

FEB 29 1988

Place On Calendar

HOUSE FILE 2352  
BY COMMITTEE ON TRANSPORTATION  
*Amended by S.J. 2015*  
(Formerly House Study Bill 639)

Passed House, Date 3/5/88 (p. 599) Passed Senate, Date March 10, 1988  
Vote: Ayes 99 Nays 0 Vote: Ayes 43 Nays 2

Approved May 11, 1988  
*Proposed by House 4/15/88 (p. 1491)* *motion to amend (p. 1000)*  
92-0

**A BILL FOR**

- 1 An Act relating to right-of-way and relocation assistance
- 2 provided to persons displaced by highway projects.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2352

S-5544

- 1 Amend House File 2352 as passed by the House as
- 2 follows:
- 3 1. Page 1, by inserting after line 25 the
- 4 following:
- 5 "Sec. \_\_\_\_ Section 403.6, subsection 7, Code 1987,
- 6 is amended to read as follows:
- 7 7. To plan for the relocation of persons,
- 8 including families, business concerns and others,
- 9 displaced by an urban renewal project, and to make
- 10 relocation payments to or with respect to such persons
- 11 for moving expenses and losses of property for which
- 12 reimbursement or compensation is not otherwise made,
- 13 including the making of such payments financed by the
- 14 federal government. Other provisions of the Code
- 15 notwithstanding, in making such payments on projects
- 16 not federally funded, the municipality may pay
- 17 relocation assistance benefits in the amounts
- 18 authorized by the Uniform Relocation Assistance and
- 19 Real Property Acquisition Policies Act of 1970, Pub.
- 20 L. No. 91-646, as amended by the Uniform Relocation
- 21 Act Amendments of 1987, title IV, Pub. L. No. 100-17."
- 22 2. Title page, line 2, by inserting after the
- 23 word "highway" the following: "or urban renewal".

S-5544  
Filed March 24, 1988  
*(Adopted 3/25/88)*

BY WALLY HORN

1 Section 1. Section 316.9, subsection 1, Code 1987, is  
2 amended to read as follows:

3 1. Compliance with the Uniform Relocation Assistance and  
4 Real Property Acquisition Policies Act of 1970, Public-Law  
5 Pub. L. No. 91-646, as amended by the Uniform Relocation Act  
6 Amendments of 1987, title IV, Pub. L. No. 100-17.

7 Sec. 2. Section 316.10, Code 1987, is amended to read as  
8 follows:

9 316.10 APPLICABLE TO OTHER THAN FEDERAL-AID HIGHWAYS.

10 The department or any political subdivision may provide all  
11 or a part of the programs and payments authorized under this  
12 chapter to persons displaced by any street or highway project  
13 which is financed in whole or in part by the state or a  
14 political subdivision, which is not a federal-aid project, and  
15 which requires the purchase or condemnation of private  
16 property for public use. To the extent that a program or  
17 payment is provided under this section, it shall be provided  
18 on a uniform basis to all persons so displaced. The  
19 department shall make adopt by administrative rules-to-assure  
20 rule reasonable standards, which need not conform to federal  
21 rules regulations and guidelines, for programs and payments  
22 provided under this section. However, the department may pay  
23 all right-of-way and relocation assistance benefits in the  
24 full amount authorized by federal standards and regulations on  
25 state projects which are not federally funded.

26 EXPLANATION

27 The bill allows the state department of transportation to  
28 provide right-of-way and relocation benefits for state funded  
29 highway projects in the full amount authorized by federal  
30 standards and regulations.

31 SUCCESSOR TO HSB 639 (LSB 7344DH)

32  
33  
34  
35

SENATE AMENDMENT TO HOUSE FILE 2352

H-6491

1 Amend House File 2352 as passed by the House as  
2 follows:  
3 1. Page 1, by inserting after line 25 the  
4 following:  
5 "Sec. \_\_\_\_ . Section 403.6, subsection 7, Code 1987,  
6 is amended to read as follows:  
7 7. To plan for the relocation of persons,  
8 including families, business concerns and others,  
9 displaced by an urban renewal project, and to make  
10 relocation payments to or with respect to such persons  
11 for moving expenses and losses of property for which  
12 reimbursement or compensation is not otherwise made,  
13 including the making of such payments financed by the  
14 federal government. Other provisions of the Code  
15 notwithstanding, in making such payments on projects  
16 not federally funded, the municipality may pay  
17 relocation assistance benefits in the amounts  
18 authorized by the Uniform Relocation Assistance and  
19 Real Property Acquisition Policies Act of 1970, Pub.  
20 L. No. 91-646, as amended by the Uniform Relocation  
21 Act Amendments of 1987, title IV, Pub. L. No. 100-17."  
22 2. Title page, line 2, by inserting after the  
23 word "highway" the following: "or urban renewal".

RECEIVED FROM THE SENATE

H-6491 FILED APRIL 14, 1988

*+ orig. concurred 4/15 (of 1991)*

HSB 639

House Study Bill 639

Transportation: Renaud, Chair; Cooper and Maulsby.

TRANSPORTATION

NOV 23 1957

HOUSE FILE \_\_\_\_\_

BY (PROPOSED STATE DEPARTMENT OF TRANSPORTATION BILL)

Passed House, Date \_\_\_\_\_

Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to right-of-way and relocation assistance  
2 provided to persons displaced by highway projects.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

1 Section 1. Section 316.9, subsection 1, Code 1987, is  
2 amended to read as follows:

3 1. Compliance with the Uniform Relocation Assistance and  
4 Real Property Acquisition Policies Act of 1970, ~~Public-law~~  
5 Pub. L. No. 91-646, as amended by the Uniform Relocation Act  
6 Amendments of 1987, title IV, Pub. L. No. 100-17.

7 Sec. 2. Section 316.10, Code 1987, is amended to read as  
8 follows:

9 316.10 APPLICABLE TO OTHER THAN FEDERAL-AID HIGHWAYS.

10 The department or any political subdivision may provide all  
11 or a part of the programs and payments authorized under this  
12 chapter to persons displaced by any street or highway project  
13 which is financed in whole or in part by the state or a  
14 political subdivision, which is not a federal-aid project, and  
15 which requires the purchase or condemnation of private  
16 property for public use. To the extent that a program or  
17 payment is provided under this section, it shall be provided  
18 on a uniform basis to all persons so displaced. The  
19 department shall ~~make~~ adopt by administrative rules-to-assure  
20 rule reasonable standards, which need not conform to federal  
21 ~~rules~~ regulations and guidelines, for programs and payments  
22 provided under this section. However, the department may pay  
23 all right-of-way and relocation assistance benefits in the  
24 full amount authorized by federal standards and regulations on  
25 state projects which are not federally funded.

26 EXPLANATION

27 The bill allows the state department of transportation to  
28 provide right-of-way and relocation benefits for state funded  
29 highway projects in the full amount authorized by federal  
30 standards and regulations.

31 BACKGROUND STATEMENT

32 SUBMITTED BY THE AGENCY

33 In April 1987, Congress increased relocation assistance  
34 benefits provided to people displaced by federally funded  
35 highway projects. As soon as this federal law was enacted the

1 Iowa DOT asked the general assembly for authority to extend  
2 the benefits to any federally funded highway project. The  
3 benefits were not extended to projects which were not  
4 federally funded. This bill eliminates the payment  
5 discrepancy between state projects with federal funds and  
6 those without. All people relocated by a state highway  
7 project would be compensated equally.

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

HOUSE FILE 2352

AN ACT

RELATING TO RIGHT-OF-WAY AND RELOCATION ASSISTANCE PROVIDED TO PERSONS DISPLACED BY HIGHWAY OR URBAN RENEWAL PROJECTS.

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

Section 1. Section 316.9, subsection 1, Code 1987, is amended to read as follows:

1. Compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law Pub. L. No. 91-646, as amended by the Uniform Relocation Act Amendments of 1987, title IV, Pub. L. No. 100-17.

Sec. 2. Section 316.10, Code 1987, is amended to read as follows:

316.10 APPLICABLE TO OTHER THAN FEDERAL-AID HIGHWAYS.

The department or any political subdivision may provide all or a part of the programs and payments authorized under this chapter to persons displaced by any street or highway project which is financed in whole or in part by the state or a political subdivision, which is not a federal-aid project, and which requires the purchase or condemnation of private property for public use. To the extent that a program or payment is provided under this section, it shall be provided on a uniform basis to all persons so displaced. The department shall make adopt by administrative rules-to-ensure rule reasonable standards, which need not conform to federal rules regulations and guidelines, for programs and payments provided under this section. However, the department may pay all right-of-way and relocation assistance benefits in the full amount authorized by federal standards and regulations on state projects which are not federally funded.

Sec. 3. Section 403.6, subsection 3, Code 1987, is amended to read as follows:

3. To plan for the relocation of persons, including families, business concerns and others, displaced by an urban

renewal project, and to make relocation payments to or with respect to such persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the federal government. Other provisions of the Code notwithstanding, in making such payments on projects not federally funded, the municipality may pay relocation assistance benefits in the amounts authorized by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. No. 91-646, as amended by the Uniform Relocation Act Amendments of 1987, title IV, Pub. L. No. 100-17.

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

\_\_\_\_\_  
JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2352, Seventy-second General Assembly.

\_\_\_\_\_  
JOSEPH O'HERN  
Chief Clerk of the House  
Approved *May 11* \_\_\_\_\_, 1988

\_\_\_\_\_  
TERRI E. BRANSFORD  
Governor

HF 2352