

Reprinted

SENATE FILE 2364
BY COMMITTEE ON APPROPRIATIONS

FILED FEB 15 1980

(SUCCESSOR TO LSB 7297SA)

Passed Senate, Date 2/22/78 (p. 657) Passed House, Date _____
Vote: Ayes 39 Nays 11 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to the department of
2 agriculture and land stewardship, the Iowa state fair
3 authority, the department of natural resources, and the state
4 racing commission, and changing the distribution of certain
5 fees.

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

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SF 2364

1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

2 Section 1.

3 There is appropriated from the general fund of the state
4 and the trust funds indicated to the department of agriculture
5 and land stewardship for the fiscal year beginning July 1,
6 1990, and ending June 30, 1991, the following amounts, or so
7 much thereof as is necessary, to be used for the purposes
8 designated:

9 1. ADMINISTRATIVE DIVISION

10 a. From the general fund of the state for salaries,
11 support, maintenance, and miscellaneous purposes:

12 \$ 1,274,018

13 b. From the fertilizer fund to be transferred to the
14 administration division:

15 \$ 51,147

16 c. From the dairy trade practice fund to be transferred to
17 the administration division:

18 \$ 96,290

19 d. From the commercial feed fund to be transferred to the
20 administration division:

21 \$ 51,147

22 e. Funds appropriated by this subsection are for the
23 salaries and support of not more than the following full-time
24 equivalent positions:

25 FTEs 42.20

26 f. As a condition, limitation, and qualification of the
27 appropriation from the general fund under paragraph "a",
28 \$35,000 shall be allocated from the appropriation to the state
29 4-H foundation to foster the development of Iowa's youth and
30 to encourage them to study the subject of agriculture.

31 2. FARM COMMODITY DIVISION

32 From the general fund of the state for salaries, support,
33 maintenance, miscellaneous purposes, and for the following
34 full-time equivalent positions:

35 \$ 1,074,748

1 FTEs 22.0

2 3. FARMERS' MARKET COUPON PROGRAM

3 From the general fund of the state for salaries, support,
4 maintenance, and miscellaneous purposes, to be used by the
5 department to continue and expand the farmers' market coupon
6 program by providing federal special supplemental food program
7 recipients with coupons redeemable at farmers' markets, and
8 for the following full-time equivalent positions:

9 \$ 198,333
10 FTEs 2.50

11 4. REGULATORY DIVISION

12 a. From the general fund of the state for salaries,
13 support, maintenance, miscellaneous purposes, and for the
14 following full-time equivalent positions:

15 \$ 4,053,440
16 FTEs 140.20

17 b. As a condition, limitation, and qualification of the
18 appropriation from the general fund under paragraph "a", the
19 weights and measures bureau of the regulatory division shall
20 adopt standards of the national association of weights and
21 measures.

22 c. As a condition, limitation, and qualification of the
23 appropriation from the general fund under paragraph "a",
24 \$3,342 shall be used by the regulatory division for purchase
25 of equipment used to detect sulfamethazine contamination.

26 5. LABORATORY DIVISION

27 a. From the general fund of the state for salaries,
28 support, maintenance, and miscellaneous purposes:

29 \$ 830,472

30 b. From the commercial feed fund to be transferred to the
31 laboratory division:

32 \$ 534,550

33 c. From the pesticide fund to be transferred to the
34 laboratory division:

35 \$ 562,296

1 d. From the fertilizer fund to be transferred to the
2 laboratory division:
3 \$ 683,290

4 e. As a condition, limitation, and qualification of the
5 appropriation from the general fund under paragraph "a",
6 \$37,577 shall be used for the support of an assistant attorney
7 general.

8 f. Funds appropriated by this subsection are for the
9 salaries and support of not more than the following full-time
10 equivalent positions:

11 FTEs 83.0

12 6. SOIL CONSERVATION DIVISION

13 a. From the general fund of the state for salaries,
14 support, maintenance, assistance to soil conservation
15 districts, miscellaneous purposes, and for not more than the
16 following full-time equivalent positions:

17 \$ 5,462,287
18 FTEs 185.79

19 b. As a condition, limitation, and qualification of the
20 appropriation from the general fund under paragraph "a",
21 \$350,000 shall be allocated from the appropriation to support
22 additional soil conservation technicians for field offices.
23 Also as a condition, limitation, and qualification of the
24 appropriation, all documentation relating to employing persons
25 as soil conservation technicians shall be transmitted to the
26 department of personnel and to the department of management by
27 July 1, 1990, and the positions shall commence by July 1,
28 1990. If 10 or fewer persons have been employed as soil
29 conservation technicians under this paragraph by September 1,
30 1990, the department shall employ persons to fill remaining
31 positions. Persons employed on or after September 1, 1990,
32 shall be deemed to have been employed according to procedures
33 and requirements of the department of personnel. The
34 department of personnel shall make adjustments to
35 recordkeeping as needed.

1 c. To provide financial incentives for soil conservation
2 practices in accordance with paragraph "c":

3 S 6,789,972

4 d. As a condition, limitation, and qualification of the
5 appropriation from the general fund under paragraph "c", the
6 following requirements apply to the funds appropriated by
7 paragraph "c":

8 (1) Not more than 5 percent may be allocated for cost
9 sharing to abate complaints filed under section 467A.47 and
10 467A.48.

11 (2) Not more than 10 percent may be allocated for finan-
12 cial incentives not exceeding 75 percent of the approved cost
13 of permanent soil conservation practices under chapter 467A on
14 watersheds above publicly owned lakes in accordance with the
15 priority list required in 1989 Iowa Acts, chapter 311, section
16 15.

17 (3) The soil conservation district commissioners may al-
18 locate financial incentives not exceeding 60 percent of the
19 cost of permanent soil conservation practices for special
20 watershed practices or summer construction incentives under
21 section 467A.7, subsections 17 and 19.

22 (4) Except for the allocations subject to subparagraphs
23 (1), (2), and (3), these funds shall not be used alone or in
24 combination with other public funds to provide a financial
25 incentive payment greater than 50 percent of the approved cost
26 for voluntary permanent soil conservation practices and
27 priority shall be given to family-operated farms.

28 (5) The soil conservation committee may allocate funds to
29 conduct research and demonstration projects to promote conser-
30 vation tillage and nonpoint sources pollution control
31 practices.

32 (6) Not more than 50 percent of a district's allocation
33 may be allocated by the soil conservation district com-
34 missioners for the establishment of management practices to
35 control soil erosion on land that is now row cropped.

1 (7) The financial incentive payments may be used in com-
2 bination with department of natural resources funds.

3 e. The provisions of section 8.33 shall not apply to the
4 funds appropriated by paragraph "c". Unencumbered or unobli-
5 gated funds remaining on June 30, 1994, from funds
6 appropriated for the fiscal year beginning July 1, 1990, shall
7 revert to the general fund on September 30, 1994.

8 Sec. 2.

9 There is appropriated from the funds available under
10 section 99D.13 to the regulatory division of the department of
11 agriculture and land stewardship for the fiscal year beginning
12 July 1, 1990, and ending June 30, 1991, the following amount,
13 or so much thereof as necessary, to be used for the purposes
14 designated:

15	For the salaries, support, maintenance, and miscellaneous	
16	purposes, and for not more than the following full-time	
17	equivalent positions for the administration of section 99D.22:	
18	\$ 159,072
19 FTEs	4.0

20 Sec. 3.

21 There is appropriated from the general fund of the state to
22 the department of agriculture and land stewardship for the
23 fiscal year beginning July 1, 1990, and ending June 30, 1991,
24 the following amounts, or so much thereof as is necessary, to
25 be used for the purposes designated:

26 1. RURAL REVITALIZATION

27 For developing pilot public/private partnerships to assist
28 Iowa producers of agricultural products in the promotion,
29 marketing, and selling of agricultural products to local and
30 regional markets, as provided in section 99E.32, subsection 3,
31 paragraph "i":

32	\$ 450,000
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33 2. PILOT LAMB AND WOOL MANAGEMENT EDUCATION PROJECTS

34 To fund for its third and final year pilot lamb and wool
35 management education projects approved by the department at

1 area schools selected as project sites as provided in section
2 99E.32, subsection 3, paragraph "m":

3 \$ 250,000

4 It is the intent of the general assembly that
5 administrators of pilot lamb and wool management education
6 projects actively seek alternative sources of funding in
7 future years.

8 Sec. 4.

9 The department shall not make transfers from the funds
10 established in chapter 192A, 198, 200, and 206, to be used for
11 purposes not authorized in those chapters without notifying
12 the chairpersons and ranking members of the agriculture and
13 natural resources appropriations subcommittee in writing prior
14 to the proposed transfer of funds. The notice from the
15 department shall include information concerning the amount of
16 the proposed transfer, the funds affected by the proposed
17 transfer, and the reasons for the proposed transfer.
18 Chairpersons and ranking members notified shall be given at
19 least 2 weeks to review and comment on the proposed transfer
20 before the transfer of funds is made.

21 Sec. 5.

22 For the fiscal year beginning July 1, 1990, and ending June
23 30, 1991, the increased fee revenues resulting to the
24 fertilizer fund and to the pesticide fund during the fiscal
25 year, from the increases in fees and expansion of coverage of
26 fee requirements, are appropriated for that fiscal year to the
27 department of agriculture and land stewardship for the
28 administration and implementation of chapters 200 and 206.

29 Sec. 6.

30 There is appropriated from the general fund of the state to
31 the department of agriculture and land stewardship for the
32 fiscal year beginning July 1, 1990, and ending June 30, 1991,
33 the following amount, or so much thereof as is necessary, to
34 be used for the purposes designated:

35 For the control and eradication of the multiflora rose:

1 \$ 35,000

2 As a condition, limitation, and qualification of the
3 appropriation from the general fund under this section, the
4 appropriation shall be transferred to the state board of
5 regents for the use of the department of plant pathology at
6 Iowa state university of science and technology for purposes
7 related to researching the multiflora rose virus.

8 Sec. 7.

9 There is appropriated from the general fund of the state to
10 the department of agriculture and land stewardship for the
11 fiscal year beginning July 1, 1990, and ending June 30, 1991,
12 the following amount, or so much thereof as is necessary, to
13 be used for the purpose designated:

14 For support of the pseudorabies eradication program:

15 \$ 385,000

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16 IOWA STATE FAIR AUTHORITY

17 Sec. 8.

18 There is appropriated from the general fund of the state to
19 the Iowa state fair authority for the fiscal year beginning
20 July 1, 1990, and ending June 30, 1991, the following amounts,
21 or so much thereof as may be necessary, to be used for the
22 purposes designated:

23 For capital projects or major maintenance improvements at
24 the Iowa state fairgrounds:

25 \$ 500,000

26 As a condition, limitation, and qualification of the
27 appropriation made under this section, \$100,000 shall be
28 allocated from the appropriation to be used only on a matching
29 basis from private contributions. However, the name of the
30 private contributor shall not be associated with any project
31 or improvement, including but not limited to a building or
32 structure. The Iowa state fair board may place a plaque near
33 the project or improvement recognizing contributors.

34 DEPARTMENT OF NATURAL RESOURCES

35 Sec. 9.

1 There is appropriated from the general fund of the state to
2 the department of natural resources for the fiscal year
3 beginning July 1, 1990, and ending June 30, 1991, the
4 following amounts, or so much thereof as may be necessary, to
5 be used for the purposes designated:

6 1. OFFICE OF DIRECTOR

7 From the general fund of the state for salaries, support,
8 maintenance, miscellaneous purposes, and for the following
9 full-time equivalent positions:

10	\$	117,062
11	FTEs	5.95

12 2. ADMINISTRATIVE SERVICES DIVISION

13 From the general fund of the state for salaries, support,
14 maintenance, miscellaneous purposes, and for the following
15 full-time equivalent positions:

16	\$	1,922,871
17	FTEs	124.15

18 3. COORDINATION AND INFORMATION DIVISION

19 From the general fund of the state for salaries, support,
20 maintenance, miscellaneous purposes, and for the following
21 full-time equivalent positions:

22	\$	796,658
23	FTEs	42.08

24 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

25 From the general fund of the state for salaries, support,
26 maintenance, miscellaneous purposes, and for the following
27 full-time equivalent positions:

28	\$	1,273,577
29	FTEs	59.62

30 5. ENVIRONMENTAL PROTECTION DIVISION

31 a. From the general fund of the state for salaries,
32 support, maintenance, miscellaneous purposes, and for the
33 following full-time equivalent positions:

34	\$	2,297,051
35	FTEs	154.55

1 b. As a condition, limitation, and qualification of the
2 appropriation under paragraph "a", \$170,000 and 3 FTEs from
3 the appropriation shall be used for the assessment and
4 evaluation of surface water streams and rivers.

5 6. FISH AND WILDLIFE DIVISION

6 From the general fund of the state for salaries, support,
7 maintenance, miscellaneous purposes, and for the following
8 full-time equivalent positions:

9	\$	0
10	FTEs	332.24

11 7. FORESTS AND FORRESTRY DIVISION

12 a. From the general fund of the state for salaries,
13 support, maintenance, miscellaneous purposes, and for the
14 following full-time equivalent positions:

15	\$	1,622,039
16	FTEs	55.71

17 b. As a condition, limitation, and qualification of the
18 appropriation under paragraph "a", \$25,000 shall be used from
19 the appropriation for maintenance at the Loess Hills Pioneer
20 State Forest.

21 8. PARKS AND PRESERVES DIVISION

22 a. From the general fund of the state for salaries,
23 support, maintenance, miscellaneous purposes, and for the
24 following full-time equivalent positions:

25	\$	5,470,592
26	FTEs	208.05

27 b. As a condition, limitation, and qualification of the
28 appropriation under paragraph "a", \$30,000 from the
29 appropriation shall be used to support the position of
30 environmental specialist II for the development of preserves
31 management plans.

32 9. WASTE MANAGEMENT AUTHORITY

33 From the general fund of the state for salaries, support,
34 maintenance, miscellaneous purposes, and for the following
35 full-time equivalent positions:

1 \$ 0
2 FTEs 15.00

3 10. For reimbursement to federal agencies for cooperative
4 contracts:

5 \$ 185,983

6 11. For the green thumb program for the employment of the
7 elderly in conservation and outdoor recreation related fields
8 in coordination with other agencies as provided by law, and
9 for not more than the following full-time equivalent
10 positions:

11 \$ 235,000
12 FTEs 18.69

13 12. If an amount is expended in excess of the amount
14 designated for any purpose, including any division specified
15 under this section, the department shall notify the
16 legislative fiscal bureau, the chairpersons of the standing
17 appropriations committees of the senate and house of
18 representatives, and the chairpersons of the agriculture and
19 natural resources appropriations subcommittee pursuant to
20 section 8.39.

21 Sec. 10.

22 There is appropriated from the state fish and game
23 protection fund to the division of fish and game of the
24 department of natural resources for the fiscal year beginning
25 July 1, 1990, and ending June 30, 1991, the following amounts,
26 or so much thereof as is necessary, to be used for the
27 purposes designated:

28 1. From the state fish and game protection fund for
29 administrative support during the fiscal year beginning July
30 1, 1990, and ending June 30, 1991:

31 \$ 2,754,472

32 2. From the state fish and game protection fund for the
33 law enforcement bureau of the fish and wildlife division for
34 salaries, support, maintenance, equipment, and miscellaneous
35 purposes during the fiscal year beginning July 1, 1990, and

1 ending June 30, 1991:

2 \$ 4,953,493

3 3. From the state fish and game protection fund for the
4 fisheries bureau of the fish and wildlife division for
5 salaries, support, maintenance, equipment, and miscellaneous
6 purposes during the fiscal year beginning July 1, 1990, and
7 ending June 30, 1991:

8 \$ 4,506,802

9 4. From the state fish and game protection fund for the
10 wildlife bureau of the fish and wildlife division for
11 salaries, support, maintenance, equipment, and miscellaneous
12 purposes during the fiscal year beginning July 1, 1990, and
13 ending June 30, 1991:

14 \$ 5,004,526

15 5. From the state fish and game protection fund for
16 division management of the fish and wildlife division, for
17 salaries, support, maintenance, equipment, and miscellaneous
18 purposes, during the fiscal year beginning July 1, 1990, and
19 ending June 30, 1991:

20 \$ 180,847

21 6. From the fees deposited under section 321G.7 to the
22 fish and game protection fund for enforcement of snowmobile
23 laws as part of the state snowmobile program:

24 \$ 150,000

25 7. From the fees deposited under section 106.52 to the
26 fish and game protection fund for administration and
27 enforcement of navigation laws and water safety:

28 \$ 1,000,000

29 8. As a condition, limitation, and qualification of the
30 appropriation under this section, if reductions in
31 expenditures are determined to be necessary to avoid a budget
32 deficit in the fish and game protection fund, the department
33 shall take all actions necessary to avoid using license
34 receipts or other income for capitals and acquisitions, unless
35 the Code specifically designates the use. The department

1 shall not reduce personnel until all other actions
2 necessitated by the expenditure reduction are exhausted.

3 Sec. 11.

4 There is appropriated from the marine fuel tax fund to the
5 department of natural resources for the fiscal year beginning
6 July 1, 1990, and ending June 30, 1991, the following amounts,
7 or so much thereof as is necessary, to be used for the
8 purposes designated:

9 1. For maintenance and development of boating facilities
10 and access to public waters:

11 \$ 400,000

12 2. For deposit in the state fish and game protection fund
13 for the administration and enforcement of navigation laws and
14 boat safety:

15 \$ 150,000

16 As a condition, limitation, and qualification of the
17 appropriations made under this section, the balance of the
18 amount computed as provided in section 324.84 for the fiscal
19 year beginning July 1, 1990, and ending June 30, 1991, is
20 appropriated for the purposes provided in section 324.79,
21 subsections 1, 2, 3, and 5. Notwithstanding section 8.33, the
22 unencumbered or unobligated balances of funds specifically
23 allocated for such projects for the fiscal year ending June
24 30, 1991, shall revert to the fund from which appropriated on
25 September 30, 1993.

26 Sec. 12.

27 The department of agriculture and land stewardship, in
28 cooperation as necessary with the department of management and
29 the department of personnel, shall provide a list to the
30 legislative fiscal bureau, on a quarterly basis, of all
31 permanent positions added to or deleted from the department's
32 table of organization in the previous fiscal quarter. This
33 list shall include at least the position number, salary range,
34 projected funding source or sources of each position, and the
35 reason for the addition or deletion. The legislative fiscal

1 bureau may use this information to assist in the establishment
2 of the FTE limits contained in the appropriation bill for the
3 department.

4 Sec. 13.

5 The department of natural resources, in cooperation as
6 necessary with the department of management and the department
7 of personnel, shall provide a list to the legislative fiscal
8 bureau, on a quarterly basis, of all permanent positions added
9 to or deleted from the department's table of organization in
10 the previous fiscal quarter. This list shall include at least
11 the position number, salary range, projected funding source or
12 sources of each position, and the reason for the addition or
13 deletion. The legislative fiscal bureau may use this
14 information to assist in the establishment of the FTE limits
15 contained in the appropriation bill for the department.

16 Sec. 14.

17 The natural resources commission shall establish a priority
18 list of watersheds which are of highest importance based on
19 soil loss to be used for the allocation of funds set aside in
20 the appropriations to the department of agriculture and land
21 stewardship for permanent soil conservation practices,
22 pursuant to section 1, subsection 6, paragraph "d",
23 subparagraph (2) of this Act.

24 Sec. 15.

25 Notwithstanding section 17A.2, subsection 7, paragraph "g",
26 the department shall by rule establish prices of plant
27 material grown at the state forest nurseries to cover all
28 expenses related to the growing of the plants.

29 The department shall develop additional programs to
30 encourage the wise management and preservation of existing
31 woodlands and shall increase its efforts to encourage
32 forestation and reforestation on private and public lands in
33 the state.

34 The department shall encourage a cooperative relationship
35 between the state forest nurseries and private nurseries in

1 the state in order to achieve these goals.

2 Sec. 16.

3 If the department of agriculture and land stewardship or
4 the department of natural resources makes an appropriation
5 transfer between appropriation line-items, the chairpersons
6 and ranking members of the agriculture and natural resources
7 appropriations subcommittee shall be notified in writing prior
8 to the proposed transfer of funds. The notice from the
9 department shall include information concerning the amount of
10 the proposed transfer, the appropriation line-items affected
11 by the proposed transfer, and the reasons for the proposed
12 transfer. Chairpersons and ranking members notified shall be
13 given at least two weeks to review and comment on the proposed
14 transfer before the transfer of funds is made.

15 Sec. 17.

16 The department of natural resources shall provide the
17 legislative fiscal bureau information and financial data by
18 cost center, on at least a monthly basis, relating to the
19 indirect cost accounting procedure, the amount of funding from
20 each funding source for each cost center, and the internal
21 budget system used by the department. The information shall
22 include but is not limited to financial data covering the
23 department's budget by cost center and funding source prior to
24 the start of the fiscal year, and to the department's actual
25 expenditures by cost center and funding source after the
26 accounting system has been closed for that fiscal year.

27 Sec. 18.

28 During the fiscal year for which funds are appropriated by
29 section 7 of this Act, the department of natural resources
30 shall not require the installation or use of equipment to
31 control the emission of dust or other particulate matter on or
32 by facilities for storage of grain which are located within
33 the ambient air quality attainment areas for suspended
34 particulates.

35 Sec. 19. 1987 Iowa Acts, chapter 233, section 204,

1 subsection 5, as amended by 1989 Iowa Acts, chapter 311,
2 section 21, is amended to read as follows:

3 5. It is the intention of the general assembly in adopting
4 the appropriation under subsection 1 and this subsection to
5 cease funding for the department's implementation of the
6 federal Resource Conservation and Recovery Act permit program
7 for hazardous waste facilities in this state. Section
8 455B.411, subsections 6, 9, and 10, section 455B.412,
9 subsections 2 through 4, and sections 455B.413 through
10 455B.421 are suspended and do not apply as they pertain to
11 that permit program, but are not suspended and do apply as
12 they pertain to abandoned and uncontrolled sites, used oil,
13 and site licensing under chapter 455B, division IV, part 6.
14 The suspension provided by this subsection begins July 1, 1987
15 and ends June 30, ~~1990~~ 1994.

16 Sec. 20. Section 99D.13, subsection 3, Code Supplement
17 1989, is amended by adding the following new paragraph:

18 NEW PARAGRAPH. d. Upon determining the amount of winnings
19 from wages placed at harness racing meets forfeited under
20 subsection 1, that is available to support the purposes of
21 this subsection, the commission shall report to the department
22 of revenue and finance the amount needed to fully fund the
23 purposes of this subsection, but which is not available.
24 There is appropriated to the commission for the fiscal year
25 beginning in the calendar year in which the report is received
26 the amount needed but otherwise unavailable to fund the
27 purposes of this subsection.

28 Sec. 21. Section 455E.11, subsection 2, paragraph a,
29 subparagraph (8), Code Supplement 1989, is amended by striking
30 the subparagraph and inserting in lieu thereof the following:

31 (8) The first fifty cents per ton of funds received from
32 the tonnage fee imposed for the fiscal year beginning July 1,
33 1990, and thereafter shall be used for the following:

34 (a) Twenty cents per ton of the amount allocated under
35 this subparagraph is appropriated to the university of

1 northern Iowa to develop and maintain the Iowa waste reduction
2 center for the safe and economic management of solid waste and
3 hazardous substances established at the university of northern
4 Iowa.

5 (b) Thirty cents per ton of the amount allocated under
6 this subparagraph is appropriated to the department of natural
7 resources for the following purposes:

8 (i) Eight thousand dollars of the amount allocated under
9 this subparagraph shall be transferred to the Iowa department
10 of public health for carrying out the departmental duties
11 pursuant to section 135.11, subsections 20 and 21, and section
12 139.35.

13 (ii) The administration and enforcement of a groundwater
14 monitoring program and other required programs which are
15 related to solid waste management.

16 (iii) The development of guidelines for groundwater
17 monitoring at sanitary disposal projects as defined in section
18 455B.301, subsection 13.

19 (iv) The waste management authority of the department of
20 natural resources.

21 EXPLANATION

22 This bill provides appropriations to the department of
23 agriculture and land stewardship, the Iowa state fair
24 authority, and the department of natural resources. It
25 provides support to harness racing tracks under section
26 99D.13. It also in part changes the fee structure contained
27 in the solid waste account of the groundwater protection fund,
28 as provided in section 455E.11.

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SENATE FILE 2364

S-5135

1 Amend Senate File 2364 as follows:
2 1. Page 7, by inserting after line 15 the
3 following:
4 "Sec. ____.
5 For the fiscal year beginning July 1, 1990, and
6 ending June 30, 1991, the college of veterinary
7 medicine at Iowa state university of science and
8 technology shall use \$10,000 from the livestock
9 disease research fund, established pursuant to section
10 267.8, for research into the causes of and available
11 treatment for an unknown reproductive and neonatal
12 disease generally known as "mysterious pig disease",
13 currently afflicting swine in this state."
14 2. Title page, line 4, by inserting after the
15 word "commission," the following: "providing for the
16 distribution of moneys from a certain fund,".

By JOHN E. SOORHOLTZ

S-5135 FILED FEBRUARY 20, 1990

2/18 2/21 (p. 667)

SENATE FILE 2364

S-5140

1 Amend Senate File 2364 as follows:
2 1. Page 5, line 34, by striking the words "for
3 its third and final year".
4 2. Page 6, by striking lines 4 through 7.

By BERL PRIEBE

LEONARD BOSWELL

DON GETTINGS

JOHN KIBBIE

RICHARD VANDE HOEF

S-5140 FILED FEBRUARY 20, 1990

Adopted 2/21 (p. 667)

SENATE FILE 2364

S-5165

- 1 Amend Senate File 2364 as follows:
- 2 1. Page 15, line 24, by inserting after the word
- 3 "appropriated" the following: "before any other
- 4 allocation under this section".
- 5 2. Page 15, line 25, by striking the words
- 6 "beginning in" and inserting the following: "after".

By JIM RIORDAN

S-5165 FILED FEBRUARY 21, 1990

Adopted 2/22 (p. 680)

SENATE FILE 2364

S-5171

- 1 Amend Senate File 2364 as follows:
- 2
- 3 1. Page 12, by inserting after line 25 the
- 4 following:
- 5 "Sec.
- 6 There is appropriated to the department of natural
- 7 resources for the fiscal year beginning July 1, 1990,
- 8 and ending June 30, 1991, the following amount, or so
- 9 much thereof as is necessary, to be used for the
- 10 purpose designated:
- 11 For use by the department to conduct meetings and
- 12 public hearings in Pocahontas county relating to the
- 13 restoration and preservation of Lizard Lake:
- 14
- 15 As a condition, limitation, and qualification of \$ 5,000
- 16 the appropriation made by this section, the department
- 17 shall use existing departmental staff to conduct the
- 18 meetings and public hearings. The department shall
- 19 report not later than January 10, 1991, to the
- 20 agriculture and natural resources appropriations
- 21 subcommittee, the results and recommendations of the
- 22 meetings and public hearings."
- 23 2. By renumbering as necessary.

By BERL E. PRIEBE
C. JOSEPH COLEMAN
LINN FUHRMAN

S-5171 FILED FEBRUARY 21, 1990

Adopted 2/22 (p. 680)

SENATE FILE 2364

S-5161

1 Amend Senate File 2364 as follows:
 2 1. Page 11, by inserting after line 20, the
 3 following:
 4 " . From the state fish and game protection fund
 5 to the department during the fiscal year beginning
 6 July 1, 1990, and ending June 30, 1991, to support one
 7 or more positions having duties related to destroying
 8 coyotes and wild dogs which pose a threat to
 9 livestock:
 10 \$ 20,000
 11 The positions must be supported on a matching basis
 12 with moneys allocated by the United States department
 13 of agriculture."
 14 2. By renumbering as necessary.

By BERL E. PRIEBE
 LEONARD BOSWELL

S-5161 FILED FEBRUARY 21, 1990
 ADOPTED (p. 667)

SENATE FILE 2364

S-5163

1 Amend Senate File 2364 as follows:
 2 1. Page 2, by striking lines 17 through 21.
 3 2. By renumbering as necessary.
 By JIM RIORDAN LEONARD L. BOSWELL
 DALE L. TIEDEN KENNETH D. SCOTT
 BERL E. PRIEBE EUGENE FRAISE
 RICHARD V. RUNNING ALVIN V. MILLER

S-5163 FILED FEBRUARY 21, 1990
 Adopted 2/22 (p. 686)

SENATE FILE 2364

S-5164

1 Amend Senate File 2364 as follows:
 2 1. Page 6, by inserting after line 7, the
 3 following:
 4 "It is the intent of the general assembly that
 5 \$20,000 of the amount collected during the fiscal year
 6 beginning July 1, 1990, and ending June 30, 1991,
 7 under chapter 182 by the Iowa sheep and wool promotion
 8 board, be appropriated by the board as soon as
 9 practical to the department of agriculture and land
 10 stewardship to be used for purposes of supporting a
 11 scrapie education program. The program shall educate
 12 persons engaged in sheep production, landfill
 13 operations, rendering operations, and locker plant
 14 operations regarding the proper handling, treatment,
 15 and disposal of sheep and carcasses of sheep afflicted
 16 with the disease scrapie."

By JIM RIORDAN

S-5164 FILED FEBRUARY 21, 1990
 WITHDRAWN

SENATE FILE 2364

S-5175

- 1 Amend Senate File 2364 as follows:
- 2 1. Page 3, by striking lines 28 through 35 and
- 3 inserting the following: "1990."

By JIM LIND
 DALE L. TIEDEN
 JACK W. HESTER

S-5175 FILED FEBRUARY 21, 1990

Done 2/22 (p. 281)

SENATE FILE 2364

S-5176

- 1 Amend Senate File 2364 as follows:
- 2 1. Page 2, line 29, by striking the figure
- 3 "830,472" and inserting the following: "792,895".
- 4 2. Page 3, by striking lines 4 through 7.
- 5 3. Page 3, line 11, by striking the figure "83.0"
- 6 and inserting the following: "82.0".

By RICHARD VANDE HOEF DALE L. TIEDEN
 H. KAY HEDGE JACK W. HESTER
 RAY TAYLOR

S-5176 FILED FEBRUARY 21, 1990

LOST *(p. 44)*

SENATE FILE 2364

S-5178

- 1 Amend Senate File 2364 as follows:
- 2 1. Page 8, by inserting after line 29 the
- 3 following:
- 4 "From the general fund of the state for an energy
- 5 savings pilot project to measure energy savings from
- 6 computerizing energy use:
- 7 \$ 25,000".

By GEORGE R. KINLEY

S-5178 FILED FEBRUARY 21, 1990

Adopted 2/22 (p. 474)

SENATE FILE 2364

S-5172

- 1 Amend Senate File 2364 as follows:
- 2 1. Page 1, line 12, by striking the figure
- 3 "1,274,018", and inserting the following:
- 4 "1,309,018".
- 5 2. Page 2, line 29, by striking the figure
- 6 "830,472" and inserting the following: "858,472".
- 7 3. Page 3, by inserting after line 7, the
- 8 following:
- 9 "_____. As a condition, limitation, and
- 10 qualification of the appropriation from the general
- 11 fund under paragraph "a", \$28,000 shall be used to
- 12 support the position of program planner to perform
- 13 pesticide case reviews."
- 14 4. Page 3, line 11, by striking the figure "83.0"
- 15 and inserting the following: "84.0".
- 16 5. Page 7, by inserting after line 15, the
- 17 following:
- 18 "Sec. _____.
- 19 There is appropriated from the general fund of the
- 20 state to the department of agriculture and land
- 21 stewardship for the fiscal year beginning on July 1,
- 22 1990, and ending June 30, 1991, the following amount,
- 23 or so much thereof as is necessary, for use by the
- 24 agricultural diversification bureau of the farm
- 25 commodity division for purposes of supporting, on a
- 26 matching basis with private contributors, the ecology
- 27 education center at the Iowa arboretum:
- 28 \$ 30,000"

By JIM RIORDAN

B-Adopted, H-Loss, C-Who 2/22/90 630
S-5172 FILED FEBRUARY 21, 1990

SENATE FILE 2364

S-5174

- 1 Amend Senate File 2364 as follows:
- 2 1. Page 5, by inserting after line 7 the
- 3 following:
- 4 "_____. Contingent on the certification of the
- 5 secretary by February 1, 1991, that a need exists, for
- 6 transitional costs associated with the election of a
- 7 new secretary:
- 8 \$ 50,000".

By JACK RIFE

S-5174 FILED FEBRUARY 21, 1990
LOST (p. 504)

SENATE FILE 2364

S-5187

1 Amend Senate File 2364 as follows:

2 1. Page 15, by inserting after line 27, the
3 following:

4 "Sec. ____ . Section 455A.18, subsection 4,
5 unnumbered paragraph 1, Code Supplement 1989, is
6 amended to read as follows:

7 For each fiscal year of the fiscal period beginning
8 July 1, 1990, and ending June 30, 2000, there is
9 appropriated from the general fund, to the Iowa
10 resources enhancement and protection fund, the amount
11 of \$20,000,000 to be used as provided in this chapter.
12 However, in any fiscal year of the fiscal period, if
13 moneys from another source are appropriated by the
14 state to the fund, the appropriated amount of
15 \$20,000,000 shall be reduced by the amount
16 appropriated from the other source."

By JOE WELSH

S-5187 FILED FEBRUARY 22, 1990

ADOPTED (p. 680)

SENATE FILE 2364

S-5191

1 Amend Senate File 2364 as follows:

2 1. Page 15, by inserting after line 27, the
3 following:

4 "Sec. ____ . Section 99D.27, Code Supplement 1989,
5 is amended by striking the section and inserting in
6 lieu thereof the following:

7 99D.27 RACING DOG ADOPTION PROGRAM.

8 The department of agriculture and land stewardship
9 shall oversee a program to adopt dogs eligible to race
10 under this chapter. The department shall maintain a
11 list containing names of persons applying to adopt a
12 dog. The department shall regularly deliver the list
13 each month to every dog track which has registered
14 with the department to participate in the program.
15 Registered tracks shall match dogs to persons whose
16 names appear on the list according to terms agreed
17 upon by both parties.

18 The ownership of the dog shall be transferred from
19 the owner of the dog to the person who is adopting the
20 dog. A dog shall not be transferred to a person for
21 purposes related to racing, breeding, hunting,
22 laboratory research, or scientific experimentation. A
23 dog shall not be transferred unless the dog has been
24 found by a veterinarian to be free of disease or
25 disability requiring extensive medical treatment. A
26 dog shall not be transferred, unless the dog has been
27 sterilized according to accepted veterinary
28 procedures. However, the track and the person matched
29 with the dog may agree to transfer a dog which has not
30 been sterilized."

By MICHAEL E. GRONSTAL
JAMES R. RIORDAN
BERL E. PRIEBE

S-5191 FILED FEBRUARY 22, 1990

ADOPTED (p. 680)

SENATE FILE 2364

S-5197

1 Amend Senate File 2364 as follows:
2 1. Page 2, line 21, by inserting after the word
3 "measures." the following: "Any gasoline containing
4 ten percent or more of MTBE shall be labeled as such
5 on the gasoline pumps."

By JOE J. WELSH
MICHAEL E. GRONSTAL

S-5197 FILED FEBRUARY 22, 1990

WITHDRAWN (p. 686)

SENATE FILE 2364

S-5205

1 Amend Senate File 2364 follows:
2 1. Page 15, by inserting before line 28 the
3 following:
4 "Sec. ____ . Section 214.5, Code 1989, is amended to
5 read as follows:
6 214.5 INSPECTION STICKERS.
7 For each scale, pump, or meter licensed, the
8 department shall issue an inspection sticker, which
9 shall not exceed two inches by two inches in size.
10 The inspection sticker shall be displayed prominently
11 on the front of the scale, pump, or meter, ~~and the~~
12 The inspection sticker shall be displayed in a neat
13 and orderly manner which does not interfere with the
14 use of the scale, pump, or meter. If an inspection
15 sticker is placed improperly on the scale, pump, or
16 meter, the improperly placed inspection sticker, or as
17 much of the sticker as may be removed intact, shall be
18 sent to the department, which shall exchange it for a
19 new sticker at no cost. The defacing or wrongful
20 removal of the sticker shall be punished as provided
21 in chapter 189. Absence of an inspection sticker is
22 prima facie evidence that the scale, pump, or meter is
23 being operated contrary to law."

By JIM LIND

S-5205 FILED FEBRUARY 22, 1990

RULED OUT OF ORDER (p. 686)

SENATE FILE 2364

S-5206

1 Amend Senate File 2364 as follows:

2 1. Page 15, by inserting after line 27, the
3 following:

4 "Sec. ____ . Section 214A.16, Code Supplement 1989,
5 is amended to read as follows:

6 All motor vehicle fuel kept, offered, or exposed
7 for sale, or sold at retail containing over one two
8 percent by volume of ethanol, methanol, MTBE, ETBE or
9 any combination of oxygenate octane enhancers shall be
10 identified as "with" either "ethanol", "methanol",
11 "ethanol/methanol", "MTBE", "ETBE", or similar wording
12 on a white adhesive decal with black letters at least
13 one-half inch high and at least one-quarter inch wide
14 placed between thirty and forty inches above the
15 driveway level on the front sides of any container or
16 pump from which the motor fuel is sold. Each decal
17 placed on a container or pump shall be displayed in a
18 manner which is clear and conspicuous to a consumer of
19 the motor fuel."

By JIM LIND

S-5206 FILED FEBRUARY 22, 1990

LOST (p. 686)

SENATE FILE 2364

S-5208

1 Amend Senate File 2364 as follows:

2 1. Page 2, line 21, by inserting after the word
3 "measures." the following: "Any gasoline containing
4 MTBE shall be labeled as such on the gasoline pumps."

By C. JOSEPH COLEMAN

S-5208 FILED FEBRUARY 22, 1990

RULED OUT OF ORDER (p. 686)

1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

2 Section 1.

3 There is appropriated from the general fund of the state
4 and the trust funds indicated to the department of agriculture
5 and land stewardship for the fiscal year beginning July 1,
6 1990, and ending June 30, 1991, the following amounts, or so
7 much thereof as is necessary, to be used for the purposes
8 designated:

9 1. ADMINISTRATIVE DIVISION

10 a. From the general fund of the state for salaries,
11 support, maintenance, and miscellaneous purposes:

12 \$ 1,274,018

13 b. From the fertilizer fund to be transferred to the
14 administration division:

15 \$ 51,147

16 c. From the dairy trade practice fund to be transferred to
17 the administration division:

18 \$ 96,290

19 d. From the commercial feed fund to be transferred to the
20 administration division:

21 \$ 51,147

22 e. Funds appropriated by this subsection are for the
23 salaries and support of not more than the following full-time
24 equivalent positions:

25 FTES 42.20

26 f. As a condition, limitation, and qualification of the
27 appropriation from the general fund under paragraph "a",
28 \$35,000 shall be allocated from the appropriation to the state
29 4-H foundation to foster the development of Iowa's youth and
30 to encourage them to study the subject of agriculture.

31 2. FARM COMMODITY DIVISION

32 From the general fund of the state for salaries, support,
33 maintenance, miscellaneous purposes, and for the following
34 full-time equivalent positions:

35 \$ 1,074,748

1 FTEs 22.0

2 3. FARMERS' MARKET COUPON PROGRAM

3 From the general fund of the state for salaries, support,
4 maintenance, and miscellaneous purposes, to be used by the
5 department to continue and expand the farmers' market coupon
6 program by providing federal special supplemental food program
7 recipients with coupons redeemable at farmers' markets, and
8 for the following full-time equivalent positions:

9 \$ 198,333

10 FTEs 2.50

11 4. REGULATORY DIVISION

12 a. From the general fund of the state for salaries,
13 support, maintenance, miscellaneous purposes, and for the
14 following full-time equivalent positions:

15 \$ 4,053,440

16 FTEs 140.20

* 17 b. As a condition, limitation, and qualification of the
18 appropriation from the general fund under paragraph "a",
19 \$3,342 shall be used by the regulatory division for purchase
20 of equipment used to detect sulfamethazine contamination.

21 5. LABORATORY DIVISION

22 a. From the general fund of the state for salaries,
23 support, maintenance, and miscellaneous purposes:

24 \$ 858,472

25 b. From the commercial feed fund to be transferred to the
26 laboratory division:

27 \$ 534,550

28 c. From the pesticide fund to be transferred to the
29 laboratory division:

30 \$ 662,296

31 d. From the fertilizer fund to be transferred to the
32 laboratory division:

33 \$ 683,290

34 e. As a condition, limitation, and qualification of the
35 appropriation from the general fund under paragraph "a",

1 \$37,577 shall be used for the support of an assistant attorney
2 general.

3 f. As a condition, limitation, and qualification of the
4 appropriation from the general fund under paragraph "a",
5 \$28,000 shall be used to support the position of program
6 planner to perform pesticide case reviews.

7 g. Funds appropriated by this subsection are for the
8 salaries and support of not more than the following full-time
9 equivalent positions:

10 FTEs 84.0

11 6. SOIL CONSERVATION DIVISION

12 a. From the general fund of the state for salaries,
13 support, maintenance, assistance to soil conservation
14 districts, miscellaneous purposes, and for not more than the
15 following full-time equivalent positions:

16 \$ 5,462,287

17 FTEs 185.79

5605 18 b. As a condition, limitation, and qualification of the
19 appropriation from the general fund under paragraph "a",
20 \$350,000 shall be allocated from the appropriation to support
21 additional soil conservation technicians for field offices.
22 Also as a condition, limitation, and qualification of the
23 appropriation, all documentation relating to employing persons
24 as soil conservation technicians shall be transmitted to the
25 department of personnel and to the department of management by
26 July 1, 1990, and the positions shall commence by July 1,
27 1990. If 10 or fewer persons have been employed as soil
28 conservation technicians under this paragraph by September 1,
29 1990, the department shall employ persons to fill remaining
30 positions. Persons employed on or after September 1, 1990,
31 shall be deemed to have been employed according to procedures
32 and requirements of the department of personnel. The
33 department of personnel shall make adjustments to
34 recordkeeping as needed.

35 c. To provide financial incentives for soil conservation

1 practices in accordance with paragraph "d":
2 \$ 6,789,972

3 d. As a condition, limitation, and qualification of the
4 appropriation from the general fund under paragraph "c", the
5 following requirements apply to the funds appropriated by
6 paragraph "c":

7 (1) Not more than 5 percent may be allocated for cost
8 sharing to abate complaints filed under section 467A.47 and
9 467A.48.

10 (2) Not more than 10 percent may be allocated for finan-
11 cial incentives not exceeding 75 percent of the approved cost
12 of permanent soil conservation practices under chapter 467A on
13 watersheds above publicly owned lakes in accordance with the
14 priority list required in 1989 Iowa Acts, chapter 311, section
15 15.

16 (3) The soil conservation district commissioners may al-
17 locate financial incentives not exceeding 60 percent of the
18 cost of permanent soil conservation practices for special
19 watershed practices or summer construction incentives under
20 section 467A.7, subsections 17 and 19.

21 (4) Except for the allocations subject to subparagraphs
22 (1), (2), and (3), these funds shall not be used alone or in
23 combination with other public funds to provide a financial
24 incentive payment greater than 50 percent of the approved cost
25 for voluntary permanent soil conservation practices and
26 priority shall be given to family-operated farms.

27 (5) The soil conservation committee may allocate funds to
28 conduct research and demonstration projects to promote conser-
29 vation tillage and nonpoint sources pollution control
30 practices.

31 (6) Not more than 30 percent of a district's allocation
32 may be allocated by the soil conservation district com-
33 missioners for the establishment of management practices to
34 control soil erosion on land that is now row cropped.

35 (7) The financial incentive payments may be used in com-

1 bination with department of natural resources funds.

2 e. The provisions of section 8.33 shall not apply to the
3 funds appropriated by paragraph "c". Unencumbered or unobli-
4 gated funds remaining on June 30, 1994, from funds
5 appropriated for the fiscal year beginning July 1, 1990, shall
6 revert to the general fund on September 30, 1994.

7 Sec. 2.

8 There is appropriated from the funds available under
9 section 99D.13 to the regulatory division of the department of
10 agriculture and land stewardship for the fiscal year beginning
11 July 1, 1990, and ending June 30, 1991, the following amount,
12 or so much thereof as necessary, to be used for the purposes
13 designated:

14	For the salaries, support, maintenance, and miscellaneous	
15	purposes, and for not more than the following full-time	
16	equivalent positions for the administration of section 99D.22:	
17	\$ 159,072
18 FTEs	4.0

19 Sec. 3.

20 There is appropriated from the general fund of the state to
21 the department of agriculture and land stewardship for the
22 fiscal year beginning July 1, 1990, and ending June 30, 1991,
23 the following amounts, or so much thereof as is necessary, to
24 be used for the purposes designated:

25 1. RURAL REVITALIZATION

26 For developing pilot public/private partnerships to assist
27 Iowa producers of agricultural products in the promotion,
28 marketing, and selling of agricultural products to local and
29 regional markets, as provided in section 99E.32, subsection 3,
30 paragraph "i":

31	\$ 450,000
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32 2. PILOT LAMB AND WOOL MANAGEMENT EDUCATION PROJECTS

* 33 To fund pilot lamb and wool management education projects
34 approved by the department at area schools selected as project
35 sites as provided in section 99E.32, subsection 3, paragraph

1 "m":

2 \$ 250,000

* 3 Sec. 4.

4 The department shall not make transfers from the funds
5 established in chapter 192A, 198, 200, and 206, to be used for
6 purposes not authorized in those chapters without notifying
7 the chairpersons and ranking members of the agriculture and
8 natural resources appropriations subcommittee in writing prior
9 to the proposed transfer of funds. The notice from the
10 department shall include information concerning the amount of
11 the proposed transfer, the funds affected by the proposed
12 transfer, and the reasons for the proposed transfer.
13 Chairpersons and ranking members notified shall be given at
14 least 2 weeks to review and comment on the proposed transfer
15 before the transfer of funds is made.

16 Sec. 5.

17 For the fiscal year beginning July 1, 1990, and ending June
18 30, 1991, the increased fee revenues resulting to the
19 fertilizer fund and to the pesticide fund during the fiscal
20 year, from the increases in fees and expansion of coverage of
21 fee requirements, are appropriated for that fiscal year to the
22 department of agriculture and land stewardship for the
23 administration and implementation of chapters 200 and 206.

24 Sec. 6.

25 There is appropriated from the general fund of the state to
26 the department of agriculture and land stewardship for the
27 fiscal year beginning July 1, 1990, and ending June 30, 1991,
28 the following amount, or so much thereof as is necessary, to
29 be used for the purposes designated:

30 For the control and eradication of the multiflora rose:

31 \$ 35,000

32 As a condition, limitation, and qualification of the
33 appropriation from the general fund under this section, the
34 appropriation shall be transferred to the state board of
35 regents for the use of the department of plant pathology at

1 Iowa state university of science and technology for purposes
2 related to researching the multiflora rose virus.

3 Sec. 7.

4 There is appropriated from the general fund of the state to
5 the department of agriculture and land stewardship for the
6 fiscal year beginning July 1, 1990, and ending June 30, 1991,
7 the following amount, or so much thereof as is necessary, to
8 be used for the purpose designated:

9 For support of the pseudorabies eradication program:

10 \$ 385,000

11 IOWA STATE FAIR AUTHORITY

12 Sec. 8.

13 There is appropriated from the general fund of the state to
14 the Iowa state fair authority for the fiscal year beginning
15 July 1, 1990, and ending June 30, 1991, the following amounts,
16 or so much thereof as may be necessary, to be used for the
17 purposes designated:

18 For capital projects or major maintenance improvements at
19 the Iowa state fairgrounds:

20 \$ 500,000

565921 As a condition, limitation, and qualification of the
22 appropriation made under this section, \$100,000 shall be
23 allocated from the appropriation to be used only on a matching
24 basis from private contributions. However, the name of the
25 private contributor shall not be associated with any project
26 or improvement, including but not limited to a building or
27 structure. The Iowa state fair board may place a plaque near
28 the project or improvement recognizing contributors.

29 DEPARTMENT OF NATURAL RESOURCES

30 Sec. 9.

31 There is appropriated from the general fund of the state to
32 the department of natural resources for the fiscal year
33 beginning July 1, 1990, and ending June 30, 1991, the
34 following amounts, or so much thereof as may be necessary, to
35 be used for the purposes designated:

1 1. OFFICE OF DIRECTOR

2 From the general fund of the state for salaries, support,
3 maintenance, miscellaneous purposes, and for the following
4 full-time equivalent positions:

5 \$ 117,062
6 FTEs 5.95

7 2. ADMINISTRATIVE SERVICES DIVISION

8 From the general fund of the state for salaries, support,
9 maintenance, miscellaneous purposes, and for the following
10 full-time equivalent positions:

11 \$ 1,922,871
12 FTEs 124.15

13 3. COORDINATION AND INFORMATION DIVISION

14 From the general fund of the state for salaries, support,
15 maintenance, miscellaneous purposes, and for the following
16 full-time equivalent positions:

17 \$ 796,658
18 FTEs 42.08

19 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

20 From the general fund of the state for salaries, support,
21 maintenance, miscellaneous purposes, and for the following
22 full-time equivalent positions:

23 \$ 1,273,577
24 FTEs 59.62

25 From the general fund of the state for an energy savings
26 pilot project to measure energy savings from computerizing
27 energy use:

28 \$ 25,000

29 5. ENVIRONMENTAL PROTECTION DIVISION

30 a. From the general fund of the state for salaries,
31 support, maintenance, miscellaneous purposes, and for the
32 following full-time equivalent positions:

33 \$ 2,297,051
34 FTEs 154.55

35 b. As a condition, limitation, and qualification of the

1 appropriation under paragraph "a", \$170,000 and 3 FTEs from
2 the appropriation shall be used for the assessment and
3 evaluation of surface water streams and rivers.

4 6. FISH AND WILDLIFE DIVISION

5 From the general fund of the state for salaries, support,
6 maintenance, miscellaneous purposes, and for the following
7 full-time equivalent positions:

8	\$	0
9	FTEs	332.24

10 7. FORESTS AND FORRESTRY DIVISION

11 a. From the general fund of the state for salaries,
12 support, maintenance, miscellaneous purposes, and for the
13 following full-time equivalent positions:

14	\$	1,622,039
15	FTEs	55.71

16 b. As a condition, limitation, and qualification of the
17 appropriation under paragraph "a", \$25,000 shall be used from
18 the appropriation for maintenance at the Loess Hills Pioneer
19 State Forest.

20 8. PARKS AND PRESERVES DIVISION

21 a. From the general fund of the state for salaries,
22 support, maintenance, miscellaneous purposes, and for the
23 following full-time equivalent positions:

24	\$	5,470,592
25	FTEs	208.05

26 b. As a condition, limitation, and qualification of the
27 appropriation under paragraph "a", \$30,000 from the
28 appropriation shall be used to support the position of
29 environmental specialist II for the development of preserves
30 management plans.

31 9. WASTE MANAGEMENT AUTHORITY

32 From the general fund of the state for salaries, support,
33 maintenance, miscellaneous purposes, and for the following
34 full-time equivalent positions:

35	\$	0
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1 FTEs 15.00

2 10. For reimbursement to federal agencies for cooperative
3 contracts:

4 \$ 185,983

5 11. For the green thumb program for the employment of the
6 elderly in conservation and outdoor recreation related fields
7 in coordination with other agencies as provided by law, and
8 for not more than the following full-time equivalent
9 positions:

10 \$ 235,000

11 FTEs 18.69

12 12. If an amount is expended in excess of the amount
13 designated for any purpose, including any division specified
14 under this section, the department shall notify the
15 legislative fiscal bureau, the chairpersons of the standing
16 appropriations committees of the senate and house of
17 representatives, and the chairpersons of the agriculture and
18 natural resources appropriations subcommittee pursuant to
19 section 8.39.

20 Sec. 10.

21 There is appropriated from the state fish and game
22 protection fund to the division of fish and game of the
23 department of natural resources for the fiscal year beginning
24 July 1, 1990, and ending June 30, 1991, the following amounts,
25 or so much thereof as is necessary, to be used for the
26 purposes designated:

27 1. From the state fish and game protection fund for
28 administrative support during the fiscal year beginning July
29 1, 1990, and ending June 30, 1991:

30 \$ 2,754,472

31 2. From the state fish and game protection fund for the
32 law enforcement bureau of the fish and wildlife division for
33 salaries, support, maintenance, equipment, and miscellaneous
34 purposes during the fiscal year beginning July 1, 1990, and
35 ending June 30, 1991:

1 \$ 4,953,493

2 3. From the state fish and game protection fund for the
3 fisheries bureau of the fish and wildlife division for
4 salaries, support, maintenance, equipment, and miscellaneous
5 purposes during the fiscal year beginning July 1, 1990, and
6 ending June 30, 1991:

7 \$ 4,506,802

8 4. From the state fish and game protection fund for the
9 wildlife bureau of the fish and wildlife division for
10 salaries, support, maintenance, equipment, and miscellaneous
11 purposes during the fiscal year beginning July 1, 1990, and
12 ending June 30, 1991:

13 \$ 5,004,526

14 5. From the state fish and game protection fund for
15 division management of the fish and wildlife division, for
16 salaries, support, maintenance, equipment, and miscellaneous
17 purposes, during the fiscal year beginning July 1, 1990, and
18 ending June 30, 1991:

19 \$ 180,847

5350 20 6. From the state fish and game protection fund to the
21 department during the fiscal year beginning July 1, 1990, and
22 ending June 30, 1991, to support one or more positions having
23 duties related to destroying coyotes and wild dogs which pose
24 a threat to livestock:

25 \$ 20,000

26 The positions must be supported on a matching basis with
27 moneys allocated by the United States department of
28 agriculture.

29 7. From the fees deposited under section 321G.7 to the
30 fish and game protection fund for enforcement of snowmobile
31 laws as part of the state snowmobile program:

32 \$ 150,000

33 8. From the fees deposited under section 106.52 to the
34 fish and game protection fund for administration and
35 enforcement of navigation laws and water safety:

1 \$ 1,000,000
2 9. As a condition, limitation, and qualification of the
3 appropriation under this section, if reductions in
4 expenditures are determined to be necessary to avoid a budget
5 deficit in the fish and game protection fund, the department
6 shall take all actions necessary to avoid using license
7 receipts or other income for capitals and acquisitions, unless
8 the Code specifically designates the use. The department
9 shall not reduce personnel until all other actions
10 necessitated by the expenditure reduction are exhausted.

11 Sec. 11.

12 There is appropriated from the marine fuel tax fund to the
13 department of natural resources for the fiscal year beginning
14 July 1, 1990, and ending June 30, 1991, the following amounts,
15 or so much thereof as is necessary, to be used for the
16 purposes designated:

17 1. For maintenance and development of boating facilities
18 and access to public waters:

19 \$ 400,000

20 2. For deposit in the state fish and game protection fund
21 for the administration and enforcement of navigation laws and
22 boat safety:

23 \$ 150,000

24 As a condition, limitation, and qualification of the
25 appropriations made under this section, the balance of the
26 amount computed as provided in section 324.84 for the fiscal
27 year beginning July 1, 1990, and ending June 30, 1991, is
28 appropriated for the purposes provided in section 324.79,
29 subsections 1, 2, 3, and 5. Notwithstanding section 8.33, the
30 unencumbered or unobligated balances of funds specifically
31 allocated for such projects for the fiscal year ending June
32 30, 1991, shall revert to the fund from which appropriated on
33 September 30, 1993.

34 Sec. 12.

35 There is appropriated to the department of natural

1 resources for the fiscal year beginning July 1, 1990, and
2 ending June 30, 1991, the following amount, or so much thereof
3 as is necessary, to be used for the purpose designated:

4 For use by the department to conduct meetings and public
5 hearings in Pocahontas county relating to the restoration and
6 preservation of Lizard Lake:

7 \$ 5,000

8 As a condition, limitation, and qualification of the
9 appropriation made by this section, the department shall use
10 existing departmental staff to conduct the meetings and public
11 hearings. The department shall report not later than January
12 10, 1991, to the agriculture and natural resources
13 appropriations subcommittee, the results and recommendations
14 of the meetings and public hearings.

15 Sec. 13.

16 The department of agriculture and land stewardship, in
17 cooperation as necessary with the department of management and
18 the department of personnel, shall provide a list to the
19 legislative fiscal bureau, on a quarterly basis, of all
20 permanent positions added to or deleted from the department's
21 table of organization in the previous fiscal quarter. This
22 list shall include at least the position number, salary range,
23 projected funding source or sources of each position, and the
24 reason for the addition or deletion. The legislative fiscal
25 bureau may use this information to assist in the establishment
26 of the FTE limits contained in the appropriation bill for the
27 department.

28 Sec. 14.

29 The department of natural resources, in cooperation as
30 necessary with the department of management and the department
31 of personnel, shall provide a list to the legislative fiscal
32 bureau, on a quarterly basis, of all permanent positions added
33 to or deleted from the department's table of organization in
34 the previous fiscal quarter. This list shall include at least
35 the position number, salary range, projected funding source or

1 sources of each position, and the reason for the addition or
2 deletion. The legislative fiscal bureau may use this
3 information to assist in the establishment of the FTE limits
4 contained in the appropriation bill for the department.

5 Sec. 15.

6 The natural resources commission shall establish a priority
7 list of watersheds which are of highest importance based on
8 soil loss to be used for the allocation of funds set aside in
9 the appropriations to the department of agriculture and land
10 stewardship for permanent soil conservation practices,
11 pursuant to section 1, subsection 6, paragraph "d",
12 subparagraph (2) of this Act.

13 Sec. 16.

14 Notwithstanding section 17A.2, subsection 7, paragraph "g",
15 the department shall by rule establish prices of plant
16 material grown at the state forest nurseries to cover all
17 expenses related to the growing of the plants.

18 The department shall develop additional programs to
19 encourage the wise management and preservation of existing
20 woodlands and shall increase its efforts to encourage
21 forestation and reforestation on private and public lands in
22 the state.

23 The department shall encourage a cooperative relationship
24 between the state forest nurseries and private nurseries in
25 the state in order to achieve these goals.

26 Sec. 17.

27 If the department of agriculture and land stewardship or
28 the department of natural resources makes an appropriation
29 transfer between appropriation line-items, the chairpersons
30 and ranking members of the agriculture and natural resources
31 appropriations subcommittee shall be notified in writing prior
32 to the proposed transfer of funds. The notice from the
33 department shall include information concerning the amount of
34 the proposed transfer, the appropriation line-items affected
35 by the proposed transfer, and the reasons for the proposed

1 transfer. Chairpersons and ranking members notified shall be
2 given at least two weeks to review and comment on the proposed
3 transfer before the transfer of funds is made.

4 Sec. 18.

5 The department of natural resources shall provide the
6 legislative fiscal bureau information and financial data by
7 cost center, on at least a monthly basis, relating to the
8 indirect cost accounting procedure, the amount of funding from
9 each funding source for each cost center, and the internal
10 budget system used by the department. The information shall
11 include but is not limited to financial data covering the
12 department's budget by cost center and funding source prior to
13 the start of the fiscal year, and to the department's actual
14 expenditures by cost center and funding source after the
15 accounting system has been closed for that fiscal year.

16 Sec. 19.

17 During the fiscal year for which funds are appropriated by
18 section 7 of this Act, the department of natural resources
19 shall not require the installation or use of equipment to
20 control the emission of dust or other particulate matter on or
21 by facilities for storage of grain which are located within
22 the ambient air quality attainment areas for suspended
23 particulates.

24 Sec. 20. 1987 Iowa Acts, chapter 233, section 204,
25 subsection 5, as amended by 1989 Iowa Acts, chapter 311,
26 section 21, is amended to read as follows:

27 5. It is the intention of the general assembly in adopting
28 the appropriation under subsection 1 and this subsection to
29 cease funding for the department's implementation of the
30 federal Resource Conservation and Recovery Act permit program
31 for hazardous waste facilities in this state. Section
32 455B.411, subsections 6, 9, and 10, section 455B.412,
33 subsections 2 through 4, and sections 455B.413 through
34 455B.421 are suspended and do not apply as they pertain to
35 that permit program, but are not suspended and do apply as

1 they pertain to abandoned and uncontrolled sites, used oil,
2 and site licensing under chapter 455B, division IV, part 6.
3 The suspension provided by this subsection begins July 1, 1987
4 and ends June 30, ~~1990~~ 1994.

5 Sec. 21. Section 99D.13, subsection 3, Code Supplement
6 1989, is amended by adding the following new paragraph:

7 NEW PARAGRAPH. d. Upon determining the amount of winnings
8 from wages placed at harness racing meets forfeited under
9 subsection 1, that is available to support the purposes of
10 this subsection, the commission shall report to the department
11 of revenue and finance the amount needed to fully fund the
12 purposes of this subsection, but which is not available.
13 There is appropriated before any other allocation under this
14 section to the commission for the fiscal year after the
15 calendar year in which the report is received the amount
16 needed but otherwise unavailable to fund the purposes of this
17 subsection.

18 Sec. 22. Section 99D.27, Code Supplement 1989, is amended
19 by striking the section and inserting in lieu thereof the
20 following:

21 99D.27 RACING DOG ADOPTION PROGRAM.

22 The department of agriculture and land stewardship shall
23 oversee a program to adopt dogs eligible to race under this
24 chapter. The department shall maintain a list containing
25 names of persons applying to adopt a dog. The department
26 shall regularly deliver the list each month to every dog track
27 which has registered with the department to participate in the
28 program. Registered tracks shall match dogs to persons whose
29 names appear on the list according to terms agreed upon by
30 both parties.

31 The ownership of the dog shall be transferred from the
32 owner of the dog to the person who is adopting the dog. A dog
33 shall not be transferred to a person for purposes related to
34 racing, breeding, hunting, laboratory research, or scientific
35 experimentation. A dog shall not be transferred unless the

1 dog has been found by a veterinarian to be free of disease or
2 disability requiring extensive medical treatment. A dog shall
3 not be transferred, unless the dog has been sterilized
4 according to accepted veterinary procedures. However, the
5 track and the person matched with the dog may agree to
6 transfer a dog which has not been sterilized.

7 Sec. 23. Section 455A.18, subsection 4, unnumbered
8 paragraph 1, Code Supplement 1989, is amended to read as
9 follows:

10 For each fiscal year of the fiscal period beginning July 1,
11 1990, and ending June 30, 2000, there is appropriated from the
12 general fund, to the Iowa resources enhancement and protection
13 fund, the amount of \$20,000,000 to be used as provided in this
14 chapter. However, in any fiscal year of the fiscal period, if
15 moneys from another source are appropriated by the state to
16 the fund, the appropriated amount of \$20,000,000 shall be
17 reduced by the amount appropriated from the other source.

18 Sec. 24. Section 455E.11, subsection 2, paragraph a,
19 subparagraph (8), Code Supplement 1989, is amended by striking
20 the subparagraph and inserting in lieu thereof the following:

21 (8) The first fifty cents per ton of funds received from
22 the tonnage fee imposed for the fiscal year beginning July 1,
23 1990, and thereafter shall be used for the following:

24 (a) Twenty cents per ton of the amount allocated under
25 this subparagraph is appropriated to the university of
26 northern Iowa to develop and maintain the Iowa waste reduction
27 center for the safe and economic management of solid waste and
28 hazardous substances established at the university of northern
29 Iowa.

30 (b) Thirty cents per ton of the amount allocated under
31 this subparagraph is appropriated to the department of natural
32 resources for the following purposes:

33 (i) Eight thousand dollars of the amount allocated under
34 this subparagraph shall be transferred to the Iowa department
35 of public health for carrying out the departmental duties

1 pursuant to section 135.11, subsections 20 and 21, and section
2 139.35.

3 (ii) The administration and enforcement of a groundwater
4 monitoring program and other required programs which are
5 related to solid waste management.

6 (iii) The development of guidelines for groundwater
7 monitoring at sanitary disposal projects as defined in section
8 455B.301, subsection 13.

9 (iv) The waste management authority of the department of
10 natural resources.

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SENATE FILE 2364

H-5593

- A
- 1 Amend Senate File 2364, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 2, line 27, by striking the figure
4 "534,550" and inserting the following: "600,609".
5 2. Page 2, line 33, by striking the figure
6 "683,290" and inserting the following: "764,566".
7 3. Page 3, by inserting after line 10, the
8 following:
9 "The amount of full-time equivalent positions
10 allocated under this paragraph "g" may be exceeded, if
11 all of the following conditions are satisfied:
12 (1) Additional funding other than from the state
13 general fund is available during the fiscal year
14 beginning July 1, 1990, and ending June 30, 1991.
15 (2) The department of management and the
16 legislative fiscal committee are notified of the
17 additional funding and the number of full-time
18 equivalent positions to be increased.
19 (3) The department of management approves the
20 increase in full-time equivalent positions."
21 4. Page 3, line 17, by striking the figure
22 "185.79" and inserting the following: "193.79".
23 5. Page 8, by striking lines 25 through 28.
24 6. Page 9, line 10, by striking the word
25 "FORRESTRY" and inserting the following: "FORESTRY".
26 7. Page 10, by inserting after line 11, the
27 following:
28 " _____. The amounts appropriated in subsections 1
29 through 10 of this section shall be treated as a
30 single appropriation from the general fund of the
31 state to the department of natural resources."
b 32 8. Page 10, by striking lines 12 through 19.
33 9. Page 11, by striking lines 20 through 28.
A 34 10. Page 11, by inserting before line 29 the
35 following:
36 " _____. The amounts appropriated in subsections 1
37 through 5 of this section shall be treated as a single
38 appropriation from the state fish and game protection
39 fund to the department of natural resources."
40 11. By striking page 12, line 34, through page
41 13, line 14.
42 12. Page 13, by inserting before line 15 the
43 following:
44 "Sec. _____.
45 There is appropriated to the department of natural
46 resources for the fiscal year beginning July 1, 1990,
47 and ending June 30, 1991, the following amount, or so
48 much thereof as is necessary, to be used for the
49 purpose designated:
50 For use by the department, in cooperation with the

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Page 2

1 department of cultural affairs, to distribute to all
 2 public libraries, libraries at state institutions,
 3 college libraries, and libraries at public and
 4 nonpublic schools in the state, and to each member of
 5 the Iowa general assembly, the publication "50 simple
 6 things you can do to save the earth":

7 \$ 7,000
 8 Sec. 100.

9 There is appropriated from the fees deposited in
 10 the portion of the solid waste account of the
 11 groundwater protection fund pursuant to section
 12 455E.11, subsection 2, paragraph "a", subparagraph
 13 (2), subparagraph subdivision (d), subparagraph
 14 subdivision part (ii), which were deposited prior to
 15 July 1, 1990, to the Iowa center for applied research
 16 in metal casting at the university of northern Iowa,
 17 the following amount, or so much thereof as is
 18 necessary, to be used to conduct a feasibility study
 19 to determine the economic and technical feasibility of
 20 thermoreclamation of foundry sand. The study shall
 21 include an evaluation of the types of foundry sand in
 22 Iowa, an economic analysis of thermoreclamation of
 23 foundry sand, and the environmental benefits and
 24 acceptability of thermoreclamation of foundry sand:

25 \$ 130,000".

26 13. Page 16, by inserting after line 4, the
 27 following:

28 "Sec. 200. Section 29C.8A, subsection 1, Code
 29 1989, is amended to read as follows:

30 1. An emergency response fund is created in the
 31 state treasury. The first one hundred thousand
 32 dollars received annually by the treasurer of state
 33 for the civil penalties and fines imposed by the court
 34 pursuant to sections 455B.146, 455B.191, 455B.386,
 35 455B.417, 455B.454, 455B.466, and 455B.477 shall be
 36 deposited in the general waste volume reduction and
 37 recycling fund of the state created in section
 38 455D.15. The next hundred thousand dollars shall be
 39 deposited in the emergency response fund and any
 40 additional moneys shall be deposited in the household
 41 hazardous waste account. All moneys received annually
 42 by the treasurer of the state for the fines imposed by
 43 sections 716B.2, 716B.3, and 716B.4 shall also be
 44 deposited in the emergency response fund."

45 14. Page 16, by striking lines 5 through 17.

46 15. By striking page 16, line 18 through page 17,
 47 line 6.

48 16. Page 17, by inserting before line 7 the
 49 following:

50 "Sec. ____ . Section 107.20, Code 1989, is amended

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Page 3

1 to read as follows:

2 107.20 LIMITATION ON NURSERY STOCK -- EXCEPTION.

3 All funds appropriated to the department which are
4 used in growing or handling nursery stock shall be
5 used for growing or handling of the stock for
6 distribution only on state-owned lands. However, the
7 department may produce and sell at private sale game
8 cover packets and trees for erosion control, may
9 produce and sell stock for windbreaks, may produce
10 trees for a demonstration windbreak in each township
11 in the state, and may dispose of growing trees under a
12 departmental plan of distribution."

13 17. Page 18, by inserting after line 10, the
14 following:

15 "Sec. 300. Section 455E.11, subsection 2,
16 paragraph c, unnumbered paragraph 1, Code Supplement
17 1989, is amended to read as follows:

18 A household hazardous waste account. The moneys
19 collected pursuant to section 455F.7 and moneys
20 collected pursuant to section 29C.8A which are
21 designated for deposit, shall be deposited in the
22 household hazardous waste account. ~~Except for the~~
23 ~~first-one-hundred-thousand-dollars-received-annually~~
24 ~~for-deposit-in-the-waste-volume-reduction-and~~
25 ~~recycling-fund-to-be-used-by-the-department-to-provide~~
26 ~~financial-assistance-to-counties-in-investigation-of~~
27 ~~complaints,-and-the-next-one-hundred-thousand-dollars~~
28 ~~received-annually-for-deposit-in-the-emergency~~
29 ~~response-fund,-the-treasurer-of-state-shall-deposit~~
30 ~~moneys-received-from-civil-penalties-and-fines-imposed~~
31 ~~by-the-court-pursuant-to-sections-455B-4467-455B-4197~~
32 ~~455B-3867-455B-4177-455B-4547-455B-4667-and-455B-4777~~
33 ~~in-the-household-hazardous-waste-account.~~ Two
34 thousand dollars is appropriated annually to the Iowa
35 department of public health to carry out departmental
36 duties under section 135.11, subsections 20 and 21,
37 and section 139.35, eighty thousand dollars is
38 appropriated to the department of natural resources
39 for city, county, or service organization project
40 grants relative to recycling and reclamation events,
41 and eight thousand dollars is appropriated to the
42 department of transportation for the period of October
43 1, 1987, through June 30, 1989, for the purpose of
44 conducting the used oil collection pilot project. The
45 remainder of the account shall be used to fund Toxic
46 Cleanup Days programs, education programs, and other
47 activities pursuant to chapter 455F, including the
48 administration of the household hazardous materials
49 permit program by the department of revenue and
50 finance.

H-5593

Page 4

1 Sec. _____

2 ~~Sections 100, 200, and 300 of this Act, being~~
3 deemed of immediate importance, take effect upon
4 enactment."

5 18. Title page, by striking lines 3 through 5,
6 and inserting the following: "authority, and the
7 department of natural resources, changing the
8 distribution of certain fees, and providing an
9 effective date."

10 19. By renumbering as necessary.

By COMMITTEE ON APPROPRIATIONS
JOCHUM of Dubuque, Chairperson

H-5593 FILED MARCH 12, 1990

A- Adopted, B w/CR 3/22 (p. 133-)

SENATE FILE 2364

H-5356

1 Amend Senate File 2364, as amended, passed, and
2 reprinted by the Senate, as follows:

- 3 1. Page 11, by striking lines 20 through 28.
- 4 2. By renumbering as necessary.

By FULLER of Hardin

H-5356 FILED FEBRUARY 26, 1990

Placed w/CR 3/22 (p. 133-)

SENATE FILE 2364

H-5770

1 Amend the amendment, H-5593, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 3, line 9, by inserting after the word
5 "sell" the following: "seedling".

By GRUHN of Dickinson

H-5770 FILED MARCH 20, 1990

Adopted 3/22 (p. 1330)

SENATE FILE 2364

H-5775

1 Amend the amendment, H-5593, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 2, line 48, through page 3,
5 line 12.

6 2. By renumbering as necessary.

By FOGARTY of Palo Alto

FULLER of Hardin

PETERSON of Carroll

MUHLBAUER of Crawford

PETERSEN of Muscatine

H-5775 FILED MARCH 20, 1990

Law 3/22 (p. 1331)

SENATE FILE 2364

H-5805

1 Amend Senate File 2364, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by striking lines 27 through 34, and
4 inserting the following: "1990. Persons shall be
5 employed to fill these additional positions by
6 September 1, 1990."

By BISIGNANO of Polk

HALVORSON of Clayton

H-5805 FILED MARCH 21, 1990

Adopted 3/22 (p. 1333)

SENATE FILE 2364

H-5657

1 Amend the amendment, H-5593, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking line 33.

By MAULSBY of Calhoun

H-5657 FILED MARCH 13, 1990

W/2 3/22 (p 1330)

SENATE FILE 2364

H-5659

1 Amend Senate File 2364, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 7, by striking lines 24 through 28, and
4 inserting the following: "basis from private
5 contributions. The name of a private contributor
6 shall not be associated with any project or
7 improvement, including but not limited to a structure.
8 However, the Iowa state fair board may place a plaque
9 on or near the project or improvement recognizing
10 contributors."

By SCHRADER of Marion

H-5659 FILED MARCH 13, 1990

Adopted 3/22 (p 1335)

SENATE FILE 2364

H-5752

1 Amend the amendment, H-5593, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 2, by striking lines 15 through 24, and
5 inserting the following: "July 1, 1990, to the solid
6 waste account of the groundwater protection fund to be
7 used by the department to develop and implement
8 demonstration projects for landfill alternatives to
9 solid waste disposal, including recycling programs as
10 provided in section 455E.11, subsection 2, paragraph
11 "a", subparagraph (9):".

By HALVORSON of Clayton

H-5752 FILED MARCH 19, 1990

Adopt 3/22 (p 1332)

SENATE FILE 2364

H-5816

- 1 Amend Senate File 2364, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 5, line 31, by striking the figure
4 "450,000" and inserting the following: "250,000".
5 2. By striking page 6, line 24, through page 7,
6 line 2.
7 3. Page 7, line 10, by striking the figure
8 "385,000" and inserting the following: "250,000".
9 4. Page 7, line 20, by striking the figure
10 "500,000" and inserting the following: "300,000".
11 5. Page 8, line 5, by striking the figure
12 "117,062" and inserting the following: "115,891".
13 6. Page 8, line 11, by striking the figure
14 "1,922,871" and inserting the following: "1,903,642".
15 7. Page 8, line 17, by striking the figure
16 "796,658" and inserting the following: "788,691".
17 8. Page 8, line 20, by inserting before the word
18 "From" the following: "a."
19 9. Page 8, line 23, by striking the figure
20 "1,273,577" and inserting the following: "1,260,841".
21 10. Page 8, by inserting after line 24 the
22 following:
23 "b. The amount of full-time equivalent positions
24 allocated under paragraph "a" may be exceeded, if all
25 the following conditions are satisfied:
26 (1) Senate File 2403 is enacted by the Seventy-
27 third General Assembly and Senate File 2403 contains
28 provisions which necessitate an increase in the full-
29 time equivalent positions.
30 (2) The department of management and the
31 legislative council each approve the increase in full-
32 time equivalent positions."
33 11. Page 8, line 33, by striking the figure
34 "2,297,051" and inserting the following: "2,105,780".
35 12. Page 8, line 34, by striking the figure
36 "154.55" and inserting the following: "142.55".
37 13. By striking page 8, line 35 through page 9,
38 line 3 and inserting the following:
39 "b. The amount of full-time equivalent positions
40 allocated under paragraph "a" may be exceeded, if all
41 the following conditions are satisfied:
42 (1) Senate file 2153 is enacted by the Seventy-
43 third General Assembly and Senate File 2153 contains
44 provisions which necessitate an increase in the full-
45 time equivalent positions.
46 (2) The department of management and the
47 legislative council each approve the increase in full-
48 time equivalent positions."
49 14. Page 9, line 11, by striking the letter "a."
50 15. Page 9, line 14, by striking the figure

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Page 2

- 1 "1,622,039" and inserting the following: "1,581,069".
2 16. Page 9, by striking lines 16 through 19.
3 17. Page 9, line 24, by striking the figure
4 "5,470,592" and inserting the following: "5,415,886".
5 18. Page 9, line 32, by inserting before the word
6 "From" the following: "a."
7 19. Page 10, line 1, by striking the figure
8 "15.00" and inserting the following: "11.00".
9 20. Page 10, by inserting after line 1 the
10 following:
11 "b. The amount of full-time equivalent positions
12 allocated under paragraph "a" may be exceeded, if all
13 the following conditions are satisfied:
14 (1) Senate file 2153 is enacted by the Seventy-
15 third General Assembly and Senate File 2153 contains
16 provisions which necessitate an increase in the full-
17 time equivalent positions.
18 (2) The department of management and the
19 legislative council each approve the increase in full-
20 time equivalent positions."
21 21. Page 10, line 10, by striking the figure
22 "235,000" and inserting the following: "230,500".
23 22. Page 18, by inserting after line 10 the
24 following:
25 "Sec. ____.
26 If there is a conflict between section 455E.11,
27 subsection 2, paragraph "a", subparagraph (8), Code
28 Supplement 1989, as amended by this Act, and section
29 455E.11, subsection 2, paragraph "a", subparagraph (8)
30 and as amended by House File 2553, if enacted by the
31 Seventy-third General Assembly, the section as amended
32 by House File 2553 shall prevail.
33 Sec. ____.
34 Notwithstanding section 8.33, the moneys
35 appropriated in 1989 Iowa Acts, chapter 311, section 5
36 that remain unencumbered and unobligated on June 30,
37 1990, shall not revert to the general fund but shall
38 remain available for expenditure for the purposes
39 designated during the fiscal year beginning July 1,
40 1990 and ending June 30, 1991."
41 23. By renumbering as necessary.

By JOHNSON of Winneshiek

H-5816 FILED MARCH 22, 1990

ADOPTED (p. 1335)

SENATE FILE 2364

H-5825

1 Amend Senate File 2364, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 18, by inserting after line 10 the
4 following:

5 "Sec. _____. Section 467A.48, subsection 1, Code
6 Supplement 1989, is amended to read as follows:

7 1. An owner or occupant of land in this state is
8 not required to establish any new permanent or
9 temporary soil and water conservation practice unless
10 public or other cost-sharing funds have been
11 specifically approved for that land and actually made
12 available to the owner or occupant. The amount of
13 cost-sharing funds made available shall not exceed
14 ~~seventy-five~~ fifty percent of the estimated cost as
15 established by the commissioners of a permanent soil
16 and water conservation practice, or ~~seventy-five~~ fifty
17 percent of the actual cost, whichever is less, or an
18 amount set by the committee for a temporary soil and
19 water conservation practice, except as otherwise
20 provided by law with respect to land classified as
21 agricultural land under conservation cover. The
22 commissioners shall establish the estimated cost of
23 permanent soil and water conservation practices in the
24 district based upon one and two-tenths of the average
25 cost of the practices installed in the district during
26 the previous year. The average costs shall be
27 reviewed and approved by the commissioners each
28 calendar year.

29 Sec. _____. Section 467A.65, subsection 1, Code
30 1989, is amended to read as follows:

31 1. It is the intent of this chapter that,
32 effective January 1, 1981, each tract of agricultural
33 land which has not been plowed or used for growing row
34 crops at any time within fifteen years prior to that
35 date, shall for purposes of this section be considered
36 classified as agricultural land under conservation
37 cover. If a tract of land so classified is thereafter
38 plowed or used for growing row crops, the
39 commissioners of the soil and water conservation
40 district in which the land is located shall not
41 approve use of state cost-sharing funds for
42 establishing permanent or temporary soil and water
43 conservation practices on that tract of land in an
44 ~~amount-greater-than-one-half-the-amount-of-cost-~~
45 ~~sharing-funds-which-would-be-available-for-that-land~~
46 ~~if-it-were-not-considered-classified-as-agricultural~~
47 ~~land-under-conservation-cover.~~ The restriction
48 imposed by this section applies even if an
49 administrative order or court order has been issued
50 requiring establishment of soil and water conservation

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Page 2

1 practices on that land. The commissioners may waive
 2 the restriction imposed by this section if they
 3 determine in advance that the purpose of plowing or
 4 row cropping land classified as land under
 5 conservation cover is to revitalize permanent pasture
 6 and that the land will revert to permanent pasture
 7 within two years after it is plowed."

8 2. By renumbering as necessary.

By OSTERBERG of Linn

GRUHN of Dickinson

PELLETT of Cass

EDDIE of Buena Vista

STUELAND of Clinton

McKEAN of Jones

H-5825 FILED MARCH 22, 1990

ADOPTED (p 1337)

SENATE FILE 2364

H-5828

1 Amend Senate File 2364, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 17, by striking lines 7 through 17.

4 2. By renumbering as necessary.

By SWARTZ of Marshall

H-5828 FILED MARCH 22, 1990

ADOPTED (p 1335)

SENATE FILE 2364

H-5832

1 Amend Senate File 2364, as amended, passed, and
 2 reprinted by the Senate, as follows:

3 1. Page 17, by inserting before line 18 the
 4 following:

5 "Sec. 800. Section 455A.25 WASTE MANAGEMENT
 6 RESEARCH BY PERSONS IN CONJUNCTION WITH INSTITUTIONS
 7 OF HIGHER EDUCATION.

8 A person acting in conjunction with a private
 9 college, community college, or state board of regents'
 10 institution, to conduct research relating to waste
 11 management, on private property, or on property in
 12 which a city or county holds an interest, shall notify
 13 the department in writing. The person is not required
 14 to obtain authorization, including but not limited to
 15 a permit, by the department for one hundred twenty
 16 days after submitting the notice. After the end of
 17 the one hundred-twenty-day period the department shall
 18 conduct an evaluation of the research, and may approve
 19 or deny continuation of the research."

20 2. Page 18, by inserting after line 10 the
 21 following:

22 "Sec. ____.

23 Section 800 of this Act, being deemed of immediate
 24 importance, takes effect upon enactment."

25 3. Title page, line 5, by inserting after the
 26 word "fees" the following: "and providing an
 27 effective date".

28 4. By renumbering as necessary.

By SWARTZ of Marshall

JOHNSON of Winneshiek

H-5832 FILED MARCH 22, 1990

ADOPTED (p 1338)

HOUSE AMENDMENT TO
SENATE FILE 2364

S-5675

1 Amend Senate File 2364, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 2, line 27, by striking the figure
4 "534,550" and inserting the following: "600,609".

5 2. Page 2, line 33, by striking the figure
6 "683,290" and inserting the following: "764,566".

7 3. Page 3, by inserting after line 10, the
8 following:

9 "The amount of full-time equivalent positions
10 allocated under this paragraph "g" may be exceeded, if
11 all of the following conditions are satisfied:

12 (1) Additional funding other than from the state
13 general fund is available during the fiscal year
14 beginning July 1, 1990, and ending June 30, 1991.

15 (2) The department of management and the
16 legislative fiscal committee are notified of the
17 additional funding and the number of full-time
18 equivalent positions to be increased.

19 (3) The department of management approves the
20 increase in full-time equivalent positions."

21 4. Page 3, line 17, by striking the figure
22 "185.79" and inserting the following: "193.79".

23 5. Page 3, by striking lines 27 through 34, and
24 inserting the following: "1990. Persons shall be
25 employed to fill these additional positions by
26 September 1, 1990."

27 6. Page 5, line 31, by striking the figure
28 "450,000" and inserting the following: "250,000".

29 7. By striking page 6, line 24, through page 7,
30 line 2.

31 8. Page 7, line 10, by striking the figure
32 "385,000" and inserting the following: "250,000".

33 9. Page 7, line 20, by striking the figure
34 "500,000" and inserting the following: "300,000".

35 10. Page 7, by striking lines 24 through 28, and
36 inserting the following: "basis from private
37 contributions. The name of a private contributor
38 shall not be associated with any project or
39 improvement, including but not limited to a structure.
40 However, the Iowa state fair board may place a plaque
41 on or near the project or improvement recognizing
42 contributors."

43 11. Page 8, line 5, by striking the figure
44 "117,062" and inserting the following: "115,891".

45 12. Page 8, line 11, by striking the figure
46 "1,922,871" and inserting the following: "1,903,642".

47 13. Page 8, line 17, by striking the figure
48 "796,658" and inserting the following: "788,691".

49 14. Page 8, line 20, by inserting before the word
50 "From" the following: "a."

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- 1 15. Page 8, line 23, by striking the figure
2 "1,273,577" and inserting the following: "1,260,841".
- 3 16. Page 8, by inserting after line 24 the
4 following:
5 "b. The amount of full-time equivalent positions
6 allocated under paragraph "a" may be exceeded, if all
7 the following conditions are satisfied:
8 (1) Senate File 2403 is enacted by the Seventy-
9 third General Assembly and Senate File 2403 contains
10 provisions which necessitate an increase in the full-
11 time equivalent positions.
12 (2) The department of management and the
13 legislative council each approve the increase in full-
14 time equivalent positions."
- 15 17. Page 8, by striking lines 25 through 28.
- 16 18. Page 8, line 33, by striking the figure
17 "2,297,051" and inserting the following: "2,105,780".
- 18 19. Page 8, line 34, by striking the figure
19 "154.55" and inserting the following: "142.55".
- 20 20. By striking page 8, line 35 through page 9,
21 line 3 and inserting the following:
22 "b. The amount of full-time equivalent positions
23 allocated under paragraph "a" may be exceeded, if all
24 the following conditions are satisfied:
25 (1) Senate file 2153 is enacted by the Seventy-
26 third General Assembly and Senate File 2153 contains
27 provisions which necessitate an increase in the full-
28 time equivalent positions.
29 (2) The department of management and the
30 legislative council each approve the increase in full-
31 time equivalent positions."
- 32 21. Page 9, line 10, by striking the word
33 "FORRESTRY" and inserting the following: "FORESTRY".
- 34 22. Page 9, line 11, by striking the letter "a."
- 35 23. Page 9, line 14, by striking the figure
36 "1,622,039" and inserting the following: "1,581,069".
- 37 24. Page 9, by striking lines 16 through 19.
- 38 25. Page 9, line 24, by striking the figure
39 "5,470,592" and inserting the following: "5,415,886".
- 40 26. Page 9, line 32, by inserting before the word
41 "From" the following: "a."
- 42 27. Page 10, line 1, by striking the figure
43 "15.00" and inserting the following: "11.00".
- 44 28. Page 10, by inserting after line 1 the
45 following:
46 "b. The amount of full-time equivalent positions
47 allocated under paragraph "a" may be exceeded, if all
48 the following conditions are satisfied:
49 (1) Senate file 2153 is enacted by the Seventy-
50 third General Assembly and Senate File 2.53 contains

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1 provisions which necessitate an increase in the full-
2 time equivalent positions.

3 (2) The department of management and the
4 legislative council each approve the increase in full-
5 time equivalent positions."

6 29. Page 10, line 10, by striking the figure
7 "235,000" and inserting the following: "230,500".

8 30. Page 10, by inserting after line 11, the
9 following:

10 "____. The amounts appropriated in subsections 1
11 through 10 of this section shall be treated as a
12 single appropriation from the general fund of the
13 state to the department of natural resources."

14 31. Page 11, by striking lines 20 through 28.

15 32. Page 11, by inserting before line 29 the
16 following:

17 "____. The amounts appropriated in subsections 1
18 through 5 of this section shall be treated as a single
19 appropriation from the state fish and game protection
20 fund to the department of natural resources."

21 33. By striking page 12, line 34, through page
22 13, line 14.

23 34. Page 13, by inserting before line 15 the
24 following:

25 "Sec. ____.

26 There is appropriated to the department of natural
27 resources for the fiscal year beginning July 1, 1990,
28 and ending June 30, 1991, the following amount, or so
29 much thereof as is necessary, to be used for the
30 purpose designated:

31 For use by the department, in cooperation with the
32 department of cultural affairs, to distribute to all
33 public libraries, libraries at state institutions,
34 college libraries, and libraries at public and
35 nonpublic schools in the state, and to each member of
36 the Iowa general assembly, the publication "50 simple
37 things you can do to save the earth":

38 \$ 7,000

39 Sec. 100.

40 There is appropriated from the fees deposited in
41 the portion of the solid waste account of the
42 groundwater protection fund pursuant to section
43 455E.11, subsection 2, paragraph "a", subparagraph
44 (2), subparagraph subdivision (d), subparagraph
45 subdivision part (ii), which were deposited prior to
46 July 1, 1990, to the Iowa center for applied research
47 in metal casting at the university of northern Iowa,
48 the following amount, or so much thereof as is
49 necessary, to be used to conduct a feasibility study
50 to determine the economic and technical feasibility of

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1 thermoreclamation of foundry sand. The study shall
2 include an evaluation of the types of foundry sand in
3 Iowa, an economic analysis of thermoreclamation of
4 foundry sand, and the environmental benefits and
5 acceptability of thermoreclamation of foundry sand:

6 \$ 130,000".

7 35. Page 16, by inserting after line 4, the
8 following:

9 "Sec. 200. Section 29C.8A, subsection 1, Code
10 1989, is amended to read as follows:

11 1. An emergency response fund is created in the
12 state treasury. The first one hundred thousand
13 dollars received annually by the treasurer of state
14 for the civil penalties and fines imposed by the court
15 pursuant to sections 455B.146, 455B.191, 455B.386,
16 455B.417, 455B.454, 455B.466, and 455B.477 shall be
17 deposited in the general waste volume reduction and
18 recycling fund of the state created in section
19 455D.15. The next hundred thousand dollars shall be
20 deposited in the emergency response fund and any
21 additional moneys shall be deposited in the household
22 hazardous waste account. All moneys received annually
23 by the treasurer of the state for the fines imposed by
24 sections 716B.2, 716B.3, and 716B.4 shall also be
25 deposited in the emergency response fund."

26 36. Page 16, by striking lines 5 through 17.

27 37. By striking page 16, line 18 through page 17,
28 line 6.

29 38. Page 17, by inserting before line 7 the
30 following:

31 "Sec. ____ . Section 107.20, Code 1989, is amended
32 to read as follows:

33 107.20 LIMITATION ON NURSERY STOCK -- EXCEPTION.
34 All funds appropriated to the department which are
35 used in growing or handling nursery stock shall be
36 used for growing or handling of the stock for
37 distribution only on state-owned lands. However, the
38 department may produce and sell at private sale game
39 cover packets and trees for erosion control, may
40 produce and sell seedling stock for windbreaks, may
41 produce trees for a demonstration windbreak in each
42 township in the state, and may dispose of growing
43 trees under a departmental plan of distribution."

44 39. Page 17, by striking lines 7 through 17.

45 40. Page 17, by inserting before line 18 the
46 following:

47 "Sec. 800. Section 455A.25 WASTE MANAGEMENT
48 RESEARCH BY PERSONS IN CONJUNCTION WITH INSTITUTIONS
49 OF HIGHER EDUCATION.

50 A person acting in conjunction with a private

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1. college, community college, or state board of regents'
2 institution, to conduct research relating to waste
3 management, on private property, or on property in
4 which a city or county holds an interest, shall notify
5 the department in writing. The person is not required
6 to obtain authorization, including but not limited to
7 a permit, by the department for one hundred twenty
8 days after submitting the notice. After the end of
9 the one hundred-twenty-day period the department shall
10 conduct an evaluation of the research, and may approve
11 or deny continuation of the research."

12 41. Page 18, by inserting after line 10, the
13 following:

14 "Sec. 300. Section 455E.11, subsection 2,
15 paragraph c, unnumbered paragraph 1, Code Supplement
16 1989, is amended to read as follows:

17 A household hazardous waste account. The moneys
18 collected pursuant to section 455F.7 and moneys
19 collected pursuant to section 29C.8A which are
20 designated for deposit, shall be deposited in the
21 household hazardous waste account. ~~Except for the~~
22 ~~first one hundred thousand dollars received annually~~
23 ~~for deposit in the waste volume reduction and~~
24 ~~recycling fund to be used by the department to provide~~
25 ~~financial assistance to counties in investigation of~~
26 ~~complaints, and the next one hundred thousand dollars~~
27 ~~received annually for deposit in the emergency~~
28 ~~response fund, the treasurer of state shall deposit~~
29 ~~moneys received from civil penalties and fines imposed~~
30 ~~by the court pursuant to sections 455B.146, 455B.191,~~
31 ~~455B.386, 455B.417, 455B.454, 455B.466, and 455B.477,~~
32 ~~in the household hazardous waste account. Two~~
33 thousand dollars is appropriated annually to the Iowa
34 department of public health to carry out departmental
35 duties under section 135.11, subsections 20 and 21,
36 and section 139.35, eighty thousand dollars is
37 appropriated to the department of natural resources
38 for city, county, or service organization project
39 grants relative to recycling and reclamation events,
40 and eight thousand dollars is appropriated to the
41 department of transportation for the period of October
42 1, 1987, through June 30, 1989, for the purpose of
43 conducting the used oil collection pilot project. The
44 remainder of the account shall be used to fund Toxic
45 Cleanup Days programs, education programs, and other
46 activities pursuant to chapter 455F, including the
47 administration of the household hazardous materials
48 permit program by the department of revenue and
49 finance.

50 Sec. ____.

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1 Sections 100, 200, and 300 of this Act, being
2 deemed of immediate importance, take effect upon
3 enactment."

4 42. Page 18, by inserting after line 10 the
5 following:

6 "Sec. _____. Section 467A.48, subsection 1, Code
7 Supplement 1989, is amended to read as follows:

8 1. An owner or occupant of land in this state is
9 not required to establish any new permanent or
10 temporary soil and water conservation practice unless
11 public or other cost-sharing funds have been
12 specifically approved for that land and actually made
13 available to the owner or occupant. The amount of
14 cost-sharing funds made available shall not exceed
15 ~~seventy-five~~ fifty percent of the estimated cost as
16 established by the commissioners of a permanent soil
17 and water conservation practice, or ~~seventy-five~~ fifty
18 percent of the actual cost, whichever is less, or an
19 amount set by the committee for a temporary soil and
20 water conservation practice, except as otherwise
21 provided by law with respect to land classified as
22 agricultural land under conservation cover. The
23 commissioners shall establish the estimated cost of
24 permanent soil and water conservation practices in the
25 district based upon one and two-tenths of the average
26 cost of the practices installed in the district during
27 the previous year. The average costs shall be
28 reviewed and approved by the commissioners each
29 calendar year.

30 Sec. _____. Section 467A.65, subsection 1, Code
31 1989, is amended to read as follows:

32 1. It is the intent of this chapter that,
33 effective January 1, 1981, each tract of agricultural
34 land which has not been plowed or used for growing row
35 crops at any time within fifteen years prior to that
36 date, shall for purposes of this section be considered
37 classified as agricultural land under conservation
38 cover. If a tract of land so classified is thereafter
39 plowed or used for growing row crops, the
40 commissioners of the soil and water conservation
41 district in which the land is located shall not
42 approve use of state cost-sharing funds for
43 establishing permanent or temporary soil and water
44 conservation practices on that tract of land in an
45 ~~amount greater than one-half the amount of cost-~~
46 ~~sharing funds which would be available for that land~~
47 ~~if it were not considered classified as agricultural~~
48 ~~land under conservation cover.~~ The restriction
49 imposed by this section applies even if an
50 administrative order or court order has been issued

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1 requiring establishment of soil and water conservation
2 practices on that land. The commissioners may waive
3 the restriction imposed by this section if they
4 determine in advance that the purpose of plowing or
5 row cropping land classified as land under
6 conservation cover is to revitalize permanent pasture
7 and that the land will revert to permanent pasture
8 within two years after it is plowed."

9 43. Page 18, by inserting after line 10 the
10 following:

11 "Sec. _____.

12 If there is a conflict between section 455E.11,
13 subsection 2, paragraph "a", subparagraph (8), Code
14 Supplement 1989, as amended by this Act, and section
15 455E.11, subsection 2, paragraph "a", subparagraph (8)
16 and as amended by House File 2553, if enacted by the
17 Seventy-third General Assembly, the section as amended
18 by House File 2553 shall prevail.

19 Sec. _____.

20 Notwithstanding section 8.33, the moneys
21 appropriated in 1989 Iowa Acts, chapter 311, section 5
22 that remain unencumbered and unobligated on June 30,
23 1990, shall not revert to the general fund but shall
24 remain available for expenditure for the purposes
25 designated during the fiscal year beginning July 1,
26 1990 and ending June 30, 1991."

27 44. Page 18, by inserting after line 10 the
28 following:

29 "Sec. _____.

30 Section 800 of this Act, being deemed of immediate
31 importance, takes effect upon enactment."

32 45. Title page, by striking lines 3 through 5,
33 and inserting the following: "authority, and the
34 department of natural resources, changing the
35 distribution of certain fees, and providing an
36 effective date."

37 46. By renumbering, relettering, or redesignating
38 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5675 FILED MARCH 23, 1990

*House amended (5695, 5747A, 5751, 5756, 5757, 5767, & 5770) and
Concurred 3/29 (p. 1388)*

SENATE FILE 2364

S-5738

1 Amend House amendment, S-5675, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 4, by inserting after line 43, the
5 following:
6 "Sec. ____ . Section 206.33, Code Supplement 1989,
7 is amended to read as follows:
8 206.33 DAMINOZIDE -- PROHIBITION.
9 A person shall not offer for sale, sell, purchase,
10 apply, or use a pesticide containing daminozide in
11 this state if the pesticide is sold, purchased,
12 applied, or used for purposes of enhancing or
13 improving a product produced to be consumed."

By JIM LIND

S-5738 FILED MARCH 28, 1990

w/d 3/28 (j 1380)

SENATE FILE 2364

S-5751

1 Amend the House amendment, S-5675, to Senate File
2 2364, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by striking lines 38 through 42 and
5 inserting the following: "may be associated with any
6 project or improvement upon approval by the Iowa state
7 fair board."

By DALE L. TIEDEN

S-5751 FILED MARCH 28, 1990

ADOPTED (j 1372)

SENATE FILE 2364

S-5753

1 Amend the House amendment, S-5675, Senate File
2 2364, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. By striking page 6, line 4 through page 7,
5 line 8.

By EMIL HUSAK
BERL PREEBE
JOHN S. RHOLTZ

S-5753 FILED MARCH 28, 1990

Done 3/29 (j 1381) Motion to reconsider ruled o/s (j 1388)

SENATE FILE 2364

S-5695

1 Amend House amendment, S-5675, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 4, by striking lines 29 through 43.
5 2. By renumbering as necessary.

By JOHN P. KIBBIE
C. JOSEPH COLEMAN
CALVIN O. HULTMAN
WALLY E. HORN
JIM LIND
KENNETH D. SCOTT

DALE L. TIEDEN
WILLIAM W. DIELEMAN
BERL E. PRIEBE
JACK RIFE
JOHN E. SOORHOLTZ
JACK NYSTROM

S-5695 FILED MARCH 27, 1990

Adopted 3/27 (p. 1350)

SENATE FILE 2364

S-5728

1 Amend the House amendment, S-5675, to Senate File
2 2364, as amended, passed, and reprinted by the Senate,
3 as follows:

- 4 1. Page 3, by striking lines 25 through 38.

By JACK RIFE
JOHN E. SOORHOLTZ

S-5728 FILED MARCH 28, 1990

Revised 3/28 (p. 1350)

SENATE FILE 2364

S-5729

1 Amend House amendment, S-5675, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

- 4 1. Page 3, line 35, by inserting after the word
5 "each" the following: "requesting".

By JACK HESTER

S-5729 FILED MARCH 28, 1990

Revised 3/28 (p. 1380)

SENATE FILE 2364

S-5736

1 Amend the House amendment, S-5675, to Senate File
2 2364, as amended, passed, and reprinted by the Senate,
3 as follows:

- 4 1. Page 2, line 17, by striking the figure
5 "2,105,780" and inserting the following: "2,275,780".

- 6 2. Page 2, line 19, by striking the figure
7 "142.55" and inserting the following: "145.55".

- 8 3. Page 2, by inserting before line 32 the
9 following:

10 "____. Page 9, by inserting before line 4 the
11 following:

12 "____. As a condition, limitation, and
13 qualification of the appropriation under paragraph
14 "a", \$170,000 and 3 FTEs from the appropriation shall
15 be used for the assessment and evaluation of surface
16 water streams and rivers."

By PAUL D. PATE

S-5736 FILED MARCH 28, 1990

Revised 3/28 (p. 1380)

SENATE FILE 2364

S-5747

1 Amend House amendment, S-5675, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

DIV. 4 1. Page 1, by inserting after line 2, the
C 5 following:

- 6 "____". Page 1, line 32, by inserting before the
- 7 word "From" the following: "a."
- 8 "____". Page 1, line 35, by striking the figure
- 9 "1,074,748" and inserting the following: "1,174,748".
- 10 "____". Page 2, line 1, by striking the figure
- 11 "22.0" and inserting the following: "24.0".
- 12 "____". Page 2, by inserting after line 1 the
- 13 following:
- 14 "b. As a condition, limitation, and qualification
- 15 of the appropriation made under paragraph "a",
- 16 \$100,000 shall be used to promote agricultural
- 17 diversification and to support livestock auction
- 18 reporting."

DIV. 19 2. Page 1, by striking lines 15 and 16 and
A 20 inserting the following:

21 "(2) The legislative council is notified of the".
22 3. Page 1, line 20, by inserting after the word
23 "positions" the following: "recommended by the
24 legislative council".

25 4. Page 2, by striking lines 3 through 14.

26 5. Page 2, by striking lines 21 through 31 and
27 inserting the following: "line 3."

28 6. By striking page 2, line 44 through page 3,
29 line 5.

30 7. Page 3, by striking lines 8 through 13.

31 8. By striking page 3, line 15 through page 4,
32 line 6, and inserting the following:

33 "____. By striking page 12, line 34 through page
34 13, line 14, and inserting the following:

35 "Sec. ____.

36 The department of natural resources, by October 1,
37 1990, shall conduct a public hearing in Pocahontas
38 county relating to the possible restoration and
39 preservation of Lizard Lake.

40 Sec. ____ . LOWHEAD DAM REPAIR.

41 1. There is appropriated to the department of
42 natural resources for the fiscal year beginning July
43 1, 1990, and ending June 30, 1991, the following
44 amount or so much thereof as is necessary, to be used
45 for the purpose designated:

46 For use by the department to transfer immediately
47 to the county board of supervisors of Jones county in
48 order to enter into an agreement with the department
49 to restore and repair a lowhead dam in the county:

50 \$ 50,000

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Page 2

1 2. The unencumbered or unobligated balance of the
2 appropriation made for the fiscal term as provided
3 under this section shall revert to the state treasury
4 pursuant to section 8.33."

5 _____. Page 16, by inserting after line 4 the
6 following:

7 "Sec. _____. 1989 Iowa Acts, chapter 311, section 9,
8 subsection 4, unnumbered paragraph 1, is amended to
9 read as follows:

10 County boards of supervisors of Jones, Lyon,
11 Jasper, or Buena Vista counties may each enter into an
12 agreement with the department of natural resources to
13 restore and repair lowhead dams within their counties.
14 The department shall use moneys appropriated to the
15 county conservation account of the Iowa resources
16 enhancement and protection fund under section 455A.19,
17 subsection 1, paragraph "b", subparagraph (3), as
18 provided in 1989 Iowa Acts, House File 769. Under an
19 agreement, ~~Jones-county-is-eligible-to-receive~~
20 ~~\$50,000~~, Lyon county is eligible to receive \$50,000,
21 Jasper county is eligible to receive \$25,000, and
22 Buena Vista is eligible to receive \$25,000."

DIV 23 9. Page 4, by striking lines 31 through 44 and
3 24 inserting the following:

25 "Sec. 700. Section 99D.13, subsection 2, Code
26 Supplement 1989, is amended by striking the subsection
27 and inserting in lieu thereof the following:

28 2. Winnings from each racetrack forfeited under
29 subsection 1 shall escheat to the state and to the
30 extent appropriated by the general assembly shall be
31 used by the department of agriculture and land
32 stewardship to administer sections 99D.22 and 99D.27.
33 The remainder shall be paid over to the commission to
34 be used as follows:

35 a. To the extent that the remainder paid over to
36 the commission is from unclaimed winnings from harness
37 racing meetings, the amount shall be used as provided
38 in subsection 3. However the limit provided in
39 subsection 3 shall not be exceeded by moneys
40 appropriated in this paragraph. Moneys which exceed
41 the limit shall be added to moneys provided in
42 paragraph "b".

43 b. To the extent that the remainder paid over to
44 the commission is from unclaimed winnings from tracks
45 licensed for dog or horse racing other than as
46 provided in paragraph "a", and from unclaimed winnings
47 from harness racing meets which are not expended in
48 paragraph "a", one hundred thousand dollars shall be
49 transferred to the department of agriculture and land
50 stewardship to support agricultural diversification

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1 and livestock auction reporting. The commission shall
2 remit remaining moneys at least annually as follows:

3 (1) One-third of the amount to the treasurer of
4 the city in which the racetrack is located. If a
5 racetrack is not located in a city, the one-third
6 share shall be deposited as provided in chapter 556.

7 (2) One-third of the amount to the treasurer of
8 the county in which the racetrack is located.

9 (3) One-third of the amount to the racetrack from
10 which the unclaimed winnings were forfeited.

11 The amount received by a racetrack under this
12 subsection shall be used only for retiring the debt of
13 the racetrack facilities and for capital improvements
14 to the racetrack facilities.

15 Sec. ____ . Section 206.33, Code Supplement 1989, is
16 amended to read as follows:

17 206.33 DAMINOZIDE -- PROHIBITION.

18 A person shall not offer for sale, sell, purchase,
19 apply, or use a pesticide containing daminozide in
20 this state if the pesticide is sold, purchased,
21 applied, or used for purposes of enhancing or
22 improving a product produced to be consumed."

23 10. Page 4, by inserting after line 46 the
24 following:

A 25 "Sec. ____ . Section 455B.304, Code Supplement 1989,
26 is amended by adding the following new unnumbered
27 paragraph:

28 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
29 provisions of this chapter regarding the requirement
30 of the equipping of a sanitary landfill with a
31 leachate control system and the establishment and
32 continuation of a postclosure account, the department
33 shall adopt rules which provide for an exemption from
34 the requirements to equip a sanitary landfill with a
35 leachate control system and to establish and maintain
36 a postclosure account if the sanitary landfill
37 operator is a public agency, if the sanitary landfill
38 has closed or will close by July 1, 1992, and will no
39 longer accept waste for disposal after that date, and
40 if at the time of closure of the sanitary landfill
41 monitoring of the groundwater does not reveal the
42 presence of leachate. The rules may require
43 postclosure groundwater monitoring and shall establish
44 the requirements for the implementation of leachate
45 collection and control in cases in which leachate is
46 found during postclosure monitoring. The rules shall
47 provide for a closure completion period following the
48 date of closure of a sanitary landfill.

49 Notwithstanding the provisions of this paragraph, the
50 public agency shall retain financial responsibility

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1 for closure and postclosure requirements applicable to
2 sanitary disposal projects."

3 11. Page 4, line 47, by striking the words and
4 figure ""Sec. 800. Section 455A.25" and inserting the
5 following:

6 "Sec. 800. NEW SECTION. 455B.500".

7 12. Page 5, by striking lines 10 and 11 and
8 inserting the following: "conduct an evaluation of
9 the permit status of the research and may determine
10 whether a permit ought to be issued or modified before
11 the research continues.""

12 13. Page 7, by striking lines 11 through 18.

DIV 13 14. Page 7, by inserting after line 28 the
D 14 following:

15 "Sec. _____.

16 Notwithstanding section 99D.13 as amended by
17 section 700 of this Act, moneys required under the
18 section to be transferred to the department of
19 agriculture and land stewardship to support
20 agricultural diversification and livestock auction
21 reporting, shall instead be deposited into the general
22 fund for the fiscal year beginning on July 1, 1990,
23 and ending on June 30, 1991.""

24 15. By renumbering as necessary.

By JIM RIORDAN

S-5747 FILED MARCH 28, 1990

DIV.A-DEFERRED, DIV.B-LOST, DIV.C-WITHDRAWN, DIV.D-WITHDRAWN (1371)

A- (Adopted as amended by 5757 3/29 (p.1350))

SENATE FILE 2364

S-5767

1 Amend the House amendment, S-5675, to Senate File
2 2364 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 6, by striking line 30 through page 7,
5 line 8.

By JIM RIORDAN

S-5767 FILED MARCH 29, 1990

ADOPTED (p. 1323)

SENATE FILE 2364

S-5770

1 Amend the House amendment, S-5675, to Senate File
2 2364, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, by inserting before line 3 the
5 following:
6 "_____. Page 1, line 35, by striking the figure
7 "1,074,748" and inserting the following: "1,097,748".
8 _____ . Page 2, line 1, by striking the figure
9 "22.0" and inserting the following: "23.0"."

By JIM RIORDAN

S-5770 FILED MARCH 29, 1990

ADOPTED (p. 1327)

SENATE FILE 2364

S-5754

1 Amend amendment S-5747, to the full Committee, S-
 2 5675, to Senate File 2364, as amended, passed, and
 3 reprinted by the Senate as follows:
 4 1. Page 1, by striking lines 31 and 32 and
 5 inserting the following:
 6 "____. Page 3, by striking lines 21 and 22 and
 7 inserting the following:"

By JOE J. WELSH

S-5754 FILED MARCH 28, 1990
 WITHDRAWN (p. 1371)

SENATE FILE 2364

S-5756

1 Amend House amendment, S-5675, to Senate File 2364,
 2 as amended, passed, and reprinted by the Senate, as
 3 follows:
 4 1. Page 4, by inserting after line 43, the
 5 following:
 6 "Sec. 900. Section 206.33, Code Supplement 1989,
 7 is amended to read as follows:
 8 206.33 DAMINOZIDE -- PROHIBITION.
 9 A person shall not offer for sale, sell, purchase,
 10 apply, or use a pesticide containing daminozide in
 11 this state if the pesticide is sold, purchased,
 12 applied, or used for purposes of enhancing or
 13 improving a product produced to be consumed."
 14 2. Page 7, by inserting after line 31 the
 15 following:
 16 "____. Page 18, by inserting after line 10 the
 17 following:
 18 "Sec. _____. Section 900 of this Act, being deemed
 19 of immediate importance, takes effect upon
 20 enactment.""

By JIM LIND

S-5756 FILED MARCH 28, 1990
 Adopted 3/29 (p. 1350)

SENATE FILE 2364

S-5757

1 Amend amendment S-5747, to the House amendment, S-
 2 5675, to Senate File 2364, as amended, passed, and
 3 reprinted by the Senate as follows:
 4 1. Page 1, by striking lines 31 and 32 and
 5 inserting the following:
 6 "____. Page 3, by striking lines 15 through 38 and
 7 inserting the following:"

By JOE J. WELSH

S-5757 FILED MARCH 28, 1990
 Adopted 3/29 (p. 1380)

SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE FILE 2364

H-5959

1 Amend House amendment, S-5675, to Senate File 2364,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting before line 3 the
5 following:

6 "_____. Page 1, line 35, by striking the figure
7 "1,074,748" and inserting the following: "1,097,748".

8 _____ . Page 2, line 1, by striking the figure
9 "22.0" and inserting the following: "23.0"."

10 2. Page 1, by striking lines 15 and 16 and
11 inserting the following:

12 "(2) The legislative council is notified of the".

13 3. Page 1, line 20, by inserting after the word
14 "positions" the following: "recommended by the
15 legislative council".

16 4. Page 1, by striking lines 38 through 42 and
17 inserting the following: "may be associated with any
18 project or improvement upon approval by the Iowa state
19 fair board."

20 5. Page 2, by striking lines 3 through 14.

21 6. Page 2, by striking lines 21 through 31 and
22 inserting the following: "line 3."

23 7. By striking page 2, line 44 through page 3,
24 line 5.

25 8. Page 3, by striking lines 8 through 13.

26 9. Page 3, by striking lines 15 through 38 and
27 inserting the following:

28 "_____. By striking page 12, line 34 through page
29 13, line 14, and inserting the following:

30 "Sec. _____.

31 The department of natural resources, by October 1,
32 1990, shall conduct a public hearing in Pocahontas
33 county relating to the possible restoration and
34 preservation of Lizard Lake.

35 Sec. _____. LOWHEAD DAM REPAIR.

36 1. There is appropriated to the department of
37 natural resources for the fiscal year beginning July
38 1, 1990, and ending June 30, 1991, the following
39 amount or so much thereof as is necessary, to be used
40 for the purpose designated:

41 For use by the department to transfer immediately
42 to the county board of supervisors of Jones county in
43 order to enter into an agreement with the department
44 to restore and repair a lowhead dam in the county:

45 \$ 50,000

46 2. The unencumbered or unobligated balance of the
47 appropriation made for the fiscal term as provided
48 under this section shall revert to the state treasury
49 pursuant to section 8.33."

50 _____. Page 16, by inserting after line 4 the

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Page 2

1 following:

2 "Sec. ____ . 1989 Iowa Acts, chapter 311, section 9,
3 subsection 4, unnumbered paragraph 1, is amended to
4 read as follows:

5 County boards of supervisors of Jones, Lyon,
6 Jasper, or Buena Vista counties may each enter into an
7 agreement with the department of natural resources to
8 restore and repair lowhead dams within their counties.
9 The department shall use moneys appropriated to the
10 county conservation account of the Iowa resources
11 enhancement and protection fund under section 455A.19,
12 subsection 1, paragraph "b", subparagraph (3), as
13 provided in 1989 Iowa Acts, House File 769. Under an
14 agreement, ~~Jones-county-is-eligible-to-receive~~
15 ~~\$50,000~~, Lyon county is eligible to receive \$50,000,
16 Jasper county is eligible to receive \$25,000, and
17 Buena Vista is eligible to receive \$25,000."

18 10. Page 4, by striking lines 29 through 43.

19 11. Page 4, by inserting after line 43, the
20 following:

21 "Sec. 900. Section 206.33, Code Supplement 1989,
22 is amended to read as follows:

23 206.33 DAMINOZIDE -- PROHIBITION.

24 A person shall not offer for sale, sell, purchase,
25 apply, or use a pesticide containing daminozide in
26 this state if the pesticide is sold, purchased,
27 applied, or used for purposes of enhancing or
28 improving a product produced to be consumed."

29 12. Page 4, by inserting after line 46 the
30 following:

31 "Sec. ____ . Section 455B.304, Code Supplement 1989,
32 is amended by adding the following new unnumbered
33 paragraph:

34 NEW UNNUMBERED PARAGRAPH. Notwithstanding the
35 provisions of this chapter regarding the requirement
36 of the equipping of a sanitary landfill with a
37 leachate control system and the establishment and
38 continuation of a postclosure account, the department
39 shall adopt rules which provide for an exemption from
40 the requirements to equip a sanitary landfill with a
41 leachate control system and to establish and maintain
42 a postclosure account if the sanitary landfill
43 operator is a public agency, if the sanitary landfill
44 has closed or will close by July 1, 1992, and will no
45 longer accept waste for disposal after that date, and
46 if at the time of closure of the sanitary landfill
47 monitoring of the groundwater does not reveal the
48 presence of leachate. The rules may require
49 postclosure groundwater monitoring and shall establish
50 the requirements for the implementation of leachate

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Page 3

1 collection and control in cases in which leachate is
2 found during postclosure monitoring. The rules shall
3 provide for a closure completion period following the
4 date of closure of a sanitary landfill.

5 Notwithstanding the provisions of this paragraph, the
6 public agency shall retain financial responsibility
7 for closure and postclosure requirements applicable to
8 sanitary disposal projects."

9 13. Page 4, line 47, by striking the words and
10 figure "'Sec. 800. Section 455A.25" and inserting the
11 following:

12 "Sec. 800. NEW SECTION. 455B.500".

13 14. Page 5, by striking lines 10 and 11 and
14 inserting the following: "conduct an evaluation of
15 the permit status of the research and may determine
16 whether a permit ought to be issued or modified before
17 the research continues.""

18 15. Page 6, by striking line 30 through page 7,
19 line 8.

20 16. Page 7, by striking lines 11 through 18.

21 17. Page 7, by inserting after line 31 the
22 following:

23 "____. Page 18, by inserting after line 10 the
24 following:

25 "Sec. ____ . Section 900 of this Act, being deemed
26 of immediate importance, takes effect upon
27 enactment.""

28 18. By renumbering, relettering, or redesignating
29 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-5959 FILED MARCH 29, 1990

House concurred 3/30 (y. 1642)



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319

515 281-5211

April 5, 1990

The Honorable Jo Ann Zimmerman
President of the Senate
State Capitol Building
L O C A L

Dear Madam President:

I hereby transmit Senate File 2364, an act relating to and making appropriations to the department of agriculture and land stewardship, the Iowa state fair authority, and the department of natural resources, changing the distribution of certain fees, and providing an effective date.

Senate File 2364 is, therefore, approved on this date with the following exceptions which I hereby disapprove.

I am unable to approve the items designated as Section 1, subsection 5, paragraphs e and f, in their entirety. Paragraph e calls for a \$37,577 appropriation for the support of an assistant attorney general. This position should be funded from pesticide receipts, not general fund dollars. Paragraph f earmarks funding for a planner to review pesticide cases and this should also be funded by pesticide receipts.

I am unable to approve the item designated as Section 3, numbered paragraph 1, in its entirety. This item calls for a \$250,000 appropriation to be used to develop public/private partnerships to assist in the promotion, marketing, and selling of agricultural products. The Department of Economic Development is charged with this very same duty and the Department of Agriculture and Land Stewardship should work with the Department of Economic Development to prevent duplication.

The Honorable Jo Ann Zimmerman
April 5, 1990
Page 2

I am unable to approve the item designated as Section 4, in its entirety. This section would require the Department of Agriculture and Land Stewardship to notify the chairpersons and ranking members of the Agriculture and Natural Resources Appropriations Subcommittee regarding fund transfers from dairy trade practices, the commercial feed fund, the fertilizer fund and the pesticide fund. This language is unnecessary, for Section 8.39 of the Code specifies the use of these funds.

I am unable to approve the item designated as Section 5, in its entirety. This section would allow the Department to spend increased revenues from potential fee increases in the fertilizer and pesticide funds for the administration and implementation of Chapters 200 and 206. These funds should be authorized through the appropriation process.

I am unable to approve the item designated as Section 8, subsection 8, paragraph b, in its entirety, which calls for a \$30,000 appropriation to be used to support the position of Environmental Specialist II for the development of preserves management plans. This task can be handled by the Department of Natural Resources within their existing budget.

I am unable to approve the item designated as Section 9, subsection 8, in its entirety. This item would require the Department to take all actions necessary to avoid using license receipts or other income for capitals and acquisitions unless the Code specifically designates the use. The Department would not be able to reduce personnel until all other actions necessitated by the expenditure reduction are exhausted. This could require the Department to turn back federal dollars for lack of a state match.

I am unable to approve the item designated as Section 12, in its entirety. This section appropriates \$50,000 to restore and repair a lowhead dam in Jones County. Several counties in the state have requested appropriations to pay for repairs of lowhead dams and the Resource Enhancement and Protection Act funds may be used for this purpose. Given the state's reduced revenues, I cannot approve this general fund expenditure.

I am unable to approve the item designated as Section 17, in its entirety. This section is ambiguous and is unnecessary, for the Department of Management currently notifies the chairpersons and ranking members of proposed transfer of funds.

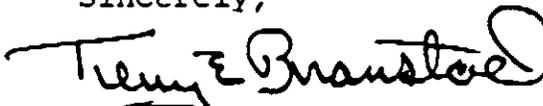
The Honorable Jo Ann Zimmerman
April 5, 1990
Page 3

I am unable to approve the item designated as Section 18, in its entirety. In lieu of divisional appropriations, this language was added to fiscal year 1990's appropriation bill. Senate File 2364 now includes divisional appropriations and this additional report is no longer necessary.

I am unable to approve the item designated as Section 22, in its entirety. This section eliminates Jones County from the list of four counties who were allowed to borrow ahead on their REAP allocations. Since I have vetoed Section 12 of this bill, there is no need for this section.

For the above reasons, I hereby respectfully disapprove these items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2364 are hereby approved as of this date.

Sincerely,



Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House
Secretary of State

SENATE FILE 2364

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO THE DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP, THE IOWA STATE FAIR AUTHORITY, AND THE DEPARTMENT OF NATURAL RESOURCES, CHANGING THE DISTRIBUTION OF CERTAIN FEES, AND PROVIDING AN EFFECTIVE DATE.

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

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Section 1.

There is appropriated from the general fund of the state and the trust funds indicated to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. ADMINISTRATIVE DIVISION

a. From the general fund of the state for salaries, support, maintenance, and miscellaneous purposes: \$ 1,274,018

b. From the fertilizer fund to be transferred to the administration division: \$ 51,147

c. From the dairy trade practice fund to be transferred to the administration division: \$ 96,290

d. From the commercial feed fund to be transferred to the administration division: \$ 51,147

e. Funds appropriated by this subsection are for the salaries and support of not more than the following full-time equivalent positions: PTEs 42.20

f. As a condition, limitation, and qualification of the appropriation from the general fund under paragraph "a", \$35,000 shall be allocated from the appropriation to the state 4-H foundation to foster the development of Iowa's youth and to encourage them to study the subject of agriculture.

2. FARM COMMODITY DIVISION

From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions: \$ 1,097,748 FTEs 23.0

3. FARMERS' MARKET COUPON PROGRAM

From the general fund of the state for salaries, support, maintenance, and miscellaneous purposes, to be used by the department to continue and expand the farmers' market coupon program by providing federal special supplemental food program recipients with coupons redeemable at farmers' markets, and for the following full-time equivalent positions: \$ 198,333 PTEs 2.50

4. REGULATORY DIVISION

a. From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions: \$ 4,053,440 PTEs 140.20

b. As a condition, limitation, and qualification of the appropriation from the general fund under paragraph "a", \$3,342 shall be used by the regulatory division for purchase of equipment used to detect sulfamethazine contamination.

5. LABORATORY DIVISION

a. From the general fund of the state for salaries, support, maintenance, and miscellaneous purposes: \$ 858,472

b. From the commercial feed fund to be transferred to the laboratory division:

Items vetoed: Section 1, § 5, para. e & f;
Section 3, ~~num.~~ para 1;
Sections 4 & 5;

Section 8, § 8, para. b;
Section 9, § 8
Sections 12, 17, 18, & 22

SF 2364

..... \$ 600,609
c. From the pesticide fund to be transferred to the laboratory division:

..... \$ 662,296
d. From the fertilizer fund to be transferred to the laboratory division:

..... \$ 764,566
e. As a condition, limitation, and qualification of the appropriation from the general fund under paragraph "a", \$37,577 shall be used for the support of an assistant attorney general.

f. As a condition, limitation, and qualification of the appropriation from the general fund under paragraph "a", \$28,000 shall be used to support the position of program planner to perform pesticide case reviews.

g. Funds appropriated by this subsection are for the salaries and support of not more than the following full-time equivalent positions:

..... FTEs 84.0

The amount of full-time equivalent positions allocated under this paragraph "g" may be exceeded, if all of the following conditions are satisfied:

- (1) Additional funding other than from the state general fund is available during the fiscal year beginning July 1, 1990, and ending June 30, 1991.
- (2) The legislative council is notified of the additional funding and the number of full-time equivalent positions to be increased.
- (3) The department of management approves the increase in full-time equivalent positions recommended by the legislative council.

6. SOIL CONSERVATION DIVISION

a. From the general fund of the state for salaries, support, maintenance, assistance to soil conservation districts, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,462,287
..... PTEs 193.79

b. As a condition, limitation, and qualification of the appropriation from the general fund under paragraph "a", \$350,000 shall be allocated from the appropriation to support additional soil conservation technicians for field offices. Also as a condition, limitation, and qualification of the appropriation, all documentation relating to employing persons as soil conservation technicians shall be transmitted to the department of personnel and to the department of management by July 1, 1990, and the positions shall commence by July 1, 1990. Persons shall be employed to fill these additional positions by September 1, 1990.

c. To provide financial incentives for soil conservation practices in accordance with paragraph "d":
..... \$ 6,789,972

d. As a condition, limitation, and qualification of the appropriation from the general fund under paragraph "c", the following requirements apply to the funds appropriated by paragraph "c":

- (1) Not more than 5 percent may be allocated for cost sharing to abate complaints filed under section 467A.47 and 467A.48.
- (2) Not more than 10 percent may be allocated for financial incentives not exceeding 75 percent of the approved cost of permanent soil conservation practices under chapter 467A on watersheds above publicly owned lakes in accordance with the priority list required in 1989 Iowa Acts, chapter 311, section 15.
- (3) The soil conservation district commissioners may allocate financial incentives not exceeding 60 percent of the cost of permanent soil conservation practices for special watershed practices or summer construction incentives under section 467A.7, subsections 17 and 19.
- (4) Except for the allocations subject to subparagraphs (1), (2), and (3), these funds shall not be used alone or in

combination with other public funds to provide a financial incentive payment greater than 50 percent of the approved cost for voluntary permanent soil conservation practices and priority shall be given to family-operated farms.

(5) The soil conservation committee may allocate funds to conduct research and demonstration projects to promote conservation tillage and nonpoint sources pollution control practices.

(6) Not more than 30 percent of a district's allocation may be allocated by the soil conservation district commissioners for the establishment of management practices to control soil erosion on land that is now row cropped.

(7) The financial incentive payments may be used in combination with department of natural resources funds.

e. The provisions of section 8.33 shall not apply to the funds appropriated by paragraph "c". Unencumbered or unobligated funds remaining on June 30, 1994, from funds appropriated for the fiscal year beginning July 1, 1990, shall revert to the general fund on September 30, 1994.

Sec. 2.

There is appropriated from the funds available under section 99D.13 to the regulatory division of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as necessary, to be used for the purposes designated:

For the salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions for the administration of section 99D.22:	
.....	\$ 159,072
.....	FTEs 4.0

Sec. 3.

There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. RURAL REVITALIZATION

For developing pilot public/private partnerships to assist Iowa producers of agricultural products in the promotion, marketing, and selling of agricultural products to local and regional markets, as provided in section 99E.32, subsection 3, paragraph "i":

..... \$ 250,000

2. PILOT LAMB AND WOOL MANAGEMENT EDUCATION PROJECTS

To fund pilot lamb and wool management education projects approved by the department at area schools selected as project sites as provided in section 99E.32, subsection 3, paragraph "a":

..... \$ 250,000

Sec. 4.

The department shall not make transfers from the funds established in chapter 192A, 198, 200, and 206, to be used for purposes not authorized in those chapters without notifying the chairpersons and ranking members of the agriculture and natural resources appropriations subcommittee in writing prior to the proposed transfer of funds. The notice from the department shall include information concerning the amount of the proposed transfer, the funds affected by the proposed transfer, and the reasons for the proposed transfer. Chairpersons and ranking members notified shall be given at least 2 weeks to review and comment on the proposed transfer before the transfer of funds is made.

Sec. 5.

For the fiscal year beginning July 1, 1990, and ending June 30, 1991, the increased fee revenues resulting to the fertilizer fund and to the pesticide fund during the fiscal year, from the increases in fees and expansion of coverage of fee requirements, are appropriated for that fiscal year to the department of agriculture and land stewardship for the administration and implementation of chapters 200 and 206.

Sec. 6.

There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For support of the pseudorabies eradication program:
 \$ 250,000

IOWA STATE FAIR AUTHORITY

Sec. 7.

There is appropriated from the general fund of the state to the Iowa state fair authority for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

For capital projects or major maintenance improvements at the Iowa state fairgrounds:
 \$ 300,000

As a condition, limitation, and qualification of the appropriation made under this section, \$100,000 shall be allocated from the appropriation to be used only on a matching basis from private contributions. The name of a private contributor may be associated with any project or improvement upon approval by the Iowa state fair board.

DEPARTMENT OF NATURAL RESOURCES

Sec. 8.

There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as may be necessary, to be used for the purposes designated:

1. OFFICE OF DIRECTOR

From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:
 \$ 115,891
 FTEs 5.95

2. ADMINISTRATIVE SERVICES DIVISION

From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 1,903,642
 FTEs 124.15

3. COORDINATION AND INFORMATION DIVISION

From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 788,691
 FTEs 42.08

4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

a. From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 1,260,841
 FTEs 59.62

5. ENVIRONMENTAL PROTECTION DIVISION

a. From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 2,105,780
 FTEs 142.55

6. FISH AND WILDLIFE DIVISION

From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 0
 FTEs 332.24

7. FORESTS AND FORESTRY DIVISION

From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 1,581,069
 FTEs 55.71

8. PARKS AND PRESERVES DIVISION

a. From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 5,415,886
 FTEs 208.05

b. As a condition, limitation, and qualification of the appropriation under paragraph "a", \$30,000 from the appropriation shall be used to support the position of environmental specialist II for the development of preserves management plans.

9. WASTE MANAGEMENT AUTHORITY

a. From the general fund of the state for salaries, support, maintenance, miscellaneous purposes, and for the following full-time equivalent positions:

..... \$ 0
 FTEs 11.00

10. For reimbursement to federal agencies for cooperative contracts:

..... \$ 185,983

11. For the green thumb program for the employment of the elderly in conservation and outdoor recreation related fields in coordination with other agencies as provided by law, and for not more than the following full-time equivalent positions:

..... \$ 230,500
 FTEs 18.69

12. If an amount is expended in excess of the amount designated for any purpose, including any division specified under this section, the department shall notify the legislative fiscal bureau, the chairpersons of the standing appropriations committees of the senate and house of representatives, and the chairpersons of the agriculture and natural resources appropriations subcommittee pursuant to section 8.39.

Sec. 9.

There is appropriated from the state fish and game protection fund to the division of fish and game of the department of natural resources for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. From the state fish and game protection fund for administrative support during the fiscal year beginning July 1, 1990, and ending June 30, 1991:

..... \$ 2,754,472

2. From the state fish and game protection fund for the law enforcement bureau of the fish and wildlife division for salaries, support, maintenance, equipment, and miscellaneous purposes during the fiscal year beginning July 1, 1990, and ending June 30, 1991:

..... \$ 4,953,493

3. From the state fish and game protection fund for the fisheries bureau of the fish and wildlife division for salaries, support, maintenance, equipment, and miscellaneous purposes during the fiscal year beginning July 1, 1990, and ending June 30, 1991:

..... \$ 4,506,802

4. From the state fish and game protection fund for the wildlife bureau of the fish and wildlife division for salaries, support, maintenance, equipment, and miscellaneous purposes during the fiscal year beginning July 1, 1990, and ending June 30, 1991:

..... \$ 5,004,526

5. From the state fish and game protection fund for division management of the fish and wildlife division, for salaries, support, maintenance, equipment, and miscellaneous purposes, during the fiscal year beginning July 1, 1990, and ending June 30, 1991:

..... \$ 180,847

6. From the fees deposited under section 321G.7 to the fish and game protection fund for enforcement of snowmobile laws as part of the state snowmobile program:

..... \$ 150,000

7. From the fees deposited under section 106.52 to the fish and game protection fund for administration and enforcement of navigation laws and water safety:

..... \$ 1,000,000

8. As a condition, limitation, and qualification of the appropriation under this section, if reductions in expenditures are determined to be necessary to avoid a budget deficit in the fish and game protection fund, the department shall take all actions necessary to avoid using license receipts or other income for capitals and acquisitions, unless the Code specifically designates the use. The department shall not reduce personnel until all other actions necessitated by the expenditure reduction are exhausted.

Sec. 10.

There is appropriated from the marine fuel tax fund to the department of natural resources for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For maintenance and development of boating facilities and access to public waters:

..... \$ 400,000

2. For deposit in the state fish and game protection fund for the administration and enforcement of navigation laws and boat safety:

..... \$ 150,000

As a condition, limitation, and qualification of the appropriations made under this section, the balance of the amount computed as provided in section 324.84 for the fiscal year beginning July 1, 1990, and ending June 30, 1991, is appropriated for the purposes provided in section 324.79, subsections 1, 2, 3, and 5. Notwithstanding section 8.33, the unencumbered or unobligated balances of funds specifically allocated for such projects for the fiscal year ending June 30, 1991, shall revert to the fund from which appropriated on September 30, 1993.

Sec. 11.

The department of natural resources, by October 1, 1990, shall conduct a public hearing in Pocahontas county relating to the possible restoration and preservation of Lizard Lake.

Sec. 12. LOWHEAD DAM REPAIR.

1. There is appropriated to the department of natural resources for the fiscal year beginning July 1, 1990, and ending June 30, 1991, the following amount or so much thereof as is necessary, to be used for the purpose designated:

For use by the department to transfer immediately to the county board of supervisors of Jones county in order to enter into an agreement with the department to restore and repair a lowhead dam in the county:

..... \$ 50,000

2. The unencumbered or unobligated balance of the appropriation made for the fiscal term as provided under this section shall revert to the state treasury pursuant to section 8.33.

Sec. 13.

The department of agriculture and land stewardship, in cooperation as necessary with the department of management and the department of personnel, shall provide a list to the legislative fiscal bureau, on a quarterly basis, of all permanent positions added to or deleted from the department's table of organization in the previous fiscal quarter. This list shall include at least the position number, salary range, projected funding source or sources of each position, and the reason for the addition or deletion. The legislative fiscal bureau may use this information to assist in the establishment of the PTE limits contained in the appropriation bill for the department.

Sec. 14.

The department of natural resources, in cooperation as necessary with the department of management and the department of personnel, shall provide a list to the legislative fiscal bureau, on a quarterly basis, of all permanent positions added

to or deleted from the department's table of organization in the previous fiscal quarter. This list shall include at least the position number, salary range, projected funding source or sources of each position, and the reason for the addition or deletion. The legislative fiscal bureau may use this information to assist in the establishment of the FTE limits contained in the appropriation bill for the department.

Sec. 15.

The natural resources commission shall establish a priority list of watersheds which are of highest importance based on soil loss to be used for the allocation of funds set aside in the appropriations to the department of agriculture and land stewardship for permanent soil conservation practices, pursuant to section 1, subsection 6, paragraph "d", subparagraph (2) of this Act.

Sec. 16.

Notwithstanding section 17A.2, subsection 7, paragraph "g", the department shall by rule establish prices of plant material grown at the state forest nurseries to cover all expenses related to the growing of the plants.

The department shall develop additional programs to encourage the wise management and preservation of existing woodlands and shall increase its efforts to encourage forestation and reforestation on private and public lands in the state.

The department shall encourage a cooperative relationship between the state forest nurseries and private nurseries in the state in order to achieve these goals.

Sec. 17.

If the department of agriculture and land stewardship or the department of natural resources makes an appropriation transfer between appropriation line-items, the chairpersons and ranking members of the agriculture and natural resources appropriations subcommittee shall be notified in writing prior to the proposed transfer of funds. The notice from the department shall include information concerning the amount of

the proposed transfer, the appropriation line-items affected by the proposed transfer, and the reasons for the proposed transfer. Chairpersons and ranking members notified shall be given at least two weeks to review and comment on the proposed transfer before the transfer of funds is made.

Sec. 18.

The department of natural resources shall provide the legislative fiscal bureau information and financial data by cost center, on at least a monthly basis, relating to the indirect cost accounting procedure, the amount of funding from each funding source for each cost center, and the internal budget system used by the department. The information shall include but is not limited to financial data covering the department's budget by cost center and funding source prior to the start of the fiscal year, and to the department's actual expenditures by cost center and funding source after the accounting system has been closed for that fiscal year.

Sec. 19.

During the fiscal year for which funds are appropriated by section 8 of this Act, the department of natural resources shall not require the installation or use of equipment to control the emission of dust or other particulate matter on or by facilities for storage of grain which are located within the ambient air quality attainment areas for suspended particulates.

Sec. 20. 1987 Iowa Acts, chapter 233, section 204, subsection 5, as amended by 1989 Iowa Acts, chapter 311, section 21, is amended to read as follows:

5. It is the intention of the general assembly in adopting the appropriation under subsection 1 and this subsection to cease funding for the department's implementation of the federal Resource Conservation and Recovery Act permit program for hazardous waste facilities in this state. Section 455B.411, subsections 6, 9, and 10, section 455B.412, subsections 2 through 4, and sections 455B.413 through 455B.421 are suspended and do not apply as they pertain to

that permit program, but are not suspended and do apply as they pertain to abandoned and uncontrolled sites, used oil, and site licensing under chapter 455B, division IV, part 6. The suspension provided by this subsection begins July 1, 1987 and ends June 30, ~~1990~~ 1994.

Sec. 21. Section 29C.8A, subsection 1, Code 1989, is amended to read as follows:

1. An emergency response fund is created in the state treasury. The first one hundred thousand dollars received annually by the treasurer of state for the civil penalties and fines imposed by the court pursuant to sections 455B.146, 455B.191, 455B.386, 455B.417, 455B.454, 455B.466, and 455B.477 shall be deposited in the general waste volume reduction and recycling fund of the state created in section 455D.15. The next hundred thousand dollars shall be deposited in the emergency response fund and any additional moneys shall be deposited in the household hazardous waste account. All moneys received annually by the treasurer of the state for the fines imposed by sections 716B.2, 716B.3, and 716B.4 shall also be deposited in the emergency response fund.

Sec. 22. 1989 Iowa Acts, chapter 311, section 9, subsection 4, unnumbered paragraph 1, is amended to read as follows:

County boards of supervisors of Jones, Lyon, Jasper, or Buena Vista counties may each enter into an agreement with the department of natural resources to restore and repair lowhead dams within their counties. The department shall use moneys appropriated to the county conservation account of the Iowa resources enhancement and protection fund under section 455A.19, subsection 1, paragraph "b", subparagraph (3), as provided in 1989 Iowa Acts, House File 769. Under an agreement, ~~Jones county is eligible to receive \$50,000~~, Lyon county is eligible to receive \$50,000, Jasper county is eligible to receive \$25,000, and Buena Vista is eligible to receive \$25,000.

Sec. 23.

There is appropriated from the fees deposited in the portion of the solid waste account of the groundwater protection fund pursuant to section 455E.11, subsection 2, paragraph "a", subparagraph (2), subparagraph subdivision (d), subparagraph subdivision part (11), which were deposited prior to July 1, 1990, to the Iowa center for applied research in metal casting at the university of northern Iowa, the following amount, or so much thereof as is necessary, to be used to conduct a feasibility study to determine the economic and technical feasibility of thermoreclamation of foundry sand. The study shall include an evaluation of the types of foundry sand in Iowa, an economic analysis of thermoreclamation of foundry sand, and the environmental benefits and acceptability of thermoreclamation of foundry sand:

..... \$ 130,000

Sec. 24. Section 206.33, Code Supplement 1989, is amended to read as follows:

206.33 DAMINOZIDE -- PROHIBITION.

A person shall not offer for sale, sell, purchase, apply, or use a pesticide containing daminozide in this state if the pesticide is sold, purchased, applied, or used for purposes of enhancing or improving a product produced to be consumed.

Sec. 25. Section 455B.304, Code Supplement 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the provisions of this chapter regarding the requirement of the equipping of a sanitary landfill with a leachate control system and the establishment and continuation of a postclosure account, the department shall adopt rules which provide for an exemption from the requirements to equip a sanitary landfill with a leachate control system and to establish and maintain a postclosure account if the sanitary landfill operator is a public agency, if the sanitary landfill has closed or will close by July 1, 1992, and will no longer accept waste for disposal after that date, and if at the time of closure of the

sanitary landfill monitoring of the groundwater does not reveal the presence of leachate. The rules may require postclosure groundwater monitoring and shall establish the requirements for the implementation of leachate collection and control in cases in which leachate is found during postclosure monitoring. The rules shall provide for a closure completion period following the date of closure of a sanitary landfill. Notwithstanding the provisions of this paragraph, the public agency shall retain financial responsibility for closure and postclosure requirements applicable to sanitary disposal projects.

Sec. 26. NEW SECTION. 455B.500 WASTE MANAGEMENT RESEARCH BY PERSONS IN CONJUNCTION WITH INSTITUTIONS OF HIGHER EDUCATION.

A person acting in conjunction with a private college, community college, or state board of regents' institution, to conduct research relating to waste management, on private property, or on property in which a city or county holds an interest, shall notify the department in writing. The person is not required to obtain authorization, including but not limited to a permit, by the department for one hundred twenty days after submitting the notice. After the end of the one hundred-twenty-day period the department shall conduct an evaluation of the permit status of the research and may determine whether a permit ought to be issued or modified before the research continues.

Sec. 27. Section 455E.11, subsection 2, paragraph a, subparagraph (8), Code Supplement 1989, is amended by striking the subparagraph and inserting in lieu thereof the following:

(8) The first fifty cents per ton of funds received from the tonnage fee imposed for the fiscal year beginning July 1, 1990, and thereafter shall be used for the following:

(a) Twenty cents per ton of the amount allocated under this subparagraph is appropriated to the university of northern Iowa to develop and maintain the Iowa waste reduction center for the safe and economic management of solid waste and

hazardous substances established at the university of northern Iowa.

(b) Thirty cents per ton of the amount allocated under this subparagraph is appropriated to the department of natural resources for the following purposes:

(i) Eight thousand dollars of the amount allocated under this subparagraph shall be transferred to the Iowa department of public health for carrying out the departmental duties pursuant to section 135.11, subsections 20 and 21, and section 139.35.

(ii) The administration and enforcement of a groundwater monitoring program and other required programs which are related to solid waste management.

(iii) The development of guidelines for groundwater monitoring at sanitary disposal projects as defined in section 455B.301, subsection 13.

(iv) The waste management authority of the department of natural resources.

Sec. 28. Section 455E.11, subsection 2, paragraph c, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

A household hazardous waste account. The moneys collected pursuant to section 455F.7 and moneys collected pursuant to section 29C.8A which are designated for deposit, shall be deposited in the household hazardous waste account. ~~Except for the first one hundred thousand dollars received annually for deposit in the waste volume reduction and recycling fund to be used by the department to provide financial assistance to counties in investigation of complaints; and the next one hundred thousand dollars received annually for deposit in the emergency response fund; the treasurer of state shall deposit moneys received from civil penalties and fines imposed by the court pursuant to sections 455B:146; 455B:191; 455B:386; 455B:417; 455B:454; 455B:466; and 455B:477 in the household hazardous waste account; Two thousand dollars is appropriated annually to the Iowa department of public health to carry out~~

departmental duties under section 135.11, subsections 20 and 21, and section 139.35, eighty thousand dollars is appropriated to the department of natural resources for city, county, or service organization project grants relative to recycling and reclamation events, and eight thousand dollars is appropriated to the department of transportation for the period of October 1, 1987, through June 30, 1989, for the purpose of conducting the used oil collection pilot project. The remainder of the account shall be used to fund Toxic Cleanup Days programs, education programs, and other activities pursuant to chapter 455F, including the administration of the household hazardous materials permit program by the department of revenue and finance.

Sec. 29. Section 467A.48, subsection 1, Code Supplement 1989, is amended to read as follows:

1. An owner or occupant of land in this state is not required to establish any new permanent or temporary soil and water conservation practice unless public or other cost-sharing funds have been specifically approved for that land and actually made available to the owner or occupant. The amount of cost-sharing funds made available shall not exceed seventy-five fifty percent of the estimated cost as established by the commissioners of a permanent soil and water conservation practice, or seventy-five fifty percent of the actual cost, whichever is less, or an amount set by the committee for a temporary soil and water conservation practice, except as otherwise provided by law with respect to land classified as agricultural land under conservation cover. The commissioners shall establish the estimated cost of permanent soil and water conservation practices in the district based upon one and two-tenths of the average cost of the practices installed in the district during the previous year. The average costs shall be reviewed and approved by the commissioners each calendar year.

Sec. 30.

Notwithstanding section 8.33, the moneys appropriated in 1989 Iowa Acts, chapter 311, section 5 that remain unencumbered and unobligated on June 30, 1990, shall not revert to the general fund but shall remain available for expenditure for the purposes designated during the fiscal year beginning July 1, 1990 and ending June 30, 1991.

Sec. 31.

Sections 21, 23, 24, 26, and 28 of this Act, being deemed of immediate importance, take effect upon enactment.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2364, Seventy-third General Assembly.

JOHN F. DHYER
Secretary of the Senate

Item Veto
~~Approved~~ April 5, 1990

TERRY E. BRANSTAD
Governor