

SENATE FILE 1399

FILED APR 25 1974

By COMMITTEE ON APPROPRIATIONS  
(Committee on Appropriations)

*Sub. for H. F. 1502*

Passed Senate, Date 4-26-74 (1640) Passed House, Date 4-29-74 (2206)

Vote: Ayes 42 Nays 2 Vote: Ayes 63 Nays 22

Approved 5-28-74

*Passed Senate per Conference Committee  
Report 5-3-74 (1993)  
40-1*

*Motion to reconsider filed 4-29 (2214)  
Passed House 4-30-74 (2250)  
67-28*

### A BILL FOR

*Passed per Conference Committee Report*

1 An Act to make an appropriation from the general fund of the 5-4-74  
2 state to the state conservation commission for capital im- 2484  
3 provements. 84-5

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

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*Conference Committee Appointed*  
*Senators: Sultman, Ramsey, Lueder, Kinley, Heying 5/2 (1931)*  
*Representatives: Walden, Anderson, Freeman, Hansen, Norfel 5/2 (2374)*

1 Section 1. There is appropriated to the state conserva-  
2 tion commission from the general fund of this state the sum  
3 of seven million seven hundred fifty thousand (7,750,000)  
4 dollars or so much thereof as may be necessary, to be used  
5 for the purposes designated:

6 1. PLEASANT CREEK  
7 For land acquisition, dam  
8 construction, and construction  
9 of recreational facilities ..... \$1,450,000

10 2. BIG CREEK  
11 For land acquisition, dam  
12 construction, and construction  
13 of recreational facilities ..... 1,000,000

14 3. VOLGA RIVER  
15 For general construction  
16 of the dam and related features ..... 1,500,000

17 4. BRUSHY CREEK  
18 For completion of land  
19 acquisition and dam con-  
20 struction ..... 1,250,000

21 5. RATHBUN LAKE  
22 Area land purchase ..... 1,000,000

23 6. For miscellaneous  
24 capitals, emergency proj-  
25 ects, inflationary costs,  
26 and special costs as listed  
27 in the state conservation  
28 commission's budget docu-  
29 ment submitted to the Sixty-  
30 fifth General Assembly, 1974  
31 Session ..... 550,000

32 7. For purposes specified  
33 in sections two (2) and three (3)  
34 of this Act.

35 Sec. 2. From funds appropriated by section one (1) of

1 this Act, not exceeding five hundred thousand (500,000) dol-  
2 lars may be expended for the acquisition of land from willing  
3 sellers, but not including abandoned railroad right of way,  
4 which would qualify under the following categories:

5 1. Significant river, lake, wetland, prairie, forest or  
6 other biologically significant areas within the state.

7 2. Lands necessary to consolidate existing public owner-  
8 ship.

9 3. In-holdings including abandoned railroad right of way  
10 within existing public lands.

11 4. Lands required for the expansion of existing areas  
12 that will result in optimization of management for public  
13 recreation opportunities and for the provision of buffer areas  
14 to prevent encroachment or conflicting land uses with that  
15 on adjacent public lands.

16 5. Lands containing significant archaeological, histori-  
17 cal or state preserve values.

18 The state conservation commission shall acquire by gift  
19 or purchase parcels of real property and the improvements  
20 thereon or the interest therein for purposes of carrying out  
21 the provisions of this section. Acquisition will follow es-  
22 tablished conservation commission policies and procedures  
23 for negotiated settlements.

24 Sec. 3. From funds appropriated by section one (1) of  
25 this Act, not less than five hundred thousand (500,000) dol-  
26 lars shall be set aside for use for dredging.

27 Sec. 4. The state conservation commission, the gover-  
28 nor, and the state comptroller may obtain and accept fed-  
29 eral grants to the state to be used in connection with the  
30 funds appropriated by this Act.

31 Sec. 5. When the state conservation commission has ap-  
32 proved a project to be financed with funds appropriated by  
33 this Act, a description of the project and estimated cost  
34 shall be reported to the governor and the state comptroller.

35 Sec. 6. Upon completion of the contract documents and

1 the determination of the total cost of any project as set  
2 forth in this Act, any unobligated balance remaining may be  
3 used to supplement any current or prior appropriation for  
4 capital improvements.

5 Sec. 7. Funds appropriated by this Act shall not be used  
6 for the purchase, construction, or leasing of resort lodges.  
7 Unencumbered funds remaining as of June 30, 1977 shall re-  
8 vert to the general fund of the state on September 30, 1977.

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H-3006

*Senate File 1399*

- 1 Amend ~~House File 1502~~ as follows:  
 2 1. Page 2, by inserting after line 22 the follow-  
 3 ing subsection:  
 4 "6. Blue Lake, Black Hawk Lake and Silver Lake  
 5 for dredging..... 1,500,000  
 6 One third of the funds to be  
 7 appropriated for each of the  
 8 above numbered lakes.  
 9 2. Page 3, by striking all of lines 21 through  
 10 23.  
 11 3. By renumbering subsections and sections to  
 12 conform to this amendment.

H-3006 Filed *Adopted 4/29*  
 April 25, 1974 *Reconsidered*  
*and adopted 4/30*

By CRABB of Crawford  
 HUSAK of Tama  
 WYCKOFF of Benton  
 PETERSON of Woodbury  
 FISHER of Greene  
 HANSEN of O'Brien  
 MILLER of Calhoun  
 NORPEL of Jackson  
 SCHROEDER of Pottawattamie  
 McELROY of Fremont  
 DRAKE of Muscatine  
 MILLER of Buchanan  
 JORDAN of Linn  
 FULLERTON of Woodbury  
 WELLS of Linn  
 NEWHARD of Jones  
 BROCKETT of Marshall  
 PELLETT of Cass  
 CAFFREY of Polk  
 FISCHER of Grundy  
 FERGUSON of Carroll  
 MENDENHALL of Allamakee  
 MENKE of O'Brien  
 HUTCHINS of Guthrie  
 DAGGETT of Taylor  
 TOFTE of Winneshiek  
 DUNTON of Keokuk  
 WOODS of Polk  
 MILLER of Cerro Gordo  
 BENNETT of Ida  
 DANKER of Pottawattamie  
 HENNESSEY of Delaware  
 KISER of Scott  
 GRIFFEE of Chickasaw  
 CONNORS of Polk

H-3045

- 1 Amend the Crabb, et al., amendment (H-3006) to Senate  
 2 File 1399 as follows:  
 3 1. By inserting in line 4 after "Blue Lake," the  
 4 words "Lost Island Lake,".  
 5 2. By striking the number "1,500,000" in line 5 and  
 6 inserting in lieu thereof the number "2,000,000".  
 7 3. By striking the words "One third" in line 6  
 8 and inserting in lieu thereof the words "One fourth".

H-3045 Filed and adopted  
 April 29, 1974

By KRAUSE of Palo Alto  
 EDELEN of Emmet

H-3001

*Senate File 1399*

1 Amend ~~House File 1502~~, page 3, by inserting after  
2 line 14 the following:  
3 "In the case of abandoned railroad right of  
4 way, the adjoining property owners shall have the first  
5 option to purchase the property."

H-3001 Filed  
April 25, 1974

By WYCKOFF of Benton  
HUSAK of Tama  
MILLER of Calhoun  
BRANSTAD of Winnebago  
PELLETT of Cass

H-3003

*Senate File 1399*

1 Amend ~~House File 1502~~ as follows:  
2 1. Page 2, line 3, by striking the words "seven  
3 hundred fifty thousand (7,750,000)" and inserting in  
4 lieu thereof the words "eight hundred two thousand  
5 three hundred (7,802,300)".  
6 2. Page 2, by inserting after line 22 the follow-  
7 ing:  
8 6. MILL CREEK STATE PARK  
9 For the construction of a silt  
10 basin and other improvements..... 52,300  
11 3. Page 2, line 23, by striking the number "6"  
12 and inserting in lieu thereof the number "7".

H-3003 Filed  
April 25, 1974

By MENKE of O'Brien  
HANSEN of O'Brien

H-3004

*Senate File 1399*

1 Amend ~~House File 1502~~, page 3, Section 3, by  
2 striking lines 21 through 23 inclusive and insert  
3 in lieu thereof the following:  
4 "Sec. 3. From funds appropriated by section one  
5 (1) of this Act, not less than five hundred thousand  
6 (500,000) dollars shall be set aside in a trust fund  
7 to be used for the future dredging of Blue Lake,  
8 Black Hawk Lake and Silver Lake."

H-3003<sup>4</sup> Filed - *Withdrawn 4/29*  
April 25, 1974

By CRABB of Crawford  
HANSEN of O'Brien  
MILLER of Calhoun  
NORPEL of Jackson  
HUSAK of Tama  
DANKER of Pottawattamie

H-3043

1 Amend Senate File 1399, as passed by the Senate,  
2 page 3, line 1, by striking the words "five hundred  
3 thousand (500,000)" and inserting in lieu thereof  
4 the words "one million (1,000,000)".

H-3043 Filed, ruled not  
in order, motion to suspend  
rules lost  
April 29, 1974

By EGENES of Story  
TOFTE of Winneshiek

H-3033

- 1 Amend Senate File 1399 as follows:
- 2 1. Page 2, line 3, by striking the words "seven  
3 hundred fifty thousand (7,750,000)" and inserting in  
4 lieu thereof the words "eight hundred two thousand  
5 three hundred (7,802,300)".
- 6 2. Page 2, by inserting after line 22 the follow-  
7 ing: 4
- 8 6. MILL CREEK STATE PARK B  
9 For the construction of a silt  
10 basin and other improvements..... 52,300
- 11 3. Page 2, line 23, by striking the number "6"  
12 and inserting in lieu thereof the number "7".

H-3033 Filed and lost,  
motion to reconsider  
prevailed, and adopted  
April 29, 1974

By MENKE of O'Brien  
HANSEN of O'Brien

*Reconsidered, 3067 substituted for A, A withdrawn,  
B-adopted 4/30*

H-3046

- 1 Amend Senate File 1399, as passed by the Senate  
2 as follows:
- 3 1. Page 2, by striking all of line 3 and inserting  
4 in lieu thereof the following: "of five million two  
5 hundred fifty thousand (5,250,000)".
- 6 2. Page 2, by striking all of lines 17 through  
7 22.
- 8 3. By renumbering the subsections to conform to  
9 this amendment.

H-3046 Filed and lost  
April 29, 1974

By FISCHER of Grundy  
PETERSON of Woodbury  
BORTELL of Madison  
PELLETT of Cass  
WULFF of Black Hawk

#### EXPLANATION OF AMENDMENT

It is the legislative intent that funds presently allocated to the Iowa Conservation Commission shall be used to improve and maintain existing recreational facilities which have been neglected rather than for the acquisition of new properties to add to the maintenance problems.

H-3047

- 1 Amend Senate File 1399, as passed by the Senate,  
2 as follows:
- 3 1. page 2, line 3, by striking the words "seven  
4 million seven hundred fifty thousand (7,750,000)"  
5 and inserting in lieu thereof the words "nine million  
6 two hundred fifty thousand (9,250,000)".
- 7 2. page 3, line 1, by striking the words "five  
8 hundred thousand (500,000)" and inserting in lieu  
9 thereof the words "two million (2,000,000)".

H-3047 Filed and lost  
April 29, 1974

By EGENES of Story  
TOFTE of Winneshiek

H-3048

1 Amend Senate File 1399, as passed by the Senate,  
2 as follows:  
3 1. page 2, line 3, by striking the words "seven  
4 million seven hundred fifty thousand (7,750,000)"  
5 and inserting in lieu thereof the words "eight  
6 million two hundred fifty thousand (8,250,000)".  
7 2. page 3, line 1, by striking the words "five  
8 hundred thousand (500,000)" and inserting in lieu  
9 thereof the words "one million (1,000,000)".

H-3048 Filed and lost  
April 29, 1974

By EGENES of Story  
TOFTE of Winneshiek

H-3051

1 Amend Senate File 1399, as apssed by the Senate,  
2 page 2, by inserting after line 34 the following:  
3 "8. For shoreline erosion control in those  
4 areas where the need for such is deemed critical by  
5 the conservation commission.....\$50,000"

H-3051 Filed and lost  
April 29, 1974

By PATCHETT of Johnson

H-3053

1 Amend Senate File 1399, page 2, line 3, by striking  
2 the words "seven million, seven hundred fifty thousand  
3 (7,750,000)" and insert in lieu thereof the words "nine  
4 million, two hundred fifty thousand (9,250,000)".

H-3053 Filed, rules  
suspended for its

By CRABB of Crawford

consideration and adopted, *Reconsidered and withdrawn 4/30*

H-3058

1 Amend Senate File 1399, as passed by the Senate,  
2 as follows:  
3 1. Page 2, by striking all of lines 21 and 22.  
4 2. By renumbering the subsections to conform to  
5 this amendment.

H-3058 Filed and lost  
April 30, 1974

By BORTELL of Madison  
STEPHENS of Plymouth

H-3067

1 Amend Senate File 1399 as follows:  
2 1. Page 2, line 3, by striking the words "seven  
3 million seven hundred fifty thousand (7,750,000)" and  
4 inserting in lieu thereof the words "nine million  
5 three hundred two thousand three hundred (9,302,300)".

H-3067 Filed,  
substituted for H-3033A  
and adopted  
April 30, 1974

By MENKE of O'Brien

S-2896

- 1 Amend Senate File 1399 as follows:
- 2 1. Page 2, line 3, by striking the second word
- 3 "seven" and inserting in lieu thereof the word
- 4 "nine".
- 5 2. Page 2, line 3, by striking the numeral
- 6 "7,750,000" and inserting in lieu thereof the
- 7 numeral "7,950,000".
- 8 3. Page 2, by adding after line 22 the following:
- 9 "6. TURKEY RIVER LITTLE LAKE
- 10 OF THE WOODS PROJECT
- 11 For further land acquisition
- 12 and development ..... 200,000"
- 13 4. By renumbering the subsections.

S-2896 Filed and Lost  
April 26, 1974

By MCCARTNEY

HOUSE AMENDMENT TO SENATE FILE 1399

- 1 Amend Senate File 1399 as passed by the Senate as follows:
- 2 1. Page 2, line 3, by striking the words "seven million
- 3 seven hundred fifty thousand (7,750,000)" and inserting in
- 4 lieu thereof the words "nine million three hundred two
- 5 thousand three hundred (9,302,300)".
- 6 2. Page 2, by inserting after line 22 the following:
- 7 6. MILLCREEK STATE PARK
- 8 For the construction of a silt
- 9 basin and other improvements. . . . .52,300
- 10 7. Blue Lake, Lost Island Lake,
- 11 Black Hawk Lake and Silver Lake
- 12 For dredging . . . . .2,000,000
- 13 One fourth of the funds to be
- 14 appropriated for each of the
- 15 above numbered lakes.
- 16 3. Page 3, by striking all of lines 24 through 26.
- 17 4. By renumbering subsections and sections to conform to
- 18 this amendment.

Received from the House  
May 1, 1974

*Senate refused to concur 5/2  
House insisted 5/2*

S-2982

- 1 Amend the House Amendment to Senate File 1399 as
- 2 follows:
- 3 1. Line 11, by inserting after the first word
- 4 "Lake" the following: ", Backbone Lake".
- 5 2. By striking lines 13, 14 and 15 and inserting
- 6 in lieu thereof the following:
- 7 "The commission shall apportion
- 8 these funds to each of the above lakes,
- 9 but no more than five hundred thousand
- 10 (500,000) dollars shall be apportioned
- 11 to any one lake."

S-2982 Filed and lost  
May 2, 1974

By TIEDEN

REPORT OF THE CONFERENCE COMMITTEE  
ON SENATE FILE 1399

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 1399, a bill for an Act to make an appropriation from the general fund of the state to the state conservation commission for capital improvements, respectfully make the following recommendations:

1. That the Senate recedes from its amendment to the House amendment to Senate File 1399 as passed by the Senate.

2. That the House recedes from its amendment to Senate File 1399 as passed by the Senate.

3. That Senate File 1399, as passed by the Senate, be amended as follows:

a. Page 2, line 3, by striking the words "seven million seven hundred fifty thousand (7,750,000)" and inserting in lieu thereof the words "seven million nine hundred thousand (7,900,000)".

b. Page 2, line 24, by inserting after the word "capitals" the words "including the construction of a silt basin and other improvements at Millcreek State Park".

c. Page 2, line 31, by striking the numbers "550,000" and inserting in lieu thereof the numbers "600,000".

d. Page 3, line 26, by inserting after the word "dredging" the words "and an additional one hundred thousand (100,000) dollars shall be used to contract for an independent study of the feasibility and economics of dredging all lakes especially including Black Hawk Lake, Blue Lake, Silver Lake, and Five Island Lake".

On the part of the Senate:

CALVIN O. HULTMAN, Chairman  
HILARIUS L. HEYING  
GEORGE R. KINLEY  
RICHARD R. RAMSEY  
DALE L. TIEDEN

Filed  
May 3, 1974

*Senate adopted 5/3*

On the part of the House:

RICHARD W. WELDEN, Chairman  
DONALD D. AVENSON  
DENNIS L. FREEMAN  
INGWER L. HANSEN  
RICHARD J. NORPEL

*House adopted 5/4*

S-2983

- 1 Amend the House Amendment to Senate File 1399,
- 2 line 10, by striking the word "Lost" and inserting
- 3 in lieu thereof the word "Five"

S-2983 Filed and adopted  
May 2, 1974

By PRIEBE