

MAR 23 1971

HOUSE FILE 494

Place On Calendar
Referred County Govt. 3/30
Pass per amendment 1/25
Sen County Govt. 2/1/72

By COMMITTEE ON COUNTY GOVERNMENT

Passed House, Date 1-28-72 Passed Senate, Date 2-21-72
Vote: Ayes 84 Nays 1 Vote: Ayes 43 Nays 0
Approved 3/2/72

A BILL FOR

1 An Act relating to the transfer of portions of the primary
 2 road system into the secondary road system.
 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
 4 Section 1. Section three hundred thirteen point two (313.2),
 5 Code 1971, is amended by inserting after unnumbered paragraph
 6 one (1) the following:
 7 "Whenever the state highway commission determines that a
 8 portion of the primary highway system should be transferred
 9 to the secondary road system, and the board of supervisors of
 10 the county where such road is located is willing to accept such
 11 road into the secondary road system of the county, the commis-
 12 sion and board may enter into an agreement to effect such trans-
 13 fer. The agreement may provide that the costs of improvement
 14 are to be borne entirely by the commission. All such improve-
 15 ments shall be completed and all actual costs paid or reimbursed
 16 prior to the time transfer of the road is made to the secondary
 17 road system. The board of supervisors in carrying out the
 18 agreement may spend any highway funds available to the board
 19 for maintenance of the secondary road system in that county."

EXPLANATION

21 This bill authorizes the highway commission and boards of
 22 supervisors to enter into agreements to undertake or share re-
 23 sponsibility for improvement of primary roads transferred to
 24 the secondary road system, costs to be borne by the commission or
 25 county, or equitably divided between them.

1 Amend House File 494 by striking all after the
2 enacting clause and inserting in lieu thereof the
3 following:
4 "Section 1. Section three hundred thirteen
5 point two (313.2), Code 1971, is amended by inserting
6 after unnumbered paragraph two (2) the following:
7 Whenever the board of supervisors of a county
8 and the state highway commission mutually determine
9 that a portion of a highway under the jurisdiction of
10 either party should be transferred to the jurisdiction
11 of the other party, the board and commission may enter
12 into an agreement to effect such transfer. Such
13 agreement may provide that each party may undertake
14 or share responsibility for improving said road with
15 the costs of such improvement to be borne entirely by
16 either the county or the commission or equitably
17 divided between the two jurisdictions. All such
18 improvements shall be completed and all actual costs
19 thereof paid or reimbursed prior to the time transfer
20 of the road is made. In carrying out such agreement,
21 the board of supervisors may expend secondary road
22 funds of the county and the highway commission may
23 expend primary road funds."

Filed
January 25, 1972

By COMMITTEE ON COUNTY GOVERNMENT

adopted as amended 1/28/72

EXPLANATION

This bill authorizes the state highway commission and the county boards of supervisors to enter into agreements to undertake or share responsibilities for the improvement of a section of road which is to be transferred between systems. The costs of such improvements to be borne entirely by the commission or the county, or equitably divided between them.

1 Amend the Committee on County Government amend-
2 ment to House File 494, filed January 25, 1972, as
3 follows:

4 By inserting after line 17 the following:

5 "However, prior to entering into the agreement,
6 a notice of intent to execute such agreement shall be
7 published in a newspaper of general circulation within
8 the county and the cost of such notice shall be
9 jointly borne by the state highway commission and the
10 board of supervisors. If one hundred or more
11 residents of the county request by petition or in
12 writing that a hearing be held in regard to such
13 agreement within ten days after the publication of
14 the notice, the board of supervisors and the
15 state highway commission shall hold such a hearing
16 not more than seven days after receiving the petition
17 or written instrument, and based upon evidence pre-
18 sented at such hearing shall reexamine the merits of
19 executing such agreement and make a decision in
20 regard to it."

Filed
January 27, 1972 *adopted 1/28/72*

By GRASSLEY of Butler-Floyd
