

- 3 NEW SECTION. **General election—nonpartisan offices.** There shall
 4 be elected at each general election, on a nonpartisan basis, the follow-
 5 ing officers:
 6 1. Regional library trustees as required by section* three hundred
 7 three B (303B) of the Code.
 8 2. County public hospital trustees as required by section three
 9 hundred forty-seven point twenty-five (347.25) of the Code.
 10 3. Soil conservation district commissioners as required by section
 11 four hundred sixty-seven A point five (467A.5) of the Code.

Approved April 28, 1975

*According to enrolled Act

CHAPTER 230

CATWALKS ON RAILWAY BRIDGES

H. F. 205

AN ACT requiring any person operating a railroad in this state to construct and maintain catwalks and handrails on railway bridges and trestles.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Chapter four hundred seventy-four (474), Code 1975, is
 2 amended by adding the following new section:
 3 NEW SECTION. **Catwalks and handrails.** Any person operating a
 4 railroad in this state shall construct and maintain in good repair a cat-
 5 walk and handrail on at least one side of every railway bridge and tres-
 6 tle which shall be constructed, or the structure of which is renovated in
 7 any manner, after January 1, 1976. The catwalk and handrail shall ex-
 8 tend the length of the bridge or trestle.

Approved March 14, 1975

CHAPTER 231

RAILROAD ASSISTANCE

H. F. 433

AN ACT relating to the establishment and administration of a railroad assistance fund for improvement of branch line railroad roadbeds, track, track structure, and other appurtenances of railroad right-of-way.

Be It Enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. NEW SECTION. **Railroad assistance fund estab-**
 2 **lished.** There is established a railroad assistance fund in the office of
 3 the treasurer of state. Moneys in this fund shall be expended for pro-
 4 viding assistance to railroads for upgrading railroad roadbeds, track,
 5 track structure, and other appurtenances of railroad right-of-way of

6 railroad branch lines. Any unencumbered funds appropriated pursuant
7 to Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one
8 thousand one hundred thirteen (1113), section thirteen (13), or other
9 funds appropriated by the general assembly for branch line railroad as-
10 sistance shall be deposited in the railroad assistance fund. Any moneys
11 received by the energy policy council or the state department of trans-
12 portation by agreements, grants, gifts, or other means from individu-
13 als, companies or other business entities, or political subdivisions of the
14 state for the purposes set forth for the fund established pursuant to this
15 section shall be credited to the railroad assistance fund.

1 SEC. 2. NEW SECTION. **Assistance agreements.** The energy poli-
2 cy council and, after the transfer of its duties pursuant to section seven
3 (7) of this Act the director of transportation with the approval of the
4 state transportation commission, may enter into agreements with rail-
5 roads, the United States government, individuals, companies or other
6 business entities, or political subdivisions of the state for carrying out
7 the purposes of this Act. Agreements entered into between the energy
8 policy council or the director of transportation and railroad companies
9 pursuant to this section may require payment by the railroad of a por-
10 tion of increased revenue derived from the improved branch line into
11 the railroad assistance fund.

1 SEC. 3. NEW SECTION. **Federal funds.** The energy policy council
2 and the state transportation commission may accept federal funds to
3 carry out the provisions of this Act. All federal funds received under
4 the provisions of this Act are appropriated for the purposes set forth in
5 the federal grants.

1 SEC. 4. NEW SECTION. **Railroad accounts.** Agreements between
2 the railroad companies and the energy policy council or the state de-
3 partment of transportation which do not require payment of a portion
4 of the increased revenue derived from the improved branch line rail-
5 road to be paid by the railroad to the railroad assistance fund shall re-
6 quire that the railroad establish and maintain a separate railroad
7 company fund to which a specified portion of the increase in revenue
8 derived from the improved railroad branch line shall be credited and
9 that these funds shall be used by the railroad for improvement of
10 branch line railroad roadbed, track, track structure, and other appurte-
11 nances of railroad right-of-way within the state. The terms and condi-
12 tions governing the use of moneys in the special railroad company
13 fund shall be stipulated in the agreement. The agreement shall also
14 stipulate a penalty for use of the funds in a manner other than as set
15 forth in the agreement.

1 SEC. 5. NEW SECTION. **County funds.** The board of supervisors of
2 a county may with the approval of the energy policy council, and after
3 the transfer of its duties pursuant to section seven (7) of this Act, with
4 the approval of the director of transportation, appropriate funds from
5 the county general fund to the railroad assistance fund. The money
6 shall be used in accordance with this Act only for upgrading railroad
7 property within the county providing the funds. In any year the
8 amount of money transferred to the railroad assistance fund by a coun-
9 ty shall not exceed the amount of property taxes levied against the
10 railroad property within the county.

1 SEC. 6. NEW SECTION. **No reversion of funds.** Moneys deposited
2 in the railroad assistance fund shall not be subject to sections eight
3 point thirty-three (8.33) and eight point thirty-nine (8.39) of the Code.

1 SEC. 7. NEW SECTION. **Transfer of duties.** The administration of
 2 the railroad assistance fund shall be transferred from the energy policy
 3 council to the state department of transportation not later than July 1,
 4 1976. All agreements for railroad assistance entered into by the energy
 5 policy council with railroads and other persons pursuant to section
 6 ninety-three point nine (93.9) of the Code or this Act shall be carried
 7 out by the state department of transportation.

1 SEC. 8. Acts of the Sixty-fifth General Assembly, 1974 Session,
 2 chapter one thousand one hundred thirteen (1113), section fourteen
 3 (14), is repealed.

Approved April 8, 1975

CHAPTER 232

RAILROAD GRADE CROSSINGS

H. F. 904

AN ACT relating to the railroad grade crossings on public highways and increasing funds allocated for such purposes.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred seventy-eight point twenty-one
 2 (478.21), Code 1975, is amended to read as follows:

3 **478.21 Railway and highway crossing at grade.** Where-ever*
 4 a railway track crosses or shall hereafter cross a highway, street or alley,
 5 the railway company owning such track and the highway division of
 6 the department of transportation, in the case of primary highways, the
 7 board of supervisors of the county in which such crossing is located, in
 8 the case of secondary roads, or the council of the city, in the case of
 9 streets and alleys located within a city, may agree upon the location
 10 and manner of crossing, or crossing protection, or upgrading thereof, or
 11 upon a separation of grades so as to carry such highway over or under
 12 the railway track, and upon any change, alteration, vacation or reloca-
 13 tion of such highway, street or alley, and upon repairs, alteration, or
 14 elimination of any crossing, and upon the expense each party shall
 15 pay for such changes, except that if flasher light or gate signals are or-
 16 dered *or agreed to be* installed prior to July 1, 1973, the maintenance
 17 thereof shall be assumed by the railroad and if *the installation of*
 18 flasher light or gate signals ~~are~~ *is* ordered *or agreed to be* installed on
 19 or after July 1, 1973, the maintenance thereof shall be assumed equally
 20 by the railroad and *upon the approval of the department* the grade
 21 crossing safety fund; ~~provided, however, the grade crossing safety~~
 22 ~~fund.~~ *The department* shall not expend more than four hundred fifty
 23 dollars for any one crossing in any one year *from the grade crossing*
 24 *fund*; provided, however, nothing in this section limits the provisions
 25 of section 364.8.

1 SEC. 2. Section four hundred seventy-eight point twenty-two
 2 (478.22), Code 1975, is amended to read as follows:

3 **478.22 Disagreement—application—notice.** If the railway com-
 4 pany and said highway authorities cannot agree upon the changes to
 5 be made, either party may make written application to the *transporta-*

*According to enrolled Act