

Reprinted

JAN 26 1989

HOUSE FILE 141
BY COMMITTEE ON NATURAL
RESOURCES AND OUTDOOR
RECREATION

Place On Calendar
Senate NAT RES.
Amended Do pass 2/28/89 (p5107)

(SUCCESSOR TO HSB 50)

Passed House, Date 2/2/89 (p 311) Passed Senate, Date _____
Vote: Ayes 94 Nays 0 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the approval of the natural resource
2 commission of county conservation board acquisitions or
3 developments.

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

HOUSE FILE 141

H-3070

1 Amend House File 141 as follows:
2 1. Page 1, by striking lines 34 and 35 and
3 inserting the following: "proposals for acquisition
4 or exchange of land, ~~and all general development plans~~
5 ~~before any such program is executed~~ at least ten days
6 before the acquisition or exchange."

By SWARTZ of Marshall
FOGARTY of Palo Alto

H-3070 FILED JANUARY 30, 1989
(Adopted 2/2/89 (p 310))

HF 141

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1 Section 1. Section 111A.4, subsections 2 and 3, Code 1989,
2 are amended to read as follows:

3 2. To acquire in the name of the county by gift, purchase,
4 lease, agreement, exchange, or otherwise, in fee or with
5 conditions, suitable real estate within or without the
6 territorial limits of the county for public museums, parks,
7 preserves, parkways, playgrounds, recreation centers, forests,
8 wildlife, and other conservation purposes and for
9 participation in watershed, drainage, and flood control
10 programs for the purpose of increasing the recreational
11 resources of the county. The natural resource commission, the
12 county board of supervisors, or the governing body of any
13 city, upon request of the county conservation board, may
14 transfer to the county conservation board for use as museums,
15 parks, preserves, parkways, playgrounds, recreation centers,
16 play fields, tennis courts, skating rinks, swimming pools,
17 gymnasiums, rooms for arts and crafts, camps and meeting
18 places, community forests, wildlife areas, and other
19 recreational purposes, any land and buildings owned or
20 controlled by the department of natural resources or the
21 county or city and not devoted or dedicated to any other
22 inconsistent public use. In acquiring or accepting land, due
23 consideration shall be given to its scenic, historic,
24 archaeological, recreational, or other special features, and
25 land shall not be acquired or accepted unless, in the opinion
26 of the board ~~and the natural resource commission~~, it is
27 suitable or, in the case of exchange, is suitable and of
28 substantially the same value as the property exchanged from
29 the standpoint of its proposed use. An exchange of property
30 approved by the county conservation board and the board of
31 supervisors is not subject to section 331.361, subsection 2.

32 3. The county conservation board shall file with ~~and~~
33 ~~obtain approval of~~ the natural resource commission on all
34 proposals for acquisition or exchange of land, and all general
35 development plans before ~~any such~~ a program is executed.

1 Approval-of-the-natural-resource-commission-is-not-necessary
2 unless-the-value-of-the-proposed-exchange-property-or-the-cost
3 of-the-proposed-acquisition-or-development-program-exceeds
4 twenty-five-thousand-dollars.

5 EXPLANATION

6 This bill removes the requirement that the natural resource
7 commission of the department of natural resources approves
8 property acquisitions and development plans of the county
9 conservation boards.

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HOUSE FILE 141
BY COMMITTEE ON NATURAL
RESOURCES AND OUTDOOR
RECREATION

(SUCCESSOR TO HSB 50)

(As Amended and Passed by the House February 2, 1989)

Passed House, Date 4-26-89 (p200) Passed Senate, Date 3-14-89 (p780)
Vote: Ayes 100 Nays 0 Vote: Ayes 50 Nays 0
Approved May 22, 1989

A BILL FOR

1 An Act relating to the approval of the natural resource
2 commission of county conservation board acquisitions or
3 developments.

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

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House Amendments _____

1 Section 1. Section 111A.4, subsections 2 and 3, Code 1989,
2 are amended to read as follows:

3 2. To acquire in the name of the county by gift, purchase,
4 lease, agreement, exchange, or otherwise, in fee or with
5 conditions, suitable real estate within or without the
6 territorial limits of the county for public museums, parks,
7 preserves, parkways, playgrounds, recreation centers, forests,
8 wildlife, and other conservation purposes and for
9 participation in watershed, drainage, and flood control
10 programs for the purpose of increasing the recreational
11 resources of the county. The natural resource commission, the
12 county board of supervisors, or the governing body of any
13 city, upon request of the county conservation board, may
14 transfer to the county conservation board for use as museums,
15 parks, preserves, parkways, playgrounds, recreation centers,
16 play fields, tennis courts, skating rinks, swimming pools,
17 gymnasiums, rooms for arts and crafts, camps and meeting
18 places, community forests, wildlife areas, and other
19 recreational purposes, any land and buildings owned or
20 controlled by the department of natural resources or the
21 county or city and not devoted or dedicated to any other
22 inconsistent public use. In acquiring or accepting land, due
23 consideration shall be given to its scenic, historic,
24 archaeological, recreational, or other special features, and
25 land shall not be acquired or accepted unless, in the opinion
26 of the board ~~and the natural resource commission~~, it is
27 suitable or, in the case of exchange, is suitable and of
28 substantially the same value as the property exchanged from
29 the standpoint of its proposed use. An exchange of property
30 approved by the county conservation board and the board of
31 supervisors is not subject to section 331.361, subsection 2.

3130 32 3. The county conservation board shall file with and
33 ~~obtain approval of~~ the natural resource commission on all
34 proposals for acquisition or exchange of land, and all general
35 development plans before any such program is executed at least

1 ten days before the acquisition or exchange. Approval-of-the
2 natural-resource-commission-is-not-necessary-unless-the-value
3 of-the-proposed-exchange-property-or-the-cost-of-the-proposed
4 acquisition-or-development-program-exceeds-twenty-five
5 thousand-dollars.

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HOUSE FILE 141

S-3130

1 Amend House File 141, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 1, line 34 through page 2,
4 line 1, and inserting the following: "~~proposais-for~~
5 acquisition-or-exchange acquisitions or exchanges of
6 land,-and-all-general-development-plans-before-any
7 such-program-is-executed within one year. Approval-of
8 the".

By COMMITTEE ON NATURAL RESOURCES
KENNETH SCOTT, Chairperson

S-3130 FILED FEBRUARY 28, 1989

adopted 3/14/89 (p. 780)

SENATE AMENDMENT TO HOUSE FILE 141

H-3408

1 Amend House File 141, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 1, line 34 through page 2,
4 line 1, and inserting the following: "~~proposais-for~~
5 acquisition-or-exchange acquisitions or exchanges of
6 land,-and-all-general-development-plans-before-any
7 such-program-is-executed within one year. Approval-of
8 the".

RECEIVED FROM THE SENATE

H-3408 FILED MARCH 16, 1989

House Concurred (H-768 p. 209)

HOUSE FILE 141

S-3130

1 Amend House File 141, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 1, line 34 through page 2,
4 line 1, and inserting the following: "~~proposais-for~~
5 acquisition-or-exchange acquisitions or exchanges of
6 land,-and-all-general-development-plans-before-any
7 such-program-is-executed within one year. Approval-of
8 the".

By COMMITTEE ON NATURAL RESOURCES
KENNETH SCOTT, Chairperson

S-3130 FILED FEBRUARY 28, 1989

adopted 3/14 (p. 780)

NSB 50

STATE DEPARTMENT OF REVENUE AND
GENERAL INVESTIGATION
Now

HOUSE FILE 141

BY (PROPOSED COMMITTEE ON
NATURAL RESOURCES AND
OUTDOOR RECREATION BILL)

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

A BILL FOR

1 An Act relating to the approval of the natural resource
2 commission of county conservation board acquisitions or
3 developments.

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

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1 Section 1. Section 111A.4, subsections 2 and 3, Code 1989,
2 are amended to read as follows:

3 2. To acquire in the name of the county by gift, purchase,
4 lease, agreement, exchange, or otherwise, in fee or with
5 conditions, suitable real estate within or without the
6 territorial limits of the county for public museums, parks,
7 preserves, parkways, playgrounds, recreation centers, forests,
8 wildlife, and other conservation purposes and for
9 participation in watershed, drainage, and flood control
10 programs for the purpose of increasing the recreational
11 resources of the county. The natural resource commission, the
12 county board of supervisors, or the governing body of any
13 city, upon request of the county conservation board, may
14 transfer to the county conservation board for use as museums,
15 parks, preserves, parkways, playgrounds, recreation centers,
16 play fields, tennis courts, skating rinks, swimming pools,
17 gymnasiums, rooms for arts and crafts, camps and meeting
18 places, community forests, wildlife areas, and other
19 recreational purposes, any land and buildings owned or
20 controlled by the department of natural resources or the
21 county or city and not devoted or dedicated to any other
22 inconsistent public use. In acquiring or accepting land, due
23 consideration shall be given to its scenic, historic,
24 archaeological, recreational, or other special features, and
25 land shall not be acquired or accepted unless, in the opinion
26 of the board ~~and-the-natural-resource-commission~~, it is
27 suitable or, in the case of exchange, is suitable and of
28 substantially the same value as the property exchanged from
29 the standpoint of its proposed use. An exchange of property
30 approved by the county conservation board and the board of
31 supervisors is not subject to section 331.361, subsection 2.
32 3. The county conservation board shall file with ~~and~~
33 ~~obtain-approval-of~~ the natural resource commission ~~on~~ all
34 proposals for acquisition or exchange of land, and all general
35 development plans before ~~any-such~~ a program is executed.

1 ~~Approval of the natural resource commission is not necessary~~
2 ~~unless the value of the proposed exchange property or the cost~~
3 ~~of the proposed acquisition or development program exceeds~~
4 ~~twenty-five thousand dollars.~~

5 EXPLANATION

6 This bill removes the requirement that the natural resource
7 commission of the department of natural resources approves
8 property acquisitions and development plans of the county
9 conservation boards.

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HOUSE FILE 141

AN ACT

RELATING TO THE APPROVAL OF THE NATURAL RESOURCE COMMISSION OF COUNTY CONSERVATION BOARD ACQUISITIONS OR DEVELOPMENTS.

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

Section 1. Section 111A.4, subsections 2 and 3, Code 1989, are amended to read as follows:

2. To acquire in the name of the county by gift, purchase, lease, agreement, exchange, or otherwise, in fee or with conditions, suitable real estate within or without the territorial limits of the county for public museums, parks, preserves, parkways, playgrounds, recreation centers, forests, wildlife, and other conservation purposes and for participation in watershed, drainage, and flood control programs for the purpose of increasing the recreational resources of the county. The natural resource commission, the county board of supervisors, or the governing body of any city, upon request of the county conservation board, may transfer to the county conservation board for use as museums, parks, preserves, parkways, playgrounds, recreation centers, play fields, tennis courts, skating rinks, swimming pools, gymnasiums, rooms for arts and crafts, camps and meeting places, community forests, wildlife areas, and other recreational purposes, any land and buildings owned or controlled by the department of natural resources or the county or city and not devoted or dedicated to any other inconsistent public use. In acquiring or accepting land, due consideration shall be given to its scenic, historic, archaeological, recreational, or other special features, and land shall not be acquired or accepted unless, in the opinion of the board and the natural resource commission, it is suitable or, in the case of exchange, is suitable and of substantially the same value as the property exchanged from the standpoint of its proposed use. An exchange of property

approved by the county conservation board and the board of supervisors is not subject to section 131.361, subsection 2.

3. The county conservation board shall file with and obtain approval of the natural resource commission on all proposals for acquisition or exchange acquisitions or exchanges of land, and all general development plans before any such program is executed within one year. Approval of the natural resource commission is not necessary unless the value of the proposed exchange property or the cost of the proposed acquisition or development program exceeds twenty-five thousand dollars.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 141, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved *May 22*, 1989

TERRY E. BRANSTAD
Governor