

MAR 7 2006
Place On Calendar

HOUSE FILE 2663
BY COMMITTEE ON NATURAL RESOURCES

(SUCCESSOR TO HF 2406)

Passed House, Date 3-22-06 Passed Senate, Date _____
Vote: Ayes 59 Nays 39 Vote: Ayes _____ Nays _____
Approved April 26, 2006

A BILL FOR

1 An Act relating to jurisdiction of the natural resource
2 commission over certain lakebeds and riverbeds.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2663

1 Section 1. Section 461A.25, Code 2005, is amended by
2 adding the following new unnumbered paragraph:
3 NEW UNNUMBERED PARAGRAPH. For the purposes of this
4 section, property under the commission's jurisdiction does not
5 include lakebeds and riverbeds below the ordinary high water
6 mark.

7 EXPLANATION

8 This bill relates to the jurisdiction of the natural
9 resource commission over certain lakebeds and riverbeds.
10 The bill provides that lakebeds and riverbeds that are
11 below the ordinary high water mark are not considered to be
12 under the jurisdiction of the commission for the purpose of
13 being leased on behalf of the state to another party.

HOUSE FILE 2663

H-8327

1 Amend House File 2663 as follows:
2 1. Page 1, line 5, by inserting after the word
3 "include" the following: "inland".
4 2. Title page, line 2, by inserting after the
5 word "certain" the following: "inland".

By MAY of Dickinson

H-8327 FILED MARCH 21, 2006

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HOUSE FILE 2663

H-8360

1 Amend the amendment, H-8327, to House File 2663 as
2 follows:
3 1. Page 1, by inserting after line 3, the
4 following:
5 "____". Page 1, line 6, by inserting after the word
6 "mark" the following: "except in those areas where a
7 person has installed an encroachment in or on state
8 property. For the purposes of this paragraph,
9 "encroachment" means the addition of fill materials
10 that permanently alter inland lakebeds and riverbeds
11 below the ordinary high water mark."
12 2. By renumbering as necessary.

By MAY of Dickinson

H-8360 FILED MARCH 22, 2006

ADOPTED

HOUSE FILE 2663
BY COMMITTEE ON NATURAL RESOURCES

(SUCCESSOR TO HF 2406)

(As Amended and Passed by the House March 22, 2006)

Re- Passed House, Date 4-17-06 Passed Senate, Date 4-12-06
Vote: Ayes 98 Nays 0 Vote: Ayes 49 Nays 0
Approved _____

A BILL FOR

1 An Act relating to jurisdiction of the natural resource
2 commission over certain inland lakebeds and riverbeds.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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5 House Amendments _____
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HOUSE FILE 2663

S-5169

1 Amend House File 2663, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 3 through 10, and
4 inserting the following:
5 "NEW UNNUMBERED PARAGRAPH. For the purposes of
6 this section, property under the commission's
7 jurisdiction does not include an area of the bed of a
8 lake or river occupied by a dock or other appurtenance
9 or means of access to a dock, including but not
10 limited to boat hoists and boat slips, or occupied by
11 a boat ramp, constructed or installed and maintained
12 under littoral or riparian rights."
13 2. Title page, line 2, by striking the word
14 "inland" and inserting the following: "areas of".

By DAVID JOHNSON
DENNIS H. BLACK
MARY A. LUNDBY

S-5169 FILED APRIL 5, 2006

HF 2663

av/es/25

1 Section 1. Section 461A.25, Code 2005, is amended by
2 adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. For the purposes of this
4 section, property under the commission's jurisdiction does not
5 include inland lakebeds and riverbeds below the ordinary high
6 water mark except in those areas where a person has installed
7 an encroachment in or on state property. For the purposes of
8 this paragraph, "encroachment" means the addition of fill
9 materials that permanently alter inland lakebeds and riverbeds
10 below the ordinary high water mark.

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SENATE AMENDMENT TO
HOUSE FILE 2663

H-8545

1 Amend House File 2663, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 3 through 10, and
4 inserting the following:
5 "NEW UNNUMBERED PARAGRAPH. For the purposes of
6 this section, property under the commission's
7 jurisdiction does not include an area of the bed of a
8 lake or river occupied by a dock or other appurtenance
9 or means of access to a dock, including but not
10 limited to boat hoists and boat slips, or occupied by
11 a boat ramp, constructed or installed and maintained
12 under littoral or riparian rights."
13 2. Title page, line 2, by striking the word
14 "inland" and inserting the following: "areas of".

RECEIVED FROM THE SENATE

H-8545 FILED APRIL 13, 2006

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occupied by a boat ramp, constructed or installed and maintained under littoral or riparian rights.

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2663, Eighty-first General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2006

THOMAS J. VILSACK
Governor

HOUSE FILE 2663

AN ACT

RELATING TO JURISDICTION OF THE NATURAL RESOURCE COMMISSION
OVER CERTAIN AREAS OF LAKEBEDS AND RIVERBEDS.

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

Section 1. Section 461A.25, Code 2005, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. For the purposes of this section, property under the commission's jurisdiction does not include an area of the bed of a lake or river occupied by a dock or other appurtenance or means of access to a dock, including but not limited to boat hoists and boat slips, or