

**Senate File 346 - Introduced**

SENATE FILE 346

BY SORENSON

**A BILL FOR**

1 An Act relating to agricultural land acquired by the department  
2 of natural resources, by providing for restrictions on the  
3 acquisition of new land, directing the sale of existing  
4 land, and authorizing the expenditure of sale proceeds for  
5 the benefit of state parks.

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

1 Section 1. NEW SECTION. 455A.10A State fish and game  
2 protection fund — acquisition of land.

3 The department shall not use moneys from the state fish and  
4 game protection fund to acquire any legal or equitable interest  
5 in land except as provided in section 455A.14.

6 Sec. 2. NEW SECTION. 455A.14 Restrictions upon the  
7 acquisition of land — funding source.

8 1. The department shall not use moneys appropriated  
9 directly from the general fund of the state to acquire any  
10 legal or equitable interest in land.

11 2. Notwithstanding subsection 1, the department may use  
12 moneys appropriated from the general fund of the state for the  
13 express purpose of land acquisition to the extent expressly  
14 required by statute.

15 3. Notwithstanding subsection 1, the department may use  
16 moneys appropriated from a source other than the general  
17 fund of the state to acquire a legal or equitable interest  
18 in land, if authorized by statute, regardless of whether the  
19 appropriated moneys originated from the general fund of the  
20 state. However, this subsection applies only if all the  
21 following conditions have been satisfied:

22 a. The land does not have an average corn suitability rating  
23 ranging from forty to one hundred, based on the most current  
24 soil maps for the county available at Iowa state university.

25 b. The department issues a statement justifying all reasons  
26 for the land's acquisition. The statement must be signed  
27 by the director of the department and published in the Iowa  
28 administrative bulletin at least sixty days prior to the  
29 acquisition. A copy of the statement must also be delivered to  
30 the fiscal services division of the legislative services agency  
31 prior to publication.

32 Sec. 3. NEW SECTION. 455A.14A Sale of agricultural land  
33 used for row crop farming.

34 1. The department shall sell all land that it owns if on  
35 July 1, 2010, such land was leased for row crop farming and

1 such land has an average corn suitability rating ranging from  
2 fifty to one hundred, based on the most current soil maps for  
3 the county available at Iowa state university. The sale of  
4 such land shall be completed no later than June 30, 2014.

5 2. Any moneys received by the department from the sale of  
6 land subject to subsection 1 shall be considered repayment  
7 receipts as defined in section 8.2, and retained exclusively  
8 by the department for purposes of maintaining, repairing, or  
9 renovating state parks, including but not limited to structures  
10 or infrastructure associated with state parks. The department  
11 may also use the proceeds to purchase, maintain, or repair  
12 equipment used at state parks, including but not limited to  
13 lawn mowers.

14 3. The department shall submit a report to the general  
15 assembly by January 1 of each year detailing its plans to sell  
16 land described in subsection 1, its progress in completing  
17 the sales, the proceeds received from the sales, and the  
18 expenditure of those proceeds.

19 4. This section is repealed on July 1, 2015.

20 Sec. 4. Section 455A.19, subsection 1, paragraph a, Code  
21 2011, is amended by adding the following new unnumbered  
22 paragraph:

23 NEW UNNUMBERED PARAGRAPH. An appropriation made under  
24 this paragraph "a" shall not be used to acquire any legal  
25 or equitable interest in land except as provided in section  
26 455A.14.

27 EXPLANATION

28 This bill restricts the department of natural resources'  
29 expenditure of moneys for the acquisition of land. The moneys  
30 cannot derive directly from the general fund of the state,  
31 unless expressly required by statute. In addition, conditions  
32 are placed on the expenditure of moneys for land acquisition  
33 deriving from another source. First, the land cannot have  
34 an average corn suitability rating ranging from 40 to 100.  
35 Second, the department must publish a statement justifying the

1 acquisition in the Iowa administrative bulletin. The statement  
2 must be signed by the director and delivered to the fiscal  
3 services division of the legislative services agency prior to  
4 publication.

5 The bill also requires the department to sell all land that  
6 it owns which was leased for row crop farming, if such land  
7 has an average corn suitability rating ranging from 50 to 100.  
8 The sale of the land must be completed no later than June 30,  
9 2014. The sale proceeds are to be used by the department for  
10 purposes of maintaining, repairing, or renovating state parks.  
11 The department must submit a report to the general assembly by  
12 January 1 of each year detailing its progress in selling the  
13 land and use of the sale proceeds.

14 A corn suitability rating (CSR) is an index used to score  
15 different types of soil for potential row-crop productivity,  
16 with the highest rating being 100.