

(p. 338) 2-18-93
Sub. Comm. - Agriculture
Houser, Fogarty, Klemme

3/29/93 Senate - Local Gov.

See file copy

HOUSE FILE 214

FEB 16 1993

Agriculture
Amend/Do Pass W/H 3224
3-11-93 (p. 599)

BY HOUSER, HESTER, ROYER,
KLEMME, SIEGRIST, GRUNDBERG,
PLASIER, DRAKE, WEIDMAN,
MILLER, GRIES, NELSON, DINKLA,
and MEYER

Passed House, ^(p. 809) Date 3/24/93 Passed Senate, Date 4/19/93
Vote: Ayes 99 Nays 0 Vote: Ayes 49 Nays 0
Approved May 19, 1993

A BILL FOR

1 An Act establishing a loess hills development and conservation
2 authority, specify its membership, powers, and duties, and
3 providing for other properly related matters.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 214

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1 Section 1. NEW SECTION. 161D.1 LOESS HILLS DEVELOPMENT
2 AND CONSERVATION AUTHORITY CREATED -- MEMBERSHIP AND DUTIES.

3 1. A loess hills development and conservation authority is
4 created. The authority shall be composed of one voting member
5 from the counties of Sioux, Plymouth, Cherokee, Woodbury, Ida,
6 Sac, Monona, Crawford, Carroll, Harrison, Shelby, Audubon,
7 Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Fremont,
8 Page, and Taylor. Each member of the authority shall be
9 appointed by the respective board of supervisors for a term to
10 be determined by each board of supervisors, but the term shall
11 not be for less than one year. An appointee shall serve
12 without compensation, but an appointee may be reimbursed for
13 actual expenses incurred while performing the duties of the
14 authority as determined by each board of supervisors. The
15 authority shall meet, organize, and adopt rules of procedures
16 as deemed necessary to carry out its duties. The authority
17 may appoint working committees that include other individuals
18 in addition to voting members.

19 2. The mission of the authority is to develop and
20 coordinate plans for projects related to the unique natural
21 resource and rural development problems of counties in the
22 deep loess region of western Iowa. The authority shall
23 cooperate with the division of soil conservation of the
24 department of agriculture and land stewardship, the affected
25 soil and water conservation districts, the department of
26 natural resources, and the United States soil conservation
27 service in carrying out its mission and duties. The authority
28 shall make use of technical resources available through member
29 counties and cooperating agencies.

30 3. The authority shall administer the loess hills
31 development and conservation fund created under section 161D.2
32 and shall deposit and expend moneys in the fund for the
33 planning, development, and implementation of development and
34 conservation activities or measures in the member counties.

35 Sec. 2. NEW SECTION. 161D.2 LOESS HILLS DEVELOPMENT AND

1 CONSERVATION FUND.

2 A loess hills development and conservation fund is created
3 in the state treasury, to be administered by the loess hills
4 development and conservation authority. The proceeds of the
5 fund shall be used for the purposes specified in section
6 161D.1. The loess hills development and conservation
7 authority may accept gifts, bequests, other moneys including,
8 but not limited to, state or federal moneys, and in-kind
9 contributions for deposit in the fund. The gifts, grants,
10 bequests from public and private sources, state and federal
11 moneys, and other moneys received by the authority shall be
12 deposited in the fund and any interest earned on the fund
13 shall be credited to the fund to be used for the purposes
14 specified in section 161D.1. Notwithstanding section 8.33,
15 any unexpended or unencumbered moneys remaining in the fund at
16 the end of the fiscal year shall not revert to the general
17 fund of the state, but the moneys shall remain available for
18 expenditure by the authority in succeeding fiscal years.

19 EXPLANATION

20 This bill creates a loess hills development and
21 conservation authority composed of a voting member from each
22 county in the deep loess region of western Iowa. The member
23 from each county is appointed by the board of supervisors for
24 a term of office determined by the board of supervisors.
25 However, the term shall be at least one year in duration. The
26 authority members shall receive no compensation, but they may
27 be reimbursed for actual expenses as determined by each
28 appointing board of supervisors.

29 The mission of the authority is to develop and coordinate
30 plans for projects related to the unique natural resource and
31 rural development problems of counties in the deep loess
32 region of western Iowa. The authority is to cooperate, and
33 coordinate its activities, with other state and federal
34 agencies concerned with agriculture, natural resources, and
35 rural development. The authority also administers the loess

1 hills development and conservation fund which is created in
2 the state treasury. The proceeds of the fund are to be used
3 for the planning, development, and implementation of
4 development and conservation activities or measures in the
5 member counties.

6 The loess hills development and conservation fund may
7 receive gifts, state or federal funds, and in-kind
8 contributions to carry out its mission. The interest on
9 investments and any unencumbered balances are retained in the
10 fund annually and all moneys in the fund may be used in
11 succeeding years.

12 The loess hills development and conservation authority
13 shall make use of technical resources available through member
14 counties and cooperating agencies.

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MARCH 12, 1993

HOUSE FILE 214

H-3224

1 Amend House File 214 as follows:

2 1. Page 1, by striking lines 4 through 8 and
3 inserting the following: "created. The counties of
4 Sioux, Plymouth, Cherokee, Woodbury, Ida, Sac, Monona,
5 Crawford, Carroll, Harrison, Shelby, Audubon,
6 Pottawattamie, Cass, Adair, Mills, Montgomery, Adams,
7 Fremont, Page, and Taylor are entitled to one voting
8 member each on the authority, but membership or
9 participation in projects of the authority is not
10 required. Each member of the authority shall be".

11 2. Page 1, by striking line 21 and inserting the
12 following: "resource, rural development, and
13 infrastructure problems of counties in the".

14 3. Page 1, line 22, by inserting after the word
15 "Iowa." the following: "The erosion and degradation
16 of stream channels in the deep loess soils has
17 occurred due to historic channelization of the
18 Missouri river and straightening stream channels of
19 its tributaries. This erosion of land has damaged the
20 rural infrastructure of this area, destroyed public
21 roads and bridges, adversely impacted stream water
22 quality and riparian habitat, and affected other
23 public and private improvements. Stabilization of
24 stream channels is necessary to protect the rural
25 infrastructure in the deep loess soils area of the
26 state."

27 4. Page 1, by striking lines 26 and 27, and
28 inserting the following: "natural resources, and the
29 Iowa department of transportation in carrying out its
30 mission and duties. The authority shall also
31 cooperate with appropriate federal agencies, including
32 the United States environmental protection agency, the
33 United States department of interior, and the soil
34 conservation service of the United States department
35 of agriculture. The authority".

By COMMITTEE ON AGRICULTURE
EDDIE of Buena Vista, Chairperson

H-3224 FILED MARCH 11, 1993

Adopted
3/24/93
(P. 809)

4/7/93 Amend/Re-Pass w/3426

HOUSE FILE 214

BY HOUSER, HESTER, ROYER,
KLEMME, SIEGRIST, GRUNDBERG,
PLASIER, DRAKE, WEIDMAN,
MILLER, GRIES, NELSON, DINKLA,
and MEYER

(As Amended and Passed by the House March 24, 1993)

Re-passed House, Date 4/27/93 (p.1457) Passed Senate, Date 4/19/93
Vote: Ayes 100 Nays 0 Vote: Ayes 49 Nays 0
Approved May 19, 1993

A BILL FOR

1 An Act establishing a loess hills development and conservation
2 authority, specify its membership, powers, and duties, and
3 providing for other properly related matters.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

House Amendments _____

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1 Section 1. NEW SECTION. 161D.1 LOESS HILLS DEVELOPMENT
2 AND CONSERVATION AUTHORITY CREATED -- MEMBERSHIP AND DUTIES.

3 1. A loess hills development and conservation authority is
4 created. The counties of Sioux, Plymouth, Cherokee, Woodbury,
5 Ida, Sac, Monona, Crawford, Carroll, Harrison, Shelby,
6 Audubon, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams,
7 Fremont, Page, and Taylor are entitled to one voting member
8 each on the authority, but membership or participation in
9 projects of the authority is not required. Each member of the
10 authority shall be appointed by the respective board of
11 supervisors for a term to be determined by each board of
12 supervisors, but the term shall not be for less than one year.
13 An appointee shall serve without compensation, but an
14 appointee may be reimbursed for actual expenses incurred while
15 performing the duties of the authority as determined by each
16 board of supervisors. The authority shall meet, organize, and
17 adopt rules of procedures as deemed necessary to carry out its
18 duties. The authority may appoint working committees that
19 include other individuals in addition to voting members.

20 2. The mission of the authority is to develop and
21 coordinate plans for projects related to the unique natural
22 resource, rural development, and infrastructure problems of
23 counties in the deep loess region of western Iowa. The
24 erosion and degradation of stream channels in the deep loess
25 soils has occurred due to historic channelization of the
26 Missouri river and straightening stream channels of its
27 tributaries. This erosion of land has damaged the rural
28 infrastructure of this area, destroyed public roads and
29 bridges, adversely impacted stream water quality and riparian
30 habitat, and affected other public and private improvements.
31 Stabilization of stream channels is necessary to protect the
32 rural infrastructure in the deep loess soils area of the
33 state. The authority shall cooperate with the division of
34 soil conservation of the department of agriculture and land
35 stewardship, the affected soil and water conservation

1 districts, the department of natural resources, and the Iowa
2 department of transportation in carrying out its mission and
3 duties. The authority shall also cooperate with appropriate
4 federal agencies, including the United States environmental
5 protection agency, the United States department of interior,
6 and the soil conservation service of the United States
7 department of agriculture. The authority shall make use of
8 technical resources available through member counties and
9 cooperating agencies.

10 3. The authority shall administer the loess hills
11 development and conservation fund created under section 161D.2
12 and shall deposit and expend moneys in the fund for the
13 planning, development, and implementation of development and
14 conservation activities or measures in the member counties.

15 Sec. 2. NEW SECTION. 161D.2 LOESS HILLS DEVELOPMENT AND
16 CONSERVATION FUND.

17 A loess hills development and conservation fund is created
18 in the state treasury, to be administered by the loess hills
19 development and conservation authority. The proceeds of the
20 fund shall be used for the purposes specified in section
21 161D.1. The loess hills development and conservation
22 authority may accept gifts, bequests, other moneys including,
23 but not limited to, state or federal moneys, and in-kind
24 contributions for deposit in the fund. The gifts, grants,
25 bequests from public and private sources, state and federal
26 moneys, and other moneys received by the authority shall be
27 deposited in the fund and any interest earned on the fund
28 shall be credited to the fund to be used for the purposes
29 specified in section 161D.1. Notwithstanding section 8.33,
30 any unexpended or unencumbered moneys remaining in the fund at
31 the end of the fiscal year shall not revert to the general
32 fund of the state, but the moneys shall remain available for
33 expenditure by the authority in succeeding fiscal years.

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HOUSE FILE 214

S-3363

1 Amend House File 214, as amended, passed, and re-
2 printed by the House, as follows:
3 1. Page 1, line 4, by inserting after the word
4 "of" the following: "Lyon,".

By BERL E. PRIEBE

Out of Order 4-19-93

S-3363 FILED APRIL 2, 1993

HOUSE FILE 214

S-3426

1 Amend House File 214, as amended, passed, and re-
2 printed by the House, as follows:

3 1. Page 1, line 4, by inserting after the word
4 "of" the following: "Lyon,".

5 2. Page 2, by inserting after line 14 the
6 following:

7 "_____ This section is not intended to affect the
8 authority of the department of natural resources in
9 its acquisition, development, and management of public
10 lands within the counties represented by the
11 authority."

12 3. By renumbering as necessary.

By COMMITTEE ON LOCAL GOVERNMENT
ALBERT SORENSEN, Chairperson

S-3426 FILED APRIL 7, 1993

*Adopted
4-19-93*

(P. 1214)

SENATE AMENDMENT TO HOUSE FILE 214

H-4063

1 Amend House File 214, as amended, passed, and re-
2 printed by the House, as follows:

3 1. Page 1, line 4, by inserting after the word
4 "of" the following: "Lyon,".

5 2. Page 2, by inserting after line 14 the
6 following:

7 "____. This section is not intended to affect the
8 authority of the department of natural resources in
9 its acquisition, development, and management of public
10 lands within the counties represented by the
11 authority."

12 3. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-4063 FILED APRIL 20, 1993

House concurred 4/27/93 (p. 1686)

HOUSE FILE 214

AN ACT

ESTABLISHING A LOESS HILLS DEVELOPMENT AND CONSERVATION AUTHORITY, SPECIFY ITS MEMBERSHIP, POWERS, AND DUTIES, AND PROVIDING FOR OTHER PROPERLY RELATED MATTERS.

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

Section 1. NEW SECTION. 161D.1 LOESS HILLS DEVELOPMENT AND CONSERVATION AUTHORITY CREATED -- MEMBERSHIP AND DUTIES.

1. A loess hills development and conservation authority is created. The counties of Lyon, Sioux, Plymouth, Cherokee, Woodbury, Ida, Sac, Monona, Crawford, Carroll, Harrison, Shelby, Audubon, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Fremont, Page, and Taylor are entitled to one voting member each on the authority, but membership or participation in projects of the authority is not required. Each member of the authority shall be appointed by the respective board of supervisors for a term to be determined by each board of supervisors, but the term shall not be for less than one year. An appointee shall serve without compensation, but an appointee may be reimbursed for actual expenses incurred while performing the duties of the authority as determined by each board of supervisors. The authority shall meet, organize, and adopt rules of procedures as deemed necessary to carry out its duties. The authority may appoint working committees that include other individuals in addition to voting members.

2. The mission of the authority is to develop and coordinate plans for projects related to the unique natural resource, rural development, and infrastructure problems of counties in the deep loess region of western Iowa. The erosion and degradation of stream channels in the deep loess soils has occurred due to historic channelization of the

Missouri river and straightening stream channels of its tributaries. This erosion of land has damaged the rural infrastructure of this area, destroyed public roads and bridges, adversely impacted stream water quality and riparian habitat, and affected other public and private improvements. Stabilization of stream channels is necessary to protect the rural infrastructure in the deep loess soils area of the state. The authority shall cooperate with the division of soil conservation of the department of agriculture and land stewardship, the affected soil and water conservation districts, the department of natural resources, and the Iowa department of transportation in carrying out its mission and duties. The authority shall also cooperate with appropriate federal agencies, including the United States environmental protection agency, the United States department of interior, and the soil conservation service of the United States department of agriculture. The authority shall make use of technical resources available through member counties and cooperating agencies.

3. The authority shall administer the loess hills development and conservation fund created under section 161D.2 and shall deposit and expend moneys in the fund for the planning, development, and implementation of development and conservation activities or measures in the member counties.

4. This section is not intended to affect the authority of the department of natural resources in its acquisition, development, and management of public lands within the counties represented by the authority.

Sec. 2. NEW SECTION. 161D.2 LOESS HILLS DEVELOPMENT AND CONSERVATION FUND.

A loess hills development and conservation fund is created in the state treasury, to be administered by the loess hills development and conservation authority. The proceeds of the fund shall be used for the purposes specified in section 161D.1. The loess hills development and conservation authority may accept gifts, bequests, other moneys including,

but not limited to, state or federal moneys, and in-kind contributions for deposit in the fund. The gifts, grants, bequests from public and private sources, state and federal moneys, and other moneys received by the authority shall be deposited in the fund and any interest earned on the fund shall be credited to the fund to be used for the purposes specified in section 161D.1. Notwithstanding section 8.33, any unexpended or unencumbered moneys remaining in the fund at the end of the fiscal year shall not revert to the general fund of the state, but the moneys shall remain available for expenditure by the authority in succeeding fiscal years.

HAROLD VAN MAANEN
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 214, Seventy-fifth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved May 19, 1993

TERRY E. BRANSTAD
Governor