

MAY 29 1973

Ways and Means *Calendar*

HOUSE FILE 773

House File 773
Orr, Chairman
Curtis
Rodgers

By COMMITTEE ON WAYS AND MEANS

Passed House, Date 6-5-73 (1691) Passed Senate, Date 3-19-74 (871)

Vote: Ayes 92 Nays 2 Vote: Ayes 36 Nays 7

Approved 4-8-74

Passed as amended by House
3-22-74 (1172)
83-3

A BILL FOR

1 An Act relating to expenditures for capital improvements
2 by a board of supervisors.

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

4 Section 1. Section three hundred forty-five point one
5 (345.1), Code 1973, is amended to read as follows:

6 345.1 EXPENDITURES--WHEN VOTE NECESSARY. The board of
7 supervisors shall not order the erection of, or the building
8 of an addition or extension to, or the remodeling or recon-
9 struction or relocation and replacement of a courthouse, jail,
10 county hospital, county home or any other county building
11 or facility, except as otherwise provided, when the probable
12 cost will exceed ten thousand dollars, nor the purchase of
13 real estate for county purposes exceeding ten thousand dollars
14 in value, until a proposition therefor shall have been first
15 submitted to the legal voters of the county, and voted for
16 by a majority of all persons voting for and against such
17 proposition at a general or special election, notice of the
18 same being given as in other special elections. However,
19 after notice and a public hearing, such proposition need not
20 be submitted to the voters if any such erection, construction,
21 remodeling, reconstruction, relocation and replacement, or
22 purchase of real estate may be accomplished from funds on
23 hand or from federal revenue-sharing funds or federal matching
24 funds and without the levy of additional taxes and , and if
25 the probable cost will not exceed fifty one hundred thousand

1 dollars 1 or when a relocation and replacement is made
2 necessary by the acquisition of county property for a federal
3 or state project, and the cost of the relocation does not
4 exceed the amount of the award of damages by the state or
5 federal government.

6 EXPLANATION

7 This bill increases to one hundred thousand dollars the
8 amount of money that the board of supervisors of a county
9 may spend, after notice and a public hearing, for the
10 construction, reconstruction, remodeling, or purchase of
11 county buildings or facilities without a vote of the county
12 electorate if no additional tax levy is needed for the project.
13 The moneys may be from funds on hand or from federal revenue-
14 sharing funds or federal matching funds available to the
15 county. Under present law, the county board of superivisors
16 may spend up to fifty thousand dollars for capital improvements
17 without a vote if no additional tax levy is needed.

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S-2330

1 Amend House File 773 as follows:

- 2 1. Page 1, line 5, before the word "is" insert the
3 words "as amended by the Acts of the Sixty-fifth
4 General Assembly, 1973 Session, chapter one hundred
5 thirty-six (136), section three hundred fifty-seven
6 (357)".
- 7 2. Page 1, line 15, by striking the words "legal
8 voters" and inserting in lieu thereof the words
9 "qualified electors".
- 10 3. Page 1, line 25, by inserting after the word
11 "cost" the words "of the entire project".
- 12 4. Page 2, by striking line 1 and inserting in
13 lieu thereof the following: "dollars. If a project
14 should be determined to cost in excess of one hundred
15 thousand dollars, the proposition must be submitted
16 to the qualified electors of the county without
17 regard to the source from which such funds may be
18 derived. However a proposition need not be submitted
19 to the qualified electors or when a location and
20 replacement is made.".

S-2330 Filed
March 6, 1974

*adopted
as amended
3/18*

By COMMITTEE ON WAYS AND MEANS

S-2400

- 1 Amend the Committee on Ways and Means amendment
2 S-2330, to House File 773, as follows:
3 1. Line 19, by striking the word "location" and
4 inserting in lieu thereof the word "relocation".

S-2400 Filed
March 12, 1974

*adopted
3/18*

By SHAFF

S-2463

- 1 Amend House File 773, as passed by the House,
2 as follows:
3 1. Page 1, line 20, by inserting after the word
4 "voters" the words ", unless at least five percent
5 of the qualified electors of the county who voted for
6 governor in the last general election file a petition
7 with the board of supervisors, within ten days after
8 the public hearing, requesting an election on the
9 issue,".
- 10 2. Page 2, line 5, insert after the period the
11 words "The notice of a public hearing required in
12 this section must be published at least once, not
13 less than ten nor more than twenty-five days before
14 the date of the hearing.".

S-2463 Filed
March 14, 1974

*Lost as
amended
3/18*

BY ORR

- 1 Amend House File 773 as follows:
- 2 1. Page 1, line 5, by inserting before the word
- 3 "is" the following: "as amended by the Acts of the
- 4 Sixty-fifth General Assembly, 1973 Session, chapter
- 5 one hundred thirty-six (136), section three hundred
- 6 fifty-seven (357)".
- 7 2. Page 1, line 15, by striking the words "legal
- 8 voters" and inserting in lieu thereof the words
- 9 "qualified electors".
- 10 3. Page 1, line 19, by striking the words "after
- 11 notice and a public hearing,".
- 12 4. Page 1, line 25, by inserting after the word
- 13 "cost" the words "of the entire project".
- 14 5. Page 2, by striking line 1 and inserting in
- 15 lieu thereof the following: "dollars. If a project
- 16 should be determined to cost in excess of one
- 17 hundred thousand dollars, the proposition must be
- 18 submitted to the qualified electors of the county
- 19 without regard to the source from which such funds
- 20 may be derived. However a proposition need not be
- 21 submitted to the qualified electors or when a reloca-
- 22 tion and replacement is made".
- 23 6. Page 2, line 5, by adding after the period the
- 24 following: "When the probable project cost exceeds
- 25 fifty thousand (50,000) dollars, the board shall
- 26 provide notice and hold a public hearing on the
- 27 project."
- 28 7. Page 2, by inserting after line 5 the following:
- 29 Sec. _____. Chapter three hundred forty-five
- 30 (345), Code 1973, is amended by adding the following
- 31 new section:
- 32 NEW SECTION. IMPROVEMENT ACCOUNT. Upon adoption
- 33 of a resolution by the board of supervisors, the
- 34 county commissioner of elections shall place on the
- 35 ballot at the next general election a question asking
- 36 the qualified electors of the county if the board of
- 37 supervisors may establish an improvement account
- 38 within the county general fund. The electors of
- 39 the county shall vote on the establishment of the
- 40 fund and the maximum amount to be credited annually
- 41 to the account.
- 42 The question shall read: Shall the board of
- 43 supervisors establish within the general fund of the
- 44 county an improvement account into which the annual
- 45 sum of money credited to the account shall not ex-
- 46 ceed _____ dollars?
- 47 After approval of the question by the electors,
- 48 the board of supervisors may credit to and appro-
- 49 priate funds from the improvement account for the
- 50 purposes provided in this chapter.
- 51 The board may continue to function under the
- 52 limitations approved by the electors for a period
- 53 of four full fiscal years after the question was
- 54 approved. The authorization for collecting taxes
- 55 for the account shall expire at the close of the
- 56 fourth full fiscal year after the question was ap-
- 57 proved. Any unexpended balance in the account after
- 58 the lapse of four full fiscal years shall carry over
- 59 until all funds have been appropriated from the
- 60 account at which time the account shall be closed
- 61 unless reapproved by the electors of the county.

S-2454

1 Amend House File 773 as follows:

2 1. Page 2, insert after line 5 the following:
3 Sec. _____. Chapter three hundred forty-five (345),
4 Code 1973, is amended by adding the following new
5 section:

6 NEW SECTION. IMPROVEMENT ACCOUNT. Upon adoption
7 of a resolution by the board of supervisors, the county
8 commissioner of elections shall place on the ballot at
9 the next general election a question asking the quali-
10 fied electors of the county if the board of super-
11 visors may establish an improvement account within the
12 county general fund. The electors of the county shall
13 vote on the establishment of the fund and the annual
14 expenditure limitation to be placed on the account.

15 The question shall read: Shall the board of
16 supervisors establish within the general fund of the
17 county an improvement account into which the annual
18 sum of money credited and appropriated from the
19 account shall not exceed _____ dollars?

20 After approval of the question by the electors,
21 the board of supervisors may credit to and appropriate
22 funds from the improvement account for the purposes
23 provided in this chapter.

24 The board may continue to function under the
25 limitations approved by the electors for a period of

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1 four full fiscal years after the question was approved.
2 The authorization for collecting taxes for the account
3 shall expire at the close of the fourth full fiscal
4 year after the question was approved. Any unexpended
5 balance in the account after the lapse of four full
6 fiscal years shall carry over until all funds have
7 been appropriated from the account at which time the
8 account shall be closed unless reapproved by the
9 electors of the county.

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S-2455 Filed - *Adopted as amended 3/19* By TAYLOR
March 13, 1974

S-2506

1 Amend the Taylor amendment S-2454, to House File 773,
2 as follows:

3 1. Page 1, lines 13 and 14 by striking the words
4 "annual expenditure limitation to be placed on" and
5 inserting in lieu thereof the words "maximum amount
6 to be credited annually to".

7 2. Page 1, line 18 by striking the words "and
8 appropriated from" and inserting in lieu thereof
9 the word "to".

S-2506 Filed - *Adopted 3/19* By TAYLOR and DeKOSTER
March 18, 1974

S-2499

1 Amend House File 773 as follows:

2 1. Page 1, line 19 by striking the words "After
3 notice and a public hearing,"

4 2. Page 2, line 5 after the period add the sentence
5 "When the probable project cost exceeds fifty
6 thousand (50,000) dollars, the board shall provide
7 notice and hold a public hearing on the project."

S-2499 Filed and adopted
March 18, 1974

By TIEDEN

S-2500

1 Amend the Orr amendment S-2463 to House File 773
2 as passed by the House, line 14, by inserting afer
3 the word "hearing" the words "and shall include a
4 statement that five percent of the qualified electors
5 of the county who voted for governor in the last gen-
6 eral election may file a petition with the board of
7 supervisors, within ten days after the public hearing,
8 requesting an election on the issue".

S-2500 Filed and adopted
March 18, 1974

By LAMBORN