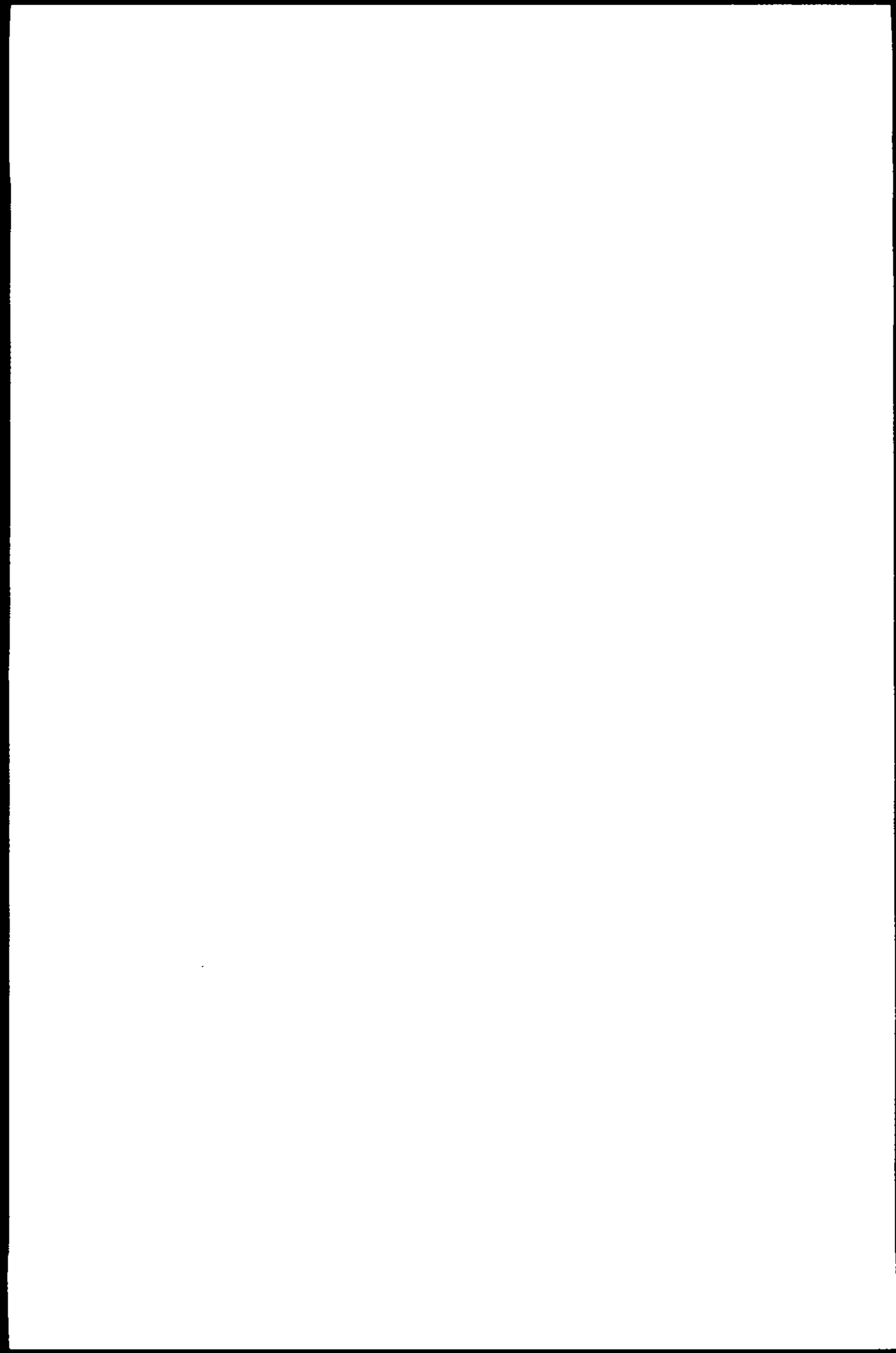
By TURNER.

HOUSE FILE 6

- 1 Amend the Wiley amendment filed March 17 to House File
- 2 6 by striking all after the period (.) in line 22.

Filed and adopted
March 21, 1961.

By LONG.



SENATE AMENDMENT TO HOUSE FILE 6

1 Amend House File 6 as follows:

2 1. By striking all after the enacting clause and inserting in
3 lieu thereof the following:

4 "Section 1. In any county having a population of more than
5 seventy-five thousand (75,000) the board of supervisors may,
6 and in all counties the board of trustees of any township may,
7 purchase, lease, or otherwise acquire tracts of lands in areas
8 reasonably accessible to all residents and may establish thereon
9 public disposal grounds for the deposit of garbage, rubbish,
10 junk, and other abandoned items unless another governing body
11 of competent jurisdiction has already provided a facility
12 deemed adequate to serve that area.

13 "Sec. 2. Said boards within their respective jurisdictions
14 may provide for the operation, maintenance and identification
15 of such disposal grounds, either directly or by contract, and
16 shall adopt and enforce such rules and regulations and provide
17 for such uniform fees for use thereof as it shall deem necessary.
18 Said boards may enter into contracts with cities and towns for
19 use of such disposal grounds on a fee basis. All fees collected
20 shall be paid into a 'dump fund' as hereinafter provided.

21 "Sec. 3. Said boards may establish a dump fund from
22 which all cost of obtaining, operating and maintaining such dis-
23 posal grounds shall be paid.

24 "Sec. 4. Said boards may within their respective jurisdic-
25 tions, levy a tax of one-fourth mill for one year only, on all
26 the property outside the limits of any city or town for the pur-
27 pose of acquiring such disposal grounds.

28 "Sec. 5. Any person using such disposal grounds without
29 paying the established fee or having made arrangements with the
30 county auditor or township clerk as the case may be, to pay said
31 fee on a periodic basis shall be guilty of a misdemeanor and upon
32 conviction shall be punished by a fine of not more than one
33 hundred dollars or imprisonment in the county jail not to
34 exceed thirty days."

35 2. Amend the title by striking all after the word "Act" in line 1
36 and inserting in lieu thereof the following: "to permit the county
37 board of supervisors in counties having a population of more than
38 seventy-five thousand (75,000), and to permit the board of
39 trustees of any township to establish public disposal grounds
40 and operate and maintain them from fees collected, or under a
41 tax levy on property within their jurisdiction and outside the
42 limits of any city or town, or both, and to provide penalties
43 for failure to pay fees."

Final action on House File 6
March 22, 1961.

*These referred
to committee
3-27-61*

HOUSE FILE 6

1 Amend the Wiley amendment to House File 6 filed March 17,
2 1961 by adding the following sections:

3 Sec. 4. Said boards may, within their respective jurisdictions,
4 levy a tax of one-fourth mill for one year only, on all the
5 property outside the limits of any city or town for the purpose
6 of acquiring such disposal grounds.

7 Sec. 5. Any person using such disposal grounds without paying
8 the established fee or having made arrangements with the county
9 auditor or township clerk as the case may be, to pay said fee
10 on a periodic basis shall be guilty of a misdemeanor and upon
11 conviction shall be punished by a fine of not more than one
12 hundred dollars or imprisonment in the county jail not to exceed
13 thirty days.

Filed and adopted
March 22, 1961.

By LONG.

HOUSE FILE 6

1 Amend House File 6, by striking all of the title after the word
2 "Act" in line 1 and inserting in lieu thereof the following: "to permit
3 the county board of supervisors in counties having a population of
4 more than seventy-five (75,000), and to permit the board of
5 trustees of any township to establish public disposal grounds and
6 operate
7 and maintain them from fees collected, or under a tax levy on property
8 within their jurisdiction and outside the limits of any city or town, or
9 both, and to provide penalties for failure to pay fees."

Filed and adopted
March 22, 1961.

By WILEY.