

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE & SMALL BUSINESS

Held in Room 423-S, at the Statehouse at 10:00 a.m. a. m./p. m.,

on Wednesday, February 11, 1981, 19    .

All members were present except:

The next meeting of the Committee will be held at 10:00 a.m. a. m./p. m.,

on Tuesday, February 17, 1981, 19    .

These minutes of the meeting held on Wednesday, February 11, 1981, 19     were considered, corrected and approved.

  
\_\_\_\_\_  
Chairman

The conferees appearing before the Committee were:

Senator Kerr called the meeting to order. Senate Bill 31, concerning the Missouri River Compact, was discussed. Raney Gilliland, of the Research Department, stated he had been in contact with several individuals in regard to questions raised by committee members. Several people felt it would be feasible for the Corps of Engineers to dredge the Missouri River, but that it would take constant work by the Corps of Engineers. There are problems even now between Kansas City and St. Louis. The river channel is constantly changing due to sand coming in and shifting. In contacting people in Missouri in regard to a similar bill in their state, he learned they have had hearings in the Commerce Committee. Testimony by some groups there was not too favorable to this legislation. One reaction was that Missouri should wait to see what action other states take. Answering Senator Gannon's question as to the opposition, Raney reported it was by Sierra Club, some railroads, and their own Department of Resources. The latter would like to see the compact more encompassing--not just for transportation.

Raney Gilliland read from a letter he had received from Iowa Senator Jack W. Hester dated February 4, 1981 "...I hope to pass the resolution to extend the time we have to complete our compact out of committee in the near future." And he also read from the Senate Concurrent Resolution proposed by the Iowa Committee on Agriculture, the last sentence on page 2, Article IV, as follows: "...The adoption of this compact by the general assembly shall not require the state of Iowa to adopt any legislation or to appropriate funds for its implementation."

It was pointed out a concurrent resolution does not require the signature of the Governor in the state of Iowa, and that a concurrent resolution is not a law.

Senator Arasmith moved that the bill be conceptually amended to provide for a withdrawal provision, seconded by Senator Reilly. Motion carried. Senator Kerr stated this perhaps would be an added article.

Senator Norvell moved to conceptually amend Article IV, after line 6 using similar wording to the Iowa resolution "The adoption of this compact by the legislature shall not require the state of Kansas to adopt any legislation or to appropriate funds for its implementation," seconded by Senator Reilly. Motion carried.

Senator Allen moved the committee table Senate Bill 31. Motion died for lack of a second.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET -2-

Minutes of the SENATE Committee on Wednesday, February 11, 19<sup>81</sup>

Senator Kerr said Senate Bill 31 could be considered further at a future meeting.

Meeting adjourned.

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JACK HESTER  
STATE SENATOR  
*Twenty-Seventh District*

—  
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## The Senate

STATE OF IOWA

*Sixty-Eighth General Assembly*

STATEHOUSE

Des Moines, Iowa 50319

February 4, 1980

### COMMITTEES

Agriculture, *Vice Chair*  
County Government  
Ways and Means  
Regulatory & Finance  
Appropriations Subcommittee

Mr. Raney Gilliland  
The Legislative Research Department  
Room 545-N. Statehouse  
Topeka, Kansas 66612

Dear Mr. Gilliland,


Thank you for the invitation to your hearing Feb. 4 and Feb. 5, on the Missouri River Compact legislation. I am sorry I will be unable to attend, as we are in session at this time. I would appreciate your keeping me informed on the legislation and activities in Kansas on the Compact.

I am Chairman of the Senate Committee, which is handling the Compact here in Iowa. Your letter was timely, as Randy Moody of the Missouri River Marketing Office of Nebraska is here to speak with the committee today.

I hope to pass the resolution to extend the time we have to complete our Compact, out of committee in the near future.

Enclosed is a copy.

Sincerely,

  
Sen. Jack W. Hester

JWH:jlh

Enclosure:

550135

SENATE CONCURRENT RESOLUTION NO. \_\_\_\_\_

By (PROPOSED COMMITTEE ON AGRICULTURE  
CONCURRENT RESOLUTION)

1 WHEREAS, efforts have been initiated in the legislatures  
2 of Nebraska, Missouri, and Kansas to establish a compact  
3 between those states and this state for the purpose of  
4 promoting barge traffic on the Missouri river as it  
5 flows between and within those states; and

6 WHEREAS, the general assembly of this state desires  
7 to support the efforts to establish the compact; NOW  
8 THEREFORE,

9 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,  
10 That the governor is requested to negotiate on behalf  
11 of the state of Iowa with the states of Nebraska,  
12 Missouri, and Kansas, and present a compact with those  
13 states to the next general assembly in form substantially  
14 as follows:

15 ARTICLE I

16 The purposes of this compact are to provide for  
17 planning for the most efficient use of the waters of  
18 the segment of the Missouri river below Sioux City,  
19 Iowa, to increase the amount of barge traffic on that  
20 segment of the Missouri river which flows between and  
21 within the compact states, to take necessary steps to  
22 develop that segment of the Missouri river and its  
23 banks to handle more barge traffic than is presently  
24 handled, to encourage the use of barges on that segment  
25 of the Missouri river for transporting bulk goods,  
26 especially farm commodities, and to promote joint  
27 action between the compact parties to accomplish these  
28 purposes.

29 ARTICLE II

30 It is the responsibility of the four states to

1 accomplish the purposes in article I through the official  
2 in each state who is charged with the duty of administer-  
3 ing the public waters and to collect and correlate  
4 through those officials the data necessary for the  
5 proper administration of the compact. Those officials  
6 may, by unanimous action, adopt rules and regulations  
7 to accomplish the purposes of this compact.

8 ARTICLE III

9 The states of Iowa, Missouri, Kansas, and Nebraska  
10 agree that within a reasonable time they shall fulfill  
11 the obligations of this compact and that each shall  
12 authorize the proper official or agency in its state  
13 to take the necessary steps to promote the use of  
14 barges and develop the Missouri river as it flows  
15 between and within the compact states for greater  
16 amounts of barge traffic.

17 ARTICLE IV

18 This compact does not limit the powers granted in  
19 any other act to enter into interstate or other agree-  
20 ments relating to the Missouri river flowing between  
21 and within the compact states, alter the relations  
22 between the respective internal responsibilities of  
23 the government of a party state and its subdivisions,  
24 or impair or affect any rights, powers, or juris-  
25 diction of the United States, or those acting by or  
26 under its authority, in, over, and to those waters  
27 of the Missouri river. The adoption of this compact by  
28 the general assembly shall not require the state of  
29 Iowa to adopt any legislation or to appropriate funds  
30 for its implementation.

ARTICLE V

Unless this compact is entered into on or before  
July 1, 1982, the governor shall take no further  
action to secure the compact.

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LSB:DSB:dg

SENATE

AGRICULTURE AND SMALL BUSINESS COMMITTEE

DATE WED. February 11  
1981

PLACE Room 423-S

TIME 10:00 am

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Leroy Jones	Overland Park	BLE
Chris Walker	Mayetta	NFO
John Blythe	Manhattan	KFB
Frank Bernasek	Manhattan	K.F.B.
Harry Anderson	City Center	K.F.B.
Bruce Eckart	Emporia	K.F.B.
Mark Morgan	Russell	K.F.B.
James Brent	Isabel	KFB
Cloris Bauer	Moscow	KFB
John D. Miller	Topeka	Committee of Kofarm Organizational
Lynnda Ryan	Topeka	AAM O