

Senate Study Bill 1003 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

A BILL FOR

1 An Act relating to matters under the purview of the department
2 of natural resources, including the registration and titling
3 of snowmobiles and all-terrain vehicles, the restore the
4 outdoors program, and protected wetlands.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

SNOWMOBILE AND ALL-TERRAIN VEHICLE TITLING REGISTRATION

Section 1. Section 321G.29, subsection 3, Code 2013, is amended to read as follows:

3. An owner of a snowmobile shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application ~~shall be signed and sworn to before a notarial officer as provided in chapter 9B or other person who administers oaths,~~ or shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and gross price of the snowmobile or the fair market value if no sale immediately preceded the transfer and any additional information the department requires. If the application is made for a snowmobile last previously registered or titled in another state or foreign country, the application shall contain this information and any other information the department requires.

Sec. 2. Section 321I.31, subsection 3, Code 2013, is amended to read as follows:

3. An owner of an all-terrain vehicle shall apply to the county recorder for issuance of a certificate of title within thirty days after acquisition. The application shall be on forms the department prescribes and accompanied by the required fee. The application ~~shall be signed and sworn to before a notary public as provided in chapter 9B or other person who administers oaths,~~ or shall include a certification signed in writing containing substantially the representation that statements made are true and correct to the best of the applicant's knowledge, information, and belief, under penalty of perjury. The application shall contain the date of sale and

1 gross price of the all-terrain vehicle or the fair market value
2 if no sale immediately preceded the transfer and any additional
3 information the department requires. If the application is
4 made for an all-terrain vehicle last previously registered or
5 titled in another state or foreign country, the application
6 shall contain this information and any other information the
7 department requires.

8 DIVISION II

9 RESTORE THE OUTDOORS PROGRAM

10 Sec. 3. REPEAL. Section 461A.3A, Code 2013, is repealed.

11 DIVISION III

12 PROTECTED WETLANDS

13 Sec. 4. Section 427.1, subsection 23, unnumbered paragraph
14 1, Code 2013, is amended to read as follows:

15 Land designated as native prairie or land designated as
16 a protected wetland, as defined in section 456B.1, by the
17 department of natural resources ~~pursuant to section 456B.12~~.

18 Sec. 5. Section 456B.1, subsection 4, Code 2013, is amended
19 to read as follows:

20 4. "*Protected wetlands*" means type 3, type 4, and type
21 5 wetlands as described in circular 39, "Wetlands of the
22 United States", 1971 Edition, published by the United States
23 department of the interior, or a palustrine emergent wetland
24 with a water regime of seasonally flooded, semipermanently
25 flooded, or permanently flooded as described in classification
26 of wetlands and deepwater habitats of the United States,
27 originally published in 1979 by the United States fish and
28 wildlife service. However, a protected wetland does not
29 include land where an agricultural drainage well has been
30 plugged causing a temporary wetland or land within a drainage
31 district or levee district.

32 Sec. 6. REPEAL. Sections 456B.12, 456B.13, 456B.14, and
33 654A.16, Code 2013, are repealed.

34 EXPLANATION

35 This bill concerns matters administered by the department of

1 natural resources.

2 DIVISION I — SNOWMOBILE AND ALL-TERRAIN VEHICLE TITLING
3 AND REGISTRATION. Currently, an application for a certificate
4 of title for a snowmobile or all-terrain vehicle must either
5 be signed and sworn to before a notary public or other person
6 who administers oaths, or include the applicant's signed
7 certification that statements made in the application are
8 true and correct. The bill strikes the language relating to
9 notarization of the application, requiring only the signed
10 certification by the owner.

11 DIVISION II — RESTORE THE OUTDOORS PROGRAM. The bill
12 repeals the restore the outdoors program whose stated
13 purpose is to provide funding for new and existing vertical
14 infrastructure projects in existing state parks and other
15 public facilities managed by the department.

16 DIVISION III — PROTECTED WETLANDS. The bill amends
17 the definition of "protected wetlands" to include certain
18 palustrine emergent wetlands. The bill repeals Code section
19 456B.12, relating to the department's designation of protected
20 wetlands and marshes of each county and the procedure by which
21 affected landowners may challenge a preliminary wetlands
22 designation; Code section 456B.13, requiring a person to obtain
23 a permit from the department to drain a protected wetland
24 and citing exceptions for certain activities; Code section
25 456B.14, relating to civil penalties for violation of permit
26 requirements; and Code section 654A.16, relating to mediation
27 between the department and landowners affected by a preliminary
28 wetland designation.