

Sen. Local Gov 3/13/87
By Res 3/19/87 (p. 802)

MAR 5 1987

HOUSE FILE 409

Place On Calendar

BY COMMITTEE ON LOCAL GOVERNMENT

(Formerly House Study Bill 159)

Passed House, Date 3-11-87 (p. 589) Passed Senate, Date 4-14-87 (p. 1273)

Vote: Ayes 98 Nays 0 Vote: Ayes 40 Nays 8

Approved April 27, 1987 (p. 1686)

A BILL FOR

1 An Act relating to the procedures used for the taking of property
2 for public transportation purposes.

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

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HF 409

1 Section 1. Section 306.27, Code 1987, is amended to read
2 as follows:

3 306.27 CHANGES FOR SAFETY, ECONOMY, AND UTILITY.

4 The state department of transportation as to primary roads
5 and the boards of supervisors as to secondary roads on their
6 own motion may change the course of any part of any road or
7 stream, watercourse or dry run and may pond water in order to
8 avoid the construction and maintenance of bridges, or to avoid
9 grades, or railroad crossings, or to straighten a road, or to
10 cut off dangerous corners, turns or intersections on the
11 highway, or to widen a road above statutory width, or for the
12 purpose of preventing the encroachment of a stream,
13 watercourse or dry run upon the highway. The department shall
14 conduct its proceedings in the manner and form prescribed in
15 chapter 472, and the board of supervisors shall use the form
16 prescribed in sections 306.28 to 306.37 or as provided in
17 chapter 472. Changes are subject to chapter 455B.

18 EXPLANATION

19 This bill authorizes the board of supervisors of a county
20 the option of using eminent domain procedures provided in
21 chapter 472 in lieu of those provided in sections 306.28
22 through 306.37 when carrying out construction, reconstruction,
23 or repair activities on secondary roads. This is intended to
24 make section 306.27 consistent with section 306.19.

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HSB 159

LOCAL GOVERNMENT

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON LOCAL GOVERNMENT BILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the procedures used for the taking of property
2 for public transportation purposes.

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SUB COMMITTEE ASSIGNMENTS

CHAIR: *Novgard*

COMMITTEE: *Local Gov.*

3/19/87

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2 as follows:

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16 prescribed in sections 306.28 to 306.37 or as provided in
17 chapter 472. Changes are subject to chapter 455B.

18 EXPLANATION

19 This bill authorizes the board of supervisors of a county
20 the option of using eminent domain procedures provided in
21 chapter 472 in lieu of those provided in sections 306.28
22 through 306.37 when carrying out construction, reconstruction,
23 or repair activities on secondary roads. This is intended to
24 make section 306.27 consistent with section 306.17.

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HOUSE FILE 409

AN ACT

RELATING TO THE PROCEDURES USED FOR THE TAKING OF PROPERTY FOR PUBLIC TRANSPORTATION PURPOSES.

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

Section 1. Section 306.27, Code 1987, is amended to read as follows:

306.27 CHANGES FOR SAFETY, ECONOMY, AND UTILITY.

The state department of transportation as to primary roads and the boards of supervisors as to secondary roads on their own motion may change the course of any part of any road or stream, watercourse or dry run and may pond water in order to avoid the construction and maintenance of bridges, or to avoid grades, or railroad crossings, or to straighten a road, or to cut off dangerous corners, turns or intersections on the highway, or to widen a road above statutory width, or for the purpose of preventing the encroachment of a stream, watercourse or dry run upon the highway. The department shall conduct its proceedings in the manner and form prescribed in

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 409, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 27, 1987

TERRY E. BRANSTAD
Governor

HF 409