

MAR 11 1975

Place On Calendar

HOUSE FILE 433

BY COMMITTEE ON ENERGY

*Sub. for S.F. 286*

Passed House, Date 3-26-75 (753) Passed Senate, Date 3-27-75 (728)  
Vote: Ayes 72 Nays 3 Vote: Ayes 40 Nays 2  
Approved 4-8-75

## A BILL FOR

1 An Act relating to the establishment and administration of a  
2 railroad assistance fund for improvement of branch line  
3 railroad roadbeds, track, track structure, and other  
4 appurtenances of railroad right-of-way.

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

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1 Section 1. NEW SECTION. RAILROAD ASSISTANCE FUND  
2 ESTABLISHED. There is established a railroad assistance fund  
3 in the office of the treasurer of state. Moneys in this fund  
4 shall be expended for providing assistance to railroads for  
5 upgrading railroad roadbeds, track, track structure, and other  
6 appurtenances of railroad right-of-way of railroad branch  
7 lines. Any unencumbered funds appropriated pursuant to Acts  
8 of the Sixty-fifth General Assembly, 1974 Session, chapter  
9 one thousand one hundred thirteen (1113), section thirteen  
10 (13), or other funds appropriated by the general assembly  
11 for branch line railroad assistance shall be deposited in  
12 the railroad assistance fund. Any moneys received by the  
13 energy policy council or the state department of transportation  
14 by agreements, grants, gifts, or other means from individuals,  
15 companies or other business entities, or political subdivisions  
16 of the state for the purposes set forth for the fund  
17 established pursuant to this section shall be credited to  
18 the railroad assistance fund.

19 Sec. 2. NEW SECTION. ASSISTANCE AGREEMENTS. The energy  
20 policy council and, after the transfer of its duties pursuant  
21 to section seven (7) of this Act the director of transportation  
22 with the approval of the state transportation commission,  
23 may enter into agreements with railroads, the United States  
24 government, individuals, companies or other business entities,  
25 or political subdivisions of the state for carrying out the  
26 purposes of this Act. Agreements entered into between the  
27 energy policy council or the director of transportation and  
28 railroad companies pursuant to this section may require payment  
29 by the railroad of a portion of increased revenue derived  
30 from the improved branch line into the railroad assistance  
31 fund.

32 Sec. 3. NEW SECTION. FEDERAL FUNDS. The energy policy  
33 council and the state transportation commission may accept  
34 federal funds to carry out the provisions of this Act. All  
35 federal funds received under the provisions of this Act are

1 appropriated for the purposes set forth in the federal grants.

2     Sec. 4. NEW SECTION. RAILROAD ACCOUNTS. Agreements  
3 between the railroad companies and the energy policy council  
4 or the state department of transportation which do not require  
5 payment of a portion of the increased revenue derived from  
6 the improved branch line railroad to be paid by the railroad  
7 to the railroad assistance fund shall require that the railroad  
8 establish and maintain a separate railroad company fund to  
9 which a specified portion of the increase in revenue derived  
10 from the improved railroad branch line shall be credited and  
11 that these funds shall be used by the railroad for improvement  
12 of branch line railroad roadbed, track, track structure, and  
13 other appurtenances of railroad right-of-way within the state.  
14 The terms and conditions governing the use of moneys in the  
15 special railroad company fund shall be stipulated in the  
16 agreement. The agreement shall also stipulate a penalty for  
17 use of the funds in a manner other than as set forth in the  
18 agreement.

19     Sec. 5. NEW SECTION. COUNTY FUNDS. The board of  
20 supervisors of a county may with the approval of the energy  
21 policy council, and after the transfer of its duties pursuant  
22 to section seven (7) of this Act, with the approval of the  
23 director of transportation, appropriate funds from the county  
24 general fund to the railroad assistance fund. The money shall  
25 be used in accordance with this Act only for upgrading railroad  
26 property within the county providing the funds. In any year  
27 the amount of money transferred to the railroad assistance  
28 fund by a county shall not exceed the amount of property taxes  
29 levied against the railroad property within the county.

30     Sec. 6. NEW SECTION. NO REVERSION OF FUNDS. Moneys  
31 deposited in the railroad assistance fund shall not be subject  
32 to sections eight point thirty-three (8.33) and eight point  
33 thirty-nine (8.39) of the Code.

34     Sec. 7. NEW SECTION. TRANSFER OF DUTIES. The  
35 administration of the railroad assistance fund shall be

1 transferred from the energy policy council to the state  
2 department of transportation not later than July 1, 1976.  
3 All agreements for railroad assistance entered into by the  
4 energy policy council with railroads and other persons pursuant  
5 to section ninety-three point nine (93.9) of the Code or this  
6 Act shall be carried out by the state department of  
7 transportation.

8 Sec. 8. Acts of the Sixty-fifth General Assembly, 1974  
9 Session, chapter one thousand one hundred thirteen (1113),  
10 section fourteen (14), is repealed.

11 EXPLANATION

12 This bill establishes a railroad assistance fund in the  
13 office of the treasurer of state to be expended for upgrading  
14 branch line railroads. All funds received for such purposes  
15 from railroads and other sources under agreements with the  
16 energy policy council, and with the state department of  
17 transportation when administration of the fund transfers to  
18 that department, shall be deposited in the fund. Agreements  
19 with the railroad companies which do not require payments  
20 by the railroad into the fund shall require the railroad  
21 company to establish a separate railroad company fund to be  
22 used for improvement of the lines.

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