

review of a decision of a board or the department according to chapter 17A. The natural resource commission shall adopt rules to implement this subsection.

The assessing authority each year may submit to the department a claim for reimbursement of tax revenue lost from the exemption. Upon receipt of the claim, the department shall reimburse the assessing authority an amount equal to the lost tax revenue based on the value of the protected wetland as assessed by the authority, unless the department reimburses the authority based upon a departmental assessment of the protected wetland. The authority may contest the department's assessment as provided in chapter 17A. The department is not required to honor a claim submitted more than sixty days after the authority has assessed land where the protected wetland is located and which is owned by the person granted the exemption.

Sec. 9. **NEW SECTION. 654A.16 WETLAND DESIGNATION.**

The farm mediation service shall provide for mediation between the department of natural resources and a landowner affected by the preliminary wetland designation provided in section 108.12. The department shall cease actions relating to inventorying or designating affected land until a mediation release is issued by the farm mediation service. The mediation process shall be conducted according to rules adopted by the attorney general after consultation with the farm mediation service. The rules shall to the extent practical be based on mediation provided under this chapter for borrowers and lenders.

Sec. 10. Section 654B.8, subsection 4, as enacted in 1990 Iowa Acts, House File 2404, section 22, is amended to read as follows:

4. If the parties waive mediation, or if a mediation agreement is not reached, the parties may sign a statement prepared by the mediator that mediation was waived or that the parties did not reach an agreement. If any party does not sign the statement, the mediator shall sign the statement. The statement constitutes a mediation release. ~~Unless the farm resident waives mediation, the department shall not receive a mediation release until the party has participated in at least one mediation meeting.~~

Sec. 11. Section 654A.16 is repealed effective upon the repeal of sections 654A.1 through 654A.14.

Approved April 26, 1990

CHAPTER 1200
COMMUNITY CLUSTERS
H.F. 2560

AN ACT relating to the formation of community clusters by certain governmental units for the joint exercise of powers.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 28E.35 DEFINITIONS.**

As used in this division unless the context otherwise requires:

1. "Community cluster" means a cooperative community unit established pursuant to this chapter for the joint exercise of powers by two or more governmental units.
2. "Governmental unit" means a city, county, or special taxing district.

Sec. 2. NEW SECTION. 28E.36 ESTABLISHMENT OF COMMUNITY CLUSTER.

Two or more governmental units located in the state may establish a community cluster by entering into an agreement for the joint exercise of powers pursuant to this chapter to make more efficient use of their resources by providing for joint functions, services, facilities, development of infrastructure and for revenue sharing, and to foster economic development.

Sec. 3. NEW SECTION. 28E.37 DESIGNATION OF TOWNSHIPS.

A county entering into an agreement to establish a community cluster may limit the area of the county included in the community cluster to designated townships.

Sec. 4. NEW SECTION. 28E.38 REVENUE SHARING.

The agreement establishing a community cluster may provide for the sharing of revenues by the governmental units forming the community cluster.

Sec. 5. NEW SECTION. 28E.39 REFERENDUM FOR AD VALOREM TAX SHARING.

An agreement establishing a community cluster shall require the approval of the qualified electors residing within the area of the cluster if the agreement provides for the sharing of revenues from ad valorem property taxes. The proposition shall be submitted to the electorate by each governmental unit forming the community cluster to the electors residing within the area of the governmental unit at a general election or at a special election. However, if a county has designated only certain townships as being included within the community cluster, the proposition shall be submitted to the electorate of the county residing only in the townships included in the community cluster.

The ballot for the election shall be prepared in substantially the form for submitting special questions at general elections.

If a majority of the qualified electors in the area of each governmental unit within the proposed community cluster voting on the proposition vote in favor of the proposition then the agreement establishing the community cluster shall take effect and the sharing of revenues from ad valorem property taxes is authorized. If the proposition fails in the area of one or more governmental units within the proposed community cluster voting on the proposition then the governmental units in which the proposition passed may establish the community cluster in those areas in which the proposition passed and the sharing of revenues from ad valorem property taxes is authorized.

Sec. 6.

The Code editor shall codify sections 1 through 5 of this Act as a separate division of chapter 28E.

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