

April 22, 1969

HOUSE FILE 805

Place On Calendar

Transportation - Pass 1-12-70 By COMMITTEE ON TRANSPORTATION

Adopted 1-14
See " 1-14, Pass 1-20

Passed House, Date *1-14-70* Passed Senate, Date *1-22-70*

Vote: Ayes *127* Nays *0* Vote: Ayes *46* Nays *0*

Approved *3-4-70*

Passed per Conference Committee Report
2-12
95-0

Passed as amended 2-13
47-0

A BILL FOR

Conference Committee 2-3
Senators Kyle, O'Malley,
Lamborn and Klind
Representatives Miller of
Page, Gunde, Walden,
and Denton.

- 1 An Act to authorize the state highway commission to pay all
- 2 special assessments on land under its jurisdiction and to
- 3 provide that such land be assessed in the same manner as
- 4 private property.
- 5 *Be It Enacted by the General Assembly of the State of Iowa:*
- 6 Section 1. Section three hundred seven point ten (307.10),
- 7 Code 1966, is hereby repealed and the following enacted in
- 8 lieu thereof:
- 9 "Municipalities and counties may assess the cost of a pub-
- 10 lic improvement when such improvement benefits property owned
- 11 by the state and under the jurisdiction and control of the
- 12 Iowa state highway commission. The commission shall pay from
- 13 the primary road fund such portion of the cost of the improve-
- 14 ment as would be legally assessable against the land if
- 15 privately owned.
- 16 Assessments against property under the jurisdiction of the
- 17 state highway commission shall be made in the same manner as
- 18 those made against private property, except that the municipi-
- 19 pality or county making the assessment shall cause a copy of
- 20 the public notice of hearing to be mailed to the person desig-
- 21 nated as the director of highways by restricted certified
- 22 mail."
- 23 Sec. 2. Section three hundred thirteen point four (313.4),
- 24 Code 1966, as amended by chapter two hundred fifty-four (254),
- 25 section one (1), Acts of the Sixty-second General Assembly, is

- 1 further amended by striking from line eighteen (18) the words
 2 "road improvement".
 3 Sec. 3. Section three hundred ninety-one A point twenty-
 4 one (391A.21), Code 1966, is hereby amended by adding thereto
 5 the following:
 6 "This section shall not apply to lands under the jurisdic-
 7 tion and control of the state highway commission."

EXPLANATION OF HOUSE FILE 805

At the present time section 307.10 of the Code provides that the Highway Commission shall pay special assessments for road improvements by municipalities and counties against any state-owned property. However, section 391A.21 provides another procedure in which the state Executive Council pays such special assessments. This bill will clarify the Code by providing that the Highway Commission shall pay special assessments against land under its jurisdiction and retains the procedure whereby the state Executive Council pays special assessments against other state property.

- 1 Amend House File 805 as follows:
 2 1. Add a new paragraph at the end of section one (1)
 3 thereof as follows:
 4 "Assessments against property owned by the state and not
 5 under the jurisdiction and control of the state highway com-
 6 mission shall be made in the same manner as those made against
 7 private property and payment thereof shall be made by the execu-
 8 tive council from any funds of the state not otherwise
 9 appropriated."
 10 2. Amend the title, line four (4), by inserting after the
 11 word "property" the words "and to authorize the Iowa executive
 12 council to pay all special assessments on land owned by the
 13 state which is not under the jurisdiction and control of the
 14 state highway commission, and to provide that such land be
 15 assessed in the same manner as private property".

Filed
 January 28, 1970

MILLER of Page

SENATE AMENDMENT TO HOUSE FILE 805

*House refused
 to concur 2-2*

- 1 Amend House File 805 as follows:
 2 1. Page 1, line 12, by striking the word "Iowa".
 3 2. Page 1, lines 20 and 21, by striking the words "person
 4 designated as the director of highways" and inserting in lieu
 5 thereof the word "commission".

REPORT OF CONFERENCE COMMITTEE
(House File 805)

1 To the President of the Senate and the Speaker of the House of
2 Representatives:

3 We, the undersigned members of the conference committee appoint-
4 ed to consider the difference between the Senate and the House of
5 Representatives on House File 805, a bill for an act to authorize
6 the state highway commission to pay all special assessments on
7 land under its jurisdiction and to provide that such land be
8 assessed in the same manner as private property, respectively
9 submit the following recommendations:

10 1. That the House concur in the Senate amendments.

11 2. That House File 805 be further amended by adding thereto
12 a new paragraph at the end of Section 1 as follows:

13 "Assessments against property owned by the state and not under
14 the jurisdiction and control of the state highway commission
15 shall be made in the same manner as those made against private
16 property and payment thereof shall be made by the executive
17 council from any funds of the state not otherwise appropriated.

18 3. Amend section 3 of the bill by striking lines 6 and 7
19 and inserting in lieu thereof:

20 "The first three paragraphs of this section shall not apply
21 to lands under the jurisdiction and control of the state highway
22 commission."

23 4. Amend the title, line four (4), by inserting after the
24 word "property" the words "and to authorize the Iowa executive
25 council to pay all special assessments on land owned by the
26 state which is not under the jurisdiction and control of the state
27 highway commission, and to provide that such land be assessed in
28 the same manner as private property."

On the part of the Senate:

CLIFTON C. LAMBORN

VERNON H. KYHL

LESLIE C. KLINK

GEORGE O'MALLEY

On the part of the House:

LEROY S. MILLER, Chairman

RICHARD W. WELDEN

DEWEY E. GOODE

KEITH H. DUNTON

(NOTE: This Conference report is to be substituted for the Conference
report filed on February 9, 1970.)

House adopted 2-12

Senate concurred 2-13

REPORT OF CONFERENCE COMMITTEE
HOUSE FILE 805

1 To the President of the Senate and the Speaker of the
2 House of Representatives:

3 We, the undersigned members of the conference committee
4 appointed to consider the difference between the Senate
5 and the House of Representatives on House File 805, a
6 bill for an act to authorize the state highway commission
7 to pay all special assessments on land under its juris-
8 diction and to provide that such land be assessed in the
9 same manner as private property, respectfully submit the
10 following recommendations:

11 1. That the House concur in the Senate amendments.
12 2. That House File 805 be further amended by adding
13 thereto a new paragraph at the end of Section 1 as
14 follows:

15 "Assessments against property owned by the state and
16 not under the jurisdiction and control of the state high-
17 way commission shall be made in the same manner as those
18 made against private property and payment thereof shall
19 be made by the executive council from any funds of the
20 state not otherwise appropriated."

21 3. Amend the title, line four (4), by inserting after
22 the words "property" the words "and to authorize the Iowa
23 executive council to pay all special assessments on land
24 owned by the state which is not under the jurisdiction
25 and control of the state highway commission, and to
26 provide that such land be assessed in the same manner
27 as private property."

On the Part of the Senate:
CLIFTON C. LAMBORN
VERNON H. KYHL
LESLIE C. KLINK
GEORGE O'MALLEY

On the Part of the House:
LEROY S. MILLER, Chairman
RICHARD W. WELDEN
DEWEY E. GOODE
KEITH H. DUNTON

Filed
February 9, 1970

1 Amend House File 805 as follows:
2 1. Page 1, line 12, by striking the word
3 "Iowa".
4 2. Page 1, lines 20 and 21, by striking the
5 words "person designated as the director of
6 highways" and inserting in lieu thereof the
7 word "commission".

Filed - Adopted 1-22
January 21, 1970

Senate

By LAMBORN