

FILED JAN 29 1992

SENATE FILE 2077

BY HOUSER

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

A BILL FOR

1 An Act prohibiting actions involving the sale or long-term use of
2 state resource center real estate that includes native
3 American burial sites and deep loess soils and other
4 significant natural resources, and providing an immediate
5 effective date.

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

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SF 2077

NAT. RES. & ENVIRONMENT

1 Section 1. Section 218.94, Code 2001, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Due to the presence of native
4 American burial sites and deep loess soils and other natural
5 resources of significance to the people of Iowa, this section
6 is not applicable to the real estate owned by the state that
7 is attributable to, part of the grounds, adjoining, or
8 otherwise associated with the state resource center located in
9 a county that is a member of the loess hills development and
10 conservation authority created in section 161D.1. The
11 director of human services may grant a utility easement for
12 such real estate. However, the director of human services,
13 department of human services, or any other person shall not
14 sell, enter into a long-term lease, or take any action
15 affecting the ownership or use of such real estate unless
16 expressly authorized to do so by statute.

17 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
18 immediate importance, takes effect upon enactment.

19 EXPLANATION

20 This bill prohibits actions involving the sale or long-term
21 use of the real estate that includes native American burial
22 sites and deep loess soils and other natural resources.

23 The bill provides that Code section 218.94 is not
24 applicable to the real estate associated with the state
25 resource center that is located in a county that is a member
26 of the loess hills development and conservation authority.
27 These counties are located in southwest Iowa. Code section
28 218.94 authorizes the director of human services to secure
29 options to purchase real estate, acquire and sell real estate,
30 and grant utility easements in connection with the state
31 institutions administered by the director. Under the Code
32 section, any proceeds from a sale are to be deposited in the
33 general fund and are appropriated to the department for the
34 purchase of other real estate or for capital improvements.

35 The bill allows the director to grant a utility easement

1 for such real estate, but prohibits the director, the
2 department, or any other person from selling, entering into a
3 long-term lease, or taking any action affecting the ownership
4 or use of such real estate unless expressly authorized to do
5 so by statute.

6 The bill takes effect upon enactment.

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