

CHAPTER 84

HIGHWAYS

H. F. 269

AN ACT to repeal section four (4), chapter two hundred thirty-seven (237) acts of the thirty-eighth general assembly (38th general assembly) as amended by chapter twenty (20) acts of the thirty-ninth general assembly (S. C. C. 2912) and enact a substitute therefor, and to amend section six (6) of said chapter as amended by chapter twenty (20), acts of thirty-ninth general assembly (S. C. C. 2914), relating to the construction, improvement and maintenance of highways, and to transfer funds from the primary road fund to other funds in certain cases.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Primary road fund. That section four (4) of chapter
2 two hundred thirty-seven (237) acts of the thirty-eighth general
3 assembly as amended by chapter twenty (20), acts of the thirty-ninth
4 general assembly be and the same is hereby repealed and the following
5 enacted in lieu thereof:

6 There is hereby created a fund which shall be known as the primary
7 road fund, which shall embrace the federal-county-cooperation road
8 fund as created by chapter two hundred forty-nine (249) acts of
9 the thirty-seventh general assembly, all additional and future federal
10 aid road funds, and all other funds derived from year to year by the
11 state under acts regulatory of motor vehicles, commencing with and
12 including fees for the year 1920, except such portion of said motor
13 vehicles fund as may be necessary to maintain the federal aid engi-
14 neering fund, and as may, by law, be retained in the state treasury
15 as a maintenance fund for the state highway commission, or as a fund
16 to cover administration of the motor vehicle department. Said
17 primary road fund shall be apportioned to the respective counties in
18 the ratio that the area of the county bears to the total area of the
19 state, and shall be used in the establishment, construction and main-
20 tenance of the primary road system, including the drainage, grading,
21 surfacing, construction of bridges and culverts, the elimination or
22 improvement of railroad crossings, the purchase of additional right
23 of way and the damages incident thereto, connected with the estab-
24 lishment, construction and maintenance of the primary road system.
25 Where additional right of way for primary road system has been
26 taken in any county and paid for out of other funds since chapter two
27 hundred thirty-seven (237) acts of the thirty-eighth general assem-
28 bly has been in effect, the board of supervisors of such county is
29 authorized to transfer from the primary road fund to such other
30 fund the amount expended for such right of way. The portion of said
31 fund apportioned to each county as above provided is hereby pledged
32 to the completion of said primary system and is dedicated by the
33 state to the county to be used for the payment of costs in establish-
34 ment, improvement or maintenance thereof and for the redemption of
35 any bonds issued therefor as in this chapter provided. For the pur-
36 pose of administration, apportionment to any county may be made
37 up partly from federal aid road allotments. Nothing herein con-
38 tained shall be construed as precluding the board of supervisors from
39 paying for the construction and maintenance of bridges and culverts
40 on the primary road system from the county bridge fund.

1 **SEC. 2. County expenditures of allotments.** That section six (6)
 2 of chapter two hundred thirty-seven (237), acts of the thirty-eighth
 3 general assembly as amended by chapter twenty (20), acts of the
 4 thirty-ninth general assembly, be and the same is hereby amended
 5 by striking out lines four (4), five (5), and six (6) of said section
 6 and substituting in lieu thereof, the following:
 7 "First, it may elect to acquire additional right of way where neces-
 8 sary and complete the grading and construction of bridges and cul-
 9 verts and drainage in any part or all of the primary roads within
 10 the county before laying any hard surfacing; or"

1 **SEC. 3.** This act being deemed of immediate importance shall be
 2 in full force and effect from and after its publication in the Des
 3 Moines Register and the Des Moines Capital, newspapers published in
 4 Des Moines, Iowa.

Approved March 16, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Capital
 March 20, 1923, and the Des Moines Register March 21, 1923.

W. C. RAMSAY, *Secretary of State.*

CHAPTER 85

HIGHWAYS

H. F. 307

AN ACT to amend sections 13, 14, 17, 18, and 36 of chapter 237 of the acts of the 38th
 general assembly (C. C. 2921, 2922, 2925, 2926 and 2944), and acts amendatory there-
 to, relating to the amount of assessment that may be levied against abutting and
 adjacent property for the hard surfacing of a primary road, and providing for the
 refund of assessments heretofore paid.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Payments from county's allotment.** That section 13
 2 of chapter 237 of the acts of the 38th general assembly be and the
 3 same is hereby amended by striking from line 5 of said section the
 4 word, seventy-five, and inserting in lieu thereof the words, eighty-
 5 seven and one-half.

1 **SEC. 2. Apportionment reduced.** That section 14 of chapter 237
 2 of the acts of the 38th general assembly be and the same is hereby
 3 amended by striking from line 21 of said section the word, twenty-five,
 4 and inserting in lieu thereof the words, twelve and one-half.

1 **SEC. 3. Assessment reduced.** That section 17 of chapter 237 of
 2 the acts of the 38th general assembly be and the same is hereby
 3 amended by striking from line 2 of said section the word, one-fourth,
 4 and inserting in lieu thereof the word, one-eighth.

1 **SEC. 4. Assessment reduced.** That section 18 of chapter 237 of
 2 the acts of the 38th general assembly be and the same is hereby
 3 amended by striking out from line 2 of said section the word, twenty-