

CHAPTER 128

SOIL AND WATER CONSERVATION DISTRICTS

H.F. 492

AN ACT relating to soil conservation by providing for the acquisition of land by soil and water conservation districts, and eliminating certain reporting requirements.

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

Section 1. Section 457A.1, Code 2003, is amended to read as follows:

457A.1 ACQUISITION BY OTHER THAN CONDEMNATION.

The department of natural resources, soil and water conservation districts as provided in chapter 161A, the historical division of the department of cultural affairs, the state archaeologist appointed by the state board of regents pursuant to section 263B.1, any county conservation board, and any city or agency of a city may acquire by purchase, gift, contract, or other voluntary means, but not by eminent domain, conservation easements in land to preserve scenic beauty, wildlife habitat, riparian lands, wetlands, or forests; promote outdoor recreation, agriculture, soil or water conservation, or open space; or otherwise conserve for the benefit of the public the natural beauty, natural and cultural resources, and public recreation facilities of the state.

Sec. 2. Section 161A.11, Code 2003, is repealed.

Approved May 15, 2003

CHAPTER 129ENTERPRISE ZONE PROGRAM —
MISCELLANEOUS PROVISIONS

H.F. 576

AN ACT relating to the enterprise zone program and including effective date provisions.

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

Section 1. Section 15E.192, subsection 3, paragraphs a and b, Code 2003, are amended to read as follows:

a. A county or city which meets the distress criteria provided in section 15E.194, Code 2001, may apply to the department for an area to be certified as an enterprise zone at any time prior to ~~July~~ December 1, 2003. However, the total amount of land designated as enterprise zones under subsections 1 and 2, and any other enterprise zones certified by the department, excluding those approved pursuant to section 15E.194, subsection 4, shall not exceed in the aggregate one percent of the total county area.

b. An enterprise zone certified by the department pursuant to subsection 2 shall not be decertified or only be amended if the amendment consists of an area being added to the enterprise zone and the added area meets the criteria of section 15E.194, subsection 2. An enterprise zone certified by the department pursuant to subsection 1 or 2 may be decertified;

however, if a subsequent enterprise zone is designated, the expiration date of the subsequent enterprise zone shall be the same as the expiration date of the decertified enterprise zone. A portion of a certified enterprise zone may be decertified, provided that the remaining portion of the certified enterprise zone meets the distress criteria provided in section 15E.194.

Sec. 2. Section 15E.193, Code 2003, is amended by adding the following new subsection:
NEW SUBSECTION. 4. If a business that is approved to receive incentives or assistance provided under section 15E.196 experiences a layoff within the state or closes any of its facilities within the state prior to receiving the incentives and assistance, the department may reduce or eliminate all or a portion of the incentives and assistance. If a business has received incentives or assistance under section 15E.196 and experiences a layoff within the state or closes any of its facilities within the state after receiving the incentives and assistance, the business may be subject to repayment of all or a portion of the incentives and assistance that it has received.

Sec. 3. Section 15E.193B, subsection 3, Code 2003, is amended to read as follows:
3. The single-family homes and dwelling units which are rehabilitated or constructed by the eligible housing business shall ~~be modest homes or units but~~ shall include the necessary amenities. When completed and made available for occupancy, the single-family homes and dwelling units shall meet the United States department of housing and urban development's housing quality standards and local safety standards.

Sec. 4. Section 15E.193C, subsection 5, Code 2003, is amended to read as follows:
5. Prior to ~~applying for~~ receiving assistance under this section, an eligible development business shall enter into an agreement with at least one business for purposes of locating the business in all or a portion of the building space for a period of at least five years. Nonretail businesses locating in a building space must create at least ten full-time positions, and meet the criteria provided in section 15E.193, subsection 1, paragraphs "a", "b", and "c", ~~and not share common ownership or common management with the development business. If a non-retail business locating in a building space occupies ninety percent or less of the building space, the nonretail business shall not share common ownership or common management with the development business.~~ A development business shall receive a pro rata share of the total incentives and assistance available to the development business based on the percentage of the building that is leased to nonretail businesses. The department shall determine the procedure for issuing the incentives and assistance on a pro rata basis.

Sec. 5. 2002 Iowa Acts, chapter 1145, section 7, is amended to read as follows:
SEC. 7. Section 15E.192, subsection 4 ~~3~~, paragraph a, Code 2003, is amended by striking the paragraph.

Sec. 6. 2002 Iowa Acts, chapter 1145, section 10, subsection 2, is amended to read as follows:
2. Section 7 of this Act, striking section 15E.192, subsection 4 ~~3~~, paragraph "a", Code 2003, takes effect ~~July~~ December 1, 2003.

Sec. 7. EFFECTIVE DATE. Sections 1, 5, and 6 of this Act, amending section 15E.192 and 2002 Iowa Acts, chapter 1145, being deemed of immediate importance, take effect upon enactment.

Approved May 15, 2003