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FEB 21 1980

HOUSE FILE 2482

Place On Calendar

By COMMITTEE ON TRANSPORTATION

(Formerly House File 2402)

Passed House, Date 3-10-80 (p. 243) Passed Senate, Date _____

Vote: Ayes 72 Nays 0 Vote: Ayes _____ Nays _____

Approved May 20, 1980

A BILL FOR

1 An Act to allow a county board of supervisors to use
 2 funds from the county farm-to-market road fund for
 3 the construction and reconstruction of local secondary
 4 roads.

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

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HOUSE FILE 2482

H-5409

1 Amend House File 2482 as follows:
 2 1. Page 1, by striking line 12 and inserting in
 3 lieu thereof the following: "available for farm-
 4 to-market road projects. The board of supervisors
 5 of a county wishing to allocate moneys from the county
 6 farm-to-market road fund shall state the amount of
 7 the allocation in its project accomplishment list
 8 and its secondary road budget submitted to the
 9 department for approval pursuant to sections three
 10 hundred nine point twenty-two (309.22) and three
 11 hundred nine point ninety-three (309.93) of the Code.
 12 The board of supervisors of a county may not
 13 allocate moneys pursuant to this section unless the
 14 moneys raised for the county secondary road fund for
 15 the prior calendar year under the provisions of section
 16 three hundred nine point eight (309.8), subsections
 17 one (1), three (3), and four (4) of the Code are at
 18 least seventy-five percent of the maximum amount the
 19 board could have raised by levy for said prior calendar
 20 year pursuant to section three hundred nine point
 21 seven (309.7) of the Code."

2482

H-5409 FILED MARCH 7, 1980 BY BENNETT of Ida

Adopted as amended by 5/12 3/10 (p. 241)

1 Section 1. Chapter three hundred nine (309), Code 1979,
2 is amended by adding the following new section as section
3 three hundred nine point ten (309.10) of the Code:

4 NEW SECTION. 309.10 USE OF FARM-TO-MARKET ROAD FUND.
5 Notwithstanding the provisions of section three hundred ten
6 point four (310.4) of the Code, the board of supervisors of
7 a county may annually determine an amount up to fifty percent
8 of the moneys in the county farm-to-market road fund to be
9 used for the construction and reconstruction of local secondary
10 roads. However moneys from the farm-to-market road fund shall
11 not be so used if the moneys are needed to match federal funds
12 available for farm-to-market road projects.

13 EXPLANATION

14 This bill allows a county board of supervisors in each
15 fiscal year to use up to fifty percent of the moneys in the
16 farm-to-market road fund on construction of local secondary
17 roads, provided the moneys are not needed to match federal
18 funds for farm-to-market road projects. The bill would take
19 effect July first following enactment.

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HOUSE FILE 2482

H-5412

1 Amend amendment H-5409 to House File 2482 as follows:
2 1. Page 1, line 12, by striking the word "may" and
3 inserting in lieu thereof the word "shall".

H-5412 FILED
MARCH 10, 1980
ADOPTED (p. 843)

BY SPEAR of Lee

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*See Transportation 2/13
Do Pass 2/26 (p. 1106)*

HOUSE FILE 2482

By COMMITTEE ON TRANSPORTATION

(As Amended and Passed by the House)

Passed House, Date 4/24/50 (p. 2073) Passed Senate, Date 4/8/50 (p. 1306)

Vote: Ayes 96 Nays 0 Vote: Ayes 44 Nays 3

Approved May 20, 1950

A BILL FOR

1 An Act to allow a county board of supervisors to use
2 funds from the county farm-to-market road fund for
3 the construction and reconstruction of local secondary
4 roads.

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

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House Amendments _____

1 Section 1. Chapter three hundred nine (309), Code 1979,
2 is amended by adding the following new section as section
3 three hundred nine point ten (309.10) of the Code:

4 NEW SECTION. 309.10 USE OF FARM-TO-MARKET ROAD FUND.
5 Notwithstanding the provisions of section three hundred ten
6 point four (310.4) of the Code, the board of supervisors of
7 a county may annually determine an amount up to fifty percent
8 of the moneys in the county farm-to-market road fund to be
9 used for the construction and reconstruction of local secondary
10 roads. However moneys from the farm-to-market road fund shall
11 not be so used if the moneys are needed to match federal funds
12 available for farm-to-market road projects. The board of
13 supervisors of a county wishing to allocate moneys from the
14 county farm-to-market road fund shall state the amount of
15 the allocation in its project accomplishment list and its
16 secondary road budget submitted to the department for approval
17 pursuant to sections three hundred nine point twenty-two
18 (309.22) and three hundred nine point ninety-three (309.93)
19 of the Code.

20 The board of supervisors of a county shall not allocate
21 moneys pursuant to this section unless the moneys raised for
22 the county secondary road fund for the prior calendar year
23 under the provisions of section three hundred nine point eight
24 (309.8), subsections one (1), three (3), and four (4) of the
25 Code are at least seventy-five percent of the maximum amount
26 the board could have raised by levy for said prior calendar
27 year pursuant to section three hundred nine point seven (309.7)
28 of the Code.

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S-5401

1 Amend House File 2482, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 5 through 28 and
4 inserting in lieu thereof the following:

5 "Notwithstanding the provisions of section three
6 hundred ten point four (310.4) of the Code, if the
7 board of supervisors of a county does not plan to
8 utilize its farm-to-market road fund allocation for
9 the succeeding calendar year for farm-to-market
10 projects, the board may annually, by stipulation in
11 the secondary road construction program and secondary
12 road budget submitted to the department in accordance
13 with sections three hundred nine point twenty-two
14 (309.22) and three hundred nine point ninety-three
15 (309.93) of the Code, determine an amount of the
16 unobligated portion of their allocation, up to a
17 maximum of fifty percent of their anticipated total
18 annual allocation, for the construction and
19 reconstruction of local secondary roads. However
20 moneys from the farm-to-market road fund shall not
21 be so used if the moneys are needed to match federal
22 funds available for farm-to-market road projects.

23 A county shall not use farm-to-market road funds
24 as described in this section unless the total funds
25 that the county raised during the prior fiscal year
26 pursuant to section three hundred nine point eight
27 (309.8), subsections one (1), three (3), and four
28 (4), of the Code are at least seventy-five percent
29 of the maximum funds the county could have raised in
30 the prior fiscal year pursuant to section three hundred
31 nine point seven (309.7) of the Code."

S-5401 FILED

BY RICHARD F. DRAKE

MARCH 17, 1980

*Adopted as amended by
5503 4/3 (p 13a)*

SENATE AMENDMENT TO
HOUSE FILE 2482

H-5967

1 Amend House File 2482, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 5 through 28 and
4 inserting in lieu thereof the following:
5 "Notwithstanding the provisions of section three
6 hundred ten point four (310.4) of the Code, if the
7 board of supervisors of a county does not plan to
8 utilize its farm-to-market road fund allocation for
9 the succeeding calendar year for farm-to-market
10 projects, the board may annually, by stipulation in
11 the secondary road construction program and secondary
12 road budget submitted to the department in accordance
13 with sections three hundred nine point twenty-two
14 (309.22) and three hundred nine point ninety-three
15 (309.93) of the Code, determine an amount of the
16 unobligated portion of their allocation, up to a
17 maximum of fifty percent of their anticipated total
18 annual allocation, for the construction and
19 reconstruction of local secondary roads. However,
20 moneys from the farm-to-market road fund shall not
21 be so used if the moneys are needed to match federal
22 funds available for farm-to-market road projects.
23 A county shall not use farm-to-market road funds
24 as described in this section unless the total funds
25 that the county raised during the prior calendar year
26 pursuant to section three hundred nine point eight
27 (309.8), subsections one (1), three (3), and four
28 (4), of the Code are at least seventy-five percent
29 of the maximum funds the county could have raised
30 in the prior calendar year pursuant to section three
31 hundred nine point seven (309.7) of the Code."

H-5967 FILED APRIL 10, 1980

RECEIVED FROM THE SENATE

House concurred 4/24 (p. 2012)

HOUSE FILE 2482

S-5508

1 Amend the Drake amendment, S-5401, to House File
2 2482, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 1, line 25, by striking the word "fiscal"
5 and inserting in lieu thereof the word "calendar".
6 2. Page 1, line 30, by striking the word "fiscal"
7 and inserting in lieu thereof the word "calendar".

S-5508 FILED
MARCH 24, 1980

BY RICHARD F. DRAKE

Adopted 4/8 (p. 1305)

HOUSE FILE 2482

have raised in the prior calendar year pursuant to section three hundred nine point seven (309.7) of the Code.

AN ACT

TO ALLOW A COUNTY BOARD OF SUPERVISORS TO USE FUNDS FROM THE COUNTY FARM-TO-MARKET ROAD FUND FOR THE CONSTRUCTION AND RECONSTRUCTION OF LOCAL SECONDARY ROADS.

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

Section 1. Chapter three hundred nine (309), Code 1979, is amended by adding the following new section as section three hundred nine point ten (309.10) of the Code:

NEW SECTION. 309.10 USE OF FARM-TO-MARKET ROAD FUND. Notwithstanding the provisions of section three hundred ten point four (310.4) of the Code, if the board of supervisors of a county does not plan to utilize its farm-to-market road fund allocation for the succeeding calendar year for farm-to-market projects, the board may annually, by stipulation in the secondary road construction program and secondary road budget submitted to the department in accordance with sections three hundred nine point twenty-two (309.22) and three hundred nine point ninety-three (309.93) of the Code, determine an amount of the unobligated portion of their allocation, up to a maximum of fifty percent of their anticipated total annual allocation, for the construction and reconstruction of local secondary roads. However, moneys from the farm-to-market road fund shall not be so used if the moneys are needed to match federal funds available for farm-to-market road projects.

A county shall not use farm-to-market road funds as described in this section unless the total funds that the county raised during the prior calendar year pursuant to section three hundred nine point eight (309.8), subsections one (1), three (3), and four (4), of the Code are at least seventy-five percent of the maximum funds the county could

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2482, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved May 20, 1980

ROBERT D. RAY
Governor