

3/8/01 Indefinitely Postponed

FEB 27 2001  
TRANSPORTATION

HOUSE FILE 414  
BY JENKINS, RANTS, and GIPP

(COMPANION TO LSB 2694SS  
BY LUNDBY)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to highway improvement assistance from the  
2 revitalize Iowa's sound economy fund for brownfield sites.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

HF 414

1 Section 1. NEW SECTION. 15.296 BROWNFIELD SITE  
2 DETERMINATION -- RISE FUNDS ELIGIBILITY.

3 The department, in consultation with the brownfield  
4 redevelopment advisory council, at the request of an applicant  
5 for revitalize Iowa's sound economy fund financing, shall  
6 determine whether the site for which the applicant has applied  
7 for revitalize Iowa's sound economy fund financing under  
8 chapter 315 meets the definition of a brownfield site in  
9 section 15.291. The department shall notify the state  
10 transportation commission of its determination under this  
11 section. The department, in consultation with the state  
12 department of transportation, shall adopt rules for the  
13 administration of this section.

14 Sec. 2. Section 315.1, Code 2001, is amended by adding the  
15 following new subsections:

16 NEW SUBSECTION. 0A. "Brownfield site" means a site for  
17 which brownfield redevelopment program assistance has been  
18 awarded under section 15.292 or that meets the definition of a  
19 brownfield site in section 15.291, as determined by the  
20 department of economic development under section 15.296.

21 NEW SUBSECTION. 3. "Improving or maintaining highway  
22 access" includes new highway construction as well as the  
23 paving, resurfacing, or reconstruction of an existing highway  
24 when the project being developed is a brownfield site.

25 Sec. 3. Section 315.11, subsection 2, Code 2001, is  
26 amended by adding the following new paragraph:

27 NEW PARAGRAPH. h. A project that would result in the  
28 development and use of a parcel of land that is a brownfield  
29 site.

30 Sec. 4. Section 315.11, Code 2001, is amended by adding  
31 the following new subsection:

32 NEW SUBSECTION. 8. Applications for projects involving  
33 the development of parcels of land that are brownfield sites  
34 shall be treated in the same manner as applications for  
35 projects pursuant to which a business is expanding as part of

1 the development.

2

EXPLANATION

3 This bill amends several provisions in Code chapter 315  
4 relating to the revitalize Iowa's sound economy (RISE) fund.  
5 The bill defines "improving or maintaining highway access", as  
6 used in the Code chapter for purposes of determining  
7 appropriate uses of the fund, as including new highway  
8 construction as well as the paving, resurfacing, or  
9 reconstruction of an existing highway when the project being  
10 developed is a brownfield site.

11 The bill adds a factor to the list of factors to be given  
12 special consideration by the state department of  
13 transportation in ranking applications for RISE funds. The  
14 factor added by the bill is a project's proposed development  
15 and use of a parcel of land that is a brownfield site. The  
16 bill also provides that, in the consideration of applications  
17 for RISE funds, applications for projects involving the  
18 development of parcels of land that meet the definition of a  
19 brownfield site under section 15.291 shall be treated in the  
20 same manner as applications for projects pursuant to which a  
21 business is expanding as part of the development.

22 The bill also creates new Code section 15.296 directing the  
23 department of economic development, in consultation with the  
24 brownfield redevelopment advisory council, to determine  
25 whether the site for which an applicant has applied for RISE  
26 financing meets the definition of a brownfield site in Code  
27 section 15.291. The department of economic development is to  
28 make the determination at the request of the applicant for  
29 RISE financing and is to notify the state transportation  
30 commission of its determination.

31 Code section 15.291 currently defines a "brownfield site"  
32 as an abandoned, idled, or underutilized industrial or  
33 commercial facility where expansion or redevelopment is  
34 complicated by real or perceived environmental contamination.  
35 A brownfield site includes property contiguous with the

1 property on which the individual or commercial facility is  
2 located. A brownfield site does not include property which  
3 has been placed or is proposed to be included on the national  
4 priorities list established pursuant to the federal  
5 Comprehensive Environmental Response, Compensation, and  
6 Liability Act.

- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35