

MAR 21 2002  
WAYS & MEANS CALENDAR

HOUSE FILE 2590  
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2184)  
(SUCCESSOR TO HF 2064)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for utilization of physical plant and equipment  
2 levy revenue for technology expenditures.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2590

1 Section 1. Section 298.3, subsection 3, Code 2001, is  
2 amended to read as follows:

3 3. The purchase of buildings and the purchase of a single  
4 unit of equipment or a technology system exceeding one  
5 thousand five hundred dollars in value.

6 EXPLANATION

7 This bill modifies the authorization to utilize physical  
8 plant and equipment levy revenue for the purchase of equipment  
9 and technology, which had previously been limited to a single  
10 unit of equipment or a technology system exceeding \$1,500.  
11 The bill deletes the requirement that technology be comprised  
12 of a "system", and lowers the authorized minimum expenditure  
13 amount to \$500 in value.

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## HOUSE FILE 2590

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1 Amend House File 2590 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "DIVISION I

5 PHYSICAL PLANT AND EQUIPMENT LEVY"

6 2. Page 1, by inserting after line 5 the  
7 following:

8 "DIVISION II

9 STATE LAND MANAGEMENT AND PLANNING

10 Sec. \_\_\_\_ . NEW SECTION. 6C.1 TITLE.

11 This chapter shall be known and may be cited as the  
12 "Land Management Planning Act".

13 Sec. \_\_\_\_ . NEW SECTION. 6C.2 LAND DEVELOPMENT AND  
14 USE -- STATE POLICY ESTABLISHED.

15 It is the policy of this state to provide for the  
16 sound and orderly development and use of land and to  
17 provide for the protection and preservation of the  
18 private and public interest in the land, water, and  
19 related resources of this state for the public health,  
20 safety, morals, and general welfare of present and  
21 future generations. It is further the policy of this  
22 state to preserve the use of prime agricultural land  
23 for agricultural production and to preserve natural,  
24 cultural, and historical areas while striking a  
25 balance between legitimate public purposes and private  
26 property rights.

27 Sec. \_\_\_\_ . NEW SECTION. 6C.3 DEFINITIONS.

28 1. "Agricultural land" means agricultural land as  
29 that term is defined in section 9H.1.

30 2. "Board" means the land management planning  
31 board established in section 6C.5.

32 3. "Department" means the department of economic  
33 development.

34 4. "Public agency" means an agency as defined in  
35 section 17A.2, a county, a city, or other political  
36 subdivision, including but not limited to a principal  
37 department as provided in section 7E.5, a school  
38 corporation organized under chapter 273 or 274, a  
39 community college as provided in chapter 260C, or a  
40 township as provided in chapter 359.

41 5. "Strategic development plan" means a plan  
42 adopted by a county and the cities within the county  
43 and approved by the land management planning board as  
44 provided in chapter 366.

45 Sec. \_\_\_\_ . NEW SECTION. 6C.5 LAND MANAGEMENT  
46 PLANNING BOARD.

47 1. A land management planning board is established  
48 as the state's principal agency overseeing land  
49 management planning by cities and counties. The board  
50 shall oversee the administration of this chapter, and

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1 chapters 366 and 368, monitor the effectiveness of  
2 public agencies in carrying out the policy of this  
3 state as established in section 6C.2, and study  
4 methods to successfully implement the policy.

5 2. The board shall be composed of the following  
6 members:

7 a. One member appointed from a city with a  
8 population of more than forty-five thousand, according  
9 to the most recent certified federal census.

10 b. One member appointed from a city with a  
11 population of forty-five thousand or less, according  
12 to the most recent certified federal census.

13 c. One member appointed from a county with a  
14 population of more than fifty thousand, according to  
15 the most recent certified federal census.

16 d. One member appointed from a county with a  
17 population of fifty thousand or less, according to the  
18 most recent certified federal census.

19 e. One member appointed to represent the general  
20 public.

21 3. The members shall be appointed by the governor  
22 subject to confirmation by the senate as provided in  
23 section 2.32. The appointments shall be for six-year  
24 staggered terms beginning and ending as provided in  
25 section 69.19, or for an unexpired term if a vacancy  
26 occurs. No member shall serve more than two complete  
27 six-year terms.

28 4. The board shall elect a chairperson each year.

29 5. Members of the board, other than a state  
30 officer or employee, are entitled to receive a per  
31 diem as specified in section 7E.6 for each day spent  
32 in performance of duties as members, and shall be  
33 reimbursed for all actual and necessary expenses  
34 incurred in the performance of duties as members.

35 6. The department shall provide office space and  
36 staff assistance, and shall budget funds to cover  
37 expenses of the board. The office of attorney general  
38 shall provide legal counsel to the board.

39 Sec. \_\_\_\_ . NEW SECTION. 6C.6 POWERS AND DUTIES OF  
40 THE BOARD.

41 1. The board shall do all of the following:

42 a. Review strategic development plans submitted  
43 for dispute resolution pursuant to section 366.6.

44 b. Review and approve plans submitted for final  
45 approval pursuant to section 366.7.

46 c. Approve or disapprove petitions for boundary  
47 adjustment as provided in chapter 368.

48 d. Establish policies for administration of the  
49 land management planning fund created in section 6C.7.

50 e. Adopt rules pursuant to chapter 17A necessary

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1 to administer its duties under this chapter and  
2 chapters 366 and 368.

3 2. The board may adopt forms to be completed and  
4 submitted by cities and counties as necessary for the  
5 efficient administration of this chapter and chapters  
6 366 and 368.

7 Sec. \_\_\_\_ . NEW SECTION. 6C.7 LAND MANAGEMENT  
8 PLANNING FUND.

9 1. A land management planning fund is created  
10 within the state treasury under the control of the  
11 department. Moneys in the fund shall be used  
12 exclusively to pay for the costs of administration of  
13 this chapter and chapters 366 and 368 by the  
14 department.

15 2. The fund shall consist of all of the following:  
16 a. Moneys appropriated by the general assembly.  
17 b. Moneys available to and obtained or accepted by  
18 the department from the federal government or private  
19 sources for deposit in the fund.

20 DIVISION III

21 LOCAL GOVERNMENT LAND MANAGEMENT AND PLANNING

22 Sec. \_\_\_\_ . NEW SECTION. 366.1 DEFINITIONS.

23 1. "Agricultural land" means agricultural land as  
24 defined in section 9H.1.

25 2. "Board" means the land management planning  
26 board created in section 6C.5.

27 Sec. \_\_\_\_ . NEW SECTION. 366.2 LOCAL STRATEGIC  
28 DEVELOPMENT COMMITTEE.

29 1. A local strategic development committee is  
30 created within each county. Members shall be  
31 appointed to the committee on or before September 1,  
32 2002. The committee shall be composed of the  
33 following members:

34 a. Three members appointed by the county board of  
35 supervisors. Two of the three members must be  
36 residents of the unincorporated area of the county.

37 b. One member appointed by the city council of  
38 each city located in the county.

39 c. One member appointed by the mayor of each of  
40 the two cities with the highest population located in  
41 the county.

42 d. An additional member shall be appointed by the  
43 mayor of each participating city for every fifty  
44 thousand residents in the city.

45 2. A city shall be represented on a committee if  
46 any part of the city is located in the county.  
47 However, if the portion of the city in the county is  
48 less than one-half of the entire geographical area of  
49 the city, the member representing the city shall be a  
50 nonvoting member of the committee.

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1 3. Two or more contiguous counties may organize as  
2 one combined strategic development committee.

3 4. The committee shall hold an organizational  
4 meeting no later than ten days after appointment of  
5 members. The organizational meeting shall be convened  
6 by the chairperson of the county board of supervisors.

7 Sec. \_\_\_\_ . NEW SECTION. 366.3 STRATEGIC  
8 DEVELOPMENT PLAN -- GOALS AND OBJECTIVES.

9 1. The local strategic development committee shall  
10 create and recommend a strategic development plan for  
11 the county.

12 2. The purpose of a strategic development plan is  
13 to direct coordinated, efficient, and orderly urban  
14 development that will, based on an analysis of present  
15 and future needs, best promote the public health,  
16 safety, morals, and general welfare. The goals and  
17 objectives of a strategic development plan include the  
18 following:

19 a. Encouraging a pattern of compact development in  
20 strategic development areas.

21 b. Promoting redevelopment of existing urban  
22 areas.

23 c. Promoting employment opportunities and the  
24 economic health of the county and all cities in the  
25 county.

26 d. Providing for a variety of housing choices  
27 within strategic development areas and assuring  
28 affordable housing for future population growth.

29 e. Identifying and conserving natural resource  
30 areas, environmentally sensitive land, and features of  
31 significant local, statewide, or regional  
32 architectural, cultural, historical, or archaeological  
33 interest.

34 f. Preserving land identified by the strategic  
35 development committee as prime agricultural land for  
36 use in agricultural production.

37 g. Balancing the need for land management  
38 regulations with the protection of private property  
39 rights.

40 h. Ensuring the efficient use of infrastructure  
41 and that adequate municipal services are provided  
42 concurrently with development.

43 i. Taking into consideration such other matters  
44 that are related to the coordinated, efficient, and  
45 orderly development of the county and all cities in  
46 the county.

47 Sec. \_\_\_\_ . NEW SECTION. 366.4 STRATEGIC  
48 DEVELOPMENT PLAN -- REQUIREMENTS.

49 1. A strategic development plan shall divide the  
50 county into strategic development areas where future

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1 development would be allowed to occur and strategic  
2 preservation areas where development would not be  
3 allowed. A strategic development plan shall address  
4 transportation, public infrastructure, municipal  
5 services, economic development, housing, recreation,  
6 natural resources, and land use. A strategic  
7 development plan may address hazard mitigation, energy  
8 systems, cultural preservation, and other elements  
9 appropriate to the area governed by the plan.

10 2. The committee shall conduct a review of  
11 existing comprehensive plans governing the county, if  
12 applicable, and governing each city located in the  
13 county.

14 3. Before the committee drafts a strategic  
15 development plan, the committee shall hold a public  
16 hearing in order to obtain citizen input on  
17 preparation of the strategic development plan. The  
18 hearing shall be held no later than thirty days after  
19 the committee's organizational meeting. The county  
20 auditor shall publish notice of the time, date, place,  
21 and purpose of the public hearing in a newspaper of  
22 general circulation in the county. The notice must be  
23 published not less than ten days but no more than  
24 twenty days before the hearing. The notice shall  
25 include a description of the general duties of the  
26 strategic development committee and the cities and  
27 counties represented on the strategic development  
28 committee.

29 4. A strategic development plan shall include  
30 documents describing and depicting the corporate  
31 limits of each city in the county and the boundaries  
32 of each strategic development area and each strategic  
33 preservation area.

34 5. a. In establishing a strategic development  
35 area, the plan shall do all of the following:

36 (1) Identify territory that a reasonable and  
37 prudent person would project as the likely site of  
38 commercial, industrial, or residential growth over the  
39 next twenty years based on historical experience,  
40 economic trends, population growth patterns,  
41 topographical characteristics, and any professional  
42 planning, engineering, and economic studies that are  
43 available. The city shall report population growth  
44 projections for the city based upon federal census  
45 data.

46 (2) Identify agricultural land which has a corn  
47 suitability rating of sixty or higher, according to  
48 information released by Iowa state university to the  
49 department of revenue and finance for assessment and  
50 taxation of agricultural land. Agricultural land with

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1 a corn suitability rating of sixty or higher shall not  
2 be included in a strategic development area unless the  
3 local strategic development committee makes a showing  
4 that the land is necessary for the orderly development  
5 of the strategic development area.

6 b. In establishing a strategic preservation area,  
7 the plan shall identify territory to be preserved for  
8 the next twenty years for agricultural purposes,  
9 forests, recreational areas, wildlife management  
10 areas, cultural areas, historical areas, or other  
11 areas planned for preservation.

12 6. When designating that part of a strategic  
13 development area contiguous to a city, the committee  
14 shall identify, and give consideration to, the amount  
15 of territory within the current incorporated  
16 boundaries of the city that is vacant or undeveloped  
17 land.

18 7. The committee shall utilize planning resources  
19 that are available within the county, including city  
20 and county planning commissions, zoning  
21 administrators, and a council of governments  
22 established pursuant to chapter 28H. The committee is  
23 also encouraged to utilize the services of a joint  
24 planning commission established pursuant to chapter  
25 28I and colleges and universities in the state.

26 Sec. \_\_\_\_ . NEW SECTION. 366.5 LOCAL GOVERNMENT  
27 RATIFICATION OF STRATEGIC DEVELOPMENT PLAN.

28 1. Before the committee submits the plan  
29 recommended for ratification, the committee shall hold  
30 at least one public hearing on the proposed  
31 recommended strategic development plan. The county  
32 auditor shall publish notice of the time, place, and  
33 purpose of the public hearing in a newspaper of  
34 general circulation in the county. The notice must be  
35 published at least ten days but no more than twenty  
36 days before the hearing.

37 2. Not later than January 1, 2004, the committee  
38 shall submit the recommended strategic development  
39 plan to the county board of supervisors and the city  
40 council of each city in the county.

41 a. Not later than sixty days after receiving the  
42 recommended strategic development plan, the county  
43 board of supervisors and each city council shall by  
44 resolution either ratify or reject the recommended  
45 strategic development plan. A city or county that  
46 fails to timely act on the resolution shall be deemed  
47 to have ratified the recommended strategic development  
48 plan on the last day of the sixty-day period. If the  
49 strategic development plan is ratified, the committee  
50 shall submit the plan to the land management planning

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1 board for approval.

2 b. If the county board of supervisors or a city  
3 council rejects the recommended strategic development  
4 plan submitted by the committee, the county or city  
5 shall submit its objections to the plan along with the  
6 notice of rejection. After receiving objections to  
7 the plan, the committee may recommend a revised  
8 strategic development plan no later than sixty days  
9 after the recommended plan is rejected or may resubmit  
10 the original plan. Before the committee submits the  
11 revised plan recommended for ratification, the  
12 committee shall hold at least one public hearing on  
13 the revised plan in the manner provided in subsection  
14 1. The committee shall submit any revised strategic  
15 development plan to the county board of supervisors  
16 and the city council of each city in the county for  
17 ratification.

18 Not later than sixty days after receiving a revised  
19 strategic development plan, the county board of  
20 supervisors and each city council shall either ratify  
21 or reject the revised strategic development plan in  
22 the same manner as provided in paragraph "a". A city  
23 or county that fails to timely act on a resolution  
24 shall be deemed to have ratified the revised strategic  
25 development plan on the last day of the sixty-day  
26 period.

27 Sec. \_\_\_\_ . NEW SECTION. 366.6 DISPUTE RESOLUTION.

28 1. If a recommended strategic development plan and  
29 a revised strategic development plan are rejected  
30 pursuant to section 366.5, the committee shall submit  
31 each of the rejected plans to the board for resolution  
32 of the matter within ten days of rejection of the  
33 revised plan. The board shall review the strategic  
34 development plans submitted by the committee and may  
35 adopt such amendments to a plan necessary for its  
36 approval by the board.

37 2. Not later than October 1, 2004, the board shall  
38 have approved strategic development plans submitted to  
39 the board for dispute resolution. Such approval is  
40 deemed to satisfy the approval requirement of section  
41 366.7.

42 Sec. \_\_\_\_ . NEW SECTION. 366.7 PLAN SUBMITTED TO  
43 BOARD FOR FINAL APPROVAL.

44 A strategic development plan ratified pursuant to  
45 section 366.5 shall be submitted to the board for  
46 approval within ten days of ratification of the plan.  
47 If the board determines that a plan conforms with the  
48 requirements of this chapter, the board shall approve  
49 the plan. If the board determines that a plan does  
50 not so conform, the board shall adopt such amendments

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1 to the plan necessary for its approval by the board.  
2 The board shall have approved all plans by January 1,  
3 2005.

4 Sec. \_\_\_\_ . NEW SECTION. 366.8 RECORDING OF  
5 STRATEGIC DEVELOPMENT PLAN.

6 After the board has approved a strategic  
7 development plan, the board shall retain a copy of the  
8 plan on file and shall forward a copy to the county  
9 auditor who shall record the plan in the office of  
10 county recorder no later than five days after  
11 receiving the plan from the board.

12 Sec. \_\_\_\_ . NEW SECTION. 366.9 DURATION OF PLANS  
13 -- REVIEW AND AMENDMENT.

14 After a strategic development plan has been  
15 recorded with the county recorder, the plan shall  
16 remain in effect for not less than five years absent a  
17 showing of extraordinary circumstances necessitating a  
18 change in the plan. After expiration of the five-year  
19 period, the county or a city in the county may propose  
20 an amendment to the strategic development plan or may  
21 propose a review of the plan by filing notice with the  
22 county board of supervisors for the county and the  
23 city council of each city in the county. Upon receipt  
24 of such notice by the county and each city, the county  
25 board of supervisors shall promptly reconvene the  
26 local strategic planning committee. The burden of  
27 proving the reasonableness of a proposed amendment to  
28 the plan shall be upon the party proposing the  
29 amendment. The procedures for amending the strategic  
30 development plan shall be the same as the procedures  
31 set forth in this chapter for creating the original  
32 strategic development plan.

33 Sec. \_\_\_\_ . NEW SECTION. 366.10 JUDICIAL REVIEW.

34 1. The county, a city in the county, a resident of  
35 the county, or an owner of real property located in  
36 the county may seek judicial review of a decision of  
37 the board relating to the strategic development plan  
38 presented to the board for its approval. The judicial  
39 review provisions of this section and chapter 17A  
40 shall be the exclusive means by which a person or  
41 party who is aggrieved or adversely affected by action  
42 of the board may seek judicial review of the action of  
43 the board or of a local government.

44 2. A petition for judicial review must be filed  
45 within sixty days after the strategic development plan  
46 is recorded with the county recorder. In accordance  
47 with the Iowa rules of civil procedure pertaining to  
48 service of process, copies of the petition shall be  
49 served upon the board.

50 3. The court's review is limited to questions

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1 relating to jurisdiction, regularity of proceedings,  
2 and whether the action of the board is, by a  
3 preponderance of the evidence, arbitrary,  
4 unreasonable, or without substantial supporting  
5 evidence. The court may nullify an action of the  
6 board and return the plan with appropriate directions  
7 to the board.

8 4. The filing of a petition for judicial review  
9 does not stay the effectiveness of the strategic  
10 development plan or recognition of strategic  
11 development areas and strategic preservation areas  
12 identified in the plan. However, the court may order  
13 a stay upon appropriate terms if it is shown to the  
14 satisfaction of the court that any party or the public  
15 at large is likely to suffer significant injury if a  
16 stay is not granted. If more than one petition for  
17 judicial review regarding a single board action is  
18 filed, all such petitions shall be consolidated and  
19 tried as a single civil action.

20 5. The following portions of section 17A.19 are  
21 not applicable to this chapter:

22 a. The portion of subsection 2 relating to where  
23 proceedings for judicial review shall be instituted.

24 b. Subsection 5.

25 c. Subsection 8.

26 d. Subsections 10 through 12.

27 Sec. \_\_\_\_ . NEW SECTION. 366.11 LOCAL  
28 IMPLEMENTATION.

29 1. A city or county shall not adopt ordinances  
30 regulating land development and management within its  
31 territory that are inconsistent with the strategic  
32 development plan governing the territory.

33 2. A strategic development plan approved pursuant  
34 to this chapter shall be the basis for the  
35 comprehensive plan of each county required pursuant to  
36 section 335.5, if the county has adopted a zoning  
37 ordinance, and for the comprehensive plan of each city  
38 in the county required pursuant to section 414.3. The  
39 county and each city shall amend its comprehensive  
40 plan to conform to the strategic development plan.  
41 After a strategic development plan is approved, all  
42 land use decisions made by the governing body of each  
43 city and county and the city's or county's planning  
44 commission shall be consistent with the strategic  
45 development plan.

46 3. A city or county is under no obligation to  
47 provide municipal services for development that does  
48 not conform to the applicable strategic development  
49 plan.

50 Sec. \_\_\_\_ . NEW SECTION. 414.32 REGULATORY

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1 INCENTIVES.

2 Cities shall provide regulatory incentives,  
3 including expedited permitting and waiver of permit  
4 fees, for new development, expansion of existing  
5 development, and redevelopment within all or part of  
6 the incorporated boundaries of the city in areas  
7 containing undeveloped or underdeveloped land or  
8 buildings that are substandard, dilapidated, vacant,  
9 abandoned, or functionally obsolete.

10 DIVISION IV

11 CITY DEVELOPMENT

12 Sec. \_\_\_\_\_. Section 368.1, subsection 3, Code 2001,  
13 is amended to read as follows:

14 3. "Board" means the ~~city development land~~  
15 management planning board established in section ~~368.9~~  
16 6C.5.

17 Sec. \_\_\_\_\_. NEW SECTION. 368.5A ANNEXATION  
18 PROHIBITED -- STRATEGIC PRESERVATION AREAS.

19 Beginning January 1, 2005, only territory contained  
20 in a strategic development area may be annexed. The  
21 city council or land management planning board shall  
22 not approve any application or petition that seeks to  
23 annex territory contained in a strategic preservation  
24 area.

25 Sec. \_\_\_\_\_. Section 368.7A, subsection 1, Code 2001,  
26 is amended to read as follows:

27 1. The board of supervisors of each affected  
28 county shall notify the ~~city development land~~  
29 management planning board of the existence of that  
30 portion of any secondary road which extends to the  
31 center line but has not become part of the city by  
32 annexation and has a common boundary with a city. The  
33 notification shall include a legal description and a  
34 map identifying the location of the secondary road.  
35 The ~~city development land management planning~~  
36 shall provide notice and an opportunity to be heard to  
37 each city in or next to which the secondary road is  
38 located. The ~~city development land management~~  
39 planning board shall certify that the notification is  
40 correct and declare the road, or portion of the road  
41 extending to the center line, annexed to the city as  
42 of the date of certification. This section is not  
43 intended to interfere with or modify existing chapter  
44 28E agreements on jurisdictional transfer of roads, or  
45 continuing negotiations between jurisdictions.

46 Sec. \_\_\_\_\_. Section 368.11, Code Supplement 2001, is  
47 amended by adding the following new unnumbered  
48 paragraph before unnumbered paragraph 3:

49 NEW UNNUMBERED PARAGRAPH. Plans required by this  
50 section to be filed with a petition shall include

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1 specific information pertaining to estimated costs of  
2 implementing the plan, the time frame involved in  
3 implementing the plan, and any other specific  
4 information related to implementing the plan.

5 Sec. \_\_\_\_\_. Section 368.11, Code Supplement 2001, is  
6 amended by adding the following new subsection:

7 NEW SUBSECTION. 14. A statement describing how  
8 the boundary adjustment will conform to the strategic  
9 development plan governing the territory.

10 Sec. \_\_\_\_\_. Sections 368.9 and 368.10, Code 2001,  
11 are repealed.

## DIVISION V

## CORRESPONDING AMENDMENTS

12  
13  
14 Sec. \_\_\_\_\_. Section 15.108, subsection 3, paragraph  
15 a, subparagraph (2), Code Supplement 2001, is amended  
16 to read as follows:

17 (2) Provide office space and staff assistance to  
18 the ~~city development~~ land management planning board as  
19 provided in section ~~368.9~~ 6C.5.

20 Sec. \_\_\_\_\_. Section 331.304, subsection 7, Code  
21 2001, is amended to read as follows:

22 7. The board may file a petition with the ~~city~~  
23 ~~development~~ land management planning board as provided  
24 in section 368.11.

25 Sec. \_\_\_\_\_. Section 331.321, subsection 1, paragraph  
26 t, Code Supplement 2001, is amended to read as  
27 follows:

28 t. Local representatives to serve with the ~~city~~  
29 ~~development~~ land management planning board as provided  
30 in section 368.14.

31 Sec. \_\_\_\_\_. Section 384.38, subsection 2, Code 2001,  
32 is amended to read as follows:

33 2. Upon petition as provided in section 384.41,  
34 subsection 1, a city may assess to private property  
35 affected by public improvements within three miles of  
36 the city's boundaries the cost of construction and  
37 repair of public improvements within that area. The  
38 right-of-way of a railway company shall not be  
39 assessed unless the company joins as a petitioner for  
40 ~~said~~ such improvements. In the petition the property  
41 owners shall waive the limitation provided in section  
42 384.62 that an assessment may not exceed twenty-five  
43 percent of the value of the lot. The petition shall  
44 contain a statement that the owners agree to pay the  
45 city an amount equal to five percent of the cost of  
46 the improvements, to cover administrative expenses  
47 incurred by the city. This amount may be added to the  
48 cost of the improvements. Before the council may  
49 adopt the resolution of necessity, the preliminary  
50 resolution, preliminary plans and specifications,

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1 plat, schedule, and estimate of cost must be submitted  
2 to, and receive written approval from, the board of  
3 supervisors of any county which contains part of the  
4 property, and the ~~city development~~ land management  
5 planning board established in section ~~368.9~~ 6C.5.

6 Sec. \_\_\_\_ . LAND MANAGEMENT PLANNING BOARD

7 TRANSITION. Terms of current city development board  
8 members shall continue until their expiration.

9 Sec. \_\_\_\_ . IMPLEMENTATION OF ACT. Section 25B.2,  
10 subsection 3, shall not apply to this Act.

11 Sec. \_\_\_\_ . EFFECTIVE DATES.

12 1. The section of this Act amending section 298.3  
13 takes effect July 1, 2002.

14 2. The sections of this Act enacting Code section  
15 368.5A and amending Code section 368.11 take effect  
16 January 1, 2005.

17 3. The remainder of this Act takes effect May 1,  
18 2002."

19 3. Title page, line 1, by inserting after the  
20 word "Act" the following: "relating to real and  
21 personal property by".

22 4. Title page, line 2, by inserting after the  
23 word "expenditures" the following: "and by providing  
24 a method for state and local land management and  
25 planning, and providing effective dates".

26 5. By renumbering as necessary.

By FALLON of Polk

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