

April 4, 1967
Conservation *Pass 5-3*
Appropriations 5-4, Pass as amended 5-17

House File 634

By GANNON
(Elvers and Benda)

Passed House, Date 5-26-67 Passed Senate, Date 6-9-67

Vote: Ayes 92 Nays 12 Vote: Ayes 50 Nays 4

Passed Approved June 30, 1967
House as amended
by Senate 6-13
98-12

A BILL FOR

An Act entering into and relating to the Upper Mississippi Riverway Compact and to make an appropriation therefor.

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

This is a Companion Bill; for complete text see Senate File 644.

EXPLANATION OF HOUSE FILE 634

This bill enacts the Upper Mississippi River Compact which provides for the orderly development and conservation of areas bordering the upper Mississippi river. The Compact permits joint and cooperative action of Iowa, Minnesota, Wisconsin, and Illinois for development and maintenance of a sound and attractive upper Mississippi region.

The Compact establishes a commission with four members from each state. The commission may acquire and manage parks, establish recreational, cultural, and nature study programs, and conduct studies and develop recommendations for the use and development of the upper Mississippi region.

1 Amend House File 634 by striking from line three
2 (3) of Section 5 the words and figures "twenty-five
3 thousand (25,000)" and inserting in lieu thereof the
4 words and figures "fifteen thousand (15,000)".

Filed - *Adopted 5-23-67*
May 17, 1967

By COMMITTEE ON APPROPRIATIONS.

1 Amend House File 634 by adding Article III of
2 section one (1) the following paragraph:
3 "(e) Anything in this Act to the contrary
4 notwithstanding, the lands and waters within an organized
5 levee district or drainage district and the lands owned
6 by or occupied by the levees and other facilities of
7 such districts, including the area on the riverward side
8 of the levees within three hundred (300) feet from their
9 center lines, shall be excluded from the district
10 contemplated by this Act."

Filed - *Withdrawn 5-26-67*
May 23, 1967

HICKLIN of Louisa-Muscatine.

1 Amend House File 634 by adding thereto the following
2 section:
3 "Sec. 7. Anything in this Act to the contrary
4 notwithstanding, none of the functions, powers, duties
5 and discretions of the Upper Mississippi Riverway
6 District or the Upper Mississippi River Commission
7 shall supercede or limit the functions, powers, duties
8 and discretions of counties, townships, school districts,
9 cities, towns, levee districts, drainage districts,
10 levee and drainage districts, or any other governmental
11 subdivision or of their governing officials."

Filed - *Adopted 5-26-67*
May 25, 1967

HICKLIN of Louisa-Mascatine.
GANNON of Jasper.
DISTELHORST of Des Moines.

1 Amend House File 634 as follows:
2 1. By adding in line sixty (60) of Section 1 following
3 the word "area" the following words, "outside the corporate
4 limits of cities and towns".
5 2. By striking in lines one hundred forty three (143) and
6 one hundred forty four (144) the words "and grants of land
7 or interests therein, water or interests therein,".
8 3. By striking paragraphs (a) and (b) of Section 1
9 of Article V.
10 4. By striking in line two hundred forty nine (249)
11 the following words "provide such services or arrange" and
12 inserting in lieu thereof the following "recommend such
13 services and assist in arranging".
14 5. By striking in line two hundred sixty three (263)
15 the word "either".
16 6. By striking in lines two hundred sixty four (264)
17 and two hundred sixty five (265) the words "owned and operated
18 by it;".
19 7. By striking lines two hundred sixty six (266) and two
20 hundred sixty seven (267) and inserting in lieu thereof
21 the word "bodies."
22 8. By striking in line two hundred sixty eight (268)
23 the word "provides" and inserting in lieu thereof the words
24 "arranges for".
25 9. By striking lines two hundred seventy two (272) through
26 two hundred ninety two (292) inclusive.
27 10. By striking lines three hundred (300), three hundred
28 one (301) and three hundred two (302) and inserting in lieu
29 thereof the words "penditures" and appropriation requests for
30 their 'operations budget'.
31 11. By striking in line three hundred three (303) the
32 words "Each of the" and inserting in lieu thereof the
33 word "The".
34 12. By striking lines three hundred eight (308) through
35 three hundred twenty two (322) inclusive and inserting in
36 lieu thereof the words "party states."
37 13. By striking in line three hundred thirty five (335)
38 the words "a certified or licensed public accountant" and
39 inserting in lieu thereof the words "the state auditor".
40 14. By striking the comma at the end of line three
41 hundred fifty (350) and inserting in lieu thereof a
42 period and by striking the balance of the sentence.
43 15. By striking Section 4 and renumbering the remaining
44 sections.

Filed - *withdrawn 5-26*
May 24, 1967

REDFERN of Lee.
SCHMARJE of Muscatine.

1 Amend House File 634 as follows:
2 1. By striking from lines four (4) and five (5) of
3 section two (2) the following: "The governor shall appoint
4 three (3) remaining members of the commission" and inserting
5 in lieu thereof the following: "The governor shall appoint
6 three (3) remaining members of the commission with the
7 approval of a two-thirds (2/3) vote of the Senate."

Filed - *Last 6-9*
June 2, 1967

By MESSERLY

1 Amend House File 634 as follows:
2 1. Amend section two (2) as follows:
3 a. By striking the word, "member" in line two (2) and
4 by inserting in lieu thereof the words, "permanent member
5 from Iowa".
6 b. By inserting in line four (4) after the word, "ap-
7 point" the word, "the".
8 c. By inserting in line five (5) after the words, "re-
9 maining members" the words, "from Iowa".
10 d. By inserting in line five (5) after the word, "com-
11 mission" the words, "Such members may, also, be members of
12 another board or commission established by law."
13 2. By numbering properly and adding thereto the follow-
14 ing new section:
15 "Sections two (2) and five (5) of this Act shall not be
16 effective until at least two (2) other states enact laws or
17 legislation pursuant to such state's Constitution that will
18 allow such state to become a member state to the Upper Missi-
19 sippi River Compact. Nothing contained in such compact shall
20 be construed to pledge the General Assembly of the state of Iowa
21 to appropriate to the commission any specific funds or money
22 even though such funds or money is requested by the commission
23 pursuant to Article IX of the compact; nor shall anything there-
24 in contained be construed to or actually effect any transfer of
25 the state of Iowa's rights, title, and interest in and to any
26 of the lands and water within the boundaries of the Upper Missi-
27 sippi River District. The Upper Mississippi Riverway Com-
28 mission and the Iowa members thereof shall not be an agency,
29 board or commission of the state of Iowa; the acts of the com-
30 mission shall be the acts, only, of the commission and not the
31 state of Iowa. The employees of such commission shall not be
32 employees of the state of Iowa."

Filed - *adopted* 6-9
June 6, 1967

By GAUDINEER

1 Amend House File 634 by inserting in ~~Section two~~ (2),
2 line five (5), before the words "The members", the following:
3 "The appointment of the remaining three (3) members shall be
4 confirmed by a two-thirds (2/3's) vote of the Senate.
5 Vacancies occurring while the General Assembly is not in
6 session, shall be filled by appointment of the governor
7 and submitted to the Senate for confirmation as herein
8 provided, within thirty (30) days of convening of the next
9 regular session of the General Assembly."

Filed - *adopted*
~~6-9~~
June 9, 1967

By MESSERLY

1 Amend House File 634 as follows:
2 By striking from line 2, section 2, the word "member" and by
3 inserting in lieu thereof the words "permanent member from Iowa".
4 By inserting in line 4, section 2, after the word "appoint" the
5 word
6 "the". By inserting in line 5, section 2, after the words
7 "remaining
8 members" the words "from Iowa". By inserting in line 5, section 2,
9 after the word "commission" the words "Such members may, also
10 be members of another board or commission established by law." By
11 inserting in line 5, section 2, before the words "The members" the
12 following: "The appointment of the remaining three (3) members
13 shall
14 be confirmed by a two-thirds (2/3's) vote of the Senate. Vacancies
15 occurring while the general assembly is not in session, shall be
16 filled by appointment of the governor and submitted to the Senate
17 for
18 confirmation as herein provided, within thirty (30) days of
19 convening
20 of the next regular session of the general assembly."
21 By numbering properly and adding thereto the following new
22 section:
23 "Sections two (2) and five (5) of this Act shall not be
24 effective until
25 at least two (2) other states enact laws or legislation pursuant
26 to such
27 state's constitution that will allow such state to become a
28 member state
29 to the Upper Mississippi River Compact. Nothing contained in
30 such
31 compact shall be construed to pledge the general assembly of the
32 state
33 of Iowa to appropriate to the commission any specific funds or
34 money
35 even through such funds or money is requested by the commission
36 pursuant
37 to Article IX of the compact; nor shall anything therein contained
38 be
39 construed to or actually effect any transfer of the state of
40 Iowa's rights,
41 title, and interest in and to any of the lands and water within
42 the boundaries
43 of the Upper Mississippi River District. The Upper Mississippi
44 Riverway
45 Commission and the Iowa members thereof shall not be an agency,
46 board
47 or commission of the state of Iowa; the acts of the commission
48 shall be
49 the acts, only, of the commission and not the state of Iowa.
50 The employees
51 of such commission shall not be employees of the state of Iowa."

As Adopted by the Senate. *House Concurred 6-13*