

JUN 6 1975

APPROPRIATIONS CALENDAR, Pass 6/6  
Sen. " 6/10, Pass 6/11 also 4446

HOUSE FILE 904

By COMMITTEE ON APPROPRIATIONS

Passed House, Date 6-9-75 (2261) Passed Senate, Date 6-12-75 (1992)

Vote: Ayes 86 Nays 2 Vote: Ayes 45 Nays 0

Approved 7-14-75

*Repassed House per Senate amendment  
6-14-75 (2540)  
90-2*

# A BILL FOR

1 An Act relating to the railroad grade crossings on public  
2 highways and increasing funds allocated for such purposes.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 Section 1. Section four hundred seventy-eight point twenty-  
2 one (478.21), Code 1975, is amended to read as follows:

3 478.21 RAILWAY AND HIGHWAY CROSSING AT GRADE. Where-  
4 ever a railway track crosses or shall hereafter cross a  
5 highway, street or alley, the railway company owning such  
6 track and the highway division of the department of  
7 transportation, in the case of primary highways, the board  
8 of supervisors of the county in which such crossing is located,  
9 in the case of secondary roads, or the council of the city,  
10 in the case of streets and alleys located within a city, may  
11 agree upon the location and manner of crossing, or crossing  
12 protection, or upgrading thereof, or upon a separation of  
13 grades so as to carry such highway over or under the railway  
14 track, and upon any change, alteration, vacation or relocation  
15 of such highway, street or alley, and upon repairs, alteration,  
16 or elimination of any crossing, and upon the expense each  
17 party shall pay for such changes, except that if flasher light  
18 or gate signals are ordered or agreed to be installed prior  
19 to July 1, 1973, the maintenance thereof shall be assumed  
20 by the railroad and if the installation of flasher light or  
21 gate signals are is ordered or agreed to be installed on or  
22 after July 1, 1973, the maintenance thereof shall be assumed  
23 equally by the railroad and upon the approval of the department  
24 the grade crossing safety fund;--provided;--however;--the-grade  
25 crossing-safety-fund . However, the department shall not  
26 expend more than four hundred fifty dollars for any one  
27 crossing in any one year from the grade crossing fund;  
28 provided, however, nothing in this section limits the  
29 provisions of section 364.8.

30 Sec. 2. Section four hundred seventy-eight point twenty-  
31 two (478.22), Code 1975, is amended to read as follows:

32 478.22 DISAGREEMENT--APPLICATION--NOTICE. If the railway  
33 company and said highway authorities cannot agree upon the  
34 changes to be made, either party may make written application  
35 to the transportation regulation board of the department,

1 setting forth the changes and alterations desired, and said  
2 department shall fix a date for hearing and give the other  
3 party ten days' written notice by mail of such date. Nothing  
4 in this section shall be construed to prohibit either party  
5 from filing written application with the department prior  
6 to any disagreement. The department shall promulgate rules,  
7 pursuant to chapter seventeen A (17A) of the Code, for  
8 processing applications which are filed with the department  
9 prior to a written disagreement. The transportation regulation  
10 board may set a hearing date after the disagreement has been  
11 filed.

12 Sec. 3. Section four hundred seventy-eight point twenty-  
13 three (478.23), Code 1975, is amended to read as follows:

14 478.23 HEARING--ORDER. The department shall hear and  
15 ~~determine-such-application~~ the evidence of each party to the  
16 controversy, taking into consideration the necessity of such  
17 changes and the ~~exp~~ expense thereof, the location of any crossing  
18 or crossing protection and the manner in which it shall be  
19 constructed and maintained, or whether a crossing is to be  
20 eliminated and the provisions therefor, and may make such  
21 order in relation thereto as shall be equitable, including  
22 authority to condemn and take additional land for such purposes  
23 when necessary, and shall determine a solution to the  
24 controversy including what portion of the expense shall be  
25 paid by any party to such controversy. In determining what  
26 portion of the expense shall be paid by each party ~~to-such~~  
27 ~~controversy~~ the department may consider the ratio of the  
28 benefits accruing to the railroad or the governmental unit  
29 or both as it bears to the general public use and benefit  
30 and such benefits shall be consistent with the standards  
31 adopted for similar purposes by the ~~United-States-bureau-of~~  
32 ~~public-roads~~ federal highway administration under the federal  
33 aid highway Act of 1944 1973 as amended.

34 Sec. 4. Section four hundred seventy-eight point twenty-  
35 six (478.26), Code 1975, is amended to read as follows:

1 478.26 USE OF FUND. When application is before the  
2 department, as provided in section 478.22, and after hearing  
3 has been held, and determination as to allocation of costs  
4 as provided in section 478.23 the department is hereby  
5 empowered to allocate proceeds from the highway grade crossing  
6 safety fund for the protection of the public in the use of  
7 the highway railroad grade crossings involved in the  
8 application, in addition to any portion of the cost to be  
9 paid by the railroad company or other public authority. Upon  
10 reaching a decision as to the amount to be allocated from  
11 the highway grade crossing safety fund, and the completion  
12 of installation of required crossing protection to the  
13 satisfaction of the department, the department shall forthwith  
14 direct the treasurer of state to distribute said amount from  
15 the funds then available in the highway grade crossing safety  
16 fund. ~~Provided, however, the department may not allocate~~  
17 ~~any part of the proceeds of the highway grade crossing safety~~  
18 ~~fund for improvement or construction of highway railroad grade~~  
19 ~~crossings located on federal or federal aid highways unless~~  
20 ~~the department determines that due to the record of fatalities~~  
21 ~~at a crossing as maintained by the department of public safety~~  
22 ~~or that a potentially dangerous grade crossing exists within~~  
23 ~~a city, allocation of a part of the fund is necessary to~~  
24 ~~protect the public.~~

25 Sec. 5. Section three hundred twelve point two (312.2),  
26 subsection five (5), Code 1975, is amended to read as follows:

27 5. The treasurer of state shall before making the above  
28 allotments credit annually to the highway grade crossing  
29 safety fund the sum of ~~two~~ five hundred ~~forty~~ thousand dollars,  
30 credit annually to the primary road fund the sum of one million  
31 four hundred thousand dollars for carrying out subsection  
32 12 of section 307A.2, the last paragraph of section 313.4  
33 and section 307A.5, and credit annually to the primary road  
34 fund the sum of five hundred thousand dollars to be used for  
35 paying expenses incurred by the ~~secondary and urban road~~

1 ~~departments-of-the-commission~~ state department of  
2 transportation other than expenses incurred for extensions  
3 of primary roads in cities. All unobligated funds provided  
4 by this subsection, except those funds credited to the highway  
5 grade crossing safety fund, shall at the end of each year  
6 revert to the road use tax fund. Funds in the highway grade  
7 crossing safety fund shall not revert to the road use tax  
8 fund except to the extent they exceed five hundred thousand  
9 dollars at the end of any biennium.

10 EXPLANATION

11 This bill clarifies the administration of the railroad  
12 grade crossing fund. It provides for an annual allocation  
13 of \$500,000 to the highway grade crossing safety fund which  
14 represents an increase of \$260,000.

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LSB 1983L  
sg/rh/31

## HOUSE FILE 904

H-4294

1 Amend the Senate Amendment (H-4265) to House File  
 2 904, as House File 904 was passed by the House, by  
 3 striking lines 2 and 3 and inserting in lieu thereof  
 4 the following: "as follows:  
 5 1. Page 1, by inserting before line 1 the  
 6 following:  
 7 "Section 1. NEW SECTION. LEGISLATIVE INTENT.  
 8 The general assembly finds and declares:  
 9 1. That abandoned railroad rights-of-way possess  
 10 unique and irreplaceable value suitable for trans-  
 11 portation, utility, recreation and other public uses.  
 12 2. That preservation of certain abandoned railroad  
 13 rights-of-way for future public use is in the public  
 14 interest.  
 15 3. That acquisition of property interests in  
 16 abandoned railroad rights-of-way by the state and  
 17 political subdivisions of the state is an effective  
 18 way of controlling future development of this resource.  
 19 4. That the public use of abandoned rights-of-  
 20 way, especially joint use reduces land acquisition  
 21 and development costs and minimizes the disruption  
 22 and displacement of families, farms and businesses.  
 23 Sec. 2. NEW SECTION. CITATION. This Act may  
 24 be cited as the Iowa Railroad Abandonment Policy Act  
 25 of 1975.  
 26 Sec. 3. NEW SECTION. DEFINITIONS. As used in  
 27 this Act, unless the context otherwise requires:  
 28 1. "Right-of-way" means the real property in which  
 29 a railroad company is or has been authorized to conduct  
 30 railroad operations, including but not limited to  
 31 tracks, switchyards, adjacent terminal facilities  
 32 and bridges.  
 33 2. "Abandoned right-of-way" means a right-of-way  
 34 on which a railroad company has been authorized by  
 35 a decision of the interstate commerce commission or  
 36 by some other lawful procedure to terminate all  
 37 railroad operations and to terminate its ownership  
 38 and control.  
 39 3. "Alteration" means any act which materially  
 40 changes the physical conditions of a right-of-way  
 41 or substantially interferes with its capacity for  
 42 railroad operations, including but not limited to  
 43 blocking the corridor, removing or modifying trackage,  
 44 switches, ties, overpasses, bridges or other structures  
 45 on the right-of-way, and cutting or changing the  
 46 contour of the track bed. Physical changes made for  
 47 the purpose of continuing or restoring railroad service  
 48 or undertaken to carry out a re-use approved by the  
 49 department in a proceeding under section six (6) of  
 50 this Act or otherwise are not alterations within the

1 meaning of this Act.

2 4. "Affected political subdivision" means a  
3 political subdivision of this state within whose  
4 jurisdiction the right-of-way is located.

5 5. "Notice to the public" means written  
6 communication to all individuals and groups with a  
7 known interest in an abandonment or re-use proceeding,  
8 including the owners of record of adjacent land, as  
9 well as notice published twice in a newspaper of  
10 general circulation in the counties in which the  
11 right-of-way subject to a re-use or abandonment  
12 proceeding is located.

13 6. A "public use" means one which will benefit  
14 the citizens of this state and to which public access  
15 will not be unreasonably limited.

16 7. "Department" means the state department of  
17 transportation.

18 Sec. 4. NEW SECTION. DUTIES OF THE DEPARTMENT.  
19 The department shall have the following duties and  
20 responsibilities:

21 1. Conduct a thorough study of operating railroad  
22 property and operating railroad property proposed  
23 to be abandoned in the state and develop a public  
24 use plan for right-of-way property as is deemed to  
25 be in the public interests to preserve for public  
26 use. The public use plan shall be developed in  
27 cooperation with the state conservation commission,  
28 the department of soil conservation, or its successor  
29 agency, other interested state agencies, political  
30 subdivisions of the state and the general public.  
31 This plan shall consider short and long-range  
32 projections of the usefulness of the railroad property  
33 for public and private purposes, including exclusive  
34 and shared uses. It shall consider plans of the state  
35 and political subdivisions of the state for present  
36 or future transportation, utility, conservation, and  
37 recreational uses of such property. The study shall  
38 be submitted to the general assembly not later than  
39 January 15, 1977 for its approval. The legislative  
40 council shall appoint a study committee to monitor  
41 on a periodic basis the study conducted by the  
42 department of operating railroad property. The study  
43 committee shall be composed of five members of the  
44 general assembly, not more than three of which are  
45 from one political party.

46 2. Adopt suitable procedures to give notice to  
47 encourage participation by political subdivisions  
48 of the state and citizens of the state in the planning  
49 process.

50 3. Require political subdivisions of the state

1 to submit proposed changes to their plans involving  
 2 the present or future use of abandoned railroad  
 3 property to the department, which changes shall be  
 4 subject to the provisions of section seven (7) of  
 5 this Act.

6 4. In formulating the public use plan, the depart-  
 7 ment shall consider:

8 a. The present and future suitability of each  
 9 portion of right-of-way for transportation,  
 10 agriculture, conservation, recreation, utility, and  
 11 other uses.

12 b. The economic, environmental and social  
 13 advantages and disadvantages of the various  
 14 alternatives.

15 c. The suitability of the right-of-way for joint  
 16 uses.

17 Sec. 5. NEW SECTION. ADDITIONAL DUTIES OF THE  
 18 DEPARTMENT.

19 1. The department may seek assistance from and  
 20 cooperate with any person, including other agencies  
 21 of the state or any of its political subdivisions,  
 22 and agencies of the federal government in carrying  
 23 out the purposes of this Act.

24 2. The department may apply for and use any funds  
 25 which may be made available by the federal government  
 26 or received from private contributions to carry out  
 27 any of the purposes of this Act and such funds are  
 28 appropriated for such purposes.

29 3. The department shall adopt rules pursuant to  
 30 chapter seventeen A (17A) of the Code necessary to  
 31 transact its business and for the administration and  
 32 exercise of its powers and duties. The department's  
 33 rules shall include criteria to determine priorities  
 34 for allocating rights among competing petitioners.

35 However, first priority on classes of petitioners  
 36 shall be to those petitioners who propose to use the  
 37 abandoned railroad right-of-way for rail transportation  
 38 purposes and who meet the other conditions and purposes  
 39 of this Act.

40 4. The department may encourage the formation  
 41 of organizations for the purpose of petitioning for  
 42 a rail use and may, if it determines that the abandoned  
 43 railroad right-of-way is necessary for the  
 44 transportation plan of the state of Iowa, enter into  
 45 the role of petitioner.

46 5. The department may enter into contracts and  
 47 agreements it deems necessary to carry out the purposes  
 48 of this Act.

49 Sec. 6. NEW SECTION. DEPARTMENT ROLE IN  
 50 ABANDONMENT PROCEEDINGS.

1 1. A railroad corporation filing a petition with  
2 the interstate commerce commission or transportation  
3 regulation board shall file a copy of the petition  
4 with the department.

5 2. Within thirty days after receiving notice that  
6 a petition has been filed with the interstate commerce  
7 commission or transportation regulation board for  
8 permission to abandon a right-of-way in the state  
9 or that a railroad corporation is complying with other  
10 requirements of a federal or state law which may lead  
11 to abandonment, the department shall notify all  
12 interested state agencies, affected political  
13 subdivisions and the public that an abandonment  
14 petition has been filed with the interstate commerce  
15 commission or transportation regulation board.

16 3. The department may, on behalf of the state,  
17 request that the interstate commerce commission or  
18 transportation regulation board or other such agencies,  
19 associations, or trustees as may have jurisdiction,  
20 impose conditions, consistent with the public use  
21 plan or with the procedures of the department,  
22 regulating the petitioner railroad corporation's  
23 disposition or re-use of the abandoned right-of-way.

24 Sec. 7. NEW SECTION. ALTERING ABANDONED RIGHT-  
25 OF-WAY.

26 1. A political subdivision of the state or any  
27 person owning an interest in a right-of-way which  
28 has been or is expected to be abandoned and who intends  
29 to alter the right-of-way shall notify the department  
30 in writing of this intention before commencing the  
31 alteration. The notice may be given on or after the  
32 date on which a petition for authority to abandon  
33 the right-of-way is filed with interstate commerce  
34 commission or transportation regulation board. The  
35 department may provide by rule, adopted pursuant to  
36 chapter seventeen A (17A) of the Code, for certain  
37 classes of alterations which may be made without  
38 advance notice as otherwise required by this section.

39 2. After receiving the notice of intent to alter,  
40 the department shall give notice within sixty days  
41 to interested state agencies, affected political  
42 subdivisions, holders of licenses known to exist by  
43 the party intending to abandon or alter the right-  
44 of-way and the public.

45 3. A person or political subdivision of the state  
46 shall not alter an abandoned railroad right-of-way  
47 without first giving notice of the intention to alter  
48 at least twelve months prior to the commencement of  
49 the alteration unless permitted by departmental rule,  
50 or the department has authorized the specific

1 alteration.

2 4. A release for alteration or abandonment may  
3 be issued by the department to the owner of a right-  
4 of-way or a prospective purchaser at any time, if  
5 it determines that a release is necessary:

6 a. To implement the public use plan.

7 b. To minimize public expenditures or the costs  
8 imposed on the owner of the abandoned right-of-way.

9 c. To avoid a conflict with federal law.

10 d. To expedite reversions of abandoned right-of-  
11 way not deemed beneficial for public use.

12 5. A person or political subdivision of the state  
13 which makes an alteration in violation of this section  
14 shall be liable to a political subdivision or person  
15 which ultimately acquires an interest in the altered  
16 right-of-way, for the reasonable cost of restoring  
17 the right-of-way to its condition immediately prior  
18 to the alteration.

19 8. NEW SECTION. PREFERENTIAL ACQUISITION RIGHTS.

20 The department may grant to state agencies, affected  
21 political subdivisions or persons, the right to acquire  
22 a property interest in abandoned railroad right-of-  
23 way. However, the department shall not grant authority  
24 to acquire abandoned right-of-way where railroad  
25 operations have been restored. The department may  
26 grant the right to acquire by eminent domain non-  
27 possessory property interests in rights-of-way prior  
28 to abandonment. The department may permit the acquisi-  
29 tion of an abandoned right-of-way if it determines  
30 that the proposed use will promote the public interest.  
31 In determining which use will best promote the public  
32 interest, the department shall consider, after the  
33 date of its adoption, the plan adopted pursuant to  
34 section four (4) of this Act. Preferential acquisition  
35 rights granted shall be subject to all the procedures  
36 and safeguards of this Act.

37 Sec. 9. NEW SECTION. ACQUISITION. A state agency,  
38 an affected political subdivision, or a person desiring  
39 to acquire abandoned right-of-way may petition the  
40 department for the right at any time after an applica-  
41 tion for authority to abandon the right-of-way has  
42 been filed with the interstate commerce commission  
43 or transportation regulation board or after railroad  
44 operations have been permanently discontinued,  
45 whichever event first occurs. A petition to acquire  
46 a nonpossessory interest prior to abandonment may  
47 be filed at any time. The department may, by rule,  
48 restrict the right to petition for acquisition rights  
49 for a reasonable period after notice has been given  
50 of an owner's intent to alter the right-of-way.

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1       Sec. 10. NEW SECTION. PETITION. When a petition  
2 is filed, the department shall give notice of the  
3 filing of the petition to all known persons and enti-  
4 ties with a significant interest in the right-of-way,  
5 interested state agencies, affected political subdivi-  
6 sions and the public. The petition shall describe  
7 the use to which the petitioner plans to allocate  
8 the abandoned right-of-way, the methods and source  
9 of financing, the terms upon which access to the  
10 right-of-way will be open to the public, the time  
11 expected to complete any planned improvements and  
12 such other information as the department may require.  
13 The department shall hold a hearing to determine the  
14 merits of the petition. At the hearing, the department  
15 shall consider the interests of adjoining landowners,  
16 and any claims by law or claims by interest they may  
17 have to the abandoned right-of-way in addition to  
18 other facts of testimony. If after the hearing on  
19 the petition, the department determines that the  
20 proposed use is in the public interest, it shall  
21 declare by order the petitioner's right to acquire  
22 by eminent domain a property interest in the right-  
23 of-way. The department may grant to an affected  
24 political subdivision the right to acquire interests  
25 in a railroad right-of-way extending beyond its  
26 borders.

27       A petition shall be approved or disapproved by  
28 the department within six months from the date of  
29 filing. The department shall also adopt rules to  
30 allow the amendment of a petition to permit additional  
31 or alternative uses of the abandoned railroad right-  
32 of-way.

33       The department may not approve a petition for a  
34 proposed recreational or conservation use through  
35 a rural area unless a majority of the adjoining  
36 landowners of cultivated agricultural land agree to  
37 the proposed use. For the purposes of this section,  
38 the words "cultivated agricultural land" means that  
39 more than half of the land is classified as class  
40 one (I) and class two (II) as defined in soils  
41 memorandum SCS -22, United States department of  
42 agriculture soil conservation service, dated May 19,  
43 1958.

44       Sec. 11. NEW SECTION. APPROVAL OF PETITION.  
45 The department's order granting a right shall specify  
46 the time within which the acquisition is to be  
47 commenced by the petitioner and improvements are to  
48 be completed. If improvements are not completed or  
49 an extension granted within five years from the time  
50 acquisition is to be commenced the right-of-way shall

1 be deemed abandoned. The petitioner may apply to  
2 the department for an extension of time to complete  
3 the improvements. The extension shall be granted  
4 by the department only if the petitioner has shown  
5 that the reasons for delay were of an unusual or  
6 unforeseeable nature or that the improvements are  
7 substantially completed. The department shall provide  
8 that upon termination of the proposed use, the right-  
9 of-way shall be subject to the conditions of this  
10 Act and for that purpose the right-of-way shall be  
11 considered abandoned upon termination of authorized  
12 use.

13 Upon approval of the petition, where there is a  
14 duty to pay property taxes on the abandoned right-  
15 of-way, that duty shall attach to the petitioner's  
16 equitable interest in the property and the taxes  
17 accruing subsequent to the granting of the right to  
18 acquire the abandoned right-of-way, shall be considered  
19 an element of the fair market value of the property  
20 and shall be considered an additional cost of  
21 acquisition.

22 Acquisition of property pursuant to this section  
23 by a public agency or person shall be in the manner  
24 provided by law. The property interest acquired  
25 pursuant to this section shall be prescribed by the  
26 department's order and may be a fee simple absolute,  
27 a determinable fee, an easement or any other interest  
28 less than a fee simple absolute that reasonably meets  
29 the requirements of the petitioner's plan. Unless  
30 the affected property owner agrees otherwise, any  
31 existing access and egress to contiguous land shall  
32 be unaffected by the petition, as approved.

33 If the department finds that the petitioner is  
34 not exercising its right of eminent domain with due  
35 diligence, the department may revoke its order granting  
36 the petitioner a right to acquire the abandoned right-  
37 of-way and may grant such rights to a subsequent  
38 petitioner who is ready, willing and able to acquire  
39 the abandoned right-of-way for allocation to a use  
40 which is in the public interest.

41 Sec. 12. NEW SECTION. INTEREST ACQUIRED IN  
42 ABANDONED RIGHT-OF-WAY. State agencies and affected  
43 political subdivisions of this state may acquire by  
44 purchase, gift, or devise any property interest in  
45 abandoned railroad rights-of-way and nonpossessory  
46 property interests in operating railroad rights-of-  
47 way prior to abandonment. Such interests may be  
48 transferred to other state agencies, political  
49 subdivisions, or persons for public uses, and such  
50 transfers shall be subject to conditions requiring

1 public uses and providing for a reversion to the  
2 department upon termination of the required public  
3 use.

4 Sec. 13. NEW SECTION. REVERSION. The reversion  
5 provisions of chapter four hundred seventy-three (473)  
6 of the Code shall not be construed to grant owners  
7 of the tract from which the right-of-way was taken  
8 any interest in the right-of-way prior to final  
9 disposition by the department under the provisions  
10 of this Act.

11 Sec. 14. NEW SECTION. OPTION GRANTED. If a  
12 petition is not approved under section ten (10) of  
13 this Act for acquisition for a public use, landowners  
14 of adjoining land shall, if the owner of the right-  
15 of-way offers for sale, have first option on the  
16 purchase of such right-of-way at fair market value.  
17 Such option shall be exercised, if at all, within  
18 sixty days of the granting of the option.

19 Sec. 15. NEW SECTION. FENCES, DRAINAGE, WEEDS  
20 AND PRIVATE CROSSINGS. A petitioner granted the power  
21 of eminent domain for a possessory interest in an  
22 abandoned right-of-way or purchasing an abandoned  
23 right-of-way under the provisions of this Act shall  
24 construct, maintain and keep in repair a fence upon  
25 written request of an adjoining landowner who keeps  
26 or raises livestock on the adjoining land and has  
27 fenced the land except the side adjoining the right-  
28 of-way. Where the right-of-way is to be used for  
29 railroad the fence shall be constructed in accordance  
30 with the provisions of sections four hundred seventy-  
31 eight point four (478.4) and four hundred seventy-  
32 eight point five (478.5) of the Code. In all other  
33 cases the fence shall be constructed and maintained  
34 in accordance with the provisions of section one  
35 hundred thirteen point eighteen (113.18) of the Code  
36 and maintained by both parties in equal portions if  
37 the fence is requested by the owner of the adjoining  
38 land. A petitioner granted the power of eminent  
39 domain for a possessory interest in an abandoned  
40 right-of-way shall also have the duty to control weeds  
41 in accordance with the provisions of sections three  
42 hundred seventeen point nine (317.9), three hundred  
43 seventeen point twelve (317.12), four hundred seventy-  
44 seven point fifty-three (477.53) and four hundred  
45 seventy-seven point fifty-four (477.54) of the Code  
46 and shall have the responsibility for drainage in  
47 accordance with sections four hundred fifty-five point  
48 one hundred twenty-one (455.121) and four hundred  
49 fifty-five point one hundred twenty-four (455.124)  
50 of the Code and shall have responsibility for private

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1 crossings in accordance with sections four hundred  
2 seventy-eight point twelve (478.12) and four hundred  
3 seventy-eight point thirteen (478.13) of the Code."

4 2. Page 1, line 25, by striking the words "However,  
5 the" and inserting in lieu thereof the word "The".

6 3. Amend the title, line 1, by striking the words  
7 "the railroad" and inserting in lieu thereof the  
8 following: "railroads and railroad property acquisition  
9 providing for changes in certain right-of-way  
10 acquisition procedures and for".

11 4. Renumber sections and correct internal  
12 references in conformance with this amendment."

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15 KRAUSE of Palo Alto

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18 HOWELL of Floyd

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21 SCHEELHAASE of Woodbury

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27 H-4294 FILED AND RULED NOT GERMANE  
28 JUNE 14, 1975

29 (NOT PRINTED ON CLIP SHEETS)

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S-4146

1. Amend House File 904, as passed by the House,
2. page 1, line 25, by striking the words "However, the"
3. and insert in lieu thereof the word "The".

S-4146 FILED - *Adopted 6/12 (1972)* BY COMMITTEE ON APPROPRIATIONS  
JUNE 11, 1975 WILLIAM D. PALMER, CHAIRMAN

Senate Amendment to House File 904

H-4265

1. Amend House File 904, as passed by the House,
2. page 1, line 25, by striking the words "However,
3. the" and insert in lieu thereof the word "The".

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JUNE 13, 1975

*House concurred 6/14 (2532)*