

MAR 6 2001

LOCAL GOVERNMENT

HOUSE FILE 508

BY WARNSTADT

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act transferring the powers and duties of the Missouri river
2 preservation and land use authority to the loess hills
3 development and conservation authority and providing effective
4 dates.

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

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1 Section 1. Section 463B.1, Code 2001, is amended to read
2 as follows:

3 463B.1 LEGISLATIVE FINDINGS.

4 The general assembly finds that the Missouri river is an
5 important natural resource to the state of Iowa and that the
6 creation of comprehensive plans which lead to the purchase,
7 development, and preservation of land adjacent to the Missouri
8 river will provide recreational and economic benefits to the
9 state and to the counties and cities which border on the
10 river. The general assembly further finds that current
11 planning and purchase efforts relating to development of
12 Missouri riverfront property have fallen short of the goal of
13 developing a comprehensive plan for the recreational
14 development of the Missouri river and that the ~~creation-of-an~~
15 loess hills development and conservation authority which has
16 the mission of engaging in these efforts will have a greater
17 likelihood of reaching the desired goal.

18 Sec. 2. Section 463B.2, subsection 1, Code 2001, is
19 amended by striking the subsection and inserting in lieu
20 thereof the following:

21 1. The loess hills development and conservation authority
22 created in section 161D.1 shall engage in comprehensive
23 planning for and the development and implementation of
24 strategies designed to preserve and restore the natural beauty
25 of the land adjacent to and the water of the Missouri river
26 through land acquisition. Planning and implementation
27 activities shall be coordinated with plans and implementation
28 activities of the department of natural resources for lands
29 owned or acquired by the department.

30 Sec. 3. Section 463B.2, subsection 3, Code 2001, is
31 amended to read as follows:

32 3. The authority shall develop plans and proposals and
33 conduct public hearings relating to the conservation,
34 preservation, and acquisition of land adjacent to the Missouri
35 river. In developing plans and proposals the authority shall

1 consult with any person or organization which has interests
2 that would be affected by the acquisition and development of
3 Missouri river property in accordance with the mission of the
4 authority, including but not limited to utility companies,
5 municipalities, agricultural organizations, the corps of
6 engineers, rural water districts, soil and water conservation
7 districts, private water suppliers, business and industry
8 organizations, drainage and levee district associations,
9 benefited recreational lake districts, and any soil
10 conservation organizations. The authority shall include a
11 copy of any plans and proposals and shall document the results
12 and findings of those hearings in a report or series of
13 reports. ~~The authority shall submit an initial report,~~
14 ~~including an outline for a proposed ten-year plan and~~
15 ~~strategies for the attainment of the goals of this section, to~~
16 ~~the general assembly by the first day of the legislative~~
17 ~~session which commences in 1993. As part of the authority's~~
18 ~~planning and coordinating effort, the authority shall consult,~~
19 ~~at least annually, with the Iowa boundary commission and shall~~
20 ~~send copies of the minutes of all meetings of the authority to~~
21 ~~the commission. Within one year of July 1, 1991, the~~
22 ~~authority shall meet with the Iowa boundary commission.~~
23 ~~Meetings with the Iowa boundary commission shall be held at a~~
24 ~~time and a place agreed to between the commission and the~~
25 ~~authority.~~

26 Sec. 4. Section 463B.3, Code 2001, is amended to read as
27 follows:

28 463B.3 MISSOURI RIVER PRESERVATION AND LAND USE FUND.

29 A Missouri river preservation and land use fund is
30 established in the office of treasurer of state, to be
31 administered by and subject to the use of the Missouri river
32 preservation and land use loess hills development and
33 conservation authority for the purposes established in section
34 463B.2. The Missouri river preservation and land use
35 authority may accept gifts, grants, bequests, other moneys

1 including but not limited to state or federal moneys, and in-
2 kind contributions for deposit in the fund for the use of the
3 authority to carry out the authority's mission. Gifts,
4 grants, and bequests from public and private sources, state
5 and federal moneys, and other moneys received by the authority
6 shall be deposited in the fund and any interest earned on the
7 fund shall be credited to the fund to be used for the purposes
8 specified in section 463B.2. Notwithstanding section 8.33,
9 any unexpended or unencumbered moneys remaining in the fund at
10 the end of a fiscal year shall not revert ~~to the general fund~~,
11 but shall remain available for expenditure by the authority in
12 succeeding fiscal years.

13 Sec. 5. TRANSITION.

14 1. Before July 1, 2001, the Missouri river preservation
15 and land use authority shall cooperate with the loess hills
16 preservation and conservation authority in planning for the
17 transfer of all records, equipment, and properties, and the
18 administration of the Missouri river preservation and land use
19 fund, to the loess hills development and conservation
20 authority on July 1, 2001. The plans shall also include the
21 transfer or layoff of employees of the Missouri river
22 preservation and land use authority. All transferred
23 employees shall retain their employment rights and accrued
24 benefits.

25 2. Effective July 1, 2001, the Missouri river preservation
26 and land use authority is abolished and the terms of office of
27 members of the Missouri river preservation and land use
28 authority shall expire on that date. All actions taken by the
29 Missouri river preservation and land use authority pursuant to
30 chapter 463B before July 1, 2001, remain in effect until
31 modified or rescinded by actions of the loess hills
32 development and conservation authority on or after July 1,
33 2001, pursuant to this Act.

34 Sec. 6. EFFECTIVE DATE. Section 5 of this Act, being
35 deemed of immediate importance, takes effect upon enactment.

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EXPLANATION

This bill abolishes the Missouri river preservation and land use authority and transfers its powers and duties under Code chapter 463B to the loess hills development and conservation authority created in Code section 161D.1. The bill provides for the transfer of records, equipment, properties, moneys, and personnel.

The transition provisions take effect upon enactment. The remainder of the bill takes effect on July 1, 2001.