

MAR 14 2005
NATURAL RESOURCES

HOUSE FILE 735
BY WHITAKER

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

A BILL FOR

1 An Act establishing the public hunting, parks, and trails
2 program, and making appropriations to the program and to the
3 conservation practices revolving loan fund.

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

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

HF-735

1 Section 1. Section 423.2, subsection 10, Code 2005, is
2 amended to read as follows:

3 10. All revenues arising under the operation of the
4 provisions of this section shall be deposited as follows:

5 a. Ninety-eight percent into the general fund of the
6 state.

7 b. One-half of one percent for each fiscal year of the
8 fiscal period beginning July 1, 2005, and ending June 30,
9 2015, into the conservation practices revolving loan fund
10 created in section 161A.71.

11 c. One and one-half percent for each fiscal year of the
12 fiscal period beginning July 1, 2005, and ending June 30,
13 2015, into the public hunting, parks, and trails program fund
14 created in section 461A.81.

15 d. Two percent for the fiscal year beginning July 1, 2015,
16 and each subsequent fiscal year into the public hunting,
17 parks, and trails program fund created in section 461A.81.

18 Sec. 2. Section 423.43, subsection 3, Code 2005, is
19 amended to read as follows:

20 3. All other revenue arising derived from the use tax
21 under the operation of this chapter shall be credited to the
22 general fund of the state.

23 Sec. 3. NEW SECTION. 461A.81 PUBLIC HUNTING, PARKS, AND
24 TRAILS PROGRAM -- APPROPRIATION.

25 1. ESTABLISHMENT. The department shall establish a public
26 hunting, parks, and trails program. The purpose of the
27 program is to provide funding for the lease and maintenance of
28 land for public hunting, for projects involving vertical
29 infrastructure in public parks, and for recreation trails
30 development. A public hunting, parks, and trails program fund
31 is created and funds appropriated for purposes of this section
32 pursuant to section 423.2, subsection 10, shall be maintained
33 in the public hunting, parks, and trails program fund and
34 shall be evenly divided and expended by the department to
35 undertake each of the stated purposes of this program as set

1 forth in subsections 2, 3, and 4. Notwithstanding section
2 8.33, unencumbered or unobligated moneys remaining at the end
3 of a fiscal year shall not revert but shall remain available
4 for expenditure during the following fiscal year for purposes
5 of the public hunting, parks, and trails program.

6 2. PUBLIC HUNTING PROJECTS. The department shall
7 undertake projects to enter into leases, for a duration agreed
8 to by the parties, of lands suitable for public hunting, and
9 rights-of-way thereto, and maintain the same for the purpose
10 of public hunting, to provide areas in which any person may
11 hunt in accordance with the law and the rules of the
12 department.

13 3. PARK PROJECTS. The department shall undertake projects
14 involving existing vertical infrastructure or the construction
15 of new vertical infrastructure if the new infrastructure is
16 required due to the development of a new park, due to
17 increased demand for facilities at an existing park, or if it
18 is not cost-effective to repair or renovate the existing
19 vertical infrastructure. "Vertical infrastructure" means the
20 same as defined in section 8.57, subsection 6, paragraph "c".
21 Such projects shall be limited to state parks and other public
22 facilities managed by the department.

23 4. RECREATION TRAILS PROJECTS. The department shall
24 undertake projects involving the acquisition, development,
25 promotion, and management of recreation trails throughout the
26 state. However, funds shall not be expended under this
27 subsection for the acquisition of rights-of-way to recreation
28 trails.

29 5. PUBLIC HUNTING, PARKS, AND TRAILS PROGRAM ADVISORY
30 BOARD.

31 a. An advisory board for the public hunting, parks, and
32 trails program is created. The board shall consist of six
33 public members appointed by the director. The membership of
34 the board shall include members of three groups representing
35 agricultural interests and three groups representing

1 conservation, habitat, and wildlife groups. No more than
2 three members shall belong to the same political party. The
3 board shall elect a chairperson and a secretary annually from
4 among the board's members. Persons already serving in an
5 elected or appointed governmental capacity are not eligible to
6 serve as board members.

7 b. Appointments to the advisory board shall be made for
8 three-year terms beginning July 1 in the year of appointment.
9 A person shall not serve more than two terms. A vacancy shall
10 be filled for the unexpired term in the same manner as the
11 original appointment was made. The members of the board shall
12 be reimbursed for actual and necessary expenses for each day
13 employed in the official discharge of their duties. The
14 expenses shall be paid from the administration fund of the
15 commission. Each member of the board may also be eligible to
16 receive compensation as provided in section 7E.6.

17 c. The advisory board shall meet annually, in July, and
18 upon the call of the chairperson of the board. The board
19 shall review the public hunting projects, the parks projects,
20 and the recreation trails projects undertaken during the
21 previous year with appropriated funds received pursuant to
22 this section to determine what public benefits have been
23 accomplished by the program. The board shall prepare and
24 deliver an annual report of its findings to the general
25 assembly on or before December 15 of each year.
26 Administrative support and staffing for the board shall be
27 provided by the department.

28

EXPLANATION

29 This bill appropriates funds to the conservation practices
30 revolving loan fund and to the public hunting, parks, and
31 trails program fund created in the bill.

32 The bill appropriates .5 percent of sales and use tax
33 receipts for a 10-year period from July 1, 2005, and ending
34 June 30, 2015, into the conservation practices revolving loan
35 fund created in Code section 161A.71 to be used for the

1 purpose of establishing new permanent soil and water
2 conservation practices on private land.

3 The bill requires the department of natural resources to
4 establish the public hunting, parks, and trails program and
5 fund and appropriates revenue arising from the sales and use
6 tax to fund the program. The bill appropriates 1.5 percent of
7 sales and use tax receipts for the 10-year period from July 1,
8 2005, and ending June 30, 2015, and 2 percent thereafter to
9 fund the program.

10 The bill provides that the purpose of the program is to
11 undertake projects to lease and maintain land for public
12 hunting, undertake projects involving vertical infrastructure
13 in public parks, and to undertake projects for recreation
14 trails development. The bill provides that funds appropriated
15 for the program shall be evenly divided and expended by the
16 department to undertake the three stated purposes of the
17 program. The bill also provides that unencumbered or
18 unobligated moneys remaining at the end of a fiscal year shall
19 not revert to the general fund of the state but shall remain
20 available for expenditure for the program for the following
21 year.

22 The bill requires the department to undertake public
23 hunting projects by entering into leases, for a duration
24 agreed to by the parties, of lands suitable for public hunting
25 and maintaining those lands to provide areas where the public
26 may hunt.

27 The bill requires the department to undertake projects
28 involving existing and new vertical infrastructure in existing
29 and new parks.

30 The bill also requires the department to undertake projects
31 involving the acquisition, development, promotion, and
32 management of recreation trails throughout the state, but not
33 involving the purchase of rights-of-way to recreation trails.

34 The bill creates a public hunting, parks, and trails
35 program advisory board consisting of six public members who

1 represent three agricultural groups and three conservation,
2 habitat, and wildlife groups and who are appointed by the
3 director of the department of natural resources. The bill
4 provides that appointments to the advisory board are for three
5 years and that the board shall meet once annually in July for
6 the purpose of reviewing the projects undertaken in the
7 previous year to determine what public benefits have been
8 accomplished by the program. The bill also provides that the
9 advisory board shall prepare and deliver an annual report of
10 the board's findings to the general assembly on or before
11 December 15 of each year.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35