

Agriculture
Van Gilt, Chairperson
Taylor
Husak

~~FILED~~ 1981

Place On Calendar

HOUSE FILE 465

BY COMMITTEE ON AGRICULTURE
(Formerly Study Bill 157)

Passed House, Date 3-5-81 (465) Passed Senate, Date 4-21-81 (p 13.23)

Vote: Ayes 99 Nays 0 Vote: Ayes 48 Nays 0

Approved May 1, 1981

A BILL FOR

1 An Act relating to the preparation of the farm unit soil
2 conservation folder and plan.

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

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465

1 Section 1. Section 467A.62, subsection 1, paragraphs a
2 and b, Code 1981, are amended to read as follows:

3 a. Each farm unit shall be furnished a conservation folder
4 complying with the rules of the department by the department
5 of soil conservation, acting through the soil conservation
6 district in which the farm unit is located, not later than
7 January 1, 1985, or as soon thereafter as adequate funding
8 is available to permit completion of a conservation folder
9 for every farm unit in the state. Technical assistance in
10 the development of the conservation folder may be provided
11 by the United States department of agriculture soil
12 conservation service through the memorandum of understanding
13 with the district or by the department. The department shall
14 provide by rule that an updated farm plan prepared for a
15 particular farm unit within ten years prior to the effective
16 date of this subsection shall be considered an adequate
17 replacement for the conservation folder for that farm unit.
18 Upon completion of the conservation folder for a particular
19 farm unit, the district shall send the owner of that farm
20 unit, and also the operator of the farm unit if known by the
21 commissioners to be other than the owner, a letter offering
22 that person or those persons a copy of the folder. The
23 district shall keep a record of the date the folder is
24 completed and the letter is sent. The folder shall be updated
25 from time to time by the district as it deems necessary.

26 b. The commissioners of each soil conservation district
27 shall complete preparation of a farm unit soil conservation
28 plan for each farm unit within the district, not later than
29 January 1, 1985 or five years after completion of the
30 conservation folder for that farm unit, whichever date is
31 later, or as soon thereafter as adequate funding is available
32 to permit compliance with this requirement. Technical
33 assistance in the development of the farm unit soil
34 conservation plan may be provided by the United States
35 department of agriculture soil conservation service through

1 the memorandum of understanding with the district or by the
2 department. The commissioners shall make every reasonable
3 effort to consult with the owner and, if appropriate, with
4 the operator of that farm unit, and to prepare the plan in
5 a form which is acceptable to that person or those persons.
6 The plan shall be drawn up and completed without expense to
7 the owner or operator of the farm unit, except that the owner
8 or operator shall not be reimbursed for the value of his or
9 her own time devoted to participation in the preparation of
10 the plan. If the commissioners' plan is unacceptable to the
11 owner or operator of the farm unit, that person or those
12 persons may prepare an alternative farm unit soil conservation
13 plan identifying permanent or temporary soil and water
14 conservation practices which may be expected to achieve
15 compliance with the soil loss limit or limits applicable to
16 that farm unit, and submit that plan to the soil conservation
17 district commissioners for their review.

18 EXPLANATION

19 This bill provides that the farm unit soil conservation
20 folder will be prepared by the soil conservation district
21 instead of the department of soil conservation. It also
22 expressly authorizes the acceptance of technical assistance
23 from the United States department of agriculture. The bill
24 takes effect July 1 following its enactment.

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HOUSE FILE 465

AN ACT

RELATING TO THE PREPARATION OF THE FARM UNIT SOIL CONSERVATION
FOLDER AND PLAN.

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

Section 1. Section 467A.62, subsection 1, paragraphs a and b, Code 1981, are amended to read as follows:

a. Each farm unit shall be furnished a conservation folder ~~complying with the rules of the department by the department of soil conservation, acting through the~~ soil conservation district in which the farm unit is located, not later than January 1, 1985, or as soon thereafter as adequate funding is available to permit completion of a conservation folder for every farm unit in the state. Technical assistance in the development of the conservation folder may be provided by the United States department of agriculture soil conservation service through the memorandum of understanding with the district or by the department. The department shall provide by rule that an updated farm plan prepared for a

particular farm unit within ten years prior to the effective date of this subsection shall be considered an adequate replacement for the conservation folder for that farm unit. Upon completion of the conservation folder for a particular farm unit, the district shall send the owner of that farm unit, and also the operator of the farm unit if known by the commissioners to be other than the owner, a letter offering that person or those persons a copy of the folder. The district shall keep a record of the date the folder is completed and the letter is sent. The folder shall be updated from time to time by the district as it deems necessary.

b. The commissioners of each soil conservation district shall complete preparation of a farm unit soil conservation plan for each farm unit within the district, not later than January 1, 1985 or five years after completion of the conservation folder for that farm unit, whichever date is later, or as soon thereafter as adequate funding is available to permit compliance with this requirement. Technical assistance in the development of the farm unit soil conservation plan may be provided by the United States department of agriculture soil conservation service through the memorandum of understanding with the district or by the department. The commissioners shall make every reasonable effort to consult with the owner and, if appropriate, with the operator of that farm unit, and to prepare the plan in a form which is acceptable to that person or those persons. The plan shall be drawn up and completed without expense to the owner or operator of the farm unit, except that the owner or operator shall not be reimbursed for the value of his or her own time devoted to participation in the preparation of the plan. If the commissioners' plan is unacceptable to the owner or operator of the farm unit, that person or those persons may prepare an alternative farm unit soil conservation plan identifying permanent or temporary soil and water conservation practices which may be expected to achieve

compliance with the soil loss limit or limits applicable to that farm unit, and submit that plan to the soil conservation district commissioners for their review.

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 465, Sixty-ninth General Assembly.

PAT H. HARPER
Chief Clerk of the House

Approved 5/1, 1981

ROBERT D. RAY
Governor