

JAN 29 2001

STATE GOVERNMENT

HOUSE FILE 127
BY JACOBS

(COMPANION TO SF 35 BY
JOHNSON)

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

A BILL FOR

1 An Act providing for the Iowa state fair, by changing references
2 from Iowa state fairgrounds to Iowa state fair park.

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

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HF 127

1 Section 1. Section 99E.10, subsection 1, paragraph e, Code
2 2001, is amended by striking the paragraph.

3 Sec. 2. Section 173.1, unnumbered paragraph 1, Code 2001,
4 is amended to read as follows:

5 The Iowa state fair authority is established as a public
6 instrumentality of the state. The authority is not an agency
7 of state government. However, the authority is considered a
8 state agency and its employees state employees for the
9 purposes of chapters 17A, 20, 91B, 97B, 509A, and 669. The
10 authority is established to conduct an annual state fair and
11 exposition ~~on~~ at the Iowa state ~~fairgrounds~~ fair park and to
12 conduct other interim events consistent with its rules. The
13 powers of the authority are vested in the Iowa state fair
14 board. The Iowa state fair board consists of the following:

15 Sec. 3. NEW SECTION. 173.1A DEFINITIONS.

16 As used in this chapter, unless the context otherwise
17 requires:

18 1. "Authority" means the Iowa state fair authority as
19 established in section 173.1.

20 2. "Board" means the Iowa state fair board as established
21 in section 173.1.

22 3. "Fair park" or "park" means the Iowa state fair park
23 where the state fair is conducted pursuant to section 173.1.

24 4. "Foundation" means the Iowa state fair foundation
25 established pursuant to section 173.22.

26 5. "State fair" or "fair" means the Iowa state fair and
27 exposition conducted at the Iowa state fair park as provided
28 in section 173.1.

29 Sec. 4. Section 173.14, unnumbered paragraph 1, Code 2001,
30 is amended to read as follows:

31 The Iowa state fair board ~~has-the~~ shall have custody and
32 control of the Iowa state ~~fairgrounds~~ fair park, including the
33 ~~buildings~~ but not limited to the real estate, structures, and
34 ~~equipment on-it-belonging~~ located within the boundaries of the
35 fair park which belong to the state,--and. The board may do

1 all of the following:

2 Sec. 5. Section 173.14, subsections 1, 6, and 7, Code
3 2001, are amended to read as follows:

4 1. Hold ~~an~~ the annual state fair and-exposition-on-those
5 grounds at the Iowa state fair park as provided in section
6 173.1. All revenue generated by the fair and any interim uses
7 shall be retained solely by the board.

8 6. Erect and repair ~~buildings-on~~ structures at the grounds
9 park and make other necessary improvements.

10 7. Grant written permission to persons to use the
11 fairgrounds park when the fair is not in progress.

12 Sec. 6. Section 173.16, Code 2001, is amended to read as
13 follows:

14 173.16 MAINTENANCE OF STATE FAIR.

15 1. a. All expenses incurred in maintaining the Iowa state
16 fairgrounds fair park and in conducting the ~~annual~~ Iowa state
17 fair on-it, including but not limited to the compensation and
18 expenses of the officers, members, and employees of the board,
19 shall be recorded by the secretary and paid from the state
20 fair receipts, unless a specific appropriation has been
21 provided for that purpose.

22 b. The board may request special capital improvement
23 appropriations from the state and may request emergency
24 funding from the executive council for natural disasters. The
25 board may request that the ~~department-of~~ state transportation
26 provide-maintenance commission construct, reconstruct,
27 improve, or maintain roads within the Iowa state fair park in
28 accordance with section 307A.2~~7~~-~~subsection-11~~.

29 2. In order to efficiently administer facilities and
30 events ~~on~~ at the state fairgrounds fair park, and to promote
31 Iowa's conservation ethic, the Iowa state fair board shall
32 handle or dispose of waste generated ~~on~~ at the state
33 fairgrounds fair park under supervision of the waste
34 management assistance division established under section
35 455B.483.

1 Sec. 7. Section 173.22, unnumbered paragraph 2, Code 2001,
2 is amended to read as follows:

3 Assets of the foundation shall be used to support
4 foundation activities, including but not limited to foundation
5 administration, ~~or~~ capital projects, or major maintenance
6 improvements at the Iowa state fairgrounds fair park or to
7 property under the control of the board. Foundation moneys
8 may be expended on a matching basis with public moneys or Iowa
9 state fair authority receipts. All interest earned on moneys
10 in the foundation fund or through other foundation assets
11 shall be credited to and remain in the fund. Section 8.33
12 does not apply to moneys in the fund.

13 Sec. 8. Section 173.23, Code 2001, is amended to read to
14 read as follows:

15 173.23 LIEN ON PROPERTY.

16 The Iowa state fair board has a prior lien upon the
17 property of any person including but not limited to a
18 concessionaire, or exhibitor, or person, immediately upon the
19 property being brought onto the grounds premises of the Iowa
20 state fair park, in order to secure an existing or future
21 indebtedness.

22 Sec. 9. Section 307A.2, subsection 11, Code 2001, is
23 amended to read as follows:

24 11. Construct, reconstruct, improve, and or maintain state
25 institutional roads and state park roads, which are part of
26 the state park, state institution, and or other state land
27 road system as defined in section 306.3, and or bridges on
28 such roads, roads located on at the Iowa state fairgrounds
29 fair park as defined provided in chapter 173, and or the roads
30 and bridges located on community college property as defined
31 in chapter 260C, upon the request of the state board,
32 department, or commission which has jurisdiction over such
33 roads. This ~~shall~~ subsection shall be done carried out in
34 such a manner as may be agreed upon by the state
35 transportation commission and the state board, department, or

1 commission ~~which has jurisdiction~~ making the request. The
2 commission may contract with any county or municipality for
3 the construction, reconstruction, improvement, or maintenance
4 of such roads and bridges. Any state park road which is an
5 extension of either a primary or secondary highway which both
6 enters and exits from a state park at separate points shall be
7 constructed, reconstructed, improved, and maintained as
8 provided in section 306.4. Funds allocated from the road use
9 tax fund for the purposes of this subsection shall be
10 apportioned in the ratio that the needs of the state
11 institutional roads and bridges, park roads and bridges, or
12 community college roads and bridges bear to the total needs of
13 these facilities based upon the most recent quadrennial park
14 and institution need study. The commission shall conduct a
15 study of the road and bridge facilities in state parks, state
16 institutions, Iowa state fairgrounds fair park, and on
17 community college property. The study shall evaluate the
18 construction and maintenance needs and projected needs based
19 upon estimated growth for each type of facility to provide a
20 quadrennially updated standard upon which to allocate funds
21 appropriated for the purposes of this subsection.

22 Sec. 10. Section 727.2, unnumbered paragraph 2, Code 2001,
23 is amended to read as follows:

24 A person, ~~firm, copartnership, or corporation~~ who offers
25 for sale, exposes for sale, sells at retail, or uses or
26 explodes any fireworks, commits a simple misdemeanor. In
27 addition to any other penalties, the punishment imposed for a
28 violation of this section shall include assessment of a fine
29 of not less than two hundred fifty dollars. However, the
30 council of a city or a county board of supervisors may, upon
31 application in writing, grant a permit for the display of
32 fireworks by municipalities, fair associations, amusement
33 parks, and other organizations or groups of individuals
34 approved by the city or the county board of supervisors when
35 the fireworks display will be handled by a competent operator,

1 but no such permit shall be required for the display of
2 fireworks at the Iowa state fairgrounds fair park by the Iowa
3 state fair board as established in chapter 173, at
4 incorporated county fairs, or at district fairs receiving
5 state aid as provided in chapter 174. Sales of fireworks for
6 such display may be made for that purpose only.

7 Sec. 11. DIRECTIONS TO CODE EDITOR. The Code editor shall
8 codify section 173.1A, as enacted in this Act, as section
9 173.1, transfer section 173.1, 2001 Code, to section 173.1A,
10 and correct internal references as necessary.

11 EXPLANATION

12 This bill amends provisions in Code chapter 173 and
13 corresponding provisions in other chapters in order to change
14 the name of the "Iowa state fairgrounds" to the "Iowa state
15 fair park". It makes other changes in order to enhance
16 readability and provide consistency between provisions. For
17 example, it creates a section that provides definitions for a
18 number of short-hand references used in the chapter, including
19 "board", "foundation", and "state fair". It also replaces the
20 term "building" with "structure". Thus, when a provision
21 provides for the Iowa state fair board's custody and control
22 of the fair park, the bill provides that this includes but is
23 not limited to custody and control of the real estate,
24 structures, and equipment of the state located on the
25 premises.

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