

JAN 22 1990

Place On Calendar

HOUSE FILE 2142

BY COMMITTEE ON TRANSPORTATION

Substituted for S.F. 2144-26 (p. 322)

(SUCCESSOR TO HSB 568)

Passed House, Date 1-29-90 (p. 225) Passed Senate, Date 2-6-90 (p. 364)

Vote: Ayes 92 Nays 0 Vote: Ayes 45 Nays 0

Approved March 30, 1990

*Repassed House 3/19/90 (p. 1200)
92-0*

A BILL FOR

1 An Act relating to reporting requirements for certain cities
2 receiving road use tax funds.

S-5073

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

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HF 2142

1 Section 1. Section 312.12, Code 1989, is amended to read
2 as follows:

3 312.12 PROGRAM SUBMITTED.

4 Cities which receive funds from road use tax funds and
5 which have a population of at least five thousand shall

6-50436 prepare, adopt, and submit to the department on or before
7 December May 1 of each fiscal year a comprehensive program of
8 street construction and reconstruction. Such program shall be
9 prepared for a period of five fiscal years subsequent to the
10 fiscal year in which the program is submitted, based upon the
11 construction funds estimated to be available for each fiscal
12 year. ~~At the close of each fiscal year, as a part of the~~
13 ~~five-year plan, the city shall include a statement of the~~
14 ~~progress made toward the completion of each project contained~~
15 ~~in the approved program. -- Such cities which have a population~~
16 ~~of less than five thousand and greater than one thousand shall~~
17 ~~prepare and submit annually by December 31 of each year to the~~
18 ~~department for examination and review, a program of proposed~~
19 ~~street construction and reconstruction for its total system of~~
20 ~~streets for the ensuing fiscal year. -- Nothing in this~~ This
21 section shall does not prohibit a city of less than five
22 thousand from adopting by resolution a comprehensive five-year
23 plan.

6-50437

24 EXPLANATION

25 This bill eliminates the annual statement detailing the
26 progress made toward completion of projects contained in a
27 city-approved five-year plan which is required of cities with
28 a population of at least 5,000 receiving road use tax funds.
29 The bill also eliminates the annual street construction and
30 reconstruction report required of cities with populations of
31 less than 5,000 and greater than 1,000 receiving road use tax
32 funds.

33 The bill changes the date for submission of street
34 construction and reconstruction reports for cities with a
35 population of at least 5,000 from December 1 to May 1.

1 The bill may include a state mandate as defined in section
2 25B.3.

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HOUSE FILE 2142

S-5043

1 Amend House File 2142 as passed by the House as
2 follows:
3 1. Page 1, line 6, by striking the word "submit"
4 and inserting the following: "submit deliver".
5 2. Page 1, by inserting after line 23 the
6 following:
7 "Sec. _____. Section 312.14, Code 1989, is amended
8 to read as follows:
9 312.14 CITIES TO SUBMIT REPORT.
10 Cities in the state which receive allotments of
11 funds from road use tax funds shall prepare and ~~submit~~
12 by deliver on or before September 30 each year to
13 the department an annual report showing all street
14 receipts and expenditures for the city for the
15 previous fiscal year.
16 Sec. _____. Section 312.15, Code 1989, is amended to
17 read as follows:
18 312.15 WHEN FUNDS NOT ALLOCATED.
19 Funds shall not be allocated to any city until such
20 city shall have complied with the provisions of
21 sections 312.11, 312.12 and 312.14.
22 If a city has not complied with the provisions of
23 section 312.14, the treasurer of state shall withhold
24 funds allocated to the city until the city complies.
25 If a city has not complied with the provisions of
26 section 312.14 by December 31 following the date the
27 report was required, funds shall not be allocated to
28 the city until the city has complied and all funds
29 withheld under this paragraph shall revert to the
30 street construction fund of the cities.
31 The department shall notify the treasurer of state
32 if any city fails to comply with the provisions of
33 sections 312.11, 312.12 and 312.14.
34 Sec. _____. Any funds not allocated to cities under
35 the provisions of section 312.15 during the fiscal
36 year ending June 30, 1990 shall be restored to the
37 cities affected from the street construction fund of
38 the cities.
39 Sec. _____. This Act, being deemed of immediate
40 importance, takes effect upon enactment."
41 3. Title, line 2, by inserting after the word
42 "funds" the following: ", and providing an effective
43 date".

By LEONARD L. BOSWELL
JOHN W. JENSEN

S-5043 FILED FEBRUARY 5, 1990

Adopted 2/6 (p 364)

SENATE AMENDMENT TO HOUSE FILE 2142

H-5106

1 Amend House File 2142 as passed by the House as
2 follows:
3 1. Page 1, line 6, by striking the word "submit"
4 and inserting the following: "submit deliver".
5 2. Page 1, by inserting after line 23 the
6 following:
7 "Sec. ____ . Section 312.14, Code 1989, is amended
8 to read as follows:
9 312.14 CITIES TO SUBMIT REPORT.
10 Cities in the state which receive allotments of
11 funds from road use tax funds shall prepare and submit
12 by deliver on or before September 30 each year to
13 the department an annual report showing all street
14 receipts and expenditures for the city for the
15 previous fiscal year.
16 Sec. ____ . Section 312.15, Code 1989, is amended to
17 read as follows:
18 312.15 WHEN FUNDS NOT ALLOCATED.
19 Funds shall not be allocated to any city until such
20 city shall have complied with the provisions of
21 sections 312.11, 312.12 and 312.14.
22 If a city has not complied with the provisions of
23 section 312.14, the treasurer of state shall withhold
24 funds allocated to the city until the city complies.
25 If a city has not complied with the provisions of
26 section 312.14 by December 31 following the date the
27 report was required, funds shall not be allocated to
28 the city until the city has complied and all funds
29 withheld under this paragraph shall revert to the
30 street construction fund of the cities.
31 The department shall notify the treasurer of state
32 if any city fails to comply with the provisions of
33 sections 312.11, 312.12 and 312.14.
34 Sec. ____ . Any funds not allocated to cities under
35 the provisions of section 312.15 during the fiscal
36 year ending June 30, 1990 shall be restored to the
37 cities affected from the street construction fund of
38 the cities.
39 Sec. ____ . This Act, being deemed of immediate
40 importance, takes effect upon enactment."
41 3. Title, line 2, by inserting after the word
42 "funds" the following: ", and providing an effective
43 date".

RECEIVED FROM THE SENATE

H-5106 FILED FEBRUARY 8, 1990

House concurred 2/14 (p. 1200)

NSB 568

TRANSPORTATION

No. 00

HOUSE FILE 2142
BY (PROPOSED 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 reporting requirements for certain cities
2 receiving road use tax funds.

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

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1 Section 1. Section 312.12, Code 1989, is amended to read
2 as follows:

3 312.12 PROGRAM SUBMITTED.

4 Cities which receive funds from road use tax funds and
5 which have a population of at least five thousand shall
6 prepare, adopt, and submit to the department on or before
7 December May 1 of each fiscal year a comprehensive program of
8 street construction and reconstruction. Such program shall be
9 prepared for a period of five fiscal years subsequent to the
10 fiscal year in which the program is submitted, based upon the
11 construction funds estimated to be available for each fiscal
12 year. ~~At the close of each fiscal year, as a part of the~~
13 ~~five-year plan, the city shall include a statement of the~~
14 ~~progress made toward the completion of each project contained~~
15 ~~in the approved program. -- Such cities which have a population~~
16 ~~of less than five thousand and greater than one thousand shall~~
17 ~~prepare and submit annually by December 31 of each year to the~~
18 ~~department for examination and review, a program of proposed~~
19 ~~street construction and reconstruction for its total system of~~
20 ~~streets for the ensuing fiscal year. -- Nothing in this~~ This
21 section ~~shall~~ does not prohibit a city of less than five
22 thousand from adopting by resolution a comprehensive five-year
23 plan.

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EXPLANATION

25 This bill eliminates the annual statement detailing the
26 progress made toward completion of projects contained in a
27 city-approved five-year plan which is required of cities with
28 a population of at least 5,000 receiving road use tax funds.
29 The bill also eliminates the annual street construction and
30 reconstruction report required of cities with populations of
31 less than 5,000 and greater than 1,000 receiving road use tax
32 funds.

33 The bill changes the date for submission of street
34 construction and reconstruction reports for cities with a
35 population of at least 5,000 from December 1 to May 1.

1 The bill may include a state mandate as defined in section
2 25B.3.

3 BACKGROUND STATEMENT

4 SUBMITTED BY THE AGENCY

5 The state of Iowa is required to report data to the federal
6 highway administration (FHWA) to qualify for federal highway
7 funds for city, county, and state streets and highways. Re-
8 ports submitted to the department of transportation by local
9 governments are used to prepare state reports to FHWA. After
10 reviewing the reporting requirements, the department finds
11 some reports are no longer essential to meet the federal
12 reporting requirements.

13 The department of transportation recommends two reports
14 submitted by cities be eliminated. These reports are:

15 The annual statement by cities with 5,000 and greater popu-
16 lation showing the progress made toward the completion of each
17 project contained in their approved five-year program.

18 The report that cities with less than 5,000 population and
19 greater than 1,000 population prepare and submit annually by
20 December 31 detailing their program of proposed street
21 construction and reconstruction for the ensuing fiscal year.

22 The usefulness of these reports submitted to the department
23 of transportation by cities is extremely limited. Therefore,
24 the amount of time and effort expended by cities to file the
25 reports is not warranted and the requirement should be deleted
26 from the Code.

27 The department also recommends the date for cities of at
28 least 5,000 population to submit a comprehensive five-year
29 plan to the department be changed to May 1 from December 1 of
30 each fiscal year to accommodate the cities' planning process.

31 The league of Iowa municipalities supports this proposal.

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HOUSE FILE 2142

AN ACT

RELATING TO REPORTING REQUIREMENTS FOR CERTAIN CITIES RECEIVING ROAD USE TAX FUNDS, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 312.12, Code 1989, is amended to read as follows:

312.12 PROGRAM SUBMITTED.

Cities which receive funds from road use tax funds and which have a population of at least five thousand shall prepare, adopt, and ~~submit~~ deliver to the department on or before ~~December~~ May 1 of each fiscal year a comprehensive program of street construction and reconstruction. Such program shall be prepared for a period of five fiscal years subsequent to the fiscal year in which the program is submitted, based upon the construction funds estimated to be available for each fiscal year. ~~At the close of each fiscal year, as a part of the five-year plan, the city shall include a statement of the progress made toward the completion of each project contained in the approved program. Such cities which have a population of less than five thousand and greater than~~

~~one thousand shall prepare and submit annually by December 31 of each year to the department for examination and review; a program of proposed street construction and reconstruction for its total system of streets for the ensuing fiscal year. Nothing in this~~ This section shall does not prohibit a city of less than five thousand from adopting by resolution a comprehensive five-year plan.

Sec. 2. Section 312.14, Code 1989, is amended to read as follows:

312.14 CITIES TO SUBMIT REPORT.

Cities in the state which receive allotments of funds from road use tax funds shall prepare and ~~submit by~~ deliver on or before September ~~10~~ 30 each year to the department an annual report showing all street receipts and expenditures for the city for the previous fiscal year.

Sec. 3. Section 312.15, Code 1989, is amended to read as follows:

312.15 WHEN FUNDS NOT ALLOCATED.

Funds shall not be allocated to any city until such city shall have complied with the provisions of sections 312.11, 312.12 and 312.14.

If a city has not complied with the provisions of section 312.14, the treasurer of state shall withhold funds allocated to the city until the city complies. If a city has not complied with the provisions of section 312.14 by December 31 following the date the report was required, funds shall not be allocated to the city until the city has complied and all funds withheld under this paragraph shall revert to the street construction fund of the cities.

The department shall notify the treasurer of state if any city fails to comply with the provisions of sections 312.11, 312.12 and 312.14.

Sec. 4. Any funds not allocated to cities under the provisions of section 312.15 during the fiscal year ending June 30, 1990 shall be restored to the cities affected from the street construction fund of the cities.

Sec. 5. This Act, being deemed of immediate importance, takes effect upon enactment.

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 2142, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved March 30, 1990

TERRY E. BRANSTAD
Governor