

Reprinted 4/8/85

MAR 15 1985

Place On Calendar

HOUSE FILE 635

BY COMMITTEE ON NATURAL
RESOURCES AND OUTDOOR
RECREATION

(Formerly House Study Bill 91)

Passed House, Date 4-3-85 (p. 1316) Passed Senate, Date 2-7-86 (p. 261)

Vote: Ayes 70 Nays 24 Vote: Ayes 40 Nays 1

Approved Feb 20, 1985-

A BILL FOR

1 An Act relating to the payment of drainage assessments against
2 lands under the jurisdiction of the state conservation
3 commission.

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

HOUSE FILE 635

H-3373

1 Amend House File 635 as follows:

2 1. Page 1, line 11, by striking the words "or
3 contained within".

H-3373 FILED MARCH 19, 1985 BY SPEAR of Lee

Revised 4/6 + 1/3/85 (p. 1315)

HOUSE FILE 635

H-3568

1 Amend House File 635 as follows:

2 1. Page 1, by striking lines 9 through 12 and
3 inserting the following: "sufficient to pay the
4 certified assessments."

H-3568 FILED APRIL 1, 1985 BY FOGARTY of Palo Alto

Adopted 4/2 (p. 1215)

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1 Section 1. Section 455.50, unnumbered paragraph 4, Code
2 1985, is amended by striking the paragraph and inserting in
3 lieu thereof the following:

4 The assessments against lands under the jurisdiction of the
5 state conservation commission shall be paid by the executive
6 council upon certification of the amount by the county
7 treasurer. There is appropriated from any funds in the
8 general fund of the state not otherwise appropriated amounts
9 sufficient to pay the certified assessments. However, an
10 assessment in excess of twenty thousand dollars is not valid
11 unless it is provided for by or contained within a capital
12 appropriation by the general assembly.

13 EXPLANATION

14 This bill strikes the requirement that drainage assessments
15 against lands under the jurisdiction of the state conservation
16 commission be paid from funds appropriated to the commission
17 and provides that assessments would be paid by the executive
18 council out of a standing appropriation. An assessment in
19 excess of \$20,000 would require legislative approval. The
20 procedure is similar to that provided in section 307A.5 for
21 assessments against state-owned land by cities and counties
22 for public improvements which benefit the state property. The
23 state conservation commission reports that it has difficulty
24 budgeting for major assessments and that there is presently no
25 provision for legislative review of them.

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HOUSE FILE 635

FISCAL NOTE

REQUESTED BY REPRESENTATIVE O'KANE

In compliance with a written request received March 13, 1985, a fiscal note for HOUSE FILE 635 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 635 strikes the requirement that drainage assessments against lands under the jurisdiction of the Iowa Conservation Commission be paid from funds appropriated to the Commission and provides that assessments would be paid by the Executive Council out of a standing appropriation. An assessment in excess of \$20,000 would require legislative approval.

Under the current law, drainage districts forward the bill for drainage projects to the Conservation Commission. Currently, the majority of assessments have been paid from the Fish and Wildlife Trust Fund. This bill would shift the assessments from the Fish and Wildlife Trust Fund to the general fund.

FISCAL EFFECT: The estimated average annual assessment paid by the Conservation Commission is \$9,459. This estimate is an average of the amount paid each year for the past 16 years. Since 1983, however, the amount paid has exceeded this average by between \$4,000 and \$19,000, indicating that the per year assessments for drainage projects may be increasing.

Source: Iowa Conservation Commission
FILED MARCH 21, 1985

(LSB 1276H, RLB)
BY DENNIS PROUTY, FISCAL DIRECTOR

Sen. Co. 4/4/85 No Pass 1/22/86 (p. 181)

House File 635

AGRICULTURE: Boswell, Chair; Husak and Soorholtz

(As Amended and Passed by the House April 3, 1985)

HOUSE FILE 635

BY COMMITTEE ON NATURAL RESOURCES AND OUTDOOR RECREATION

Passed House, Date 4-3-85 (p. 1316) Passed Senate, Date 2-7-86 (p. 261)

Vote: Ayes 70 Nays 24 Vote: Ayes 40 Nays 1

Approved Feb. 20, 1985

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House Amendments _____

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New
HF 635

HSB 91

MWB

NATURAL RESOURCES AND
OUTDOOR RECREATION

SENATE HOUSE FILE 635

BY (PREFILED STATE CONSERVATION
COMMISSION BILL)

Study Bill 91

Natural Resources and Outdoor Recreation: O'Kane, Chair; Pavich and Stueland.

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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general fund of the state not otherwise appropriated amounts sufficient to pay the certified assessments.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

HOUSE FILE 635

AN ACT

RELATING TO THE PAYMENT OF DRAINAGE ASSESSMENTS AGAINST LANDS UNDER THE JURISDICTION OF THE STATE CONSERVATION COMMISSION.

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

Section 1. Section 453.50, unnumbered paragraph 4, Code 1985, is amended by striking the paragraph and inserting in lieu thereof the following:

The assessments against lands under the jurisdiction of the state conservation commission shall be paid by the executive council upon certification of the amount by the county treasurer. There is appropriated from any funds in the

I hereby certify that this bill originated in the House and is known as House File 635, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved *Jul. 20*, 1986

TERRY E. BRANSTAD
Governor