

Huser, Chair
Welter
Heaton

HSB 689

TRANSPORTATION

Succeeded By

SF/HF 7

SENATE/HOUSE FILE
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

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

A BILL FOR

1 An Act relating to transportation, including procedures for
2 highway projects, aircraft registration, and passenger rail
3 service, and providing an effective date.

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

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1 Section 1. Section 6B.2A, Code Supplement 1999, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 4. This section shall not apply to a
4 condemnation of property by the state department of
5 transportation for right-of-way that is contiguous to an
6 existing road right-of-way and necessary for the maintenance,
7 safety improvement, or repair of the existing road.

8 Sec. 2. Section 6B.2B, subsection 2, Code Supplement 1999,
9 is amended to read as follows:

10 2. The acquiring agency shall provide the owner of record
11 of the private property with a statement of their individual
12 rights to be included with the notice required under section
13 6B.2A. The attorney general shall adopt rules pursuant to
14 chapter 17A prescribing a statement of rights which may be
15 used in substantial form by any person required to provide the
16 statement by this section. This subsection shall not apply to
17 a condemnation of property by the state department of
18 transportation for right-of-way that is contiguous to an
19 existing road right-of-way and necessary for the maintenance,
20 safety improvement, or repair of the existing road.

21 Sec. 3. Section 327J.1, Code 1999, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 5. "Midwest regional rail system" means
24 the passenger rail system identified through a multistate
25 planning effort in cooperation with AMTRAK.

26 Sec. 4. Section 327J.3, subsections 2 through 4, Code
27 1999, are amended by striking the subsections and inserting in
28 lieu thereof the following:

29 2. The director may enter into agreements with AMTRAK and
30 other states associated with the midwest regional rail system
31 for the purpose of developing a rail passenger system serving
32 the midwest, including service from Chicago, Illinois, to
33 Omaha, Nebraska, through Iowa. The agreements may include any
34 of the following:

35 a. Cost-sharing agreements associated with initiating

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1 service, capital costs, operating subsidies, and other costs
2 necessary to develop and maintain service.

3 b. Joint powers agreements and other institutional
4 arrangements associated with the administration, management,
5 and operation of a midwest regional rail system.

6 3. The director shall enter into discussions with members
7 of Iowa's congressional delegation to foster rail passenger
8 service in this state and the midwest and to maximize the
9 level of federal funding for the service, including funding
10 for the midwest regional rail system.

11 4. The director may provide assistance and enter into
12 agreements with cities along the proposed route of the midwest
13 regional rail system or other passenger rail system serving
14 the midwest to ensure that rail stations and terminals are
15 designed and developed in accordance with the following
16 objectives:

17 a. To meet safety and efficiency requirements outlined by
18 AMTRAK and the federal railroad administration.

19 b. To aid intermodal transportation.

20 c. To encourage economic development.

21 5. The director shall report annually to the general
22 assembly concerning the development and operation of the
23 midwest regional rail system and the state's passenger rail
24 service.

25 Sec. 5. Section 328.35, subsection 1, Code 1999, is
26 amended by adding the following new paragraph:

27 NEW PARAGRAPH. e. An aircraft which is displayed in a
28 museum.

29 Sec. 6. Section 543D.3, unnumbered paragraph 2, Code
30 Supplement 1999, is amended to read as follows:

31 A person who is not a certified real estate appraiser under
32 this chapter may appraise real estate for compensation if
33 certification is not required by this chapter or by federal or
34 state law, rule, or policy. However, an employee of the state
35 department of transportation whose duties include appraisals

1 of property pursuant to chapter 6B must be a certified or an
2 associate real estate appraiser under this chapter. An
3 associate real estate appraiser employed by the state
4 department of transportation who appraises property pursuant
5 to chapter 6B shall be directly supervised by a supervising
6 appraiser who is certified in good standing.

7 Sec. 7. EFFECTIVE DATE. Sections 1 and 2 of this Act,
8 being deemed of immediate importance, take effect upon
9 enactment.

10 EXPLANATION

11 This bill makes several Code changes relating to modal
12 transportation and highway projects.

13 The bill amends Code sections 6B.2A and 6B.2B, which
14 require agencies acquiring property for public improvements by
15 condemnation to provide to the owner of the property notice of
16 the proposed public improvement and possible condemnation and
17 a statement of rights, to provide that such requirements do
18 not apply to condemnations of property by the state department
19 of transportation for right-of-way that is contiguous to an
20 existing road right-of-way and necessary for the maintenance,
21 safety improvement, or repair of the existing road. The bill
22 provides that these changes shall be effective upon the bill's
23 enactment.

24 The bill also defines "midwest regional rail system" as the
25 passenger rail system identified through a multistate planning
26 effort in cooperation with AMTRAK, for purposes of Code
27 chapter 327J, relating to passenger rail service.

28 Code section 327J.3, relating to administration by the
29 director of transportation of the passenger rail service
30 revolving fund and of activities related to passenger rail
31 service, is amended to allow the director to enter into
32 agreements with AMTRAK and the other states associated with
33 the midwest regional rail system to develop a rail passenger
34 system serving the midwest, including service from Chicago to
35 Omaha through Iowa. The agreements may include cost-sharing

HSB 689

1 arrangements for costs associated with initiating service and
2 other necessary costs and joint powers agreements and other
3 institutional arrangements associated with the administration,
4 management, and operation of a midwest regional rail system.
5 The section is also amended to require the director to enter
6 into discussions with Iowa's congressional delegation to
7 foster rail passenger service in Iowa and the midwest and to
8 maximize federal funding for such service. The director is
9 permitted to provide assistance and enter into agreements with
10 cities on the route of the midwest regional rail system to
11 ensure that rail stations and terminals are designed and
12 developed in accordance with certain objectives. The bill
13 also requires the director of transportation to report
14 annually to the general assembly concerning the development
15 and operation of the midwest regional rail system and the
16 state's rail passenger service.

17 Currently, Code section 327J.3 requires the director of
18 transportation to enter into various discussions with the
19 states of Illinois and Nebraska, AMTRAK, and Iowa's
20 congressional delegation for the purpose of securing AMTRAK
21 passenger service from Chicago to Omaha using the Chicago and
22 northwestern transportation company railroad tracks. The Code
23 section also currently allows the director to provide
24 technical assistance to cities along the proposed AMTRAK route
25 to ensure that passenger facilities meeting AMTRAK
26 requirements are available in a timely manner and requires the
27 director to report regularly to the general assembly
28 concerning the progress of efforts to secure central Iowa
29 AMTRAK passenger service.

30 The bill also amends Code section 328.35 to exempt aircraft
31 displayed in museums from the aircraft registration and
32 registration fee requirements in Code chapter 328.

33 Additionally, the bill amends a provision in Code section
34 543D.3 currently requiring an employee of the state department
35 of transportation whose duties include appraisals of property

1 condemned pursuant to eminent domain to be a certified real
2 estate appraiser under Code chapter 543D, to allow such
3 employee to be an associate real estate appraiser if the
4 employee is directly supervised by a supervising appraiser who
5 is certified in good standing.

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REPRINTED

FEB 28 2000

Place On Calendar

HOUSE FILE 2477
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 689)

Passed House, Date ^(p. 695) 3-13-00 Passed Senate, Date ^(p. 1102) 4-11-00
Vote: Ayes 87 Nays 12 Vote: Ayes 50 Nays 0

Approved 5/4/00

^(p. 1431) Re Passed 4/12/00
Vote 96-1

A BILL FOR

1 An Act relating to public improvements and transportation,
2 including procedures for condemnation and highway projects,
3 aircraft registration, and passenger rail service, and
4 providing an effective date.

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

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HF 2477

1 Section 1. Section 6B.2A, Code Supplement 1999, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 4. This section shall not apply to a
4 condemnation of property by the state department of
5 transportation for right-of-way that is contiguous to an
6 existing road right-of-way and necessary for the maintenance,
7 safety improvement, or repair of the existing road.

8 Sec. 2. Section 6B.2B, subsection 2, Code Supplement 1999,
9 is amended to read as follows:

10 2. The acquiring agency shall provide the owner of record
11 of the private property with a statement of their individual
12 rights to be included with the notice required under section
13 6B.2A. The attorney general shall adopt rules pursuant to
14 chapter 17A prescribing a statement of rights which may be
15 used in substantial form by any person required to provide the
16 statement by this section. This subsection shall not apply to
17 a condemnation of property by the state department of
18 transportation for right-of-way that is contiguous to an
19 existing road right-of-way and necessary for the maintenance,
20 safety improvement, or repair of the existing road.

21 Sec. 3. Section 6B.4, unnumbered paragraph 3, Code
22 Supplement 1999, is amended by striking the unnumbered
23 paragraph.

24 Sec. 4. Section 6B.14, unnumbered paragraph 1, Code
25 Supplement 1999, is amended to read as follows:

26 The commissioners shall, at the time fixed in the aforesaid
27 notices, view the land sought to be condemned. The interested
28 parties shall have the opportunity to present, in a meeting
29 open to the public, evidence of the damages the parties will
30 sustain by reason of the appropriation. After hearing the
31 parties' presentations the commission shall deliberate in
32 private and assess the damages which the owner will sustain by
33 reason of the appropriation;--and--they. The commission shall
34 file their its written report, signed by all commissioners,
35 with the sheriff. At the request of the condemner or the

1 condemnee, the commission shall divide the damages into parts
2 to indicate the value of any dwelling, the value of the land
3 and improvements other than a dwelling, and the value of any
4 additional damages. The appraisalment and return may be in
5 parcels larger than forty acres belonging to one person and
6 lying in one tract, unless the agent or attorney of the
7 applicant, or the commissioners, have actual knowledge that
8 the tract does not belong wholly to the person in whose name
9 it appears of record; and in case of such knowledge, the
10 appraisalment shall be made of the different portions as they
11 are known to be owned.

12 Sec. 5. Section 6B.14, Code Supplement 1999, is amended by
13 adding the following new unnumbered paragraph after unnumbered
14 paragraph 1:

15 NEW UNNUMBERED PARAGRAPH. Prior to the open meeting of the
16 commission, the commission or a commissioner shall not
17 communicate with an interested party, including the party's
18 agent or representative, regarding the condemnation
19 proceedings. After commencement of the commission's private
20 deliberations, the commission or a commissioner shall not
21 communicate with an interested party unless the communication
22 occurs in the presence of or with the consent of the other
23 interested parties who appeared at the open meeting of the
24 commission.

25 Sec. 6. Section 327J.1, Code 1999, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 5. "Midwest regional rail system" means
28 the passenger rail system identified through a multistate
29 planning effort in cooperation with AMTRAK.

30 Sec. 7. Section 327J.3, subsections 2 through 4, Code
31 1999, are amended by striking the subsections and inserting in
32 lieu thereof the following:

33 2. The director may enter into agreements with AMTRAK and
34 other states associated with the midwest regional rail system
35 for the purpose of developing a rail passenger system serving

1 the midwest, including service from Chicago, Illinois, to
2 Omaha, Nebraska, through Iowa. The agreements may include any
3 of the following:

4 a. Cost-sharing agreements associated with initiating
5 service, capital costs, operating subsidies, and other costs
6 necessary to develop and maintain service.

7 b. Joint powers agreements and other institutional
8 arrangements associated with the administration, management,
9 and operation of a midwest regional rail system.

10 3. The director shall enter into discussions with members
11 of Iowa's congressional delegation to foster rail passenger
12 service in this state and the midwest and to maximize the
13 level of federal funding for the service, including funding
14 for the midwest regional rail system.

15 4. The director may provide assistance and enter into
16 agreements with cities along the proposed route of the midwest
17 regional rail system or other passenger rail system serving
18 the midwest to ensure that rail stations and terminals are
19 designed and developed in accordance with the following
20 objectives:

21 a. To meet safety and efficiency requirements outlined by
22 AMTRAK and the federal railroad administration.

23 b. To aid intermodal transportation.

24 c. To encourage economic development.

25 5. The director shall report annually to the general
26 assembly concerning the development and operation of the
27 midwest regional rail system and the state's passenger rail
28 service.

29 Sec. 8. Section 328.35, subsection 1, Code 1999, is
30 amended by adding the following new paragraph:

31 NEW PARAGRAPH. e. An aircraft which is displayed in a
32 museum.

33 Sec. 9. Section 543D.3, unnumbered paragraph 2, Code
34 Supplement 1999, is amended to read as follows:

35 A person who is not a certified real estate appraiser under

1 this chapter may appraise real estate for compensation if
2 certification is not required by this chapter or by federal or
3 state law, rule, or policy. However, an employee of the state
4 department of transportation whose duties include appraisals
5 of property pursuant to chapter 6B must be a certified or an
6 associate real estate appraiser under this chapter. An
7 associate real estate appraiser employed by the state
8 department of transportation who appraises property pursuant
9 to chapter 6B shall be directly supervised by a supervising
10 appraiser who is certified in good standing.

11 Sec. 10. EFFECTIVE DATE. The sections of this Act
12 amending sections 6B.2A, 6B.2B, 6B.4, and 6B.14, being deemed
13 of immediate importance, take effect upon enactment.

14 EXPLANATION

15 This bill makes several Code changes relating to modal
16 transportation and highway projects.

17 The bill amends Code sections 6B.2A and 6B.2B, which
18 require agencies acquiring property for public improvements by
19 condemnation to provide to the owner of the property notice of
20 the proposed public improvement and possible condemnation and
21 a statement of rights, to provide that such requirements do
22 not apply to condemnations of property by the state department
23 of transportation for right-of-way that is contiguous to an
24 existing road right-of-way and necessary for the maintenance,
25 safety improvement, or repair of the existing road. The bill
26 provides that these changes shall be effective upon the bill's
27 enactment.

28 The bill makes several Code changes relating to procedures
29 of compensation commissions appointed to assess damages
30 incurred in condemnations of property.

31 The bill eliminates a provision in Code section 6B.4
32 designating a compensation commission as a governmental body
33 subject to the open meetings laws.

34 The bill amends Code section 6B.14 to provide for open
35 meetings of compensation commissions to allow parties having

1 an interest in a condemnation to present evidence of their
2 potential damages. The bill also amends Code section 6B.14 to
3 prohibit compensation commissioners from communicating with
4 interested parties at certain times.

5 The bill also defines "midwest regional rail system" as the
6 passenger rail system identified through a multistate planning
7 effort in cooperation with AMTRAK, for purposes of Code
8 chapter 327J, relating to passenger rail service.

9 Code section 327J.3, relating to administration by the
10 director of transportation of the passenger rail service
11 revolving fund and of activities related to passenger rail
12 service, is amended to allow the director to enter into
13 agreements with AMTRAK and the other states associated with
14 the midwest regional rail system to develop a rail passenger
15 system serving the midwest, including service from Chicago to
16 Omaha through Iowa. The agreements may include cost-sharing
17 arrangements for costs associated with initiating service and
18 other necessary costs and joint powers agreements and other
19 institutional arrangements associated with the administration,
20 management, and operation of a midwest regional rail system.
21 The section is also amended to require the director to enter
22 into discussions with Iowa's congressional delegation to
23 foster rail passenger service in Iowa and the midwest and to
24 maximize federal funding for such service. The director is
25 permitted to provide assistance and enter into agreements with
26 cities on the route of the midwest regional rail system to
27 ensure that rail stations and terminals are designed and
28 developed in accordance with certain objectives. The bill
29 also requires the director of transportation to report
30 annually to the general assembly concerning the development
31 and operation of the midwest regional rail system and the
32 state's rail passenger service.

33 Currently, Code section 327J.3 requires the director of
34 transportation to enter into various discussions with the
35 states of Illinois and Nebraska, AMTRAK, and Iowa's

1 congressional delegation for the purpose of securing AMTRAK
2 passenger service from Chicago to Omaha using the Chicago and
3 northwestern transportation company railroad tracks. The Code
4 section also currently allows the director to provide
5 technical assistance to cities along the proposed AMTRAK route
6 to ensure that passenger facilities meeting AMTRAK
7 requirements are available in a timely manner and requires the
8 director to report regularly to the general assembly
9 concerning the progress of efforts to secure central Iowa
10 AMTRAK passenger service.

11 The bill also amends Code section 328.35 to exempt aircraft
12 displayed in museums from the aircraft registration and
13 registration fee requirements in Code chapter 328.

14 Additionally, the bill amends a provision in Code section
15 543D.3 currently requiring an employee of the state department
16 of transportation whose duties include appraisals of property
17 condemned pursuant to eminent domain to be a certified real
18 estate appraiser under Code chapter 543D, to allow such
19 employee to be an associate real estate appraiser if the
20 employee is directly supervised by a supervising appraiser who
21 is certified in good standing.

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HOUSE FILE 2477

H-8098

- 1 Amend House File 2477 as follows:
- 2 1. By striking page 3, line 33, through page 4,
- 3 line 10.
- 4 2. By renumbering as necessary.

By GARMAN of Story
VAN ENGELENHOVEN of Mahaska
HUSER of Polk

H-8098 FILED FEBRUARY 29, 2000

Adopted

3-13-00

(p. 695)

HOUSE FILE 2477

H-8218

- 1 Amend House File 2477 as follows:
- 2 1. Page 1, by striking lines 27 through 32 and
- 3 inserting the following: "notices, view the land
- 4 sought to be condemned and assess the damages which
- 5 the owner will sustain by".
- 6 2. Page 2, by striking lines 15 through 24 and
- 7 inserting the following:
- 8 "NEW UNNUMBERED PARAGRAPH. Prior to the meeting of
- 9 the commission, the commission or a commissioner shall
- 10 not communicate with the applicant, property owner, or
- 11 tenant, or their agents, regarding the condemnation
- 12 proceedings. The commissioners shall meet in open
- 13 session to view the property and to receive evidence,
- 14 but shall deliberate in closed session. After closed
- 15 session deliberations commence, the commission and
- 16 each commissioner is prohibited from communicating
- 17 with any party to the proceeding, unless such
- 18 communication occurs in the presence of or with the
- 19 consent of the property owner and the other parties
- 20 who appeared before the commission."
- 21 3. By renumbering as necessary.

By HUSER of Polk

H-8218 FILED MARCH 7, 2000

Adopted

3-13-00 (p. 694)

HOUSE FILE 2477

H-8268

- 1 Amend House File 2477 as follows:
- 2 1. By striking page 1, line 21, through page 2,
- 3 line 24.
- 4 2. Page 4, line 12, by striking the figures and
- 5 word "6B.2A, 6B.2B, 6B.4, and 6B.14," and inserting
- 6 the following: "6B.2A and 6B.2B,".
- 7 3. By renumbering as necessary.

By JOHNSON of Osceola

H-8268 FILED MARCH 8, 2000

Lost 3/13/00 (p. 694)

1/3/00 Irons
S. 9/15/00 Leo Pata
S 3/27/00 Unfinished Business
Calendar

HOUSE FILE **2477**
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 689)

(As Amended and Passed by the House, March 13, 2000)

Passed House, Date ^(P. 1431) 4-12-00 Passed Senate, Date ^{P. 1102} 4/11/00
Vote: Ayes 96 Nays 1 Vote: Ayes 50 Nays 0
Approved 5/4/00

A BILL FOR

1 An Act relating to public improvements and transportation,
2 including procedures for condemnation and highway projects,
3 aircraft registration, and passenger rail service, and
4 providing an effective date.

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

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House Amendments _____

Deleted Language *

1 Section 1. Section 6B.2A, Code Supplement 1999, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 4. This section shall not apply to a
4 condemnation of property by the state department of
5 transportation for right-of-way that is contiguous to an
6 existing road right-of-way and necessary for the maintenance,
7 safety improvement, or repair of the existing road.

8 Sec. 2. Section 6B.2B, subsection 2, Code Supplement 1999,
9 is amended to read as follows:

10 2. The acquiring agency shall provide the owner of record
11 of the private property with a statement of their individual
12 rights to be included with the notice required under section
13 6B.2A. The attorney general shall adopt rules pursuant to
14 chapter 17A prescribing a statement of rights which may be
15 used in substantial form by any person required to provide the
16 statement by this section. This subsection shall not apply to
17 a condemnation of property by the state department of
18 transportation for right-of-way that is contiguous to an
19 existing road right-of-way and necessary for the maintenance,
20 safety improvement, or repair of the existing road.

21 Sec. 3. Section 6B.4, unnumbered paragraph 3, Code
22 Supplement 1999, is amended by striking the unnumbered
23 paragraph.

24 Sec. 4. Section 6B.14, unnumbered paragraph 1, Code
25 Supplement 1999, is amended to read as follows:

26 The commissioners shall, at the time fixed in the aforesaid
27 notices, view the land sought to be condemned and assess the
28 damages which the owner will sustain by reason of the
29 appropriation; ~~and they~~. The commission shall file ~~their~~ its
30 written report, signed by all commissioners, with the sheriff.
31 At the request of the condemner or the condemnee, the
32 commission shall divide the damages into parts to indicate the
33 value of any dwelling, the value of the land and improvements
34 other than a dwelling, and the value of any additional
35 damages. The appraisalment and return may be in parcels larger

1 than forty acres belonging to one person and lying in one
2 tract, unless the agent or attorney of the applicant, or the
3 commissioners, have actual knowledge that the tract does not
4 belong wholly to the person in whose name it appears of
5 record; and in case of such knowledge, the appraisement shall
6 be made of the different portions as they are known to be
7 owned.

8 Sec. 5. Section 6B.14, Code Supplement 1999, is amended by
9 adding the following new unnumbered paragraph after unnumbered
10 paragraph 1:

11 NEW UNNUMBERED PARAGRAPH. Prior to the meeting of the
12 commission, the commission or a commissioner shall not
13 communicate with the applicant, property owner, or tenant, or
14 their agents, regarding the condemnation proceedings. The
15 commissioners shall meet in open session to view the property
16 and to receive evidence, but shall deliberate in closed
17 session. After closed session deliberations commence, the
18 commission and each commissioner is prohibited from
19 communicating with any party to the proceeding, unless such
20 communication occurs in the presence of or with the consent of
21 the property owner and the other parties who appeared before
22 the commission.

23 Sec. 6. Section 327J.1, Code 1999, is amended by adding
24 the following new subsection:

25 NEW SUBSECTION. 5. "Midwest regional rail system" means
26 the passenger rail system identified through a multistate
27 planning effort in cooperation with AMTRAK.

28 Sec. 7. Section 327J.3, subsections 2 through 4, Code
29 1999, are amended by striking the subsections and inserting in
30 lieu thereof the following:

31 2. The director may enter into agreements with AMTRAK and
32 other states associated with the midwest regional rail system
33 for the purpose of developing a rail passenger system serving
34 the midwest, including service from Chicago, Illinois, to
35 Omaha, Nebraska, through Iowa. The agreements may include any

1 of the following:

2 a. Cost-sharing agreements associated with initiating
3 service, capital costs, operating subsidies, and other costs
4 necessary to develop and maintain service.

5 b. Joint powers agreements and other institutional
6 arrangements associated with the administration, management,
7 and operation of a midwest regional rail system.

8 3. The director shall enter into discussions with members
9 of Iowa's congressional delegation to foster rail passenger
10 service in this state and the midwest and to maximize the
11 level of federal funding for the service, including funding
12 for the midwest regional rail system.

13 4. The director may provide assistance and enter into
14 agreements with cities along the proposed route of the midwest
15 regional rail system or other passenger rail system serving
16 the midwest to ensure that rail stations and terminals are
17 designed and developed in accordance with the following
18 objectives:

19 a. To meet safety and efficiency requirements outlined by
20 AMTRAK and the federal railroad administration.

21 b. To aid intermodal transportation.

22 c. To encourage economic development.

23 5. The director shall report annually to the general
24 assembly concerning the development and operation of the
25 midwest regional rail system and the state's passenger rail
26 service.

27 Sec. 8. Section 328.35, subsection 1, Code 1999, is
28 amended by adding the following new paragraph:

29 NEW PARAGRAPH. e. An aircraft which is displayed in a
30 museum.

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31 Sec. 9. EFFECTIVE DATE. The sections of this Act amending
32 sections 6B.2A, 6B.2B, 6B.4, and 6B.14, being deemed of
33 immediate importance, take effect upon enactment.

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HOUSE FILE 2477

S-5381

1 Amend House File 2477, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 1, through page 2,
4 line 22.

5 2. Page 3, by striking lines 31 through 33 and
6 inserting the following:

7 "Sec. ____ . LIMITATION ON EXPENDITURE OF FUNDS FOR
8 PASSENGER RAIL SERVICE. It is the intent of the
9 general assembly that moneys directed to be deposited
10 in the road use tax fund under section 312.1 shall not
11 be used for loans, grants, or other financial
12 assistance for passenger rail service."

13 3. Title page, line 1, by striking the words
14 "public improvements and" and inserting the following:
15 "nonhighway".

16 4. Title page, line 2, by striking the words
17 "procedures for condemnation and highway projects,".

18 5. Title page, line 3, by striking the words
19 "service, and" and inserting the following:
20 "service."

21 6. Title page, by striking line 4.

22 7. By renumbering as necessary.

By RICHARD F. DRAKE
MATT McCOY
TOM FLYNN

MARY LOU FREEMAN
STEVEN D. HANSEN

S-5381 FILED APRIL 11, 2000

ADOPTED

P.1101

HOUSE FILE 2477

S-5176

- 1 Amend House File 2477, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 21 through 23.
- 4 2. Page 2, by striking lines 16 and 17, and
- 5 inserting the following: "and to receive evidence,
- 6 and shall deliberate in open session. After
- 7 deliberations commence, the".
- 8 3. Page 3, line 32, by striking the figure
- 9 "6B.4,".
- 10 4. By renumbering as necessary.

By JEFF ANGELO

S-5176 FILED MARCH 20, 2000

0/0
4/11/00 (P.1101)

HOUSE FILE 2477

S-5225

- 1 Amend House File 2477, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by striking lines 21 through 23.
- 4 2. Page 2, by striking lines 16 and 17 and
- 5 inserting the following: "and to receive evidence,
- 6 but may deliberate in closed session without complying
- 7 with section 21.5. After deliberations commence,
- 8 the".
- 9 3. Page 3, line 32, by striking the figure
- 10 "6B.4,".
- 11 4. By renumbering as necessary.

By JEFF ANGELO

S-5225 FILED MARCH 22, 2000

0/0
4/11/00 (P.1101)

H-8817

1 Amend House File 2477, as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 1, through page 2,
4 line 22.

5 2. Page 3, by striking lines 31 through 33 and
6 inserting the following:

7 "Sec. ____ . LIMITATION ON EXPENDITURE OF FUNDS FOR
8 PASSENGER RAIL SERVICE. It is the intent of the
9 general assembly that moneys directed to be deposited
10 in the road use tax fund under section 312.1 shall not
11 be used for loans, grants, or other financial
12 assistance for passenger rail service."

13 3. Title page, line 1, by striking the words
14 "public improvements and" and inserting the following:
15 "nonhighway".

16 4. Title page, line 2, by striking the words
17 "procedures for condemnation and highway projects,".

18 5. Title page, line 3, by striking the words
19 "service, and" and inserting the following:
20 "service."

21 6. Title page, by striking line 4.

22 7. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8817 FILED APRIL 11, 2000

House Concurred
4-12-00
(P. 1431)

HOUSE FILE 2477

AN ACT

RELATING TO NONHIGHWAY TRANSPORTATION, INCLUDING AIRCRAFT
REGISTRATION AND PASSENGER RAIL SERVICE.

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

Section 1. Section 327J.1, Code 1999, is amended by adding the following new subsection:

NEW SUBSECTION. 5. "Midwest regional rail system" means the passenger rail system identified through a multistate planning effort in cooperation with AMTRAK.

Sec. 2. Section 327J.3, subsections 2 through 4, Code 1999, are amended by striking the subsections and inserting in lieu thereof the following:

2. The director may enter into agreements with AMTRAK and other states associated with the midwest regional rail system

for the purpose of developing a rail passenger system serving the midwest, including service from Chicago, Illinois, to Omaha, Nebraska, through Iowa. The agreements may include any of the following:

a. Cost-sharing agreements associated with initiating service, capital costs, operating subsidies, and other costs necessary to develop and maintain service.

b. Joint powers agreements and other institutional arrangements associated with the administration, management, and operation of a midwest regional rail system.

3. The director shall enter into discussions with members of Iowa's congressional delegation to foster rail passenger service in this state and the midwest and to maximize the level of federal funding for the service, including funding for the midwest regional rail system.

4. The director may provide assistance and enter into agreements with cities along the proposed route of the midwest regional rail system or other passenger rail system serving the midwest to ensure that rail stations and terminals are designed and developed in accordance with the following objectives:

a. To meet safety and efficiency requirements outlined by AMTRAK and the federal railroad administration.

b. To aid intermodal transportation.

c. To encourage economic development.

5. The director shall report annually to the general assembly concerning the development and operation of the midwest regional rail system and the state's passenger rail service.

Sec. 3. Section 328.35, subsection 1, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. An aircraft which is displayed in a museum.

Sec. 4. LIMITATION ON EXPENDITURE OF FUNDS FOR PASSENGER RAIL SERVICE. It is the intent of the general assembly that

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2477

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moneys directed to be deposited in the road use tax fund under section 312.1 shall not be used for loans, grants, or other financial assistance for passenger rail service.

BRENT SIEGPIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2477, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 5/4, 2000

THOMAS J. VILSACK
Governor