

APR 13 1976

Reprinted

HOUSE FILE 1558

APPROPRIATIONS CALENDAR - *Pass 4/13*

By COMMITTEE ON APPROPRIATIONS

Passed House, Date 4-29-76 (2307) Passed Senate, Date _____

Vote: Ayes 89 Nays 1 Vote: Ayes _____ Nays _____

Approved 4/20/76

A BILL FOR

1 An Act appropriating funds for public projects under the
 2 jurisdiction of the state conservation commission, the
 3 sewage works construction fund, the department of soil
 4 conservation, and the Iowa development commission.

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

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1 Section 1. There is appropriated from the general fund
2 of the state for the fiscal period beginning July 1, 1976,
3 and ending June 30, 1979, except as provided in subsection
4 three (3) of this section, to the following named agencies
5 for the purposes indicated, the following amounts, or so much
6 thereof as is necessary:

7 1. STATE CONSERVATION COMMISSION

8 For construction, replacement, development
9 and alterations to state parks and preserves,
10 state forestry facilities and state waters
11 including artificial lake development; erosion
12 and siltation control; river, stream and lake
13 access; land acquisition; publications; and en-
14 gineering and planning services or to supple-
15 ment any prior appropriation for such purposes ... \$4,000,000

16 2. SEWAGE WORKS CONSTRUCTION FUND

17 a. For the purpose of providing the state's
18 twenty-five percent of the eligible cost of
19 eligible projects as defined under section
20 four hundred fifty-five B point sixty-seven
21 (455B.67), subsection four (4)
22 of the Code, attributable to the
23 the period July 1, 1966 through June 30, 1969 \$ 20,000

24 b. For payments to the governing bodies
25 responsible for publicly-owned sewage treat-
26 ment facilities which are eligible for
27 seventy-five percent grants under the fed-
28 eral Water Pollution Act amendments of 1972,
29 eighty-six (86) Stat. eight hundred sixteen
30 (816), in an amount equal to five percent of
31 the amount approved as the eligible cost of
32 the project by the Iowa water pollution con-
33 trol commission \$6,000,000

34 3. DEPARTMENT OF SOIL CONSERVATION

35 For cost sharing to provide state funding

1 of not to exceed fifty percent of the approved
 2 cost of permanent soil conservation practices
 3 instituted under chapter four hundred sixty-
 4 seven A (467A) of the Code with priority
 5 given to projects on watersheds above state-
 6 owned lakes and to the owner-operated or
 7 family-operated farms, except that not more
 8 than five percent of the amount herein appro-
 9 priated may be used for cost sharing to abate
 10 complaints filed under sections four hundred
 11 sixty-seven A point forty-seven (467A.47) and
 12 four hundred sixty-seven A point forty-eight
 13 (467A.48) of the Code \$4,000,000
 14 Unencumbered or unobligated funds appropriated by this
 15 subsection remaining on June 30, 1980 shall revert to the
 16 general fund on September 30, 1980.

17 Sec. 2. When the development of projects in which the
 18 state conservation commission has entered into agreements
 19 with other units of governments would be delayed by a delay
 20 in funding by the state conservation commission, then the
 21 commission shall give priority to such projects when allocating
 22 unobligated funds appropriated by section one (1), subsection
 23 one (1) of this Act.

24 Sec. 3. Acts of the Sixty-fifth General Assembly, 1974
 25 Session, chapter one thousand twenty-six (1026), section one
 26 (1), subsection three (3) is amended to read as follows:

27 3. VOLGA RIVER. For design and general construction of
 28 ~~the-dam~~ multiple lakes and related features
 29 1,500,000

30 Sec. 4. Chapter one thousand twenty-six (1026), Acts of
 31 the Sixty-fifth General Assembly, 1974 Session, section seven
 32 (7), as amended by the Acts of the Sixty-sixth General
 33 Assembly, 1975 Session, chapter sixty-two (62), section eleven
 34 (11), is amended to read as follows:

35 Sec. 7. Funds appropriated by this Act shall not be used

1 for the purchase, construction, or leasing of resort lodges.
2 Unencumbered funds remaining as of June 30, 1977 shall revert
3 to the general fund of the state on September 30, 1977 except
4 those funds set aside for dredging under section three (3)
5 of this Act and funds appropriated by this Act to the Volga
6 River dam construction project shall revert to the general
7 fund on September 30, 1979, if unencumbered as of June 30,
8 1979.

9 Sec. 5. There is appropriated the remainder of the state
10 fish and game protection fund for use by the state conservation
11 commission for the fiscal year beginning July 1, 1976, and
12 ending June 30, 1977, for capital improvement and contingencies
13 arising during the fiscal year which are legally payable from
14 the fish and game protection fund. The remainder is defined
15 as the fish and game protection fund that is not appropriated
16 by House File one thousand one hundred forty-one (1141),
17 section two (2), enacted by the Sixty-sixth General Assembly,
18 1976 Session. A contingency shall exclude any purpose or
19 project which was presented to the general assembly by way
20 of a bill and which failed to become enacted into law. Before
21 any funds shall be allocated, it shall be determined by the
22 executive council that a contingency exists and that the
23 proposed allocation shall be for the best interest of the
24 state.

25 Sec. 6. There is appropriated from the general fund of
26 the state for the fiscal year beginning July 1, 1976 and
27 ending June 30, 1977 to the Iowa development commission the
28 sum of twenty-four thousand five hundred (24,500) dollars,
29 or so much thereof as may be necessary, to print the Iowa
30 manufacturer's directory.

31 Sec. 7. All federal grants to and the federal receipts
32 of the agencies appropriated funds by this Act are appropriated
33 for the purposes set forth in the federal grants or receipts.

34 EXPLANATION

35 This bill appropriates funds to the state conservation

1 commission for various capital projects, to the department
2 of soil conservation for cost sharing of permanent soil
3 conservation practices, to the sewage works construction
4 fund, and to the Iowa development commission. Section three
5 directs the conservation commission to spend funds previously
6 appropriated for the Volga River project to develop multiple
7 lakes on that site. Section four extends the reversion of
8 the 1974 appropriation for the Volga River dam construction
9 project. Section five authorizes capital expenditures to
10 be made from the fish and game protection fund.

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H-6384

- 1 Amend House File 1558 as follows:
 2 1. Page 1, line 15, by inserting after the word
 3 "purposes" the words ". The funds appropriated by
 4 this subsection or any other funds available to the
 5 state conservation commission shall not be used for
 6 the construction of a marina at the Gull Point state
 7 park or on any other part, channel, inlet, or outlet
 8 located on or connected to West Okoboji or East Okoboji
 9 lakes. As used in this subsection "marina" means
 10 a dock or basin providing secure moorings for boats
 11 or yachts, or facilities offering boat or yacht supply,
 12 repair, or other services."
 13 2. Page 1, line 15, by striking the figure
 14 "4,000,000" and inserting in lieu thereof the figure
 15 "3,874,000".

A
Amended by
 6429

H-6384 FILED - *A - Adopted* BY SPENCER of Clay
 APRIL 22, 1976 *B - Withdrawn* 4/27 (2230) HANSEN of O'Brien

H-6420

- 1 Amend House File 1558, page 2, by striking lines
 2 24 through 29 and inserting in lieu thereof the
 3 following:
 4 "Sec. 3. There is appropriated, from the general
 5 fund of the state to the state conservation commis-
 6 sion for the fiscal period beginning July 1, 1976
 7 and ending June 30, 1979, the sum of eight hundred
 8 thousand (800,000) dollars, or so much thereof as
 9 may be necessary, to be used for starting immediate
 10 construction of the dam for the artificial lake
 11 development in the Volga River recreational area.
 12 Funds appropriated by this section shall be in
 13 addition to funds previously appropriated for such
 14 purposes."

H-6420 FILED - *Last 18-72* 4/27 BY AVENSON of Fayette
 APRIL 27, 1976 (*p. 2233*)

H-6424

- 1 Amend House File 1558 as follows:
 2 1. Page 2, by inserting after line 29 the
 3 following new section:
 4 "Sec. _____. There is appropriated from the
 5 general fund of the state to the state conserva-
 6 tion commission the sum of three hundred seventy-
 7 five thousand (375,000) dollars, or so much thereof
 8 as may be necessary, for the purpose of dredging
 9 Blue Lake at Onawa, Iowa."

H-6424 FILED - *Last 4/27 (2234)* BY SCHEELHAASE of Woodbury
 APRIL 27, 1976 CRABB of Crawford

H-6291

1 Amend House File 1558 as follows:

2 1. Page 3, by inserting after line 30 the
3 following:

4 "Sec. _____. Chapter one hundred eleven (111), Code
5 1975, is amended by adding the following new section:

6 NEW SECTION. USER FEES FOR PARKS AND PRESERVES.
7 The commission may by rule establish user fees for
8 patrons of state parks and preserves. Persons who
9 are sixty-five years of age or older or who are re-
10 ceiving public assistance pursuant to chapters two
11 hundred thirty-nine (239), two hundred thirty-nine
12 A (239A) or two hundred forty-nine A (249A) of the
13 Code shall be exempt from the payment of user fees
14 established pursuant to this section."

15 2. Amend the title, line 1, by striking the words
16 "appropriating funds for" and inserting in lieu thereof
17 the words "relating to the financing of".

18 3. Amend the title, line 4, by inserting after
19 the word "commission" the words "and making ap-
20 propriations".

H-6291 FILED - *Revised not germane* BY MILLER of Buchanan
APRIL 14, 1976 *4/27 (2237)* TOFTE of Winneshiek

H-6367

1 Amend House File 1558 as follows:

2 1. Page 2, by inserting after line 16 the
3 following:

4 "Sec. _____. Section four hundred sixty-seven A point
5 seven (467A.7), Code 1975, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. The commissioners shall, as a condition
8 for the receipt of any cost share funds for permanent soil
9 conservation practices which are not constructed pursuant
10 to sections four hundred sixty-seven A point forty-seven
11 (467A.47) and four hundred sixty-seven A point forty-eight
12 (467A.48) of the Code, require the landowner to covenant
13 an agreement which shall be filed with the county recorder
14 that if the project is removed, altered, or modified so as
15 to lessen its effectiveness without the consent of the
16 state soil conservation committee for a period of ten years
17 after the date of receiving payment, the landowner shall
18 refund to the department of soil conservation the public
19 funds used for the project. Such refunds shall be
20 reallocated to the district from which they were refunded
21 to be used for conservation cost sharing. It shall be
22 the duty of the commissioners to assist the state soil
23 conservation committee in the enforcement of this
24 subsection."

H-6367 FILED - *Withdrawn 4/27* BY WYCKOFF of Benton
APRIL 21, 1976 *(2234)* AVENSON of Fayette
MIDDLESWART of Warren
WELDEN of Hardin
TOFTE of Winneshiek
HALVORSON of Clayton
PERKINS of Greene

H-6425

1 Amend House File 1558 as follows:
2 1. Page 2, by inserting after line 33, the
3 following new section:
4 "Sec. _____. The funds appropriated by this
5 Act, and any other public funds shall not be
6 used by the conservation commission for the
7 expansion by condemnation of the public hunting
8 and fishing area at Green Island, prior to
9 eighteen months after the effective date of this
Act."

H-6425 FILED - *Adopted as amended by* BY GILLOON of Dubuque
APRIL 27, 1976 *6445 4/27(2237)* NEWHARD of Jones
O'HALLORAN of Black Hawk

H-6429

1 Amend amendment H-6384, to page 1 of House
2 File 1558, as follows:
3 1. Page 1, lines 8 and 9, by striking the
4 words "or East Okoboji lakes" and inserting in
5 lieu thereof the word "lake".

H-6429 FILED - *Adopted 4/27* BY SPENCER of Clay
APRIL 27, 1976 *(2230)* HANSEN Of O'Brien

H-6431

1 Amend House File 1558 as follows:
2 1. Page 2, by inserting after line 29 the
3 following new section:
4 "Sec. _____. There is appropriated to the
5 state conservation commission from the general
6 fund of the state the sum of nine hundred fifty
7 thousand (950,000) dollars, or as much as neces-
8 sary, for the cleaning of the inlet to Black Hawk
9 Lake, Sac County, and for necessary expenses to
10 establish better flood control, reduce fertilizer
11 pollution in the lake by diverting the watershed
12 through existing gravel pits before entering
13 the lake, as settlement basins, to establish
14 fish jetties and improve natural fish habitat
15 and growth, all for the purpose of preserving one
16 of the natural glacial lakes of the state and for
17 necessary incidental expenses in the amounts
18 specified for Black Hawk Lake located in Sac
19 County."

H-6431 FILED - *Lost 4/27(2236)* BY MILLER of Calhoun
APRIL 27, 1976 BENNETT of Ida

H-6433

1 Amend House File 1558 as follows:
2 1. Page 1, by inserting after line 15 the
3 following:
4 a. Of the above appropriation to the state
5 conservation commission, forty-eight thousand
6 (48,000) dollars shall be for the little lakes
7 of the woods tourist farm project.

H-6433 FILED - *Lost 4/27(2231)* BY GRIFFEE of Chickasaw
APRIL 27, 1976

Motion to reconsider 4/27(2238)
Lost 4/29(2306)

H-6432

1 Amend House File 1558 as follows:
 2 1. Page 1, line 35, by inserting before the word
 3 "For" the letter "a."
 4 2. Page 2, by inserting after line 13 the
 5 following:
 6 "b. The department of soil conservation
 7 shall develop in cooperation with the keg creek
 8 drainage district and the silver creek drainage
 9 district, located in Pottawattamie county,
 10 experimental structures in the creek beds
 11 to prevent the deep channeling of the creek
 12 beds and erosion of the creek banks.
 13 c. For the department of soil con-
 14 servation to carry out paragraph b of
 15 this subsection \$75,000"

H-6432 FILED - *Lat 4/27/2231* BY DANKER of Pottawattamie
 APRIL 27, 1976 SCHROEDER of Pottawattamie

HOUSE FILE 1558

H-6436

1 Amend House File 1558 as follows:
 2 1. Page 2, by inserting after line 16 the
 3 following:
 4 "Sec. ____ . Section four hundred sixty-seven
 5 A point seven (467A.7), Code 1975, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. The commissioners shall, as
 8 a condition for the receipt of any cost share funds
 9 for permanent soil conservation practices, require
 10 the landowner to covenant an agreement which shall
 11 be filed by the commissioners with the county recorder
 12 that if the project is removed, altered, or modified
 13 so as to lessen its effectiveness without the con-
 14 sent of the state soil conservation committee for a
 15 period of ten years after the date of receiving
 16 payment the landowner shall refund to the department
 17 of soil conservation a pro rata share of the public
 18 funds used for the project based upon said ten year
 19 period. Said agreement shall constitute a covenant
 20 attaching to the land described therein and shall
 21 be enforceable against succeeding owners of the land.
 22 The fees for recording such agreements shall be paid
 23 by the commissioners from conservation cost sharing
 24 funds allocated to the district. Such refunds shall
 25 be reallocated to the district from which they were
 26 refunded to be used for conservation cost sharing.
 27 It shall be the duty of the commissioners to assist
 28 the state soil conservation committee in the enforce-
 29 ment of this subsection."

H-6436 FILED - *Lat 4/27/2235* BY WYCKOFF of Benton *with the committee for 4/27/76*
 APRIL 27, 1976 (2235) *interview 4/29/76*

H-6435

1 Amend amendment H-6420 to House File 1558 as
2 follows:

3 1. Page 1, by inserting after line 14 the
4 following new section:

5 "Sec. 4. There is appropriated, from the
6 general fund of the state to the state conserva-
7 tion commission for the fiscal period beginning
8 July 1, 1976 and ending June 30, 1979 the sum of
9 three hundred thousand (300,000) dollars or so
10 much thereof as may be necessary to be used for
11 starting immediate construction of the dam for
12 the artificial lake development in the Squaw
13 Creek recreational area."

H-6435 FILED - *2233* 4/27 (2233) BY JORDAN of Linn
APRIL 27, 1976

H-6441

1 Amend amendment H-6435, to amendment H-6420 to
2 page 2 of House File 1558, as follows:

3 1. Line 12, by inserting before the word "Squaw"
4 the words "Linn County".

H-6441 FILED, ADOPTED (2232) BY JORDAN of Linn
APRIL 27, 1976

H-6445

HOUSE FILE 1558

1 Amend amendment H-6425, to page 2 of House
2 File 1558, as follows:

3 1. Page 1, line 2, by striking the figures
4 "33" and inserting in lieu thereof the figures "23".

H-6445 Filed
April 27, 1976

BY GILLOON of Dubuque

HOUSE FILE 1558

H-6445

1 Amend amendment H-6425, to page 2 of House
2 File 1558, as follows:

3 1. Page 1, line 2, by striking the figures
4 "33" and inserting in lieu thereof the figures "23".

H-6445 FILED, ADOPTED (2231) BY GILLOON of Dubuque
APRIL 27, 1976

HOUSE FILE 1558

H-6449

- 1 Amend H-6436 to House File 1558 as follows:
2 1. Page 1, lines 10 and 11, by striking the words
3 "to covenant an agreement which shall be filed by
4 the commissioners with the county recorder" and in-
5 serting in lieu thereof the words "to execute an
6 agreement".
7 2. Page 1, line 19, by striking the words "Said
8 agreement shall constitute a covenant".
9 3. Page 1, by striking lines 20 through 23.
10 4. Page 1, line 24, by striking the words "funds
11 allocated to the district."

H-6449 FILED

BY MIDDLESWART of Warren

APRIL 28, 1976

Out of order with withdrawal of motion to reconsider 4/29 (2306)
6436

H-6475

- 1 Amend House File 1558 as follows:
2 1. Title page, line 4, by inserting after the
3 word "commission" the words ";and providing penal-
4 ties".

H-6475 FILED, ADOPTED (2306) BY DOYLE of Woodbury
APRIL 29, 1976

Sen. Appropriations 5/4, Pass per 5801 5/14

HOUSE FILE 1558

By COMMITTEE ON APPROPRIATIONS

(As Amended and Passed by the House)

Passed House, Date 4-29-76 (p. 2307) Passed Senate, Date 5-17-76 (p. 2015)
Vote: Ayes 89 Nays 1 Vote: Ayes 46 Nays 2
Approved 6-20-76

A BILL FOR

1 An Act appropriating funds for public projects under the
2 jurisdiction of the state conservation commission, the
3 sewage works construction fund, the department of soil
4 conservation, and the Iowa development commission; and
5 providing penalties.

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

7 *Conference Committee appointed.*

8 *Representatives Anson, Spencer, Wyckoff, Halvorson, Helder 5/24 (3112)*

9 *Senators Junkins, Culver, Robinson, Kelly, Sultman 5/24 (2192)*

10 *Second Conference Committee*

11 *Representatives - Same as 1st*

12 *Senators - Same as 1st*

13
14
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16 House Amendments _____

17 *Passed per Conference Committee Report.*

18
19 House 5/26/76 (p. 3169)
20 89-3

Senate 5/27/76 (p. 2339)
21 28-19

1 Section 1. There is appropriated from the general fund
2 of the state for the fiscal period beginning July 1, 1976,
3 and ending June 30, 1979, except as provided in subsection
4 three (3) of this section, to the following named agencies
5 for the purposes indicated, the following amounts, or so much
6 thereof as is necessary:

7 1. STATE CONSERVATION COMMISSION

8 For construction, replacement, development
9 and alterations to state parks and preserves,
10 state forestry facilities and state waters
11 including artificial lake development; erosion
12 and siltation control; river, stream and lake
13 access; land acquisition; publications; and en-
14 gineering and planning services or to supple-
15 ment any prior appropriation for such purposes.

16 The funds appropriated by this subsection
17 or any other funds available to the state
18 conservation commission shall not be used for
19 the construction of a marina at the Gull Point
20 state park or on any other part, channel, inlet,
21 or outlet located on or connected to West
22 Okoboji lake. As used in this subsection
23 "marina" means a dock or basin proving secure
24 moorings for boats or yachts, or facilities
25 offering boat or yacht supply, repair, or other
26 services \$4,000,000

27 2. SEWAGE WORKS CONSTRUCTION FUND

28 a. For the purpose of providing the state's
29 twenty-five percent of the eligible cost of
30 eligible projects as defined under section
31 four hundred fifty-five B point sixty-seven
32 (455B.67), subsection four (4)
33 of the Code, attributable to the
34 the period July 1, 1966 through June 30, 1969 \$ 20,000

35 b. For payments to the governing bodies

1 responsible for publicly-owned sewage treat-
2 ment facilities which are eligible for
3 seventy-five percent grants under the fed-
4 eral Water Pollution Act amendments of 1972,
5 eighty-six (86) Stat. eight hundred sixteen
6 (816), in an amount equal to five percent of
7 the amount approved as the eligible cost of
8 the project by the Iowa water pollution con-
9 trol commission \$6,000,000

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11 For cost sharing to provide state funding
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13 cost of permanent soil conservation practices
14 instituted under chapter four hundred sixty-
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16 given to projects on watersheds above state-
17 owned lakes and to the owner-operated or
18 family-operated farms, except that not more
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21 complaints filed under sections four hundred
22 sixty-seven A point forty-seven (467A.47) and
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26 subsection remaining on June 30, 1980 shall revert to the
27 general fund on September 30, 1980.

28 Sec. 2. Section four hundred sixty-seven A point
29 seven (467A.7), Code 1975, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. The commissioners shall, as a
32 condition for the receipt of any cost share funds for
33 permanent soil conservation practices, require the land-
34 owner to covenant an agreement (which shall be filed by
35 the commissioners with the county recorder) that if the

1 project is removed, altered, or modified so as to lessen
2 its effectiveness without the consent of the state soil
3 conservation committee for a period of ten years after
4 the date of receiving payment the landowner shall refund
5 to the department of soil conservation a pro rata share
6 of the public funds used for the project based upon
7 said ten year period. Said agreement shall constitute
8 a covenant attaching to the land described therein and
9 shall be enforceable against succeeding owners of the
10 land. The fees for recording such agreements shall be
11 paid by the commissioners from conservation cost sharing
12 funds allocated to the district. Such refunds shall be
13 reallocated to the district from which they were refunded
14 to be used for conservation cost sharing. It shall be
15 the duty of the commissioners to assist the state soil
16 conservation committee in the enforcement of this
17 subsection.

18 Sec. 3. When the development of projects in which the
19 state conservation commission has entered into agreements
20 with other units of governments would be delayed by a delay
21 in funding by the state conservation commission, then the
22 commission shall give priority to such projects when allocating
23 unobligated funds appropriated by section one (1), subsection
24 one (1) of this Act.

25 Sec. 4. The funds appropriated by this Act, and
26 any other public funds shall not be used by the
27 conservation commission for the expansion by con-
28 demnation of the public hunting and fishing area at
29 Green Island, prior to eighteen months after the
30 effective date of this Act.

31 Sec. 5. Acts of the Sixty-fifth General Assembly, 1974
32 Session, chapter one thousand twenty-six (1026), section one
33 (1), subsection three (3) is amended to read as follows:

34 3. VOLGA RIVER. For design and general construction of
35 the-dam multiple lakes and related features

1 1,500,000

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3 the Sixty-fifth General Assembly, 1974 Session, section seven
4 (7), as amended by the Acts of the Sixty-sixth General
5 Assembly, 1975 Session, chapter sixty-two (62), section eleven
6 (11), is amended to read as follows:

7 Sec. 7. Funds appropriated by this Act shall not be used
8 for the purchase, construction, or leasing of resort lodges.
9 Unencumbered funds remaining as of June 30, 1977 shall revert
10 to the general fund of the state on September 30, 1977 except
11 those funds set aside for dredging under section three (3)
12 of this Act and funds appropriated by this Act to the Volga
13 River dam construction project shall revert to the general
14 fund on September 30, 1979, if unencumbered as of June 30,
15 1979.

16 Sec. 7. There is appropriated the remainder of the state
17 fish and game protection fund for use by the state conservation
18 commission for the fiscal year beginning July 1, 1976, and
19 ending June 30, 1977, for capital improvement and contingencies
20 arising during the fiscal year which are legally payable from
21 the fish and game protection fund. The remainder is defined
22 as the fish and game protection fund that is not appropriated
23 by House File one thousand one hundred forty-one (1141),
24 section two (2), enacted by the Sixty-sixth General Assembly,
25 1976 Session. A contingency shall exclude any purpose or
26 project which was presented to the general assembly by way
27 of a bill and which failed to become enacted into law. Before
28 any funds shall be allocated, it shall be determined by the
29 executive council that a contingency exists and that the
30 proposed allocation shall be for the best interest of the
31 state.

32 Sec. 8. There is appropriated from the general fund of
33 the state for the fiscal year beginning July 1, 1976 and
34 ending June 30, 1977 to the Iowa development commission the
35 sum of twenty-four thousand five hundred (24,500) dollars,

1 or so much thereof as may be necessary, to print the Iowa
2 manufacturer's directory.

3 Sec. 9. All federal grants to and the federal receipts
4 of the agencies appropriated funds by this Act are appropriated
5 for the purposes set forth in the federal grants or receipts.

6 EXPLANATION

7 This bill appropriates funds to the state conservation
8 commission for various capital projects, to the department
9 of soil conservation for cost sharing of permanent soil
10 conservation practices, to the sewage works construction
11 fund, and to the Iowa development commission. Section three
12 directs the conservation commission to spend funds previously
13 appropriated for the Volga River project to develop multiple
14 lakes on that site. Section four extends the reversion of
15 the 1974 appropriation for the Volga River dam construction
16 project. Section five authorizes capital expenditures to
17 be made from the fish and game protection fund.

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HOUSE FILE 1558

S-5806

- 1 Amend House File as amended, passed and
- 2 reprinted as follows:
- 3 1. Page 1, lines 19 through 21, by striking
- 4 the words "at the Gull Point state park or any other
- 5 part, channel, inlet, or outlet located".

S-5806 FILED & OUT OF ORDER

MAY 17, 1976 *with adoption of 5805 5/17 (2013)* BY IRVIN L. BERGMAN

S-5805

- 1 Amend House File 1558 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 15, by inserting after the
- 4 word "purposes" the figure "...\$,000,000".
- 5 2. Page 1, by striking lines 16 through 26.

S-5805 FILED - *Adopted 5/17 (2013)*
MAY 17, 1976

BY E. KEVIN KELLY
LOWELL L. JUNKINS

S-5803

- 1 Amend House File 1558 as amended and passed by
- 2 the House, page 2 by striking everything after line
- 3 27 through page 3, line 17.

S-5803 FILED & ADOPTED (*2013*)
MAY 17, 1976

BY RICHARD R. RAMSEY
JAMES E. BRILES
CALVIN O. HULTMAN

S-5801

- 1 Amend House File 1558, as amended, passed
- 2 and reprinted by the House, as follows:
- 3 1. Page 3, by striking lines 25 through
- 4 30.
- 5 2. By renumbering the remaining sections
- 6 accordingly.

S-5801 FILED - *Lost 5/17 (p. 2009)*
MAY 14, 1976

BY COMMITTEE ON APPROPRIATIONS
WILLIAM D. PALMER, CHAIRPERSON

1 Amend House File 1558 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 3, by striking line 31 through page 4,
4 line 1, and inserting in lieu thereof the following:

5 "Sec. 5. Acts of the Sixty-fifth General Assembly,
6 1974 Session, chapter one thousand twenty-six (1026),
7 section one (1), subsection three (3), is amended by
8 striking the subsection and inserting in lieu thereof
9 the following:

10 "3. VOLGA RIVER. For the general construction
11 of one of the following projects at the Volga River to
12 be selected by the state conservation commission by
13 August 1, 1976, and related features.....\$1,500,000

14 a. The immediate construction of a single lake
15 as designed in the Frog Hollow area approximately five-
16 hundred acres in size; or

17 b. Construction to commence within the calendar
18 year of multiple lakes approximately 145 acres, 55
19 acres, 45 acres, 25 acres and 18 acres in size each to
20 be managed differently for sailing, power boating, fish-
21 ing, canoeing and swimming, and to be completed
22 by the end of 1979; or

23 c. Design and construction of only three of
24 the five lakes approximately 145 acres, 55 acres,
25 and 45 acres in size. Each lake shall be managed for
26 either fishing, sailing, power boating, canoeing but
27 not limited to these uses. Construction shall begin
28 within the calendar year 1976. At least two of the lakes
29 shall be completed by 1978. Funds allocated for the two
30 small lakes in subparagraph "b" shall be used for build-
31 ing a structure housing an indoor swimming pool, living
32 quarters for a park attendant and offices for the state
33 conservation commission.

S-5763 FILED - *Adopted 5/17 (2015)*
MAY 13, 1976

BY HILARIUS L. HEYING

FISCAL NOTE TO
AMENDMENT S-5763 TO
HOUSE FILE 1558

Date prepared: May 12, 1976
Requested by: Senator Heying
Prepared in regard to: Amendment S-5763, to House File 1558.
Following is the fiscal effect in dollars of the legislative proposal as required by Joint Rule 16.

The amendment proposes that the conservation commission has authority to select one of the three following proposals for development of the Volga River Area:

- Single Lake at Frog Hollow
- 3 a. The cost of the 500 acre lake is \$9,200,000. This does not include any recreational developments.
- Five Lake Development
- b. Without a detailed engineering study, no firm estimate can be made. However, based on dams built of similar size and construction, the estimated cost would be \$2,300,000 for the five lakes. This included no recreational development and assumes that all sites are technically feasible without major modification.
- Three Lake Development plus Certain Structures
- c. As in 3b., no firm estimate can be made without a detailed engineering study. An estimate of the cost of the three lakes, based on similar dams, would be \$1,550,000. This estimate is based on the assumption that all sites are technically feasible without major modifications. The construction cost of the swimming pool would be approximately \$200,000 depending on the size. Operating costs would be based on use and management. Since swimming pools do not exist in any other state park, this cost cannot be estimated. The construction cost of housing, offices, and attendant utilities and parking is estimated at \$100,000. The estimated construction cost would thus total \$1,850,000. This does not include any recreational developments other than the swimming pool.

Source: Conservation Commission

FILED
MAY 13, 1976

BY GERRY D. RANKIN
LEGISLATIVE FISCAL DIRECTOR

REPORT OF THE SECOND CONFERENCE COMMITTEE ON
HOUSE FILE 1558

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 differences between the Senate and
the House of Representatives on House File 1558, a bill for
an Act appropriating funds for public projects under the
jurisdiction of the state conservation commission, the sewage
works construction fund, the department of soil conservation,
and the Iowa development commission; and providing penalties,
respectfully make the following report:

That the Senate recede from its amendment, H-6729, and that
House File 1558 as amended, passed, and reprinted be amended
as follows:

Amend House File 1558 as amended, passed and reprinted by
the House as follows:

1. Page 1, line 15, by inserting after the word "purposes"
the figure " \$4,000,000".
2. Page 1, by striking lines 16 through 26.
3. Page 2, lines 34 and 35, by striking the words "which
shall be filed by the commissioners with the county recorder".
4. Page 3, lines 5 and 6, by striking the words "a pro
rata share of".
5. Page 3, line 6, by striking the words, "based upon".

6. Page 3, by striking lines 7 through 11.
7. Page 3, line 12, by striking the words "funds allocated to the district".

8. Page 3, by inserting after line 30, the following new section:

"Sec. _____. The state conservation commission shall not construct any new marina or basin providing moorings for boats at Gull Point state park or any other point on or adjacent to West Okoboji Lake within twelve months after the effective date of this Act.

The natural resources visitation subcommittee of the legislative fiscal committee shall confer with the commission before the convening of the Sixty-seventh General Assembly. The commission, after conferring with this committee and with local conservation organizations, shall notify the chairmen of the appropriations committees of their recommendations for location and descriptions of one or more facilities to provide for public boat docking facilities. Unless disapproved by the general assembly by resolution within sixty calendar days after convening the commission may proceed."

9. Page 3, by striking line 31 through page 4, line 1, and inserting in lieu thereof the following:

"Sec. _____. Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand twenty-six (1026), section one (1), subsection three (3), is amended by striking the subsection and inserting in lieu thereof the following:

"VOLGA RIVER. For design and construction of three or more lakes on the Frog Hollow watershed of the Volga River. Construction shall begin within the calendar year 1977. \$1,500,000."

10. By renumbering sections as required by this amendment.

ON THE PART OF THE HOUSE:

Donald D. Avenson, Chair
Don W. Spencer
Russell L. Wyckoff
Roger A. Halvorson
Richard W. Welden

ON THE PART OF THE SENATE:

Lowell L. Junkins, Chair
Louis P. Culver
Cloyd E. Robinson
E. Kevin Kelly
Calvin O. Hultman

FILED
MAY 25, 1976

*House adopted 5/26 (3168)
Senate adopted 5/27 (2338)*

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 1558

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

We, the undersigned members of the first conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 1558, a bill for an Act appropriating funds for public projects under the jurisdiction of the state conservation commission, the sewage works construction fund, the department of soil conservation, and the Iowa development commission; and providing penalties.

1. That the Senate and House conferees failed to reach an agreement.

ON THE PART OF THE SENATE:

Lowell L. Junkins, Chair
Cloyd E. Robinson
Louis P. Culver
E. Kevin Kelly
Calvin O. Hultman

ON THE PART OF THE HOUSE:

Donald D. Avenson, Chair
Russell Wyckoff
Don W. Spencer
Richard W. Welden
Roger A. Halvorson

FILED
MAY 25, 1976

Senate Amendment to House File 1558

H-6729

1 Amend House File 1558, as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, line 15, by inserting after the word
 4 "purposes" the figure "..... \$4,000,000".
 5 2. Page 1, by striking lines 16 through 26.
 6 3. Page 2, by striking everything after line 27
 7 through page 3, line 17.
 8 4. Page 3, by striking line 31 through page 4,
 9 line 1, and inserting in lieu thereof the following:
 10 "Sec. 5. Acts of the Sixty-fifth General Assembly,
 11 1974 Session, chapter one thousand twenty-six (1026),
 12 section one (1), subsection three (3), is amended
 13 by striking the subsection and inserting in lieu
 14 thereof the following:
 15 "3. VOLGA RIVER. For the general construction
 16 of one of the following projects at the Volga river
 17 to be selected by the state conservation commission
 18 by August 1, 1976 and related features.....\$1,500,000
 19 a. The immediate construction of a single lake
 20 as designed in the Frog Hollow area approximately
 21 five-hundred acres in size; or
 22 b. Construction to commence within the calendar
 23 year of multiple lakes approximately 145 acres, 55
 24 acres, 45 acres, 25 acres and 18 acres in size each
 25 to be managed differently for sailing, power boating,
 26 fishing, canoeing and swimming, and to be completed
 27 by the end of 1979; or
 28 c. Design and construction of only three of the
 29 five lakes approximately 145 acres, 55 acres, and
 30 45 acres in size. Each lake shall be managed for
 31 either fishing, sailing, power boating, canoeing but
 32 not limited to these uses. Construction shall begin
 33 within the calendar year 1976. At least two of the
 34 lakes shall be completed by 1978. Funds allocated
 35 for the two small lakes in subparagraph "b" shall
 36 be used for building a structure housing an indoor
 37 swimming pool, living quarters for a park attendant
 38 and offices for the state conservation commission."

H-6729 FILED

RECEIVED FROM SENATE
MAY 18, 1976

*Have refused to concur 5/20 (1976)
Senate inserted 5/21 (1976)*

H-6773

1 Amend the Senate amendment H-6729, to House
 2 File 1558, as follows:
 3 1. Page 1, by striking line 5.

H-6773 FILED
MAY 19, 1976

Withdrawn 5/20 BY HANSEN of O'Brien
SPENCER of Clay

HOUSE FILE 1558

H-6774

1 Amend the Senate amendment H-6729, to House
 2 File 1558, as follows:
 3 1. Page 1, by striking lines 6 and 7.

H-6774 FILED
MAY 19, 1976

Withdrawn 5/20 BY WYCKOFF of Benton

HOUSE FILE 1558

AN ACT

APPROPRIATING FUNDS FOR PUBLIC PROJECTS UNDER THE JURISDICTION OF THE STATE CONSERVATION COMMISSION, THE SEWAGE WORKS CONSTRUCTION FUND, THE DEPARTMENT OF SOIL CONSERVATION, AND THE IOWA DEVELOPMENT COMMISSION; AND PROVIDING PENALTIES.

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

Section 1. There is appropriated from the general fund of the state for the fiscal period beginning July 1, 1976, and ending June 30, 1979, except as provided in subsection three (3) of this section, to the following named agencies for the purposes indicated, the following amounts, or so much thereof as is necessary:

1. STATE CONSERVATION COMMISSION

For construction, replacement, development and alterations to state parks and preserves, state forestry facilities and state waters including artificial lake development; erosion and siltation control; river, stream and lake access; land acquisition; publications; and engineering and planning services or to supplement any prior appropriation for such purposes ... \$4,000,000

2. SEWAGE WORKS CONSTRUCTION FUND

a. For the purpose of providing the state's twenty-five percent of the eligible cost of eligible projects as defined under section four hundred fifty-five B point sixty-seven (455B.67), subsection four (4) of the Code, attributable to the period July 1, 1966 through June 30, 1969 \$ 20,000

b. For payments to the governing bodies responsible for publicly-owned sewage treatment facilities which are eligible for seventy-five percent grants under the fed-

eral Water Pollution Act amendments of 1972, eighty-six (86) Stat. eight hundred sixteen (816), in an amount equal to five percent of the amount approved as the eligible cost of the project by the Iowa water pollution control commission \$6,000,000

3. DEPARTMENT OF SOIL CONSERVATION

For cost sharing to provide state funding of not to exceed fifty percent of the approved cost of permanent soil conservation practices instituted under chapter four hundred sixty-seven A (467A) of the Code with priority given to projects on watersheds above state-owned lakes and to the owner-operated or family-operated farms, except that not more than five percent of the amount herein appropriated may be used for cost sharing to abate complaints filed under sections four hundred sixty-seven A point forty-seven (467A.47) and four hundred sixty-seven A point forty-eight (467A.48) of the Code \$4,000,000
Unencumbered or unobligated funds appropriated by this subsection remaining on June 30, 1980 shall revert to the general fund on September 30, 1980.

Sec. 2. Section four hundred sixty-seven A point seven (467A.7), Code 1975, is amended by adding the following new subsection:

NEW SUBSECTION. The commissioners shall, as a condition for the receipt of any cost share funds for permanent soil conservation practices, require the landowner to covenant an agreement that if the project is removed, altered, or modified so as to lessen its effectiveness without the consent of the state soil conservation committee for a period of ten years after the date of receiving payment the landowner shall refund to the department of soil conservation the public funds used for the project. Such refunds shall be reallocated to

the district from which they were refunded to be used for conservation cost sharing. It shall be the duty of the commissioners to assist the state soil conservation committee in the enforcement of this subsection.

Sec. 3. When the development of projects in which the state conservation commission has entered into agreements with other units of governments would be delayed by a delay in funding by the state conservation commission, then the commission shall give priority to such projects when allocating unobligated funds appropriated by section one (1), subsection one (1) of this Act.

Sec. 4. The funds appropriated by this Act, and any other public funds shall not be used by the conservation commission for the expansion by condemnation of the public hunting and fishing area at Green Island, prior to eighteen months after the effective date of this Act.

Sec. 5. The state conservation commission shall not construct any new marina or basin providing moorings for boats at Gull Point state park or any other point on or adjacent to West Okoboji Lake within twelve months after the effective date of this Act.

The natural resources visitation subcommittee of the legislative fiscal committee shall confer with the commission before the convening of the Sixty-seventh General Assembly. The commission, after conferring with this committee and with local conservation organizations, shall notify the chairmen of the appropriations committees of their recommendations for location and descriptions of one or more facilities to provide for public boat docking facilities. Unless disapproved by the general assembly by resolution within sixty calendar days after convening the commission may proceed.

Sec. 6. Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand twenty-six (1026), section one (1), subsection three (3), is amended by striking the subsection and inserting in lieu thereof the following:

VOLGA RIVER. For design and construction of three or more

lakes on the Frog Hollow watershed of the Volga River. Construction shall begin within the calendar year 1977.....\$1,500,000

Sec. 7. Chapter one thousand twenty-six (1026), Acts of the Sixty-fifth General Assembly, 1974 Session, section seven (7), as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter sixty-two (62), section eleven (11), is amended to read as follows:

SEC. 7. Funds appropriated by this Act shall not be used for the purchase, construction, or leasing of resort lodges. Unencumbered funds remaining as of June 30, 1977 shall revert to the general fund of the state on September 30, 1977 except those funds set aside for dredging under section three (3) of this Act and funds appropriated by this Act to the Volga River dam construction project shall revert to the general fund on September 30, 1979, if unencumbered as of June 30, 1979.

Sec. 8. There is appropriated the remainder of the state fish and game protection fund for use by the state conservation commission for the fiscal year beginning July 1, 1976, and ending June 30, 1977, for capital improvement and contingencies arising during the fiscal year which are legally payable from the fish and game protection fund. The remainder is defined as the fish and game protection fund that is not appropriated by House File one thousand one hundred forty-one (1141), section two (2), enacted by the Sixty-sixth General Assembly, 1976 Session. A contingency shall exclude any purpose or project which was presented to the general assembly by way of a bill and which failed to become enacted into law. Before any funds shall be allocated, it shall be determined by the executive council that a contingency exists and that the proposed allocation shall be for the best interest of the state.

Sec. 9. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1976 and ending June 30, 1977 to the Iowa development commission the sum of twenty-four thousand five hundred (24,500) dollars,

or so much thereof as may be necessary, to print the Iowa manufacturer's directory.

Sec. 10. All federal grants to and the federal receipts of the agencies appropriated funds by this Act are appropriated for the purposes set forth in the federal grants or receipts.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 1558, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 20, 1976

ROBERT D. RAY
Governor