

H. 3-6-97 Agriculture  
H. 3-31-97 Do Pass  
FILED FEB 26 1997.  
H. 4/10/97 Unfinished Business  
Calendar

SENATE FILE 235  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 146)

Passed Senate, Date 3/4/97 (p.480) Passed House, Date 4-14-97  
Vote: Ayes 49 Nays 0 Vote: Ayes 93 Nays 0  
Approved April 22, 1997

A BILL FOR

1 An Act providing authority to soil and water conservation  
2 district commissioners to allocate moneys for the emergency  
3 restoration of permanent soil and water conservation  
4 practices.

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

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S.F. 235

1 Section 1. Section 161A.7, Code 1997, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 15. To provide for the restoration of  
4 permanent soil and water conservation practices which are  
5 damaged or destroyed because of a disaster emergency as  
6 provided in section 161A.75.

7 Sec. 2. NEW SECTION. 161A.75 USE OF MONEYS FOR EMERGENCY  
8 REPAIRS.

9 1. The commissioners of a district may allocate moneys  
10 otherwise available for voluntary financial incentive programs  
11 as provided in section 161A.73 to provide for the restoration  
12 of permanent soil and water conservation practices which are  
13 damaged or destroyed because of a disaster emergency. In  
14 providing for the restoration, the commissioners may allocate  
15 moneys under this section for construction, reconstruction,  
16 installation, or repair projects. For each project the  
17 commissioners must determine that the allocation is necessary  
18 in order to restore permanent soil and water conservation  
19 practices in order to prevent erosion in excess of the  
20 applicable soil loss limits caused by the disaster emergency.

21 2. In order to allocate moneys under this section, the  
22 disaster emergency must have occurred in an area subject to a  
23 state of disaster emergency pursuant to a proclamation made by  
24 the governor as provided in section 29C.6. The commissioners  
25 shall use the moneys only to the extent that moneys from other  
26 sources, including any moneys provided by the state or federal  
27 government in response to the disaster emergency, are not  
28 adequate. The commissioners are not required to allocate the  
29 moneys on a cost-share basis.

30 3. Following the disaster emergency, the commissioners  
31 shall submit a report to the committee providing information  
32 regarding restoration projects and moneys allocated under this  
33 section for the projects.

34 EXPLANATION

35 This bill provides that the commissioners of a soil and

1 water conservation district may allocate moneys otherwise  
2 available for voluntary cost-share projects establishing soil  
3 and water conservation practices to provide for the  
4 restoration of permanent soil and water conservation practices  
5 which are damaged or destroyed because of a disaster  
6 emergency. The bill requires that for each project the  
7 commissioners must determine that allocation is necessary to  
8 save a soil and water conservation practice in order to  
9 prevent soil erosion in excess of soil loss limits. In order  
10 to allocate the moneys, the restoration must be made after the  
11 governor declares a disaster emergency affecting the  
12 practices. The bill allows the commissioners to use the  
13 moneys only to the extent that moneys from other sources are  
14 not adequate to provide for the restoration. The  
15 commissioners are required to submit a report to the state  
16 soil conservation committee providing information regarding  
17 restoration projects and moneys allocated for the projects.

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Behn, Chair  
Lettings  
J. Black

SSB-146

Agriculture

Succeeded By

SF HF 235

SENATE FILE  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY CHAIR-  
PERSON RENSINK)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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SENATE FILE 235

AN ACT

PROVIDING AUTHORITY TO SOIL AND WATER CONSERVATION DISTRICT COMMISSIONERS TO ALLOCATE MONEYS FOR THE EMERGENCY RESTORATION OF PERMANENT SOIL AND WATER CONSERVATION PRACTICES.

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

Section 1. Section 161A.7, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 15. To provide for the restoration of permanent soil and water conservation practices which are damaged or destroyed because of a disaster emergency as provided in section 161A.75.

Sec. 2. NEW SECTION. 161A.75 USE OF MONEYS FOR EMERGENCY REPAIRS.

1. The commissioners of a district may allocate moneys otherwise available for voluntary financial incentive programs as provided in section 161A.73 to provide for the restoration of permanent soil and water conservation practices which are damaged or destroyed because of a disaster emergency. In providing for the restoration, the commissioners may allocate moneys under this section for construction, reconstruction, installation, or repair projects. For each project the commissioners must determine that the allocation is necessary in order to restore permanent soil and water conservation practices in order to prevent erosion in excess of the applicable soil loss limits caused by the disaster emergency.

2. In order to allocate moneys under this section, the disaster emergency must have occurred in an area subject to a state of disaster emergency pursuant to a proclamation made by the governor as provided in section 29C.6. The commissioners shall use the moneys only to the extent that moneys from other

sources, including any moneys provided by the state or federal government in response to the disaster emergency, are not adequate. The commissioners are not required to allocate the moneys on a cost-share basis.

3. Following the disaster emergency, the commissioners shall submit a report to the committee providing information regarding restoration projects and moneys allocated under this section for the projects.

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MARY E. KRAMER  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 235, Seventy-seventh General Assembly.

Approved April 22 1997

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MARY PAT GUNDERSON  
Secretary of the Senate

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TERRY E. BRANSTAD  
Governor