

Houser, Chair
Weidman
Mundie

HSB 575

LOCAL GOVERNMENT

Succ²

HOUSE FILE

2453

BY (PROPOSED COMMITTEE ON LOCAL
GOVERNMENT BILL
BY CHAIRPERSON HOUSER)

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

A BILL FOR

1 An Act relating to the loess hills development and conservation
2 authority by creating a hungry canyons alliance, providing
3 membership guidelines for the board of directors of the
4 conservation authority and loess hills alliance, and providing
5 for the assistance of state agencies.

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

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1 Section 1. Section 161D.1, Code Supplement 1999, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 3A. A hungry canyons alliance is created.
4 The hungry canyons alliance shall be governed by a board of
5 directors appointed as provided in its bylaws and the board
6 shall carry out its responsibilities under the general
7 direction of the loess hills development and conservation
8 authority. The bylaws of the hungry canyons alliance are
9 subject to review and approval of the loess hills development
10 and conservation authority.

11 Sec. 2. Section 161D.1, Code Supplement 1999, is amended
12 by adding the following new subsection:

13 NEW SUBSECTION. 5. Upon request, a principal department
14 listed in section 7E.5 or other state agency shall cooperate
15 with and assist the loess hills development and conservation
16 authority, the hungry canyons alliance, or the loess hills
17 alliance in carrying out their respective studies, planning,
18 and programs as authorized under this chapter. The
19 cooperation and assistance requested shall only be provided
20 subject to staff and budgetary limitations of an assisting
21 state department or agency and shall not be provided if such
22 provision would adversely affect an assisting state department
23 or agency in its administration of its own principal duties
24 and programs.

25 Sec. 3. Section 161D.5, subsection 1, Code Supplement
26 1999, is amended by adding the following new paragraph:

27 NEW PARAGRAPH. c. The voting members of the board of
28 directors appointed pursuant to paragraphs "a" and "b" shall
29 include agricultural producers owning real property within the
30 loess hills landform.

31 EXPLANATION

32 This bill amends Code section 161D.1 and creates by statute
33 a hungry canyons alliance, which shall operate under the
34 general direction of the loess hills development and
35 conservation authority. The hungry canyons alliance is

1 governed by a board of directors appointed as provided in its
 2 bylaws and is responsible for erosion control and related
 3 conservation activities of the authority. The loess hills
 4 development and conservation authority provides the general
 5 direction and oversees the activities of the hungry canyons
 6 alliance and the loess hills alliance.

7 The bill amends Code section 161D.5 and provides that
 8 members of the loess hills alliance board of directors
 9 appointed by the board of supervisors shall include
 10 agricultural producers owning real property within the loess
 11 hills landform.

12 The bill also provides that, upon request, and within staff
 13 and budget limitations, state departments and agencies are to
 14 cooperate with and assist the loess hills development and
 15 conservation authority and its alliances to carry out their
 16 respective studies, planning, and programs.

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*Substituted for by SF 2348
FEB 25 2000
3/27/00 (P493)*

3/16/00 Unfinished Business Calendar

Place On Calendar

HOUSE FILE **2453**
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 575)

WITHDRAWN
*3-27-00
(P.1003)*

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the loess hills development and conservation
2 authority by creating a hungry canyons alliance, providing
3 membership guidelines for the board of directors of the
4 conservation authority and loess hills alliance, and providing
5 for the assistance of state agencies.

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

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HF 2453

1 Section 1. Section 161D.1, Code Supplement 1999, is
2 amended by adding the following new subsection:

3 NEW SUBSECTION. 3A. A hungry canyons alliance is created.
4 The hungry canyons alliance shall be governed by a board of
5 directors appointed as provided in its bylaws and the board
6 shall carry out its responsibilities under the general
7 direction of the loess hills development and conservation
8 authority. The bylaws of the hungry canyons alliance are
9 subject to review and approval of the loess hills development
10 and conservation authority.

11 Sec. 2. Section 161D.1, Code Supplement 1999, is amended
12 by adding the following new subsection:

13 NEW SUBSECTION. 5. a. Upon request, a principal
14 department listed in section 7E.5 or other state agency shall
15 cooperate with and assist the loess hills development and
16 conservation authority, the hungry canyons alliance, or the
17 loess hills alliance in carrying out their respective studies,
18 planning, and programs as authorized under this chapter. The
19 cooperation and assistance requested shall only be provided
20 subject to staff and budgetary limitations of an assisting
21 state department or agency and shall not be provided if such
22 provision would adversely affect an assisting state department
23 or agency in its administration of its own principal duties
24 and programs.

25 b. If a principal department or state agency initiates a
26 project or awards a grant or contract to another party which
27 may affect the work plans of the hungry canyons alliance or
28 the loess hills alliance, the department or agency shall
29 notify the authority or the affected alliance of the project.
30 If an adverse effect on the work plans of either alliance is
31 expected, the department or agency shall confer with the
32 affected alliance for the purposes of resolving or mitigating
33 the potential adverse effects.

34 Sec. 3. Section 161D.5, subsection 1, Code Supplement
35 1999, is amended by adding the following new paragraph:

1 NEW PARAGRAPH. c. The voting members of the board of
2 directors appointed pursuant to paragraphs "a" and "b" shall
3 include agricultural producers owning real property within the
4 loess hills landform.

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EXPLANATION

6 This bill amends Code section 161D.1 and creates by statute
7 a hungry canyons alliance, which shall operate under the
8 general direction of the loess hills development and
9 conservation authority. The hungry canyons alliance is
10 governed by a board of directors appointed as provided in its
11 bylaws and is responsible for erosion control and related
12 conservation activities of the authority. The loess hills
13 development and conservation authority provides the general
14 direction and oversees the activities of the hungry canyons
15 alliance and the loess hills alliance.

16 The bill amends Code section 161D.5 and provides that
17 members of the loess hills alliance board of directors
18 appointed by the board of supervisors shall include
19 agricultural producers owning real property within the loess
20 hills landform.

21 The bill also provides that, upon request, and within staff
22 and budget limitations, state departments and agencies are to
23 cooperate with and assist the loess hills development and
24 conservation authority and its alliances to carry out their
25 respective studies, planning, and programs. If a principal
26 department or state agency initiates a project or awards a
27 grant or contract to another party which may affect the work
28 plans of the hungry canyons alliance or loess hills alliance,
29 the department or agency shall notify the authority or the
30 affected alliance of the project. If an adverse effect on the
31 work plans of either alliance is expected, the department or
32 agency shall confer with the affected alliance to resolve or
33 mitigate the potential adverse effects.

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HOUSE FILE 2453

H-8200

- 1 Amend House File 2453 as follows:
- 2 1. Page 1, line 28, by striking the word "shall"
- 3 and inserting the following: "may".
- 4 2. Page 1, line 31, by striking the word "shall"
- 5 and inserting the following: "may".

By WITT of Black Hawk

H-8200 FILED MARCH 7, 2000

W/D 3-27-00

(p. 993)

HOUSE FILE 2453

H-8201

- 1 Amend House File 2453 as follows:
- 2 1. Page 1, line 13, by striking the letter and
- 3 word "a. Upon", and inserting the following: "Upon".
- 4 2. Page 1, by striking lines 25 through 33.

By WITT of Black Hawk

H-8201 FILED MARCH 7, 2000

W/D 3-27-00

p. 993

HOUSE FILE 2453

H-8224

- 1 Amend House File 2453 as follows:
- 2 1. Page 1, line 8, by inserting after the word
- 3 "authority." the following: "The membership of the
- 4 board shall include a person who is not an elected or
- 5 appointed public official."
- 6 2. Page 1, by inserting after line 33 the
- 7 following:
- 8 "c. If it is economically feasible, a public
- 9 agency or a recipient of a public grant or contract
- 10 shall use alternative materials for fill dirt for a
- 11 public project in lieu of the use of loess soils."
- 12 3. Page 2, line 4, by inserting after the word
- 13 "landform." the following: "The voting members of the
- 14 board of directors shall also include a person who is
- 15 not an elected or appointed public official."

W/D 3-27-00 (p. 993)

By FALLON of Polk

H-8224 FILED MARCH 7, 2000

HOUSE FILE 2453

H-8480

- 1 Amend House File 2453 as follows:
- 2 1. Page 1, by striking lines 11 through 33.
- 3 2. Title page, line 2, by striking the word
- 4 "alliance," and inserting the following: "and".
- 5 3. Title page, by striking lines 4 and 5 and
- 6 inserting the following: "conservation authority and
- 7 loess hills alliance."

By HOUSER of Pottawattamie

H-8480 FILED MARCH 22, 2000

Adopted 3-27-00 (p. 993)