

FEB 8 2006
APPROPRIATIONS

HOUSE FILE 2322
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HF 735)

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, and providing an
4 effective date.

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

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HF 2322

1 Section 1. Section 423.2, subsection 11, Code Supplement
2 2005, is amended to read as follows:

3 11. 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 into the conservation practices
8 revolving loan fund created in section 161A.71.

9 c. One and one-half percent into the public hunting,
10 parks, and trails program fund created in section 461A.81.

11 Sec. 2. NEW SECTION. 461A.81 PUBLIC HUNTING, PARKS, AND
12 TRAILS PROGRAM -- APPROPRIATION.

13 1. ESTABLISHMENT. The department shall establish a public
14 hunting, parks, and trails program. The purpose of the
15 program is to provide funding for the lease and maintenance of
16 land for public hunting, for projects involving vertical
17 infrastructure in public parks, and for recreation trails
18 development. A public hunting, parks, and trails program fund
19 is created and funds appropriated for purposes of this section
20 pursuant to section 423.2, subsection 11, shall be maintained
21 in the public hunting, parks, and trails program fund and
22 shall be divided and expended by the department to undertake
23 each of the stated purposes of this program with forty percent
24 of the funds expended for public hunting projects as set forth
25 in subsection 2, thirty percent of the funds expended for park
26 projects as set forth in subsection 3, and thirty percent of
27 the funds expended for recreation trails projects as set forth
28 in subsection 4. Notwithstanding section 8.33, unencumbered
29 or unobligated moneys remaining at the end of a fiscal year
30 shall not revert but shall remain available for expenditure
31 during the following fiscal year for purposes of the public
32 hunting, parks, and trails program.

33 2. PUBLIC HUNTING PROJECTS. The department shall
34 undertake projects to enter into leases, for a duration agreed
35 to by the parties, of lands suitable for public hunting, and

1 rights-of-way thereto, and maintain the same for the purpose
2 of public hunting, to provide areas in which any person may
3 hunt in accordance with the law and the rules of the
4 department. The department shall disburse funds to undertake
5 public hunting projects on an equal basis in all counties.
6 Each county shall expend the disbursed funds only for the
7 purpose of undertaking public hunting projects as set forth in
8 this subsection. Disbursed funds that are not used by a
9 county at the end of a fiscal year, and interest accruing on
10 those funds, shall remain in the county for expenditure during
11 the following fiscal year only for the purpose of undertaking
12 public hunting projects as set forth in this subsection.

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 repair, 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 Sec. 3. This Act takes effect July 1, 2007.

29 EXPLANATION

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

33 The bill appropriates .5 percent of sales and use tax
34 receipts into the conservation practices revolving loan fund
35 created in Code section 161A.71 to be used for the purpose of

1 establishing new permanent soil and water conservation
2 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 to fund the program.

8 The bill provides that the purpose of the program is to
9 undertake projects to lease and maintain land for public
10 hunting, undertake projects involving vertical infrastructure
11 in public parks, and to undertake projects for recreation
12 trails development. The bill provides that funds appropriated
13 for the program shall be divided and expended by the
14 department with 40 percent of the funds expended for public
15 hunting projects, 30 percent of the funds expended for park
16 projects, and 30 percent of the funds expended for recreation
17 trails projects. 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. The bill requires the department to disburse funds
27 to undertake public hunting projects on an equal basis in all
28 counties and allows counties to keep unused funds for public
29 hunting projects in the following year.

30 The bill requires the department to undertake projects
31 involving existing and new vertical infrastructure in existing
32 and new parks.

33 The bill also requires the department to undertake projects
34 involving the repair, development, promotion, and management
35 of recreation trails throughout the state, but not involving

1 the purchase of rights-of-way to recreation trails.

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

15 The bill takes effect July 1, 2007.

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