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SENATE FILE 467
BY COMMITTEE ON APPROPRIATIONS

WITHDRAWN

(SUCCESSOR TO SSB ~~333~~) **355**

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

A BILL FOR

1 An Act relating to agriculture and natural resources, by
2 providing for appropriations and revenue, providing related
3 statutory changes, and providing effective dates.

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

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WITHDRAWN

S.F. 467

1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

2 Section 1. GENERAL APPROPRIATION. There is appropriated
3 from the general fund of the state to the department of
4 agriculture and land stewardship for the fiscal year beginning
5 July 1, 1995, and ending June 30, 1996, the following amounts,
6 or so much thereof as is necessary, to be used for the
7 purposes designated:

8 1. ADMINISTRATIVE DIVISION

9 a. For salaries, support, maintenance, the support of the
10 state 4-H foundation, support of the statistics bureau, and
11 miscellaneous purposes, and for the salaries and support of
12 not more than the following full-time equivalent positions:

13	\$	1,763,343
14	FTEs	44.50

15 (1) Of the funds appropriated in this paragraph "a",
16 \$319,550 and 7.00 FTEs shall be used to support horticulture.

17 (2) Of the amount appropriated in this paragraph "a",
18 \$50,000 shall be allocated to the state 4-H foundation to
19 foster the development of Iowa's youth and to encourage them
20 to study the subject of agriculture.

21 (3) Of the amount appropriated in this paragraph "a",
22 \$130,100 and 4.00 FTEs shall be allocated to the statistics
23 bureau to provide county-by-county information on land in
24 farms, production by crop, acres by crop, and county prices by
25 crop. This information shall be made available to the
26 department of revenue and finance for use in the productivity
27 formula for valuing and equalizing the values of agricultural
28 land.

29 (4) Of the amount appropriated in this paragraph "a", not
30 more than \$5,000 shall be allocated to the Iowa polled
31 hereford junior association in connection with the 1995
32 national junior hereford show.

33 (5) As a condition of the amount appropriated in this
34 paragraph "a", none of the following positions shall be
35 supported from the amount:

1 (a) Any executive officer II in the department after
2 September 30, 1995.

3 (b) Any public service executive II in the information
4 bureau after June 30, 1995.

5 (c) Any information specialist III in the information
6 bureau after June 30, 1995.

7 b. For the operations of the dairy trade practices bureau:
8 \$ 66,273

9 c. For the purpose of performing commercial feed audits:
10 \$ 61,932

11 d. For the purpose of performing fertilizer audits:
12 \$ 61,932

13 2. REGULATORY DIVISION

14 a. For salaries, support, maintenance, miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:
17 \$ 3,792,298
18 FTEs 122.50

19 Of the moneys appropriated in this paragraph "a", \$34,300
20 is allocated for purposes of purchasing equipment for grain
21 examiners to comply with requirements of the United States
22 department of labor occupational safety and health admin-
23 istration.

24 b. For the costs of inspection, sampling, analysis, and
25 other expenses necessary for the administration of chapters
26 192, 194, and 195:
27 \$ 642,122

28 3. LABORATORY DIVISION

29 a. For salaries, support, maintenance, and miscellaneous
30 purposes, including the administration of the gypsy moth
31 program, and for not more than the following full-time
32 equivalent positions:
33 \$ 845,528
34 FTEs 76.10

35 (1) Of the amount appropriated in this paragraph "a",

1 \$110,000 shall be used to administer a program relating to the
2 detection, surveillance, and eradication of the gypsy moth.
3 The department shall allocate and use the appropriation made
4 in this paragraph before moneys other than those appropriated
5 in this paragraph are used to support the program.

6 (2) Of the amount appropriated in this paragraph "a",
7 \$25,000 shall be allocated to Iowa state university for
8 purposes of supporting multiflora rose eradication research
9 and projects.

10 (3) Of the amount appropriated in this paragraph "a",
11 \$25,000 shall be allocated to support aerial spray calibration
12 efforts at Iowa state university.

13 b. For the operations of the commercial feed programs:
14 \$ 735,631

15 c. For the operations of the pesticide programs:
16 \$ 1,271,464

17 Of the amount appropriated in this paragraph "c", \$200,000
18 shall be allocated to Iowa state university for purposes of
19 training commercial pesticide applicators.

20 d. For the operations of the fertilizer programs:
21 \$ 626,630

22 4. SOIL CONSERVATION DIVISION

23 a. For salaries, support, maintenance, assistance to soil
24 conservation districts, miscellaneous purposes, and for not
25 more than the following full-time equivalent positions:
26 \$ 5,676,476
27 FTEs 177.30

28 (1) Of the amount appropriated in this paragraph "a",
29 \$330,000 shall be used to reimburse commissioners of soil and
30 water conservation districts for administrative expenses.
31 Moneys used for the payment of meeting dues by counties shall
32 be matched on a dollar-for-dollar basis by the soil
33 conservation division.

34 (2) Of the amount appropriated and the number of full-time
35 equivalent positions allocated in this paragraph "a", \$165,000

1 and 6.50 FTEs shall be used to provide that 13 part-time field
2 office secretary I positions are made full-time positions. Of
3 the amount appropriated and the number of full-time equivalent
4 positions allocated in paragraph "a", \$55,000 and 1 FTE shall
5 be used to support a public service executive I position in
6 the field services section of the division.

7 b. To provide financial incentives for soil conservation
8 practices under chapter 161A:

9 \$ 5,918,606

10 c. The following requirements apply to the moneys
11 appropriated in paragraph "b":

12 (1) Not more than 5 percent of the moneys appropriated in
13 paragraph "b" may be allocated for cost sharing to abate
14 complaints filed under section 161A.47.

15 (2) Of the moneys appropriated in paragraph "b", 5 percent
16 shall be allocated for financial incentives to establish
17 practices to protect watersheds above publicly owned lakes of
18 the state from soil erosion and sediment as provided in
19 section 161A.73.

20 (3) Not more than 30 percent of a district's allocation of
21 moneys as financial incentives may be provided for the purpose
22 of establishing management practices to control soil erosion
23 on land that is row cropped, including but not limited to no-
24 till planting, ridge-till planting, contouring, and contour
25 strip-cropping as provided in section 161A.73.

26 (4) The state soil conservation committee created in
27 section 161A.4 may allocate moneys to conduct research and
28 demonstration projects to promote conservation tillage and
29 nonpoint source pollution control practices.

30 (5) The financial incentive payments may be used in
31 combination with department of natural resources moneys.

32 d. The provisions of section 8.33 shall not apply to the
33 moneys appropriated in paragraph "b". Unencumbered or
34 unobligated moneys remaining on June 30, 1999, from moneys
35 appropriated in paragraph "b" for the fiscal year beginning

1 July 1, 1995, shall revert to the general fund on August 31,
2 1999.

3 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
4 appropriated from the general fund of the state to the
5 department of agriculture and land stewardship for the fiscal
6 year beginning July 1, 1995, and ending June 30, 1996, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For salaries, support, maintenance, and miscellaneous
10 purposes, to be used by the department to continue and expand
11 the farmers' market coupon program by providing federal
12 special supplemental food program recipients with coupons
13 redeemable at farmers' markets, and for not more than the
14 following full-time equivalent positions:

15	\$	215,335
16	FTEs	1.00

17 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

18 1. There is appropriated from the general fund of the
19 state to the department of agriculture and land stewardship
20 for the fiscal year beginning July 1, 1995, and ending June
21 30, 1996, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For support of the pseudorabies eradication program:
24 \$ 900,200

25 2. Persons, including organizations interested in swine
26 production in this state and in the promotion of Iowa pork
27 products who contribute support to the program, are encouraged
28 to increase financial support for purposes of ensuring the
29 program's effective continuation.

30 Sec. 4. HORSE AND DOG RACING. There is appropriated from
31 the moneys available under section 99D.13 to the regulatory
32 division of the department of agriculture and land stewardship
33 for the fiscal year beginning July 1, 1995, and ending June
34 30, 1996, the following amount, or so much thereof as is
35 necessary, to be used for the purpose designated:

1 For salaries, support, maintenance, and miscellaneous
2 purposes for the administration of section 99D.22:

3 \$ 191,106

4 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
5 MARKETING. There is appropriated from the general fund of the
6 state to the interstate agricultural grain marketing
7 commission for the fiscal year beginning July 1, 1995, and
8 ending June 30, 1996, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:

10 For carrying out duties of the commission as provided in
11 Article IV of the interstate compact on agricultural grain
12 marketing as provided in chapter 183:

13 \$ 80,000

14 DEPARTMENT OF NATURAL RESOURCES

15 Sec. 6. GENERAL APPROPRIATION. There is appropriated from
16 the general fund of the state to the department of natural
17 resources for the fiscal year beginning July 1, 1995, and
18 ending June 30, 1996, the following amounts, or so much
19 thereof as is necessary, to be used for the purposes
20 designated:

21 1. ADMINISTRATIVE AND SUPPORT SERVICES

22 For salaries, support, maintenance, miscellaneous purposes,
23 and for not more than the following full-time equivalent
24 positions:

25 \$ 1,834,654

26 FTEs 113.50

27 2. PARKS AND PRESERVES DIVISION

28 For salaries, support, maintenance, miscellaneous purposes,
29 and for not more than the following full-time equivalent
30 positions:

31 \$ 5,510,462

32 FTEs 195.73

33 3. FORESTS AND FORESTRY DIVISION

34 For salaries, support, maintenance, miscellaneous purposes,
35 and for not more than the following full-time equivalent

1 positions:

2 \$ 1,479,218

3 FTEs 48.71

4 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

5 For salaries, support, maintenance, miscellaneous purposes,
6 and for not more than the following full-time equivalent

7 positions:

8 \$ 1,663,582

9 FTEs 52.00

10 5. ENVIRONMENTAL PROTECTION DIVISION

11 a. For salaries, support, maintenance, miscellaneous
12 purposes, and for not more than the following full-time

13 equivalent positions:

14 \$ 1,591,943

15 FTEs 206.00

16 b. Of the amount appropriated and the number of full-time
17 equivalent positions allocated in paragraph "a" at least
18 \$49,300 and 1 FTE shall be used to support the regulation of
19 animal feeding operations.

20 6. WATER QUALITY PROTECTION FUND

21 a. For allocation to the administrative account of the
22 water quality protection fund established pursuant to section
23 455B.183A, to carry out the purpose of that account:

24 \$ 404,000

25 b. Of the number of FTEs authorized in subsection 5,
26 paragraph "a", 36 FTEs shall be dedicated to carrying out the
27 provisions of chapter 455B relating to the administration,
28 regulation, and enforcement of the federal Safe Drinking Water
29 Act and to support the program to assist supply systems as
30 provided in section 455B.183B. However, the limitation on
31 full-time equivalent positions provided in subsection 5,
32 paragraph "a", shall not limit the number of additional full-
33 time equivalent positions supported by moneys deposited in the
34 water quality protection fund as provided in section
35 455B.183A, in order to carry out the provisions of division

1 III of chapter 455B relating to the administration,
2 regulation, and enforcement of the federal Safe Drinking Water
3 Act, and the administration of the program to assist supply
4 systems pursuant to section 455B.183B.

5 c. In providing assistance under this subsection, the
6 department shall provide priority to systems serving a
7 population of seven thousand or less. At least two FTEs shall
8 be allocated to provide assistance to systems serving a
9 population of seven thousand or less.

10 7. FISH AND WILDLIFE DIVISION

11 For not more than the following full-time equivalent
12 positions:

13 FTEs 340.93

14 8. WASTE MANAGEMENT ASSISTANCE DIVISION

15 For not more than the following full-time equivalent
16 positions:

17 FTEs 16.75

18 Sec. 7. STATE FISH AND GAME PROTECTION FUND -- APPRO-
19 PRIATION TO THE DIVISION OF FISH AND WILDLIFE.

20 1. There is appropriated from the state fish and game
21 protection fund to the division of fish and wildlife of the
22 department of natural resources for the fiscal year beginning
23 July 1, 1995, and ending June 30, 1996, the following amount,
24 or so much thereof as is necessary, to be used for the
25 purposes designated:

26 For administrative support, and for salaries, support,
27 maintenance, equipment, and miscellaneous purposes:
28 \$ 20,637,657

29 2. The department shall not expend more moneys from the
30 fish and game protection fund than provided in this section,
31 unless the expenditure derives from contributions made by a
32 private entity, or a grant or moneys received from the federal
33 government, and is approved by the natural resource
34 commission. The department of natural resources shall
35 promptly notify the legislative fiscal bureau and the

1 chairpersons and ranking members of the joint appropriations
2 subcommittee on agriculture and natural resources concerning
3 the commission's approval.

4 Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS AND
5 BOATING FACILITIES AND ACCESS. There is appropriated from the
6 marine fuel tax receipts deposited in the general fund of the
7 state to the department of natural resources for the fiscal
8 year beginning July 1, 1995, and ending June 30, 1996, the
9 following amounts, or so much thereof as is necessary, to be
10 used for the purposes designated:

11 1. For purposes of funding expenditures traditionally
12 funded from marine fuel tax revenues, but not considered as
13 capitals or operations:
14 \$ 200,000

15 2. For purposes of maintaining and developing boating
16 facilities and access to public waters by the parks and
17 preserves division:
18 \$ 411,311

19 Notwithstanding section 8.33, the unencumbered or
20 unobligated moneys remaining on June 30, 1996, from moneys
21 appropriated in subsection 1, may be expended during the
22 fiscal year beginning July 1, 1996, and ending June 30, 1997,
23 and shall not revert to the general fund until August 31,
24 1997.

25 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT
26 PURPOSES. There is transferred on July 1, 1995, from the fees
27 deposited under section 321G.7 to the fish and game protection
28 fund and appropriated to the department of natural resources
29 for the fiscal year beginning July 1, 1995, and ending June
30 30, 1996, the following amount, or so much thereof as is
31 necessary, to be used for the purpose designated:

32 For the purpose of enforcing snowmobile laws as part of the
33 state snowmobile program administered by the department of
34 natural resources:
35 \$ 100,000

1 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.
2 There is transferred on July 1, 1995, from the fees deposited
3 under section 462A.52 to the fish and game protection fund and
4 appropriated to the department of natural resources for the
5 fiscal year beginning July 1, 1995, and ending June 30, 1996,
6 the following amount, or so much thereof as is necessary, to
7 be used for the purpose designated:

8 For purposes of administration and enforcement of
9 navigation laws and water safety:

10 \$ 1,200,000

11 RESOURCES ENHANCEMENT AND PROTECTION

12 Sec. 11. GENERAL APPROPRIATION. Notwithstanding the
13 amount of the standing appropriation from the general fund of
14 the state under section 455A.18, subsection 3, there is
15 appropriated from the general fund of the state to the Iowa
16 resources enhancement and protection fund, in lieu of the
17 appropriation made in section 455A.18, for the fiscal year
18 beginning July 1, 1995, and ending June 30, 1996, the sum of
19 \$8,000,000, of which all moneys shall be allocated as provided
20 in section 455A.19.

21 ANIMAL INDUSTRY APPROPRIATIONS

22 Sec. 12. LIVESTOCK PRODUCERS ASSISTANCE.

23 1. There is appropriated from the general fund of the
24 state to Iowa state university of science and technology, for
25 the fiscal year beginning July 1, 1995, and ending June 30,
26 1996, the following amount, or so much thereof as is
27 necessary, to be used for the purposes designated:

28 For the administration of the livestock producers
29 assistance program established pursuant to section 266.39D,
30 including salaries, support, maintenance, miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

33 \$ 100,000

34 FTEs 1.66

35 2. As a condition of this appropriation, the university

1 shall strive to ensure that the program becomes increasingly
2 self-sufficient. The university shall adopt a plan detailing
3 the manner in which the program will become self-sufficient,
4 including the expected amount of state funds necessary to
5 support the program until it becomes self-sufficient, the
6 sources of revenue expected to contribute to the program, and
7 the amount each source is expected to contribute to the
8 program. The plan shall be submitted to the legislative
9 fiscal bureau by November 1, 1995.

10 3. The provisions of section 8.33 shall not apply to the
11 moneys appropriated in this section. Unencumbered or unobli-
12 gated moneys remaining on June 30, 1999, from moneys
13 appropriated in this section for the fiscal year beginning
14 July 1, 1995, shall revert to the general fund on August 31,
15 1999.

16 Sec. 13. ORGANIC NUTRIENT MANAGEMENT.

17 1. There is appropriated from the general fund of the
18 state to the department of agriculture and land stewardship
19 for the fiscal year beginning July 1, 1995, and ending June
20 30, 1996, the following amount, or so much thereof as is
21 necessary, to be used for the purposes designated:

22 For deposit in the organic nutrient management fund for
23 administration of the organic nutrient management program, as
24 provided in section 161C.6:

25 \$ 450,000

26 2. Notwithstanding section 161C.5, unencumbered or
27 unobligated moneys remaining on June 30, 1999, from moneys
28 appropriated in this section for the fiscal year beginning
29 July 1, 1995, shall revert to the general fund on August 31,
30 1999.

31 RELATED APPROPRIATIONS

32 Sec. 14. TRANSFERS FROM THE WATER PROTECTION FUND.

33 Notwithstanding section 161C.4 and the reversion and alloca-
34 tion provisions in section 455A.19, subsection 1, paragraph
35 "c", of the unencumbered and unobligated moneys remaining on

1 the effective date of this section, in the water protection
2 fund created pursuant to section 161C.4, the following amounts
3 shall be transferred first from the water protection practices
4 account, and if necessary from the water quality protection
5 projects account, which shall be used for the following
6 purposes:

7 1. To the organic nutrient management fund created in
8 section 161C.5 for the purposes of carrying out the organic
9 nutrient management program as provided in section 161C.6:
10 \$ 350,000

11 2. To provide financial incentives for soil conservation
12 practices under chapter 161A, as provided in section 1 of this
13 Act:
14 \$ 500,000

15 Moneys provided in this section shall be transferred first
16 to the organic nutrient management fund as provided in
17 subsection 1 before remaining moneys are transferred to
18 provide financial incentives for soil conservation as provided
19 in subsection 2.

20 The provisions of section 8.33 shall not apply to the
21 moneys transferred pursuant to this section. Unencumbered or
22 unobligated moneys remaining on June 30, 1999, from moneys
23 transferred pursuant to this section for the fiscal year
24 beginning July 1, 1995, shall revert to the account from which
25 transferred on August 31, 1999.

26 Sec. 15. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
27 UNDERGROUND STORAGE TANK FUND BOARD -- TRANSFER. There is
28 appropriated from the unassigned revenue fund administered by
29 the Iowa comprehensive underground storage tank fund board, to
30 the department of natural resources for the fiscal year
31 beginning July 1, 1995, and ending June 30, 1996, the
32 following amount, or so much thereof as is necessary, to be
33 used for the purpose designated:

34 For administration expenses of the underground storage tank
35 section of the department of natural resources:

1 \$ 75,000

2 Sec. 16. TRANSFER -- AIR QUALITY. For the fiscal year
3 beginning July 1, 1995, and ending June 30, 1996, the
4 department of natural resources may transfer up to \$281,000
5 from the hazardous substance remedial fund to support purposes
6 related to carrying out the duties of the commission under
7 section 455B.133, or the director under section 455B.134, or
8 for carrying out the provisions of chapter 455B, division II.

9 Sec. 17. WIND EROSION CONTROL FUND. On the effective date
10 of this section, all unencumbered or unobligated moneys
11 appropriated to the wind erosion control fund, and any
12 unencumbered or unobligated moneys which have been credited to
13 the division of soil conservation of the department of
14 agriculture and land stewardship for purposes of planting and
15 maintaining wind erosion control barriers, as originally
16 provided in 1978 Iowa Acts, chapter 1108, section 7, and
17 subsequently amended, shall be transferred to the road use tax
18 fund created in section 312.1.

19 MISCELLANEOUS

20 Sec. 18. STATE NURSERIES. Notwithstanding section 17A.2,
21 subsection 10, paragraph "g", the department of natural
22 resources shall adopt administrative rules establishing prices
23 of plant material grown at the state forest nurseries to cover
24 all expenses related to the growing of the plants.

25 The department shall develop programs to encourage the wise
26 management and preservation of existing woodlands and shall
27 continue its efforts to encourage forestation and
28 reforestation on private and public lands in the state.

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

32 Sec. 19. HUNGRY CANYONS CONFERENCE.

33 1. The department of natural resources in cooperation with
34 the loess hills development and conservation authority, shall
35 sponsor a conference not later than September 1, 1995,

1 regarding the erosion and degradation of stream channels in
2 counties in the deep loess region of western Iowa, and
3 specifically the area referred to as hungry canyons. The
4 conference shall discuss the impacts of the erosion and
5 degradation of stream channels in the area and its adverse
6 effect upon rural infrastructure, including public roads and
7 bridges, agricultural production, stream water quality, and
8 riparian habitat. The conference shall consider impacts of
9 policies of the United States army corps of engineers upon the
10 area.

11 2. Conferees shall include representatives of the
12 department of natural resources, the loess hills development
13 and conservation authority, the division of soil conservation
14 of the department of agriculture and land stewardship, and the
15 state department of transportation. Each soil and water
16 conservation district in the area may elect one commissioner
17 to serve as a conferee. Each county board of supervisors in a
18 county in the area may elect one supervisor to serve as a
19 conferee. The department of natural resources shall invite
20 other interested persons to serve as conferees, including
21 members of Iowa's congressional delegation, the chairperson
22 and ranking member of the standing committee on natural
23 resources, environment and energy of the senate, the
24 chairperson and ranking member of the standing committees on
25 natural resources and environmental protection of the house of
26 representatives, the chairpersons and ranking members of the
27 joint appropriations subcommittee on agriculture and natural
28 resources, members of the Iowa general assembly who represent
29 affected legislative districts, and representatives of the
30 United States army corps of engineers, the United States
31 environmental protection agency, the United States department
32 of interior, and the natural resources conservation service of
33 the United States department of agriculture.

34 3. The department of natural resources shall report to the
35 general assembly not later than January 15, 1996, regarding

1 findings and recommendations of the conferees.

2 Sec. 20. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN
3 TABLES OF ORGANIZATION -- NOTIFICATION. Each fiscal quarter
4 of the fiscal year beginning July 1, 1995, the department of
5 agriculture and land stewardship and the department of natural
6 resources shall notify the chairpersons, vice chairpersons,
7 and ranking members of the joint appropriations subcommittee
8 on agriculture and natural resources for the previous fiscal
9 quarter of any transfer of moneys or full-time equivalent
10 positions made by either department which is not authorized in
11 this Act, or any permanent position added to or deleted from
12 either department's table of organization.

13 Sec. 21. TRUST FUND INFORMATION. For the fiscal year
14 beginning July 1, 1995, and ending June 30, 1996, the
15 department of revenue and finance in cooperation with each
16 appropriate agency shall track receipts to the general fund of
17 the state which under law were previously collected to be used
18 for specific purposes, or to be credited to, or be deposited
19 to a particular account or fund, as provided in section 8.60.

20 The department of revenue and finance and each appropriate
21 agency shall prepare reports detailing revenue from receipts
22 previously deposited into each of the funds. A report shall
23 be submitted to the legislative fiscal bureau at least once
24 for each three-month period as designated by the legislative
25 fiscal bureau.

26 Sec. 22. DEPARTMENTAL INFORMATION REQUIRED.

27 1. For the fiscal year beginning July 1, 1995, and ending
28 June 30, 1996, the department of agriculture and land
29 stewardship and the department of natural resources, in
30 cooperation as necessary with the department of management and
31 the department of personnel, shall provide a list to the
32 legislative fiscal bureau, on a quarterly basis, of all
33 permanent positions added to or deleted from the departments'
34 table of organization in the previous fiscal quarter. This
35 list shall include at least the position number, salary range,

1 projected funding source or sources of each position, and the
2 reason for the addition or deletion. The legislative fiscal
3 bureau may use this information to assist in the establishment
4 of the full-time equivalent position limits authorized in law
5 for the departments.

6 2. For the fiscal year beginning July 1, 1995, and ending
7 June 30, 1996, the department of natural resources shall
8 provide the legislative fiscal bureau information and
9 financial data by cost center, on at least a monthly basis,
10 relating to the indirect cost accounting procedure, the amount
11 of funding from each funding source for each cost center, and
12 the internal budget system used by the department. The
13 information shall include but is not limited to financial data
14 covering the department's budget by cost center and funding
15 source prior to the start of the fiscal year, and to the
16 department's actual expenditures by cost center and funding
17 source after the accounting system has been closed for that
18 fiscal year.

19 3. For the fiscal year beginning July 1, 1995, and ending
20 June 30, 1996, the department of agriculture and land
21 stewardship shall provide the legislative fiscal bureau
22 information and financial data on at least a monthly basis,
23 relating to the internal budget system used by the department.
24 The information shall include but is not limited to financial
25 data covering the department's budget prior to the start of
26 the fiscal year, and to the department's actual expenditures
27 after the accounting system has been closed for that fiscal
28 year.

29 Sec. 23. DIRECTION TO CODE EDITOR -- UPDATE REFERENCES TO
30 UNITS REORGANIZED UNDER THE UNITED STATES DEPARTMENT OF
31 AGRICULTURE. The Code editor is directed, to every extent
32 possible, to update references in the Code relating to units
33 of government under the authority of the United States
34 department of agriculture to conform with the current names of
35 those units.

1 Sec. 24. PREFERENCE PROVIDED -- PERSONS MEETING
2 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM. In its
3 employment of persons in temporary positions in conservation
4 and outdoor recreation for the fiscal year beginning July 1,
5 1995, and ending June 30, 1996, the department of natural
6 resources shall give preference to persons meeting eligibility
7 requirements for the green thumb program and to persons
8 working toward an advanced education in natural resources and
9 conservation.

10 Sec. 25. GYPSY MOTH LITIGATION. The department of
11 agriculture and land stewardship and the office of the
12 attorney general shall cooperate in bringing legal action
13 against parties liable for damages caused by the shipment from
14 the state of Michigan of trees or other plants infested with
15 gypsy moths.

16 Sec. 26. SOIL CONSERVATION DIVISION -- USE OF UNOBLIGATED
17 MONEYS FOR THE PURCHASE OF EQUIPMENT. Notwithstanding section
18 8.33, or 1994 Iowa Acts, chapter 1199, section 8, subsection
19 17, and section 88, the moneys appropriated to the soil
20 conservation division of the department of agriculture and
21 land stewardship pursuant to chapter 1199, section 8,
22 subsection 17, and section 88, which are not obligated or
23 encumbered on June 30, 1995, for purposes of supporting soil
24 conservation technicians, shall not revert to the general fund
25 of the state but shall be used by the division of soil
26 conservation for the fiscal year beginning July 1, 1995, and
27 ending June 30, 1996, for purposes of purchasing equipment for
28 soil conservation field offices.

29 Sec. 27. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT.
30 The department of natural resources for the fiscal year
31 beginning July 1, 1995, and ending June 30, 1996, shall not
32 use moneys appropriated from the general fund of the state
33 pursuant to this Act, to support any purpose related to
34 carrying out the duties of the commission under section
35 455B.133 or the director under section 455B.134, or for

1 carrying out the provisions of chapter 455B, division II.

2 Notwithstanding section 455B.133B, the department may use
3 moneys deposited in the air contaminant source fund created in
4 section 455B.133B during the fiscal year beginning July 1,
5 1995, and ending June 30, 1996, for any purpose related to
6 carrying out the duties of the commission under section
7 455B.133 or the director under section 455B.134, or for
8 carrying out the provisions of chapter 455B, division II.

9 Sec. 28. RULES RELATING TO PESTICIDE AND FERTILIZER
10 CONTAMINATED SITES -- ENVIRONMENTAL PROTECTION COMMISSION.

11 The environmental protection commission shall adopt all rules
12 required to establish criteria for the classification and
13 prioritization of sites upon which pesticide or fertilizer
14 contamination has been discovered, as provided in section
15 455B.601 not later than January 1, 1996.

16 Sec. 29. DEPUTY SECRETARY OF AGRICULTURE -- STUDY. The
17 joint appropriations subcommittee on agriculture and natural
18 resources shall conduct a study of the functions and duties of
19 the deputy secretary of agriculture, the effectiveness of the
20 position, and any methods to improve the position's
21 effectiveness.

22 STATUTORY CHANGES

23 Sec. 30. 1993 Iowa Acts, chapter 176, section 25,
24 subsection 2, as amended by 1994 Iowa Acts, chapter 1198,
25 section 31, is amended to read as follows:

26 2. Notwithstanding section 8.33, unencumbered or
27 unobligated moneys remaining on June 30, 1993, from moneys
28 appropriated pursuant to 1992 Iowa Acts, Second Extraordinary
29 Session, chapter 1001, section 402, may be expended during the
30 fiscal period beginning July 1, 1993, and ending June 30, ~~1995~~
31 1996, and shall not revert to the general fund until August
32 ~~31, 1995~~ 1996.

33 Sec. 31. 1994 Iowa Acts, chapter 1119, section 32,
34 subsection 2, unnumbered paragraph 1, is amended to read as
35 follows:

1 Notwithstanding section 423.24, as amended in this Act, for
2 each fiscal year of the period beginning on July 1, 1993, and
3 ending ~~July 1, 1994~~ June 30, 1996, an amount equal to two and
4 one-half percent of the total moneys used to support value-
5 added agricultural products and processes as provided in that
6 section, which would otherwise be allocated to the value-added
7 agricultural products and processes financial assistance fund,
8 shall instead be allocated to the office of renewable fuels
9 and coproducts. The moneys shall be used for purposes of
10 conducting soydiesel demonstration projects administered by
11 the state department of transportation under the oversight of
12 the renewable fuels and coproducts advisory committee.

13 Sec. 32. 1994 Iowa Acts, chapter 1119, section 32,
14 subsection 2, paragraph b, is amended to read as follows:

15 b. The state department of transportation shall evaluate
16 the performance of vehicles operating on soydiesel fuel,
17 including the rate of repairs on the vehicles and comments of
18 persons operating and maintaining the vehicles. The
19 department shall submit initial findings and recommendations
20 to the renewable fuels and coproducts advisory committee which
21 shall submit a report to the senate and chief clerk of the
22 house, the legislative service bureau, the chairpersons and
23 ranking members of the senate standing committee on
24 agriculture, the senate standing committee on small business,
25 economic development and tourism, the house of representatives
26 standing committee on agriculture, and the house of
27 representatives standing committee on small business, economic
28 development and trade. The department shall submit final
29 findings and recommendations to the renewable fuels and
30 coproducts advisory committee which shall submit a report to
31 the general assembly. The An initial report shall be due on
32 October 1, 1994.---The-final, an interim report shall be due on
33 March 1, 1995, and a final report shall be due on October 1,
34 1996.

35 Sec. 33. 1994 Iowa Acts, chapter 1119, section 32,

1 subsection 2, paragraph d, is amended to read as follows:

2 d. Moneys available under this section which remain
3 unexpended or unobligated on June 30, 1994, shall remain
4 available to support the demonstration project and shall not
5 revert pursuant to section 8.33. Moneys remaining unexpended
6 or unobligated on June 30, ~~1995~~ 1996, shall be credited to the
7 value-added agricultural products and processes financial
8 assistance fund as created in section 15E.112.

9 Sec. 34. Section 8.60, Code 1995, is amended to read as
10 follows:

11 8.60 USE OF DESIGNATED MONEYS.

12 Moneys credited to or deposited in the general fund of the
13 state on or after July 1, 1993, which under law were pre-
14 viously collected to be used for specific purposes, or to be
15 credited to, or be deposited to a particular account or fund
16 shall only be used for the purposes for which the moneys were
17 collected, including but not limited to moneys collected in
18 accordance with any of the following provisions:

19 1. Pari-mutuel regulation fund created in section 99D.17,
20 Code Supplement 1993.

21 2. Excursion boat gambling special account pursuant to
22 section 99F.4, subsection 2, Code Supplement 1993.

23 ~~3.--Milk-fund-created-in-section-192.1117-Code-Supplement~~
24 ~~1993-~~

25 ~~4.--Dairy-trade-practices-trust-fund-pursuant-to-section~~
26 ~~192A.307-Code-Supplement-1993-~~

27 ~~5.--Commercial-feed-fund-created-in-section-198.97-Code~~
28 ~~Supplement-1993-~~

29 ~~6.--Fertilizer-fund-created-in-section-200.97-Code~~
30 ~~Supplement-1993-~~

31 ~~7.--Pesticide-fund-created-in-section-206.127-Code~~
32 ~~Supplement-1993-~~

33 ~~8-~~ 3. Motor vehicle fraud account pursuant to section
34 312.2, subsection 13, Code Supplement 1993.

35 ~~9-~~ 4. Public transit assistance fund pursuant to section

1 312.2, subsection 15, and section 324A.6, Code Supplement
2 1993.

3 ~~10-~~ 5. Salvage vehicle fee paid to the Iowa law
4 enforcement academy pursuant to section 321.52, Code
5 Supplement 1993.

6 ~~11-~~ 6. Railroad assistance fund created in section
7 327H.18, Code Supplement 1993.

8 ~~12-~~ 7. Special railroad facility fund created in section
9 327I.23, Code Supplement 1993.

10 ~~13-~~ 8. State aviation fund created in section 328.36, Code
11 Supplement 1993.

12 ~~14--Marine-fuel-tax-fund-created-in-section-452A.79,-Code~~
13 ~~Supplement-1993-~~

14 ~~15-~~ 9. Public outdoor recreation and resources fund
15 pursuant to section 461A.79, Code Supplement 1993.

16 ~~16-~~ 10. Energy research and development fund created in
17 section 473.11, Code Supplement 1993.

18 ~~17-~~ 11. Utilities trust fund created in section 476.10,
19 Code Supplement 1993.

20 ~~18-~~ 12. Banking revolving fund created in section 524.207,
21 Code Supplement 1993.

22 ~~19-~~ 13. Credit union revolving fund created in section
23 533.67, Code Supplement 1993.

24 ~~20-~~ 14. Professional licensing revolving fund created in
25 section 546.10, Code Supplement 1993.

26 Sec. 35. Section 161C.4, unnumbered paragraph 1, Code
27 1995, is amended to read as follows:

28 A water protection fund is created within the division.
29 The fund is composed of money appropriated by the general
30 assembly for that purpose, and moneys available to and
31 obtained or accepted by the state soil conservation committee
32 from the United States or private sources for placement in the
33 fund. The fund shall be divided into two accounts, the water
34 quality protection projects account and the water protection
35 practices account. The first account shall be used to carry

1 out water quality protection projects to protect the state's
2 surface and groundwater from point and nonpoint sources of
3 contamination. The second account shall be used to establish
4 water protection practices with individual landowners
5 including but not limited to woodland establishment and
6 protection, establishment of native grasses and forbs,
7 sinkhole management, agricultural drainage well management,
8 streambank stabilization, grass waterway establishment, stream
9 buffer strip establishment, and erosion control structure
10 construction. Twenty-five percent of funds appropriated to
11 the water protection practices account shall be used for
12 woodland establishment and protection, and establishment of
13 native grasses and forbs. Soil and water conservation
14 district commissioners shall give priority to applications for
15 practices that implement their soil and water resource
16 conservation plan. The fund shall be a revolving fund from
17 which moneys may be used for loans, grants, administrative
18 costs, and cost-sharing.

19 Sec. 36. Section 192.111, subsection 3, Code 1995, is
20 amended by striking the subsection.

21 Sec. 37. NEW SECTION. 192.112 MILK FUND.

22 1. A milk fund is established in the state treasury under
23 the control of the department. The fund shall consist of any
24 money appropriated by the general assembly and any other
25 moneys available to and obtained or accepted by the department
26 from the federal government or private sources for placement
27 in the fund. Fees collected under sections 192.111, 192.133,
28 194.14, 194.19, 194.20, and 195.9 shall be deposited in the
29 fund. All moneys deposited under this section are
30 appropriated to the department for the costs of inspection,
31 sampling, analysis, and other expenses necessary for the
32 administration of this chapter and chapters 194 and 195.

33 2. In each fiscal year, the secretary shall calculate the
34 balance of funds deposited under this section by subtracting
35 all moneys expended for the costs of inspection, sampling,

1 analysis, and other expenses necessary for the administration
2 of this chapter and chapters 194 and 195. If the calculation
3 shows a balance of funds deposited under this section on June
4 30 of any fiscal year equal to or exceeding one hundred fifty
5 thousand dollars, the secretary shall reduce the fees provided
6 for in section 192.111 and section 194.20 for the next fiscal
7 year in an amount which will result in an ending estimated
8 balance of such funds for June 30 of the next fiscal year of
9 one hundred fifty thousand dollars.

10 3. All moneys in the milk fund are subject to audit by the
11 auditor of state. The milk fund is subject at all times to
12 warrants by the director of revenue and finance, drawn upon
13 written requisition of the secretary. Notwithstanding section
14 8.33, moneys in the milk fund shall remain in the milk fund
15 and shall not revert to the general fund of the state.
16 Notwithstanding section 12C.7, subsection 2, interest or
17 earnings on moneys deposited in the milk fund shall be
18 credited to the milk fund.

19 Sec. 38. Section 192.133, Code 1995, is amended to read as
20 follows:

21 192.133 LICENSE TERM -- FEES.

22 A license, unless earlier revoked, is valid until July 1
23 after the date of its issuance. The maximum fee for a license
24 is twenty-five dollars, which shall be paid before the license
25 is issued, and standard test bottles and pipettes shall be
26 furnished at actual cost. Fees collected under this section
27 shall be deposited ~~and used as required in section 192.111~~ in
28 the milk fund established in section 192.112.

29 Sec. 39. Section 192A.30, Code 1995, is amended to read as
30 follows:

31 192A.30 PERMIT FEES.

32 For the purpose of administering and enforcing this
33 chapter, a processor or a person purchasing milk products from
34 a processor for wholesale distribution shall obtain a permit,
35 as provided by departmental rule, before milk products are

1 sold by the person or wholesale purchaser in this state. The
2 processor or wholesale purchaser shall pay to the secretary a
3 permit fee in an amount set by the secretary, not to exceed
4 five mills per hundredweight on milk processed into dairy
5 products as defined in section 192A.1, and sold within the
6 state of Iowa. However, the permit fee for the sale of ice
7 cream or an additive variant of ice cream or nonmilk-fat
8 imitation shall not exceed three mills per gallon. Products
9 upon which fees have been paid are exempt from further fees in
10 successive transactions. The fees for each month thus
11 computed shall be paid to the secretary on or before the
12 twenty-fifth day of the following month. The fees shall be
13 deposited in the milk fund established in section 192.112.

14 ~~Fees paid to the secretary shall be deposited into the~~
15 ~~general fund of the state and shall be subject to the~~
16 ~~requirements of section 8-60.~~

17 Sec. 40. Section 194.14, Code 1995, is amended to read as
18 follows:

19 194.14 LICENSE TERM -- FEES.

20 A milk grader's license, unless sooner revoked, is valid
21 until July 1 after the date of issuance. The maximum fee for
22 each license is ten dollars, which shall be paid before the
23 license is issued. Fees collected under this section shall be
24 deposited ~~and used as required in section 192.111~~ in the milk
25 fund established pursuant to section 192.112.

26 Sec. 41. Section 194.19, unnumbered paragraph 1, Code
27 1995, is amended to read as follows:

28 A vehicle used for the collection of milk for manufacture
29 of dairy products shall first be licensed by the department.
30 A license, unless earlier revoked, is valid until July 1 after
31 the date of its issuance. The maximum fee for a license is
32 twenty-five dollars, which shall be paid before the license is
33 issued. A fee shall not be imposed under this section if the
34 vehicle or its operator has paid the fee imposed upon milk
35 haulers under section 192.111. Fees collected under this

1 section shall be deposited ~~and-used-as-required-in-section~~
2 ~~192.111~~ in the milk fund established in section 192.112. This
3 section does not apply to individuals transporting their own
4 dairy products.

5 Sec. 42. Section 194.20, Code 1995, is amended to read as
6 follows:

7 194.20 INSPECTION FEES -- GRADE "B" MILK.

8 A purchaser of milk from a grade "B" milk producer shall
9 pay an inspection fee not greater than one-half cent per
10 hundredweight. The fee is payable monthly to the department
11 at a time prescribed by the department. Fees collected under
12 this section shall be deposited ~~and-used-as-required-in~~
13 ~~section-192.111~~ in the milk fund established in section
14 192.112.

15 Sec. 43. Section 195.9, Code 1995, is amended to read as
16 follows:

17 195.9 LICENSE TERM -- FEES.

18 A license, unless sooner revoked, is valid until July 1
19 after the date of its issuance. The maximum fee for a license
20 is twenty-five dollars which shall be paid before the license
21 is issued. Fees collected under this section shall be
22 deposited ~~and-used-as-required-in-section-192.111~~ in the milk
23 fund established in section 192.112.

24 Sec. 44. Section 198.9, subsection 3, Code 1995, is
25 amended to read as follows:

26 3. Fees collected shall be deposited in the ~~general-fund~~
27 ~~of-the-state-and-shall-be-subject-to-the-requirements-of~~
28 ~~section-8-60~~ commercial feed trust fund established in section
29 198.9A. ~~Moneys-deposited-under-this-section-shall-be-used-for~~
30 ~~the-payment-of-the-costs-of-inspection, sampling, analysis,~~
31 ~~supportive-research, and other expenses necessary for the~~
32 ~~administration of this chapter.~~

33 ~~If there is an unencumbered balance of funds from the fees~~
34 ~~deposited under this section on June 30 of any fiscal year~~
35 ~~equal to or exceeding one hundred thousand dollars, the~~

1 secretary-of-agriculture-shall-reduce-the-per-ton-fee-provided
2 for-in-subsection-1-for-the-next-fiscal-year-in-such-amount-as
3 will-result-in-an-ending-estimated-balance-of-the-fees
4 deposited-less-costs-paid-for-from-those-fees-for-June-30-of
5 the-next-fiscal-year-of-one-hundred-thousand-dollars.

6 The-secretary-shall-publish-a-report-not-later-than
7 September-1-of-each-year.--The-report-shall-provide-a-detailed
8 accounting-of-all-sources-of-revenue-deposited-under-and-all
9 dispositions-of-funds-expended-under-this-section.--The-report
10 shall-detail-full-time-equivalent-positions-used-in-fulfilling
11 the-requirements-of-this-chapter.--The-report-shall-also
12 indicate-to-what-extent-any-full-time-equivalent-positions-are
13 shared-with-other-programs.--Copies-of-the-report-issued-by
14 the-secretary-pursuant-to-this-subsection-shall-be-delivered
15 each-year-to-the-members-of-the-house-of-representatives-and
16 senate-standing-committees-on-agriculture.

17 Sec. 45. NEW SECTION. 198.9A COMMERCIAL FEED TRUST FUND.

18 1. A commercial feed trust fund is established in the
19 state treasury under the control of the department. The fund
20 shall consist of any moneys appropriated to the fund by the
21 general assembly and any other moneys available to and
22 obtained or accepted by the department from the federal
23 government or private sources for placement in the fund. Fees
24 collected under section 198.9 shall be deposited in the fund.
25 Moneys deposited in the fund shall be used for the payment of
26 the costs of inspection, sampling, analysis, supportive
27 research, and other expenses necessary for the administration
28 of this chapter.

29 2. If there is an unencumbered balance of moneys in the
30 fund on June 30 of any fiscal year equal to or exceeding one
31 hundred thousand dollars, the secretary of agriculture shall
32 reduce the per ton fee provided for in section 198.9,
33 subsection 1, for the next fiscal year in such amount as will
34 result in an ending estimated balance of the fees deposited
35 less costs paid for from those fees for June 30 of the next

1 fiscal year of one hundred thousand dollars.

2 3. The secretary shall publish a report not later than
3 September 1 of each year. The report shall provide a detailed
4 accounting of all sources of revenue deposited under and all
5 dispositions of moneys deposited in the fund. The report
6 shall detail full-time equivalent positions used in fulfilling
7 the requirements of this chapter. The report shall also
8 indicate to what extent any full-time equivalent positions are
9 shared with other programs. Copies of the report issued by
10 the secretary pursuant to this subsection shall be delivered
11 each year to the members of the standing committees on
12 agriculture of the house of representatives and the senate.

13 Sec. 46. Section 200.4, subsection 1, Code 1995, is
14 amended to read as follows:

15 1. Any person who manufactures, mixes, blends, mixes to
16 customers order, offers for sale, sells, or distributes any
17 fertilizer or soil conditioner in Iowa must first obtain a
18 license from the secretary of agriculture and shall pay a ten-
19 dollar license fee for each place of manufacture or
20 distribution from which fertilizer or soil conditioner
21 products are sold or distributed in Iowa. ~~Such~~ The license
22 fee shall be paid annually on July 1 of each year. The
23 license fee shall be deposited in the fertilizer fund
24 established in section 200.9.

25 Sec. 47. Section 200.8, subsection 3, Code 1995, is
26 amended by striking the subsection.

27 Sec. 48. Section 200.9, Code 1995, is amended to read as
28 follows:

29 200.9 FERTILIZER FEES FUND.

30 1. A fertilizer fund is established in the state treasury
31 under the control of the department of agriculture and land
32 stewardship. The fund shall consist of any moneys
33 appropriated by the general assembly and any other moneys
34 available to and obtained or accepted by the department from
35 the federal government or private sources for placement in the

1 fund. Fees collected for licenses and inspection fees under
2 sections 200.4 and 200.8, with the exception of those fees
3 collected for deposit in the agriculture management account of
4 the groundwater protection fund, shall be deposited in the
5 ~~general fund of the state and shall be subject to the~~
6 ~~requirements of section 8.60.~~ Fees collected pursuant to
7 chapter 201 shall also be deposited in the fund. Moneys
8 ~~deposited under this section to~~ into the general fund from
9 fees collected pursuant to this chapter shall be used only by
10 the department for the purpose of inspection, sampling,
11 analysis, preparation, and publishing of reports and other
12 expenses necessary for administration of this chapter and
13 chapter 201. The secretary may assign moneys to the Iowa
14 agricultural experiment station for research, work projects,
15 and investigations as needed for the specific purpose of
16 improving the regulatory functions for enforcement of this
17 chapter.

18 2. If there is an unencumbered balance of moneys deposited
19 in the fund from fees collected pursuant to this chapter on
20 June 30 of any fiscal year equal to or exceeding three hundred
21 fifty thousand dollars, the secretary of agriculture shall
22 reduce the per ton fee provided for in subsection 1 and the
23 annual license fee established pursuant to section 201.3 for
24 the next fiscal year in such amount as will result in an
25 ending estimated balance of such funds for June 30 of the next
26 fiscal year of three hundred fifty thousand dollars.

27 3. All moneys in the fund are subject to audit by the
28 auditor of state. The fund is subject at all times to
29 warrants by the director of revenue and finance, drawn upon
30 written requisition of the secretary. Notwithstanding section
31 8.33, moneys in the fertilizer fund shall remain in the
32 fertilizer fund and shall not revert to the general fund of
33 the state. Notwithstanding section 12C.7, subsection 2,
34 interest or earnings on moneys deposited in the fertilizer
35 fund shall be credited to the fertilizer fund.

1 Sec. 49. Section 201.13, Code 1995, is amended to read as
2 follows:

3 201.13 MONEYS TO GENERAL THE FERTILIZER FUND -- PERIODIC
4 REPORT.

5 The moneys received under this chapter shall be deposited
6 in the ~~general-fund-of-the-state-and-shall-be-subject-to-the~~
7 ~~requirements-of-section-8-60.--Moneys-deposited-under-this~~
8 ~~section-shall-be-used-by-the-department-of-agriculture-and~~
9 ~~land-stewardship-only-for-the-purpose-of-inspection,-sampling,-~~
10 ~~analyzing,-preparing-and-publishing-of-reports,-and-other~~
11 ~~expenses-necessary-for-the-administration-of-this-chapter~~
12 fertilizer fund as provided in section 200.9. The secretary
13 shall issue an annual report showing a statement of moneys
14 received from license and testing fees, and a biennial report
15 which shall be made available to the public showing the
16 certifications of the effective calcium carbonate equivalent
17 for all agricultural lime, limestone, or aglime certified as
18 provided in this chapter. The report shall list the
19 manufacturers and producers and their locations. Copies of
20 all reports issued by the secretary pursuant to this section
21 shall be sent to the members of the house of representatives
22 and senate standing committees on agriculture.

23 Sec. 50. Section 206.12, subsection 3, Code 1995, is
24 amended to read as follows:

25 3. The registrant, before selling or offering for sale any
26 pesticide for use in this state, shall register each brand and
27 grade of such pesticide with the secretary upon forms
28 furnished by the secretary, and the secretary shall set the
29 registration fee annually at one-fifth of one percent of gross
30 sales within this state with a minimum fee of two hundred
31 fifty dollars and a maximum fee of three thousand dollars for
32 each and every brand and grade to be offered for sale in this
33 state except as otherwise provided. The annual registration
34 fee for products with gross annual sales in this state of less
35 than one million five hundred thousand dollars shall be the

1 greater of two hundred fifty dollars or one-fifth of one
2 percent of the gross annual sales as established by affidavit
3 of the registrant. The secretary shall adopt by rule
4 exemptions to the minimum fee. Fifty dollars of each fee
5 collected shall be deposited in the ~~general fund of the state,~~
6 ~~shall be subject to the requirements of section 8.607, and~~
7 ~~shall be used only for the purpose of enforcing the provisions~~
8 ~~of this chapter~~ pesticide fund established in section 206.12A,
9 and the remainder of each fee collected shall be placed in the
10 agriculture management account of the groundwater protection
11 fund.

12 Sec. 51. NEW SECTION. 206.12A PESTICIDE FUND.

13 1. A pesticide fund is established in the state treasury
14 under the control of the department. The fund shall consist
15 of any moneys appropriated to the fund by the general assembly
16 and any other moneys available to and obtained or accepted by
17 the department from the federal government or private sources
18 for placement in the fund. Fees collected under section
19 206.12 shall be deposited in the fund. The moneys in the fund
20 shall be used only for the purpose of enforcing the provisions
21 of this chapter.

22 2. All moneys in the pesticide fund are subject to audit
23 by the auditor of state. The fund is subject at all times to
24 warrants by the director of revenue and finance, drawn upon
25 written requisition of the secretary. Notwithstanding section
26 8.33, moneys in the pesticide fund shall remain in the fund
27 and shall not revert to the general fund of the state.
28 Notwithstanding section 12C.7, subsection 2, interest or
29 earnings on moneys deposited in the pesticide fund shall be
30 credited to the pesticide fund.

31 Sec. 52. Section 452A.79, unnumbered paragraph 2, and
32 subsections 1, 2, 3, 4, and 5, Code 1995, are amended to read
33 as follows:

34 All moneys derived from the excise tax on the sale of motor
35 fuel used in watercraft shall be deposited in the ~~general~~

1 marine fuel tax fund of the state established in section
2 452A.83. Moneys deposited to the general fund under this
3 section and section 452A.84 are subject to the requirements of
4 section 8.60 and are subject to appropriation by the general
5 assembly to the department of natural resources for use in its
6 recreational boating program, which may include but is not
7 limited to:

8 1. Dredging and renovation of natural lakes of this state.

9 2. Acquisition, development and maintenance of access to
10 public boating waters.

11 3. Development and maintenance of boating facilities and
12 navigation aids.

13 4. Administration, operation and maintenance of
14 recreational boating activities of the department of natural
15 resources.

16 5. Acquisition, development and maintenance of recreation
17 facilities associated with recreational boating.

18 Sec. 53. NEW SECTION. 452A.83 MARINE FUEL TAX FUND.

19 1. A marine fuel tax fund is established in the state
20 treasury under the control of the department. The fund shall
21 consist of any moneys appropriated to the fund by the general
22 assembly and any other moneys available to and obtained or
23 accepted by the department from the federal government or
24 private sources for placement in the fund. Moneys collected
25 pursuant to section 452A.79 shall be deposited in the fund.
26 Moneys collected pursuant to this chapter from the motor fuel
27 tax fund shall be transferred to the fund as provided in
28 section 452A.84.

29 2. Moneys deposited or transferred into the fund are sub-
30 ject to appropriation by the general assembly to the
31 department of natural resources for its recreational boating
32 program which may include, but is not limited to:

33 a. Dredging and renovation of natural lakes of this state.

34 b. Acquisition, development, and maintenance of access to
35 public boating waters.

1 c. Development and maintenance of boating facilities and
2 navigation aids.

3 d. Administration, operation, and maintenance of
4 recreational boating activities of the department of natural
5 resources.

6 e. Acquisition, development, and maintenance of recreation
7 facilities associated with recreational boating.

8 3. All moneys in the marine fuel tax fund are subject to
9 audit by the auditor of state. The fund is subject at all
10 times to warrants by the director of revenue and finance,
11 drawn upon written requisition of the department.

12 Notwithstanding section 8.33, moneys in the marine fuel tax
13 fund shall remain in the fund and shall not revert to the
14 general fund of the state. Notwithstanding section 12C.7,
15 subsection 2, interest or earnings on moneys deposited in the
16 marine fuel tax fund shall be credited to the marine fuel tax
17 fund.

18 Sec. 54. Section 452A.84, Code 1995, is amended to read as
19 follows:

20 452A.84 TRANSFER TO STATE-GENERAL MARINE FUEL TAX FUND.

21 The treasurer of state shall transfer from the motor fuel
22 tax fund to the ~~general~~ marine fuel tax fund of-the-state
23 established pursuant to section 452A.83, that portion of
24 moneys collected under this chapter attributable to motor fuel
25 used in watercraft computed as follows:

26 1. Determine monthly the total amount of motor fuel tax
27 collected under this chapter and multiply the amount by nine-
28 tenths of one percent.

29 2. Subtract from the figure computed pursuant to
30 subsection 1 of this section three percent of the figure for
31 administrative costs and further subtract from the figure the
32 amounts refunded to commercial fishers pursuant to section
33 452A.17, subsection 13. All moneys remaining after claims for
34 refund and the cost of administration have been made shall be
35 transferred to the ~~general~~ marine fuel tax fund of-the-state.

1 Sec. 55. Section 455B.183A, subsection 2, paragraph b,
2 Code 1995, is amended to read as follows:

3 b. The operation of a public water supply system,
4 including any part of the system. ~~The fees may be based on~~
5 ~~the type and size of community served by the system.~~ The
6 commission shall adopt a fee schedule which shall be based on
7 the total number of persons served by public water supply
8 systems in this state. The commission shall calculate all
9 fees in the schedule to produce total revenues equaling four
10 hundred seventy-five thousand dollars for the fiscal year
11 beginning July 1, 1994, and ending June 30, 1995, seven
12 hundred thousand dollars for the fiscal year beginning July 1,
13 1995, and ending June 30, 1996, nine hundred thousand dollars
14 for the fiscal year beginning July 1, 1996, and ending June
15 30, 1997, and one million two hundred thousand dollars for
16 each subsequent fiscal year. For the fiscal year beginning
17 July 1, 1994, and ending June 30, 1995, twenty-five thousand
18 dollars shall be deposited in the administration account and
19 four hundred fifty thousand dollars shall be deposited in the
20 public water supply system account. For each subsequent
21 fiscal year, one-half of the fees shall be deposited into the
22 administration account and one-half of the fees shall be
23 deposited into the public water supply system account. By May
24 1 of each year, the department shall estimate the total
25 revenue expected to be collected from the overpayment of fees,
26 which are all fees in excess of the amount of the total
27 revenues which are expected to be collected under the current
28 fee schedule, and the total revenue expected to be collected
29 from the payment of fees during the next fiscal year. The
30 commission shall adjust the fees if the estimate exceeds the
31 amount of revenue required to be deposited in the fund
32 pursuant to this paragraph.

33 Sec. 56. Section 455E.11, subsection 2, paragraph a,
34 subparagraph (12), subparagraph subdivision (c), Code 1995, is
35 amended to read as follows:

1 (c) Twelve and one-half cents per ton per year is
2 appropriated to the department of natural resources to provide
3 additional toxic cleanup days and for the natural resource
4 geographic information system required under section 455E.8,
5 subsection 6. Departmental rules adopted for implementation
6 of toxic cleanup days shall provide sufficient flexibility to
7 respond to the household hazardous material collection needs
8 of both small and large communities.

9 Sec. 57. EFFECTIVE DATES.

10 1. Sections 14, 17, 19, and 26 of this Act, being deemed
11 of immediate importance, take effect upon enactment.

12 2. The amendments in this Act to 1993 Iowa Acts, chapter
13 176, section 25, subsection 2, as amended by 1994 Iowa Acts,
14 chapter 1198, section 31, being deemed of immediate
15 importance, take effect upon enactment.

16 3. The amendments in this Act to 1994 Iowa Acts, chapter
17 1119, section 32, being deemed of immediate importance, take
18 effect upon enactment.

19 4. The amendments in this Act to section 455B.183A, being
20 deemed of immediate importance, take effect upon enactment.

21 5. Sections 8.60, 192.111, 192.112, 192.133, 192A.30,
22 194.14, 194.19, 194.20, 195.9, 198.9, 198.9A, 200.4, 200.8,
23 200.9, 201.13, 206.12, 206.12A, 452A.79, 452A.83, and 452A.84,
24 Code 1995, as amended or enacted by this Act take effect July
25 1, 1996.

26 6. This section, being deemed of immediate importance,
27 takes effect upon enactment.

28 EXPLANATION

29 This bill relates to agriculture and natural resources, by
30 providing appropriations to support related entities,
31 including the department of agriculture and land stewardship
32 and the department of natural resources. The bill also makes
33 a number of statutory changes to provisions relating to
34 agriculture and natural resources.

35 Section 1 provides a general appropriation from the general

1 fund to the department of agriculture and land stewardship,
2 including the administrative division, the regulatory
3 division, the laboratory division, and the soil conservation
4 division.

5 Section 2 provides an appropriation from the general fund
6 to support the farmers' market coupon program, by providing
7 federal special supplemental food program recipients with
8 coupons redeemable at farmers' markets.

9 Section 3 provides an appropriation from the general fund
10 to support a program administered by the department of
11 agriculture and land stewardship to eradicate a disease
12 threatening swine production, in accordance with chapter 166D.

13 Section 4 provides an appropriation from unclaimed winnings
14 at horse and dog tracks to the regulatory division of the
15 department of agriculture and land stewardship to support the
16 inspection of Iowa-foaled horses and Iowa-whelped dogs and the
17 administration of a program to promote the horse and dog
18 breeding industries in the state.

19 Section 5 provides an appropriation from the general fund
20 to the interstate agricultural grain marketing commission for
21 carrying out the duties of the commission as provided in the
22 interstate compact of agricultural grain marketing codified in
23 chapter 183, including the correction of weaknesses and
24 solutions to problems in the present system of agricultural
25 grain marketing or the development of alternatives.

26 Section 6 provides an appropriation from the general fund
27 to the department of natural resources to support
28 administrative and support services, the parks and preserves
29 division, the forests and forestry division, the energy and
30 geological resources division, the environmental protection
31 division, and the water quality protection fund. The bill
32 provides full-time equivalent position limits on the
33 department's various divisions, including the fish and
34 wildlife division and the waste management assistance
35 division.

1 Section 7 provides an appropriation from the state fish and
2 game protection fund to support the division of fish and
3 wildlife within the department of natural resources. The
4 department is prohibited from expending more moneys than
5 provided from the fund, unless the expenditure derives from a
6 contribution made from a nonstate source and is approved by
7 the natural resource commission.

8 Section 8 provides an appropriation from the marine fuel
9 tax receipts deposited in the general fund of the state to the
10 department of natural resources for the purposes of supporting
11 expenditures traditionally funded from marine fuel tax
12 revenues, other than capital or operations, and for purposes
13 of maintaining and developing boating facilities.

14 Section 9 provides for the transfer of fees from all-
15 terrain vehicle and snowmobile fees deposited in a special
16 conservation fund. The moneys are appropriated to the
17 department of natural resources for snowmobile programs of the
18 state, as provided in section 321G.7.

19 Section 10 provides for the transfer of registration fees
20 paid on vessels to be deposited in a special conservation
21 fund. The moneys are appropriated to the department of
22 natural resources for purposes of the administration and
23 enforcement of navigation laws and water safety.

24 Section 11 provides that notwithstanding section 455A.18
25 which provides a standing appropriation of \$30,000,000 from
26 the general fund required to be deposited in the Iowa
27 resources enhancement and protection fund, there is
28 appropriated from the general fund of the state \$8,000,000 to
29 support the resources enhancement and protection fund.

30 Section 12 provides an appropriation from the general fund
31 to support Iowa state university for purposes of administering
32 a livestock producers assistance program, in order to provide
33 on-site assistance to persons involved in livestock production
34 in order to increase the efficiency, productivity, and
35 profitability of their operations.

1 Section 13 provides an appropriation from the general fund
2 to the department of agriculture and land stewardship for
3 deposit in the organic nutrient management fund for
4 administration of the organic nutrient management program by
5 the division of soil conservation. The program provides
6 financial incentives to establish livestock manure management
7 systems to facilitate the proper utilization of livestock
8 manure as a nutrient source, and to protect the water
9 resources of the state from livestock manure runoff.

10 Section 14 provides for the transfer of moneys from
11 accounts of the water protection fund, supported by
12 allocations made from the resources enhancement and protection
13 fund, to the organic nutrient management fund for purposes of
14 carrying out the organic nutrient management program, and to
15 provide financial incentives for soil conservation practices.

16 Section 15 provides for an appropriation from the
17 unassigned revenue fund administered by the Iowa comprehensive
18 underground storage tank fund board to the department of
19 natural resources for purposes of administering the
20 department's underground storage tank section.

21 Section 16 provides that the department of natural
22 resources may transfer an amount from the hazardous substance
23 remedial fund to support purposes related to carrying out and
24 enforcing air quality regulations under chapter 455B.

25 Section 17 provides that unencumbered and unobligated
26 moneys previously appropriated to the department of
27 agriculture and land stewardship for purposes of planting and
28 maintaining wind erosion control barriers must be transferred
29 to the road use tax fund.

30 Section 18 provides that notwithstanding section 17A.2, the
31 department of natural resources must adopt administrative
32 rules establishing prices of plant materials grown at state
33 nurseries to cover the expenses related to growing the plants.

34 Section 19 provides that the department of natural
35 resources must, in cooperation with the loess hills

1 development and conservation authority, sponsor a conference
2 regarding the erosion and degradation of stream channels in
3 counties in the deep loess region of western Iowa, and
4 specifically the area referred to as hungry canyons.

5 Section 20 requires that the department of agriculture and
6 land stewardship and the department of natural resources
7 notify the chairpersons, vice chairpersons, and ranking
8 members of the joint subcommittee on agriculture and natural
9 resources for the previous fiscal quarter of any transfer of
10 moneys or full-time equivalent positions made by either
11 department which is not authorized in the bill.

12 Section 21 requires the department of revenue and finance
13 in cooperation with each appropriate agency to track receipts
14 to the general fund which under law were previously collected
15 to be used for a specific purpose or required to be deposited
16 to a specific account or fund.

17 Section 22 requires the department of agriculture and land
18 stewardship and the department of natural resources to provide
19 financial information to the legislative fiscal bureau,
20 including all permanent positions added to or deleted from the
21 departments' table of organization.

22 Section 23 directs the Code editor to update Iowa Code
23 references to conform with current names used by the federal
24 government.

25 Section 24 provides that when employing persons to fill
26 temporary positions in conservation and outdoor recreation,
27 the department of natural resources must give preference to
28 persons meeting eligibility requirements for the green thumb
29 program and to persons working toward an advanced education in
30 natural resources and conservation. The purpose of the
31 program as provided in section 15.225 is to encourage and
32 promote meaningful and respectable employment of the elderly
33 in conservation and outdoor recreation-related fields.

34 Section 25 requires the department of agriculture and land
35 stewardship and the attorney general to cooperate in bringing

1 a legal action against parties liable for damages caused by
2 the shipment from Michigan of trees and plants infested with
3 gypsy moths.

4 Section 26 provides that unobligated or unencumbered moneys
5 which were appropriated in the 1994 legislative session to the
6 division of soil conservation of the department of agriculture
7 and land stewardship for purposes of supporting soil
8 conservation technicians shall not revert but be used to
9 purchase equipment for soil conservation field offices.

10 Section 27 provides that the department of natural
11 resources is prohibited from using moneys appropriated from
12 the general fund to support purposes related to the
13 administration and enforcement of air quality regulations as
14 provided in chapter 455B. The section also provides that the
15 department may use moneys collected in regulatory fees and
16 deposited in the air contaminant source fund established in
17 section 455B.133B for purposes of the administration and
18 enforcement of the regulations.

19 Section 28 requires the environmental protection commission
20 to adopt rules for purposes of establishing criteria for the
21 classification and prioritization of sites upon which
22 pesticides or fertilizer contamination has been discovered
23 pursuant to section 455B.601. Section 455B.601 provides
24 requirements for the development of plans and remediation of
25 contaminated sites.

26 Section 29 requires the joint appropriations subcommittee
27 on agriculture and natural resources to conduct a study of the
28 functions and duties of the position.

29 Section 30 provides that moneys appropriated to support
30 lake preservation efforts at Black Hawk lake shall remain
31 available to support the efforts for the following fiscal
32 year.

33 Sections 31 through 33 amend provisions in a 1994 Act which
34 in part provided support to the renewable fuel industry, by
35 allocating moneys from the use tax to support value-added

1 agricultural products and processes. Part of the 1994 Act
2 provided that a percentage of moneys that would otherwise be
3 allocated to the value-added agricultural products and
4 processes financial assistance fund would be allocated for one
5 fiscal year to the state department of transportation for
6 purposes of conducting soydiesel demonstration projects. The
7 department was required to submit reports regarding findings
8 and recommendations to the department of agriculture and land
9 stewardship. These sections are amended to provide that the
10 same percentage shall be allocated for the fiscal year
11 beginning on July 1, 1995, for the same purposes, and to
12 provide that a final report must be delivered by October 1,
13 1996.

14 Sections 34 through 55 reestablish a number of trust funds
15 which were abolished in 1993 and 1994, including the milk
16 fund, dairy trade practices fund, commercial feed fund,
17 fertilizer fund, pesticide fund, and the marine fuel tax fund.

18 Section 34 amends section 8.60 which provides that moneys
19 credited to or deposited in the general fund on or after July
20 1, 1993, which under law were previously collected for a
21 specified use or deposited in special accounts or funds, must
22 be used only for the purposes for which the moneys were
23 collected. The bill eliminates reference to those funds which
24 the bill reestablishes.

25 Section 35 amends section 161C.4 which establishes a water
26 protection fund created within the soil conservation division
27 of the department of agriculture and land stewardship. The
28 fund is composed of two accounts, including the water quality
29 protection account and the water protection practices account.
30 The accounts are supported by moneys deposited in the
31 resources enhancement and protection fund. However, that fund
32 refers to depositing moneys into the water quality protection
33 projects account. The bill renames the account as described
34 in the fund to correspond to the name of the account referred
35 to in the section providing for the water resources

1 enhancement and protection fund.

2 Sections 36 through 43 reestablish the milk fund in chapter
3 192, and provide conforming changes. Prior to 1993, section
4 192.111 provided that fees imposed pursuant to various
5 sections and chapters would be deposited into a milk fund.
6 The provisions establishing the fund were contained in the
7 same section establishing inspection fees, providing for the
8 expenditure of moneys in the fund, and for the reduction of
9 fees by the department if moneys in the fund reached a certain
10 level. Section 36 of the bill eliminates reference to the
11 general fund and procedures required for collected moneys.
12 Section 37 creates new section 192.112 which provides for the
13 reestablishment of the fund, rewrites the procedural
14 requirements formerly contained in section 192.111, and
15 includes language common to funds established in other places
16 in the Code, including that moneys in the fund are subject to
17 audit by the auditor of state, that the fund is subject to
18 warranties by the director of revenue and finance drawn upon
19 written requisition of the department responsible for
20 administering the fund, that moneys in the fund shall remain
21 in the fund and shall not revert pursuant to section 8.33, and
22 that interest or earnings on moneys deposited in the fund must
23 be credited to the fund. Sections 38 through 43 amend various
24 sections, including 192.133, 192A.30, 194.14, 194.19, 194.20,
25 and 195.9, all referring to the use of fees collected pursuant
26 to those sections. The sections provide that fees collected
27 pursuant to those sections must be used as provided in section
28 192.111, which used to provide for the establishment of the
29 milk fund but under current law requires that the fees be
30 deposited in the general fund of the state. The bill amends
31 those sections to provide that the fees are to be deposited in
32 the milk fund as provided in new section 192.112.

33 Sections 44 and 45 reestablish the commercial feed trust
34 fund. Prior to 1993, section 198.9 provided that fees imposed
35 pursuant to the section would be deposited into a commercial

1 feed fund. The provisions establishing the fund were
2 contained in the same section establishing fees, providing for
3 the expenditure of moneys in the fund, the reduction of fees
4 by the department if moneys in the fund reached a certain
5 level, and reports regarding the fund to the general assembly.
6 Section 44 amends section 198.9 by eliminating reference to
7 the general fund and procedures required for collected moneys.
8 Section 45 creates new section 198.9A which provides for the
9 establishment of the fund, rewrites the procedural
10 requirements formerly contained in section 198.9, and includes
11 language common to funds established in other places in the
12 Code, including that moneys in the fund are subject to audit
13 by the auditor of state, that the fund is subject to
14 warranties by the director of revenue and finance drawn upon
15 written requisition of the department responsible for
16 administering the fund, that moneys in the fund shall remain
17 in the fund and shall not revert pursuant to section 8.33, and
18 that interest or earnings on moneys deposited in the fund must
19 be credited to the fund.

20 Sections 46 through 49 reestablish the fertilizer fund in
21 chapter 200, and provide conforming changes. Prior to 1993,
22 section 200.8 provided that fees imposed pursuant to various
23 sections in chapters 200 (regulating fertilizers and soil
24 conditioners) and 201 (regulating agricultural lime) would be
25 deposited into a fertilizer fund. Provisions establishing the
26 inspection fees also provided for the expenditure of moneys in
27 the fund, and for the reduction of fees by the department if
28 moneys in the fund reached a certain level. Section 46
29 provides that a licensee fee required under the chapter must
30 be deposited in the fertilizer fund. Section 47 of the bill
31 eliminates reference to the procedures required for collected
32 moneys under section 200.8. Section 48 amends section 200.9
33 which provides for the uses of moneys collected under the
34 chapter. The bill amends the section to formally establish
35 the fund, rewrites the procedural requirements formerly

1 contained in section 200.8, and include language common to
2 funds established in other places in the Code, including that
3 moneys in the fund are subject to audit by the auditor of
4 state, that the fund is subject to warrants by the director of
5 revenue and finance drawn upon written requisition of the
6 department responsible for administering the fund, that moneys
7 in the fund shall remain in the fund and shall not revert
8 pursuant to section 8.33, and that interest or earnings on
9 moneys deposited in the fund must be credited to the fund.
10 Section 49 amends section 201.13, by providing that moneys
11 collected under the chapter must be deposited in the
12 fertilizer fund instead of the general fund and by eliminating
13 a provision that moneys deposited pursuant to the chapter must
14 be used for purposes related to the administration of the
15 chapter, and provides that the moneys must be deposited into
16 the fertilizer fund. Section 48 amends section 200.9 to
17 provide that fees collected pursuant to chapters 200 and 201
18 must be used for the administration of the chapter and chapter
19 201.

20 Sections 50 and 51 reestablish the pesticide fund in
21 chapter 206. Prior to 1993, section 206.12A provided that
22 fees imposed pursuant to the section would be deposited into a
23 pesticide fund. In prior law, no provision formally
24 established the fund. Section 50 of the bill provides that
25 the fees must be deposited into a fund as created in a new
26 section. Section 51 creates new section 206.12A which
27 provides for the establishment of the fund, provides that
28 moneys in the fund must only be used for purposes of enforcing
29 the provisions of chapter 206, and includes language common to
30 funds established in other places in the Code, including that
31 moneys in the fund are subject to audit by the auditor of
32 state, that the fund is subject to warrants by the director of
33 revenue and finance drawn upon written requisition of the
34 department responsible for administering the fund, that moneys
35 in the fund shall remain in the fund and shall not revert

1 pursuant to section 8.33, and that interest or earnings on
2 moneys deposited in the fund must be credited to the fund.

3 Sections 52 through 54 reestablish the marine fuel tax
4 fund. Prior to 1993, section 452A.79 provided for the deposit
5 of tax moneys derived from the sale of motor fuel used in
6 watercraft. The provisions establishing the fund and its uses
7 were contained in the same section. Section 52 amends section
8 452A.79 by eliminating reference to the general fund and
9 procedures required for collected moneys. It provides for the
10 deposit of moneys into the marine fuel tax fund as created in
11 the bill. Section 53 creates new section 452A.83 which
12 provides for the establishment of the fund, rewrites the use
13 requirements formerly contained in section 452A.79, and
14 includes language common to funds established in other places
15 in the Code, including that moneys in the fund are subject to
16 audit by the auditor of state, that the fund is subject to
17 warrants by the director of revenue and finance drawn upon
18 written requisition of the department responsible for
19 administering the fund, that moneys in the fund shall remain
20 in the fund and shall not revert pursuant to section 8.33, and
21 that interest or earnings on moneys deposited in the fund must
22 be credited to the fund. Section 54 amends section 452A.84
23 which provides for the transfer of marine fuel tax receipts to
24 the general fund, by providing that the moneys must be
25 deposited in the marine fuel tax fund.

26 Section 55 amends section 455B.183, which was created in
27 the 1994 legislative session. Section 455B.183 provides for
28 fees imposed upon public water supply systems to be deposited
29 into a water quality protection fund which shall be used by
30 the department of natural resources for purposes of carrying
31 out the provisions relating to the administration, regulation,
32 and enforcement of the federal Safe Drinking Water Act, and
33 carrying out a program to assist water supply systems.

34 Section 455B.183A authorizes the department of natural
35 resources to adopt a schedule of fees which may be based on

1 the type and size of the community served by the system. The
2 bill eliminates that language and provides that the fee
3 schedule must be based on the number of persons served by
4 public water supply systems.

5 Section 56 amends section 455E.11 which provides for the
6 allocation of moneys from the groundwater protection fund.
7 The bill provides that moneys required to support toxic
8 cleanup days may be used to support the natural resources
9 geographic information system.

10 Section 57 provides for effective dates. Sections
11 providing the transfer of moneys from the water protection
12 fund and the wind erosion control fund, the hungry canyons
13 conference, and the use of unobligated moneys by the
14 department of agriculture and land stewardship to purchase
15 soil conservation equipment, and fees required to be
16 established for public water supply systems, take effect upon
17 enactment. Sections regarding the reestablishment of trust
18 funds take effect July 1, 1996.

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SENATE FILE 467

S-3424

1 Amend Senate File 467 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

5 Section 1. GENERAL APPROPRIATION. There is
6 appropriated from the general fund of the state to the
7 department of agriculture and land stewardship for the
8 fiscal year beginning July 1, 1995, and ending June
9 30, 1996, the following amounts, or so much thereof as
10 is necessary, to be used for the purposes designated:

11 1. ADMINISTRATIVE DIVISION

12 a. For salaries, support, maintenance, support of
13 the state 4-H foundation, support of the statistics
14 bureau, and miscellaneous purposes, and for the
15 salaries and support of not more than the following
16 full-time equivalent positions:

17 \$ 1,846,079

18 FTEs 46.45

19 The department shall eliminate the position of
20 executive officer II within the administration bureau,
21 and reallocate the duties and functions of the
22 position among departmental staff.

23 (1) Of the amount appropriated and FTEs authorized
24 in this paragraph "a", \$319,550 and 7.00 FTEs shall be
25 used to support horticulture.

26 The department may allocate additional moneys
27 appropriated under this subsection to support salary
28 annualization.

29 (2) Of the amount appropriated in this paragraph
30 "a", \$50,000 shall be allocated to the state 4-H
31 foundation to foster the development of Iowa's youth
32 and to encourage them to study the subject of
33 agriculture.

34 (3) Of the amount appropriated and FTEs authorized
35 in this paragraph "a", \$130,100 and 4 FTEs shall be
36 allocated to the statistics bureau to provide county-
37 by-county information on land in farms, production by
38 crop, acres by crop, and county prices by crop. The
39 department may allocate additional moneys appropriated
40 under this subsection to support salary annualization.
41 Information collected under this subparagraph shall be
42 made available to the department of revenue and
43 finance for use in the productivity formula for
44 valuing and equalizing the values of agricultural
45 land.

46 (4) Of the amount appropriated in this paragraph
47 "a", \$36,681 shall be allocated for purposes of
48 supporting thirteen area reporters as part of the
49 livestock market news program and \$13,000 shall be
50 allocated to support the United States department of

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1 agriculture cooperative agreement.
2 b. For the operations of the dairy trade practices
3 bureau:
4 \$ 71,496
5 c. For the purpose of performing commercial feed
6 audits:
7 \$ 62,076
8 d. For the purpose of performing fertilizer
9 audits:
10 \$ 62,075
11 2. REGULATORY DIVISION
12 a. For salaries, support, maintenance,
13 miscellaneous purposes, and for not more than the
14 following full-time equivalent positions:
15 \$ 3,775,773
16 FTEs 122.50
17 b. For the costs of inspection, sampling,
18 analysis, and other expenses necessary for the
19 administration of chapters 192, 194, and 195:
20 \$ 642,191
21 3. LABORATORY DIVISION
22 a. For salaries, support, maintenance, and
23 miscellaneous purposes, including the administration
24 of the gypsy moth program, and for not more than the
25 following full-time equivalent positions:
26 \$ 798,549
27 FTEs 76.10
28 Of the amount appropriated under this paragraph
29 "a", \$110,000 shall be used to administer a program
30 relating to the detection, surveillance, and
31 eradication of the gypsy moth. The department shall
32 allocate and use the appropriation made in this
33 paragraph before moneys other than those appropriated
34 in this paragraph are used to support the program.
35 b. For the operations of the commercial feed
36 programs:
37 \$ 738,044
38 c. For the operations of the pesticide programs:
39 \$ 1,232,421
40 Of the amount appropriated in this paragraph "c",
41 \$160,000 shall be allocated to Iowa state university
42 for purposes of training commercial pesticide
43 applicators.
44 d. For the operations of the fertilizer programs:
45 \$ 627,946
46 4. SOIL CONSERVATION DIVISION
47 a. For salaries, support, maintenance, assistance
48 to soil conservation districts, miscellaneous
49 purposes, and for not more than the following full-
50 time equivalent positions:

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1 \$ 5,456,854

2 FTEs 176.30

3 (1) Of the funds appropriated in this paragraph
4 "a", \$330,000 shall be used to reimburse commissioners
5 of soil and water conservation districts for
6 administrative expenses. Moneys used for the payment
7 of meeting dues by counties shall be matched on a
8 dollar-for-dollar basis by the soil conservation
9 division.

10 (2) Of the amount appropriated and the number of
11 full-time equivalent positions allocated in this
12 paragraph "a", \$165,000 and 6.50 FTEs shall be used to
13 provide that 13 part-time field office secretary I
14 positions are made full-time positions.

15 b. For providing financial incentives for soil
16 conservation practices under chapter 161A:
17 \$ 5,918,606

18 c. The following requirements apply to the moneys
19 appropriated in paragraph "b":

20 (1) Not more than 5 percent of the moneys
21 appropriated in paragraph "b" may be allocated for
22 cost sharing to abate complaints filed under section
23 161A.47.

24 (2) Of the moneys appropriated in paragraph "b", 5
25 percent shall be allocated for financial incentives to
26 establish practices to protect watersheds above
27 publicly owned lakes of the state from soil erosion
28 and sediment as provided in section 161A.73.

29 (3) Not more than 30 percent of a district's
30 allocation of moneys as financial incentives may be
31 provided for the purpose of establishing management
32 practices to control soil erosion on land that is row
33 cropped, including but not limited to no-till
34 planting, ridge-till planting, contouring, and contour
35 strip-cropping as provided in section 161A.73.

36 (4) The state soil conservation committee created
37 in section 161A.4 may allocate moneys to conduct
38 research and demonstration projects to promote
39 conservation tillage and nonpoint source pollution
40 control practices.

41 (5) The financial incentive payments may be used
42 in combination with department of natural resources
43 moneys.

44 d. The provisions of section 8.33 shall not apply
45 to the moneys appropriated in paragraph "b".
46 Unencumbered or unobligated moneys remaining on June
47 30, 1999, from moneys appropriated in paragraph "b"
48 for the fiscal year beginning July 1, 1995, shall
49 revert to the general fund on August 31, 1999.

50 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is

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1 appropriated from the general fund of the state to the
 2 department of agriculture and land stewardship for the
 3 fiscal year beginning July 1, 1995, and ending June
 4 30, 1996, the following amount, or so much thereof as
 5 is necessary, to be used for the purpose designated:
 6 For salaries, support, maintenance, and
 7 miscellaneous purposes, to be used by the department
 8 to continue and expand the farmers' market coupon
 9 program by providing federal special supplemental food
 10 program recipients with coupons redeemable at farmers'
 11 markets, and for not more than the following full-time
 12 equivalent positions:

13	\$	215,337
14	FTEs	1.00

15 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

16 1. There is appropriated from the general fund of
 17 the state to the department of agriculture and land
 18 stewardship for the fiscal year beginning July 1,
 19 1995, and ending June 30, 1996, the following amount,
 20 or so much thereof as is necessary, to be used for the
 21 purpose designated:

22 For support of the pseudorabies eradication
 23 program:

24	\$	900,200
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25 2. Persons, including organizations interested in
 26 swine production in this state and in the promotion of
 27 Iowa pork products who contribute support to the
 28 program, are encouraged to increase financial support
 29 for purposes of ensuring the program's effective
 30 continuation.

31 Sec. 4. HORSE AND DOG RACING. There is
 32 appropriated from the moneys available under section
 33 99D.13 to the regulatory division of the department of
 34 agriculture and land stewardship for the fiscal year
 35 beginning July 1, 1995, and ending June 30, 1996, the
 36 following amount, or so much thereof as is necessary,
 37 to be used for the purpose designated:

38 For salaries, support, maintenance, and
 39 miscellaneous purposes for the administration of
 40 section 99D.22:

41	\$	191,106
----------	----	---------

42 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
 43 MARKETING. There is appropriated from the general
 44 fund of the state to the interstate agricultural grain
 45 marketing commission for the fiscal year beginning
 46 July 1, 1995, and ending June 30, 1996, the following
 47 amount, or so much thereof as is necessary, to be used
 48 for the purpose designated:

49 For carrying out duties of the commission as
 50 provided in Article IV of the interstate compact on

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1 agricultural grain marketing as provided in 1995 Iowa
 2 Code, chapter 183:
 3 \$ 80,000

4 DEPARTMENT OF NATURAL RESOURCES

5 Sec. 6. GENERAL APPROPRIATION. There is
 6 appropriated from the general fund of the state to the
 7 department of natural resources for the fiscal year
 8 beginning July 1, 1995, and ending June 30, 1996, the
 9 following amounts, or so much thereof as is necessary,
 10 to be used for the purposes designated:

11 1. ADMINISTRATIVE AND SUPPORT SERVICES
 12 For salaries, support, maintenance, miscellaneous
 13 purposes, and for not more than the following full-
 14 time equivalent positions:
 15 \$ 1,844,132
 16 FTEs 113.50

17 2. PARKS AND PRESERVES DIVISION
 18 For salaries, support, maintenance, miscellaneous
 19 purposes, and for not more than the following full-
 20 time equivalent positions:
 21 \$ 5,510,976
 22 FTEs 195.73

23 3. FORESTS AND FORESTRY DIVISION
 24 For salaries, support, maintenance, miscellaneous
 25 purposes, and for not more than the following full-
 26 time equivalent positions:
 27 \$ 1,486,281
 28 FTEs 48.71

29 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION
 30 For salaries, support, maintenance, miscellaneous
 31 purposes, and for not more than the following full-
 32 time equivalent positions:
 33 \$ 1,675,252
 34 FTEs 52.00

35 5. ENVIRONMENTAL PROTECTION DIVISION
 36 For salaries, support, maintenance, miscellaneous
 37 purposes, and for not more than the following full-
 38 time equivalent positions:
 39 \$ 1,708,888
 40 FTEs 208.00

41 6. WATER QUALITY PROTECTION FUND
 42 a. For allocation to the administrative account of
 43 the water quality protection fund established pursuant
 44 to section 455B.183A; for purposes of that account:
 45 \$ 404,000

46 b. For allocation to the public water supply
 47 system account established pursuant to section
 48 455B.183A for purposes of supporting the program to
 49 assist supply systems, as provided in section
 50 455B.183B:

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1 \$ 625,000
2 7. FISH AND WILDLIFE DIVISION
3 For not more than the following full-time
4 equivalent positions:
5 FTEs 340.93
6 8. WASTE MANAGEMENT ASSISTANCE DIVISION
7 For not more than the following full-time
8 equivalent positions:
9 FTEs 16.75
10 Sec. 7. STATE FISH AND GAME PROTECTION FUND --
11 APPROPRIATION TO THE DIVISION OF FISH AND WILDLIFE.
12 1. There is appropriated from the state fish and
13 game protection fund to the division of fish and
14 wildlife of the department of natural resources for
15 the fiscal year beginning July 1, 1995, and ending
16 June 30, 1996, the following amount, or so much
17 thereof as is necessary, to be used for the purposes
18 designated:
19 For administrative support, and for salaries,
20 support, maintenance, equipment, and miscellaneous
21 purposes:
22 \$ 20,637,657
23 2. The department shall not expend more moneys
24 from the fish and game protection fund than provided
25 in this section, unless the expenditure derives from
26 contributions made by a private entity, or a grant or
27 moneys received from the federal government, and is
28 approved by the natural resource commission. The
29 department of natural resources shall promptly notify
30 the legislative fiscal bureau of the commission's
31 approval, and the chairpersons and ranking members of
32 the joint appropriations subcommittee on agriculture
33 and natural resources concerning the commission's
34 approval.
35 Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS
36 AND BOATING FACILITIES AND ACCESS. There is
37 appropriated from the marine fuel tax receipts
38 deposited in the general fund of the state to the
39 department of natural resources for the fiscal year
40 beginning July 1, 1995, and ending June 30, 1996, the
41 following amounts, or so much thereof as is necessary,
42 to be used for the purposes designated:
43 1. For purposes of funding expenditures
44 traditionally funded from marine fuel tax revenues,
45 but not considered as capitals or operations:
46 \$ 200,000
47 2. For purposes of maintaining and developing
48 boating facilities and access to public waters by the
49 parks and preserves division:
50 \$ 411,311

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1 Notwithstanding section 8.33, the unencumbered or
 2 unobligated moneys remaining on June 30, 1996, from
 3 moneys appropriated in subsection 1, may be expended
 4 during the fiscal year beginning July 1, 1996, and
 5 ending June 30, 1997, and shall not revert to the
 6 general fund until August 31, 1997.

7 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR
 8 ENFORCEMENT PURPOSES. There is transferred on July 1,
 9 1995, from the fees deposited under section 321G.7 to
 10 the fish and game protection fund and appropriated to
 11 the department of natural resources for the fiscal
 12 year beginning July 1, 1995, and ending June 30, 1996,
 13 the following amount, or so much thereof as is
 14 necessary, to be used for the purpose designated:

15 For the purpose of enforcing snowmobile laws as
 16 part of the state snowmobile program administered by
 17 the department of natural resources:

18 \$ 100,000

19 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT
 20 PURPOSES. There is transferred on July 1, 1995, from
 21 the fees deposited under section 462A.52 to the fish
 22 and game protection fund and appropriated to the
 23 department of natural resources for the fiscal year
 24 beginning July 1, 1995, and ending June 30, 1996, the
 25 following amount, or so much thereof as is necessary,
 26 to be used for the purpose designated:

27 For purposes of administration and enforcement of
 28 navigation laws and water safety:

29 \$ 1,200,000

30 RESOURCES ENHANCEMENT AND PROTECTION

31 Sec. 11. GENERAL APPROPRIATION. Notwithstanding
 32 the amount of the standing appropriation from the
 33 general fund of the state under section 455A.18,
 34 subsection 3, there is appropriated from the general
 35 fund of the state to the Iowa resources enhancement
 36 and protection fund, in lieu of the appropriation made
 37 in section 455A.18, for the fiscal year beginning July
 38 1, 1995, and ending June 30, 1996, the sum of
 39 \$7,000,000, of which all moneys shall be allocated as
 40 provided in section 455A.19 and the provisions of this
 41 Act.

42 Sec. 12. ALLOCATION OF MONEYS OTHERWISE DEDICATED
 43 TO THE LIVING ROADWAY TRUST FUND -- 1995 FISCAL YEAR.
 44 On the effective date of this section, notwithstanding
 45 section 455A.19, subsection 1, paragraph "g", of the
 46 unencumbered and unobligated moneys allocated by
 47 section 455A.19, subsection 1, paragraph "g", for the
 48 fiscal year beginning July 1, 1994, and ending June
 49 30, 1995, which otherwise would be allocated to the
 50 living roadway trust fund created in section 314.21,

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1 there is allocated for the fiscal year beginning July
2 1, 1994, and ending June 30, 1995, the following
3 amounts to be used as follows:

4 1. To the Loess Hills development and conservation
5 authority, for deposit in the Loess Hills development
6 and conservation fund as created in section 161D.2 for
7 the purposes specified in section 161D.1:

8 \$ 270,000

9 2. To the division of soil conservation of the
10 department of agriculture and land stewardship for
11 purposes of distributing the moneys by equal share to
12 all soil and water conservation districts for purposes
13 of assisting the districts in meeting one-time
14 expenses to improve technician efficiency:

15 \$ 335,000

16 3. To the division of soil conservation of the
17 department of agriculture and land stewardship for
18 salaries and support of the division:

19 \$ 165,000

20 The moneys allocated pursuant to this section shall
21 not revert pursuant to section 8.33, but shall remain
22 available for the fiscal year beginning July 1, 1995,
23 and ending June 30, 1996, for the purposes designated
24 in this section.

25 Sec. 13. ALLOCATION OF MONEYS OTHERWISE DEDICATED
26 TO THE LIVING ROADWAY TRUST FUND -- 1996 FISCAL YEAR.
27 Notwithstanding section 455A.19, and in lieu of the
28 allocation made from the resources enhancement and
29 protection fund to the living roadway trust fund
30 pursuant to section 455A.19, subsection 1, paragraph
31 "g", for the fiscal year beginning July 1, 1995, and
32 ending June 30, 1996, the allocation made pursuant to
33 that paragraph shall instead be allocated to the loess
34 hills development and conservation fund created in
35 section 161D.2, for purposes specified in section
36 161D.1.

37 Sec. 14. OPEN SPACES ACCOUNT -- LIMIT ON LAND
38 ACQUISITION. Notwithstanding section 455A.19,
39 subsection 1, paragraph "a", for the fiscal year
40 beginning July 1, 1995, and ending June 30, 1996, not
41 more than thirty percent of the amount allocated to
42 the open spaces account of the resources enhancement
43 and protection fund provided in section 455A.19,
44 subsection 1, paragraph "a", shall be used for the
45 acquisition of land.

46 ANIMAL INDUSTRY APPROPRIATIONS

47 Sec. 15. LIVESTOCK PRODUCERS ASSISTANCE.

48 1. There is appropriated from the general fund of
49 the state to Iowa state university of science and
50 technology, for the fiscal year beginning July 1,

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1 1995, and ending June 30, 1996, the following amount,
2 or so much thereof as is necessary, to be used for the
3 purposes designated:

4 For the administration of the livestock producers
5 assistance program established pursuant to section
6 266.39D, including salaries, support, maintenance,
7 miscellaneous purposes, and for not more than the
8 following full-time equivalent positions:

9	\$	100,000
10	FTEs	1.66

11 2. As a condition of this appropriation, the
12 university shall strive to ensure that the program
13 becomes increasingly self-sufficient.

14 3. The provisions of section 8.33 shall not apply
15 to the moneys appropriated in this section.
16 Unencumbered or unobligated moneys remaining on June
17 30, 1999, from moneys appropriated in this section for
18 the fiscal year beginning July 1, 1995, shall revert
19 to the general fund on August 31, 1999.

20 Sec. 16. ORGANIC NUTRIENT MANAGEMENT.
21 Notwithstanding the reversion and allocation
22 provisions in section 455A.19, subsection 1, paragraph
23 "c", of the unencumbered and unobligated moneys
24 remaining on June 30, 1995, in the water protection
25 account and the water protection practices account or
26 of the allocations to be made to those accounts during
27 the fiscal year beginning July 1, 1995, \$800,000 shall
28 be transferred to the organic nutrient management fund
29 created in section 161C.5 and are appropriated to be
30 used for the purposes of carrying out the organic
31 nutrient management program as provided in section
32 161C.6.

33 RELATED APPROPRIATIONS

34 Sec. 17. REVENUE ADMINISTERED BY THE IOWA
35 COMPREHENSIVE UNDERGROUND STORAGE TANK BOARD. There
36 is appropriated from the unassigned revenue fund
37 administered by the Iowa comprehensive underground
38 storage tank board, to the department of natural
39 resources for the fiscal year beginning July 1, 1995,
40 and ending June 30, 1996, the following amount, or so
41 much thereof as is necessary, to be used for the
42 purpose designated:

43 For administration expenses of the underground
44 storage tank section of the department of natural
45 resources:

46	\$	75,000
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47 Sec. 18. TRANSFER -- WIND EROSION CONTROL FUND.
48 On July 1, 1995, the department of agriculture and
49 land stewardship shall transfer all unencumbered or
50 unobligated moneys appropriated to the wind erosion

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1 control fund, and any moneys which have been credited
 2 to the division of soil conservation of the department
 3 of agriculture and land stewardship for purposes of
 4 planting and maintaining wind erosion control
 5 barriers, as originally provided for in 1978 Iowa
 6 Acts, chapter 1108, section 7, and subsequently
 7 amended, to the road use tax fund created in section
 8 312.1.

9 Sec. 19. LEWIS AND CLARK RURAL WATER SYSTEM.

10 1. There is appropriated from the general fund of
 11 the state to the department of natural resources for
 12 the fiscal year beginning July 1, 1995, and ending
 13 June 30, 1996, the following amount, or so much
 14 thereof as is necessary, to be used for the purpose
 15 designated:

16 For allocation to local sponsors of the Lewis and
 17 Clark rural water system, as required, in order to
 18 provide safe and adequate municipal and rural water
 19 supplies for residential, agricultural, and industrial
 20 use, and to preserve wetlands and mitigate water
 21 conservation efforts:

22 \$ 54,026

23 2. Of the amount appropriated from the general
 24 fund to the department of natural resources pursuant
 25 to section 6 of this Act, the department shall
 26 allocate, for the fiscal year beginning July 1, 1995,
 27 and ending June 30, 1996, \$9,974 to local sponsors of
 28 the Lewis and Clark rural water system for the
 29 purposes designated in subsection 1. The department
 30 shall reduce its out-of-state travel expenditures
 31 budgeted among all divisions receiving a general fund
 32 appropriation pursuant to section 6 of this Act, in
 33 order to compensate for the allocation required under
 34 this subsection.

35 MISCELLANEOUS

36 Sec. 20. STATE NURSERIES.

37 1. Notwithstanding section 17A.2, subsection 10,
 38 paragraph "g", the department of natural resources
 39 shall adopt administrative rules establishing prices
 40 of plant material grown at the state forest nurseries
 41 to cover all expenses related to the growing of the
 42 plants.

43 2. The department shall develop programs to
 44 encourage the wise management and preservation of
 45 existing woodlands and shall continue its efforts to
 46 encourage forestation and reforestation on private and
 47 public lands in the state.

48 3. The department shall encourage a cooperative
 49 relationship between the state forest nurseries and
 50 private nurseries in the state in order to achieve

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1 these goals.

2 Sec. 21. IOWA QUALITY GRAIN INITIATIVE PROGRAM.

3 The general assembly supports the Iowa quality grain
4 initiative program administered by the Iowa
5 cooperative extension service in agriculture and home
6 economics at Iowa state university, and expresses a
7 strong desire to support the program during the fiscal
8 year beginning July 1, 1996, and ending June 30, 1997,
9 and to every extent practicable to include an
10 appropriation of \$80,000 to fund the program's
11 efforts.

12 Sec. 22. TEMPORARY FUND FOR THE PURCHASE OF MOTOR
13 VEHICLE FUEL EQUIPMENT. Notwithstanding section
14 18.12, the department of general services, upon
15 authorization by the department of agriculture and
16 land stewardship, may conduct a sale of equipment or a
17 device used to test octane in motor vehicle fuel as
18 part of the department of agriculture and land
19 stewardship's regulatory functions. The proceeds of
20 the sale shall be deposited in a special fund
21 established by the department of agriculture and land
22 stewardship. Moneys from the fund shall only be used
23 for purposes of purchasing a superior device or
24 equipment used to test octane in motor vehicle fuel by
25 the department of agriculture and land stewardship.
26 Unencumbered or unobligated moneys shall remain in the
27 fund until June 30, 1997, at which time remaining
28 moneys shall be deposited into the general fund of the
29 state as a reversion provided in section 8.33, and the
30 fund shall be abolished.

31 Sec. 23. TRUST FUND INFORMATION.

32 1. The department of revenue and finance in
33 cooperation with each appropriate agency shall track
34 receipts to the general fund which under law were
35 previously collected to be used for specific purposes,
36 or to be credited to, or be deposited to a particular
37 account or fund, as provided in section 8.60.

38 2. The department of revenue and finance and each
39 appropriate agency shall prepare reports detailing
40 revenue from receipts traditionally deposited into
41 each of the funds. A report shall be submitted to the
42 legislative fiscal bureau at least once for each
43 three-month period as designated by the legislative
44 fiscal bureau.

45 Sec. 24. DEPARTMENTAL INFORMATION REQUIRED.

46 1. The department of agriculture and land
47 stewardship and the department of natural resources,
48 in cooperation as necessary with the department of
49 management and the department of personnel, shall
50 provide a list to the legislative fiscal bureau, on a

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1 quarterly basis, of all permanent positions added to
2 or deleted from the departments' table of organization
3 in the previous fiscal quarter. This list shall
4 include at least the position number, salary range,
5 projected funding source or sources of each position,
6 and the reason for the addition or deletion. The
7 legislative fiscal bureau may use this information to
8 assist in the establishment of the full-time
9 equivalent position limits authorized in law for the
10 departments.

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

24 3. The department of agriculture and land
25 stewardship shall provide the legislative fiscal
26 bureau information and financial data on at least a
27 monthly basis, relating to the internal budget system
28 used by the department. The information shall include
29 but is not limited to financial data covering the
30 department's budget prior to the start of the fiscal
31 year, and to the department's actual expenditures
32 after the accounting system has been closed for that
33 fiscal year.

34 Sec. 25. PREFERENCE PROVIDED -- PERSONS MEETING
35 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM.
36 In its employment of persons in temporary positions in
37 conservation and outdoor recreation, the department of
38 natural resources shall give preference to persons
39 meeting eligibility requirements for the green thumb
40 program and to persons working toward an advanced
41 education in natural resources and conservation.

42 Sec. 26. DEPARTMENT OF AGRICULTURE AND LAND
43 STEWARDSHIP -- BUDGET SUBMISSION. If for the fiscal
44 year beginning July 1, 1995, and ending June 30, 1996,
45 the total amount of revenues required to be deposited
46 in the general fund of the state, which before July 1,
47 1993, was deposited in the pesticide fund as provided
48 in section 8.60, is at least \$1,300,000, the
49 department of agriculture and land stewardship shall
50 provide in its estimate of expenditures required

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1 pursuant to section 8.23, for the fiscal year
2 beginning July 1, 1996, and ending June 30, 1997, that
3 \$200,000 be allocated from the operations of pesticide
4 programs to Iowa state university for purposes of
5 training commercial pesticide applicators.

6 STATUTORY CHANGES

7 Sec. 27. 1993 Iowa Acts, chapter 176, section 25,
8 subsection 2, as amended by 1994 Iowa Acts, chapter
9 1198, section 31, is amended to read as follows:

10 2. Notwithstanding section 8.33, unencumbered or
11 unobligated moneys remaining on June 30, 1993, from
12 moneys appropriated pursuant to 1992 Iowa Acts, Second
13 Extraordinary Session, chapter 1001, section 402, may
14 be expended during the fiscal period beginning July 1,
15 1993, and ending June 30, ~~1995~~ 1996, and shall not
16 revert to the general fund until August 31, ~~1995~~ 1996.

17 Sec. 28. 1994 Iowa Acts, chapter 1119, section 32,
18 subsection 2, unnumbered paragraph 1, is amended to
19 read as follows:

20 Notwithstanding section 423.24, as amended in this
21 Act, for each fiscal year of the period beginning on
22 July 1, 1993, and ending ~~July 17, 1994~~ June 30, 1996,
23 an amount equal to two and one-half percent of the
24 total moneys used to support value-added agricultural
25 products and processes as provided in that section,
26 which would otherwise be allocated to the value-added
27 agricultural products and processes financial
28 assistance fund, shall instead be allocated to the
29 office of renewable fuels and coproducts. The moneys
30 shall be used for purposes of conducting soydiesel
31 demonstration projects administered by the state
32 department of transportation under the oversight of
33 the renewable fuels and coproducts advisory committee.

34 Sec. 29. 1994 Iowa Acts, chapter 1119, section 32,
35 subsection 2, paragraph b, is amended to read as
36 follows:

37 b. The state department of transportation shall
38 evaluate the performance of vehicles operating on
39 soydiesel fuel, including the rate of repairs on the
40 vehicles and comments of persons operating and
41 maintaining the vehicles. The department shall submit
42 initial findings and recommendations to the renewable
43 fuels and coproducts advisory committee which shall
44 submit a report to the senate and chief clerk of the
45 house, the legislative service bureau, the
46 chairpersons and ranking members of the senate
47 standing committee on agriculture, the senate standing
48 committee on small business, economic development and
49 tourism, the house of representatives standing
50 committee on agriculture, and the house of

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1 representatives standing committee on small business,
2 economic development and trade. The department shall
3 submit final findings and recommendations to the
4 renewable fuels and coproducts advisory committee
5 which shall submit a report to the general assembly.
6 The initial report shall be due on October 1, 1994.
7 The ~~final~~ second report shall be due on March 1, 1995.
8 A final report shall be due on October 1, 1996.

9 Sec. 30. 1994 Iowa Acts, chapter 1119, section 32,
10 subsection 2, paragraph d, is amended to read as
11 follows:

12 d. Moneys available under this section which
13 remain unexpended or unobligated on June 30, ~~1994~~
14 1995, shall remain available to support the
15 demonstration project and shall not revert pursuant to
16 section 8.33. Moneys remaining unexpended or
17 unobligated on June 30, ~~1995~~ 1996, shall be credited
18 to the value-added agricultural products and processes
19 financial assistance fund as created in section
20 15E.112.

21 Sec. 31. 1994 Iowa Acts, chapter 1198, section 1,
22 subsection 3, paragraph a, unnumbered paragraph 3, is
23 amended to read as follows:

24 Of the amount appropriated under this paragraph "a"
25 or paragraph "c" of this subsection, the department
26 shall allocate \$160,000 ~~shall be allocated~~ from the
27 either appropriation to Iowa state university for
28 purposes of training commercial pesticide applicators.

29 Sec. 32. Section 159.6, subsection 9, Code 1995,
30 is amended to read as follows:

31 9. State aid received by certain associations as
32 provided in chapters 176 through ~~183~~ 182, 186, and
33 352.

34 Sec. 33. Section 173.3, Code 1995, is amended to
35 read as follows:

36 173.3 CERTIFICATION OF STATE AID ASSOCIATIONS.

37 On or before November 15 of each year, the
38 secretary of agriculture shall certify to the
39 secretary of the state fair board the names of the
40 various associations and societies which have
41 qualified for state aid under the provisions of
42 chapters 176 through 178, 180 through ~~183~~ 182, 186,
43 and 352, and which are entitled to representation in
44 the convention as provided in section 173.2.

45 Sec. 34. Section 455B.183A, Code 1995, is amended
46 to read as follows:

47 455B.183A WATER QUALITY PROTECTION FUND.

48 1. A water quality protection fund is created in
49 the state treasury under the control of the
50 department. The fund consists of moneys appropriated

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1 to the fund by the general assembly, moneys-deposited
2 into-the-fund-from-fees-described-in-subsection-2, and
3 other moneys available to and obtained or accepted by
4 the department from the United States government or
5 private sources for placement in the fund. The fund
6 is divided into two accounts, including the
7 administration account and the public water supply
8 system account. Moneys in the administration account
9 shall be used for purposes of carrying out the
10 provisions of this division, which relate to the
11 administration, regulation, and enforcement of the
12 federal Safe Drinking Water Act. Moneys in the public
13 water supply system account shall be used to support
14 the program to assist supply systems, as provided in
15 section 455B.183B.

16 2.--The-commission-shall-adopt-fees-as-required
17 pursuant-to-section-455B.105-for-permits-required-for
18 public-water-supply-systems-as-provided-in-sections
19 455B.174-and-455B.183.--Fees-paid-pursuant-to-this
20 section-shall-not-be-subject-to-the-sales-or-services
21 tax.--The-fees-shall-be-for-each-of-the-following:

22 a.--The-construction, installation, or modification
23 of-a-public-water-supply-system.--The-amount-of-the
24 fees-may-be-based-on-the-type-of-system-being
25 constructed, installed, or modified.

26 b.--The-operation-of-a-public-water-supply-system,
27 including-any-part-of-the-system.--The-fees-may-be
28 based-on-the-type-and-size-of-community-served-by-the
29 system.--The-commission-shall-adopt-a-fee-schedule.
30 The-commission-shall-calculate-all-fees-in-the
31 schedule-to-produce-total-revenues-equaling-four
32 hundred-seventy-five-thousand-dollars-for-the-fiscal
33 year-beginning-July-1, 1994, and-ending-June-30, 1995,
34 seven-hundred-thousand-dollars-for-the-fiscal-year
35 beginning-July-1, 1995, and-ending-June-30, 1996, nine
36 hundred-thousand-dollars-for-the-fiscal-year-beginning
37 July-1, 1996, and-ending-June-30, 1997, and-one
38 million-two-hundred-thousand-dollars-for-each
39 subsequent-fiscal-year.--For-the-fiscal-year-beginning
40 July-1, 1994, and-ending-June-30, 1995, twenty-five
41 thousand-dollars-shall-be-deposited-in-the
42 administration-account-and-four-hundred-fifty-thousand
43 dollars-shall-be-deposited-in-the-public-water-supply
44 system-account.--For-each-subsequent-fiscal-year, one-
45 half-of-the-fees-shall-be-deposited-into-the
46 administration-account-and-one-half-of-the-fees-shall
47 be-deposited-into-the-public-water-supply-system
48 account.--By-May-1-of-each-year, the-department-shall
49 estimate-the-total-revenue-expected-to-be-collected
50 from-the-overpayment-of-fees, which-are-all-fees-in

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~~1 excess-of-the-amount-of-the-total-revenues-which-are
2 expected-to-be-collected-under-the-current-fee
3 schedule,--and-the-total-revenue-expected-to-be
4 collected-from-the-payment-of-fees-during-the-next
5 fiscal-year.---The-commission-shall-adjust-the-fees-if
6 the-estimate-exceeds-the-amount-of-revenue-required-to
7 be-deposited-in-the-fund-pursuant-to-this-paragraph:~~

8 3. 2. Moneys in the fund are subject to an annual
9 audit by the auditor of state. The fund is subject to
10 warrants by the director of revenue and finance, drawn
11 upon the written requisition of the department.

12 4. 3. Section 8.33 does not apply to moneys in the
13 fund. Moneys earned as income, including interest
14 from the fund, shall remain in the fund until
15 expended.

16 5. 4. On or before November 15 of each fiscal
17 year, the department shall transmit to the department
18 of management and the legislative fiscal bureau
19 information regarding the fund and accounts, including
20 all of the following:

21 a. The balance of unobligated and unencumbered
22 moneys in each account as of November 1.

23 b. A summary of revenue deposited in and
24 expenditures from each account during the current
25 fiscal year.

26 c. Estimates of revenues expected to be deposited
27 into the public water supply system account during the
28 current fiscal year, and an estimate of the expected
29 balance of unobligated and unencumbered moneys in the
30 account on June 30 of the current fiscal year.

31 Sec. 35. Section 455E.11, subsection 2, paragraph
32 a, subparagraph (12), subparagraph subdivision (c),
33 Code 1995, is amended to read as follows:

34 (c) Twelve and one-half cents per ton per year is
35 appropriated to the department of natural resources to
36 provide additional toxic cleanup days and for the
37 natural resource geographic information system
38 required under section 455E.8, subsection 6.

39 Departmental rules adopted for implementation of toxic
40 cleanup days shall provide sufficient flexibility to
41 respond to the household hazardous material collection
42 needs of both small and large communities.

43 Sec. 36. Section 455E.11, subsection 2, paragraph
44 b, subparagraph (3), subparagraph subdivision (b),
45 Code 1995, is amended by striking the subparagraph
46 subdivision and inserting the following:

47 (b) Two percent is appropriated annually to the
48 department of natural resources for the purpose of
49 administering grants to counties and conducting
50 oversight of county-based programs relative to the

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1 testing of private rural water supply wells, private
2 rural water supply well sealing, and the proper
3 closure of private rural abandoned wells and cisterns.
4 Not more than thirty-five percent of the moneys is
5 appropriated annually to the department of natural
6 resources for grants to counties for the purpose of
7 conducting programs of private rural water supply
8 testing, private rural water supply well sealing, or
9 the proper closure of private rural abandoned wells or
10 cisterns.

11 A county shall submit only one application. To be
12 eligible, a county must have adopted standards for
13 private water supply and private disposal facilities
14 at least as stringent as the standards adopted by the
15 commission. During each fiscal year, the amount
16 granted each eligible applicant county shall be the
17 total funds available divided by the number of
18 eligible counties applying. Upon receipt of the
19 grant, the county may apply the funds to any one or
20 more of the above three programs.

21 Not more than six percent of the moneys is
22 appropriated annually to the state hygienic laboratory
23 to assist in well testing. For purposes of this
24 subparagraph subdivision, "cistern" means an
25 artificial reservoir constructed underground for the
26 purpose of storing rainwater.

27 Sec. 37. WITHDRAWAL FROM THE AGRICULTURAL GRAIN
28 MARKETING COMPACT -- REPEAL.

29 1. Pursuant to article VI of the agricultural
30 grain marketing compact, the state of Iowa withdraws
31 from the compact by enacting this section repealing
32 the compact. Notwithstanding this section, the state
33 retains its membership in the compact and shall
34 continue to function under the compact as if it were
35 in effect, until one year following the enactment of
36 this section and notification of withdrawal by the
37 governor of this state to the interstate agricultural
38 grain marketing commission.

39 2. Chapter 183, Code 1995, is repealed.

40 Sec. 38. EFFECTIVE DATES. The following
41 provisions of this Act, being deemed of immediate
42 importance, take effect upon enactment:

43 1. Sections 12 and 16 and this section of this
44 Act.

45 2. The section of this Act that amends 1993 Iowa
46 Acts, chapter 176, section 25, subsection 2, as
47 amended by 1994 Iowa Acts, chapter 1198, section 31.

48 3. The sections of this Act that amends 1994 Iowa
49 Acts, chapter 1119, section 32.

50 4. The section of this Act that amends 1994 Iowa

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1 Acts, chapter 1198, section 1, subsection 3, paragraph

2 "a", unnumbered paragraph 3.

3 5. The section of this Act that amends section

4 455E.11, subsection 2, paragraph "b".

5 2. Title page, lines 1 and 2, by striking the

6 words "by providing for appropriations and revenue"

7 and inserting the following: "including for

8 appropriations involving agriculture and natural

9 resources".

By DENNIS BLACK

S-3424 FILED APRIL 13, 1995

ADOPTED

1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

2 Section 1. GENERAL APPROPRIATION. There is appropriated
3 from the general fund of the state to the department of
4 agriculture and land stewardship for the fiscal year beginning
5 July 1, 1995, and ending June 30, 1996, the following amounts,
6 or so much thereof as is necessary, to be used for the
7 purposes designated:

8 1. ADMINISTRATIVE DIVISION

9 a. For salaries, support, maintenance, the support of the
10 state 4-H foundation, support of the statistics bureau, and
11 miscellaneous purposes, and for the salaries and support of
12 not more than the following full-time equivalent positions:

13	\$ 1,763,343
14	FTEs 44.50

15 (1) Of the funds appropriated in this paragraph "a",
16 \$319,550 and 7.00 FTEs shall be used to support horticulture.

17 (2) Of the amount appropriated in this paragraph "a",
18 \$50,000 shall be allocated to the state 4-H foundation to
19 foster the development of Iowa's youth and to encourage them
20 to study the subject of agriculture.

21 (3) Of the amount appropriated in this paragraph "a",
22 \$130,100 and 4.00 FTEs shall be allocated to the statistics
23 bureau to provide county-by-county information on land in
24 farms, production by crop, acres by crop, and county prices by
25 crop. This information shall be made available to the
26 department of revenue and finance for use in the productivity
27 formula for valuing and equalizing the values of agricultural
28 land.

29 (4) Of the amount appropriated in this paragraph "a", not
30 more than \$2,500 shall be allocated to the Iowa polled
31 hereford junior association in connection with the 1995
32 national junior hereford show.

33 (5) As a condition of the amount appropriated in this
34 paragraph "a", none of the following positions shall be
35 supported from the amount:

1 (a) Any executive officer II in the department after
2 September 30, 1995.

3 (b) Any public service executive II in the information
4 bureau after June 30, 1995.

5 (c) Any information specialist III in the information
6 bureau after June 30, 1995.

7 b. For the operations of the dairy trade practices bureau:

8 \$ 66,273

9 c. For the purpose of performing commercial feed audits:

10 \$ 61,932

11 d. For the purpose of performing fertilizer audits:

12 \$ 61,932

13 2. REGULATORY DIVISION

14 a. For salaries, support, maintenance, miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17 \$ 3,792,298

18 FTEs 122.50

19 Of the moneys appropriated in this paragraph "a", \$34,300
20 is allocated for purposes of purchasing equipment for grain
21 examiners to comply with requirements of the United States
22 department of labor occupational safety and health admin-
23 istration.

24 b. For the costs of inspection, sampling, analysis, and
25 other expenses necessary for the administration of chapters
26 192, 194, and 195:

27 \$ 642,122

28 3. LABORATORY DIVISION

29 a. For salaries, support, maintenance, and miscellaneous
30 purposes, including the administration of the gypsy moth
31 program, and for not more than the following full-time
32 equivalent positions:

33 \$ 845,528

34 FTEs 76.10

35 (1) Of the amount appropriated in this paragraph "a",

1 \$110,000 shall be used to administer a program relating to the
2 detection, surveillance, and eradication of the gypsy moth.
3 The department shall allocate and use the appropriation made
4 in this paragraph before moneys other than those appropriated
5 in this paragraph are used to support the program.

6 (2) Of the amount appropriated in this paragraph "a",
7 \$25,000 shall be allocated to the Iowa state university for
8 purposes of supporting multiflora rose in eradication research
9 and projects.

10 (3) Of the amount appropriated in this paragraph "a",
11 \$25,000 shall be allocated to support aerial spray calibration
12 efforts at Iowa state university.

13 b. For the operations of the commercial feed programs:
14 \$ 735,631

15 c. For the operations of the pesticide programs:
16 \$ 1,271,464

17 Of the amount appropriated in this paragraph "c", \$200,000
18 shall be allocated to Iowa state university for purposes of
19 training commercial pesticide applicators.

20 d. For the operations of the fertilizer programs:
21 \$ 626,630

22 4. SOIL CONSERVATION DIVISION

23 a. For salaries, support, maintenance, assistance to soil
24 conservation districts, miscellaneous purposes, and for not
25 more than the following full-time equivalent positions:

26 \$ 5,676,476
27 FTEs 177.30

28 (1) Of the amount appropriated in this paragraph "a",
29 \$330,000 shall be used to reimburse commissioners of soil and
30 water conservation districts for administrative expenses.
31 Moneys used for the payment of meeting dues by counties shall
32 be matched on a dollar-for-dollar basis by the soil
33 conservation division.

34 (2) Of the amount appropriated and the number of full-time
35 equivalent positions allocated in this paragraph "a", \$165,000

1 and 6.50 FTEs shall be used to provide that 13 part-time field
2 office secretary I positions are made full-time positions. Of
3 the amount appropriated and the number of full-time equivalent
4 positions allocated in paragraph "a", \$55,000 and 1 FTE shall
5 be used to support a public service executive I position in
6 the field services section of the division.

7 b. To provide financial incentives for soil conservation
8 practices under chapter 161A:

9 \$ 5,918,606

10 c. The following requirements apply to the moneys
11 appropriated in paragraph "b":

12 (1) Not more than 5 percent of the moneys appropriated in
13 paragraph "b" may be allocated for cost sharing to abate
14 complaints filed under section 161A.47.

15 (2) Of the moneys appropriated in paragraph "b", 5 percent
16 shall be allocated for financial incentives to establish
17 practices to protect watersheds above publicly owned lakes of
18 the state from soil erosion and sediment as provided in
19 section 161A.73.

20 (3) Not more than 30 percent of a district's allocation of
21 moneys as financial incentives may be provided for the purpose
22 of establishing management practices to control soil erosion
23 on land that is row cropped, including but not limited to no-
24 till planting, ridge-till planting, contouring, and contour
25 strip-cropping as provided in section 161A.73.

26 (4) The state soil conservation committee created in
27 section 161A.4 may allocate moneys to conduct research and
28 demonstration projects to promote conservation tillage and
29 nonpoint source pollution control practices.

30 (5) The financial incentive payments may be used in
31 combination with department of natural resources moneys.

32 d. The provisions of section 8.33 shall not apply to the
33 moneys appropriated in paragraph "b". Unencumbered or
34 unobligated moneys remaining on June 30, 1999, from moneys
35 appropriated in paragraph "b" for the fiscal year beginning

1 July 1, 1995, shall revert to the general fund on August 31,
2 1999.

3 Sec. 2. FARMERS' MARKET COUPON PROGRAM. There is
4 appropriated from the general fund of the state to the
5 department of agriculture and land stewardship for the fiscal
6 year beginning July 1, 1995, and ending June 30, 1996, the
7 following amount, or so much thereof as is necessary, to be
8 used for the purposes designated:

9 For salaries, support, maintenance, and miscellaneous
10 purposes, to be used by the department to continue and expand
11 the farmers' market coupon program by providing federal
12 special supplemental food program recipients with coupons
13 redeemable at farmers' markets, and for not more than the
14 following full-time equivalent positions:

15	\$	215,335
16	FTEs	1.00

17 Sec. 3. PSEUDORABIES ERADICATION PROGRAM.

18 1. There is appropriated from the general fund of the
19 state to the department of agriculture and land stewardship
20 for the fiscal year beginning July 1, 1995, and ending June
21 30, 1996, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For support of the pseudorabies eradication program:

24	\$	900,200
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25 2. Persons, including organizations interested in swine
26 production in this state and in the promotion of Iowa pork
27 products who contribute support to the program, are encouraged
28 to increase financial support for purposes of ensuring the
29 program's effective continuation.

30 Sec. 4. HORSE AND DOG RACING. There is appropriated from
31 the moneys available under section 99D.13 to the regulatory
32 division of the department of agriculture and land stewardship
33 for the fiscal year beginning July 1, 1995, and ending June
34 30, 1996, the following amount, or so much thereof as is
35 necessary, to be used for the purpose designated:

1 For salaries, support, maintenance, and miscellaneous
2 purposes for the administration of section 99D.22:
3 \$ 191,106

4 Sec. 5. INTERSTATE COMPACT ON AGRICULTURAL GRAIN
5 MARKETING. There is appropriated from the general fund of the
6 state to the interstate agricultural grain marketing
7 commission for the fiscal year beginning July 1, 1995, and
8 ending June 30, 1996, the following amount, or so much thereof
9 as is necessary, to be used for the purpose designated:

10 For carrying out duties of the commission as provided in
11 Article IV of the interstate compact on agricultural grain
12 marketing as provided in chapter 183:
13 \$ 80,000

14 DEPARTMENT OF NATURAL RESOURCES

15 Sec. 6. GENERAL APPROPRIATION. There is appropriated from
16 the general fund of the state to the department of natural
17 resources for the fiscal year beginning July 1, 1995, and
18 ending June 30, 1996, the following amounts, or so much
19 thereof as is necessary, to be used for the purposes
20 designated:

21 1. ADMINISTRATIVE AND SUPPORT SERVICES

22 For salaries, support, maintenance, miscellaneous purposes,
23 and for not more than the following full-time equivalent
24 positions:
25 \$ 1,834,654
26 FTEs 113.50

27 2. PARKS AND PRESERVES DIVISION

28 For salaries, support, maintenance, miscellaneous purposes,
29 and for not more than the following full-time equivalent
30 positions:
31 \$ 5,510,462
32 FTEs 195.73

33 3. FORESTS AND FORESTRY DIVISION

34 For salaries, support, maintenance, miscellaneous purposes,
35 and for not more than the following full-time equivalent

1 positions:

2 \$ 1,479,218

3 FTEs 48.71

4 4. ENERGY AND GEOLOGICAL RESOURCES DIVISION

5 For salaries, support, maintenance, miscellaneous purposes,
6 and for not more than the following full-time equivalent

7 positions:

8 \$ 1,663,582

9 FTEs 52.00

10 5. ENVIRONMENTAL PROTECTION DIVISION

11 a. For salaries, support, maintenance, miscellaneous
12 purposes, and for not more than the following full-time
13 equivalent positions:

14 \$ 1,591,943

15 FTEs 206.00

16 b. Of the amount appropriated and the number of full-time
17 equivalent positions allocated in paragraph "a" at least
18 \$49,300 and 1 FTE shall be used to support the regulation of
19 animal feeding operations.

20 6. WATER QUALITY PROTECTION FUND

21 a. For allocation to the administrative account of the
22 water quality protection fund established pursuant to section
23 455B.183A, to carry out the purpose of that account:

24 \$ 404,000

25 b. Of the number of FTEs authorized in subsection 5,
26 paragraph "a", 36 FTEs shall be dedicated to carrying out the
27 provisions of chapter 455B relating to the administration,
28 regulation, and enforcement of the federal Safe Drinking Water
29 Act and to support the program to assist supply systems as
30 provided in section 455B.183B. However, the limitation on
31 full-time equivalent positions provided in subsection 5,
32 paragraph "a", shall not limit the number of additional full-
33 time equivalent positions supported by moneys deposited in the
34 water quality protection fund as provided in section
35 455B.183A, in order to carry out the provisions of division

1 III of chapter 455B relating to the administration,
2 regulation, and enforcement of the federal Safe Drinking Water
3 Act, and the administration of the program to assist supply
4 systems pursuant to section 455B.183B.

5 c. In providing assistance under this subsection, the
6 department shall provide priority to systems serving a
7 population of seven thousand or less. At least two FTEs shall
8 be allocated to provide assistance to systems serving a
9 population of seven thousand or less.

10 7. FISH AND WILDLIFE DIVISION

11 For not more than the following full-time equivalent
12 positions:

13 FTEs 340.93

14 8. WASTE MANAGEMENT ASSISTANCE DIVISION

15 For not more than the following full-time equivalent
16 positions:

17 FTEs 16.75

18 Sec. 7. STATE FISH AND GAME PROTECTION FUND -- APPRO-
19 PRIATION TO THE DIVISION OF FISH AND WILDLIFE.

20 1. There is appropriated from the state fish and game
21 protection fund to the division of fish and wildlife of the
22 department of natural resources for the fiscal year beginning
23 July 1, 1995, and ending June 30, 1996, the following amount,
24 or so much thereof as is necessary, to be used for the
25 purposes designated:

26 For administrative support, and for salaries, support,
27 maintenance, equipment, and miscellaneous purposes:

28 \$ 20,637,657

29 2. The department shall not expend more moneys from the
30 fish and game protection fund than provided in this section,
31 unless the expenditure derives from contributions made by a
32 private entity, or a grant or moneys received from the federal
33 government, and is approved by the natural resource
34 commission. The department of natural resources shall
35 promptly notify the legislative fiscal bureau and the

1 chairpersons and ranking members of the joint appropriations
2 subcommittee on agriculture and natural resources concerning
3 the commission's approval.

4 Sec. 8. MARINE FUEL TAX RECEIPTS -- NONCAPITALS AND
5 BOATING FACILITIES AND ACCESS. There is appropriated from the
6 marine fuel tax receipts deposited in the general fund of the
7 state to the department of natural resources for the fiscal
8 year beginning July 1, 1995, and ending June 30, 1996, the
9 following amounts, or so much thereof as is necessary, to be
10 used for the purposes designated:

11 1. For purposes of funding expenditures traditionally
12 funded from marine fuel tax revenues, but not considered as
13 capitals or operations:

14 \$ 200,000

15 2. For purposes of maintaining and developing boating
16 facilities and access to public waters by the parks and
17 preserves division:

18 \$ 411,311

19 Notwithstanding section 8.33, the unencumbered or
20 unobligated moneys remaining on June 30, 1996, from moneys
21 appropriated in subsection 1, may be expended during the
22 fiscal year beginning July 1, 1996, and ending June 30, 1997,
23 and shall not revert to the general fund until August 31,
24 1997.

25 Sec. 9. SNOWMOBILE FEES -- TRANSFER FOR ENFORCEMENT
26 PURPOSES. There is transferred on July 1, 1995, from the fees
27 deposited under section 321G.7 to the fish and game protection
28 fund and appropriated to the department of natural resources
29 for the fiscal year beginning July 1, 1995, and ending June
30 30, 1996, the following amount, or so much thereof as is
31 necessary, to be used for the purpose designated:

32 For the purpose of enforcing snowmobile laws as part of the
33 state snowmobile program administered by the department of
34 natural resources:

35 \$ 100,000

1 Sec. 10. VESSEL FEES -- TRANSFER FOR ENFORCEMENT PURPOSES.

2 There is transferred on July 1, 1995, from the fees deposited
3 under section 462A.52 to the fish and game protection fund and
4 appropriated to the department of natural resources for the
5 fiscal year beginning July 1, 1995, and ending June 30, 1996,
6 the following amount, or so much thereof as is necessary, to
7 be used for the purpose designated:

8 For purposes of administration and enforcement of
9 navigation laws and water safety:

10 \$ 1,200,000

11 RESOURCES ENHANCEMENT AND PROTECTION

12 Sec. 11. GENERAL APPROPRIATION. Notwithstanding the
13 amount of the standing appropriation from the general fund of
14 the state under section 455A.18, subsection 3, there is
15 appropriated from the general fund of the state to the Iowa
16 resources enhancement and protection fund, in lieu of the
17 appropriation made in section 455A.18, for the fiscal year
18 beginning July 1, 1995, and ending June 30, 1996, the sum of
19 \$8,000,000, of which all moneys shall be allocated as provided
20 in section 455A.19.

21 ANIMAL INDUSTRY APPROPRIATIONS

22 Sec. 12. LIVESTOCK PRODUCERS ASSISTANCE.

23 1. There is appropriated from the general fund of the
24 state to Iowa state university of science and technology, for
25 the fiscal year beginning July 1, 1995, and ending June 30,
26 1996, the following amount, or so much thereof as is
27 necessary, to be used for the purposes designated:

28 For the administration of the livestock producers
29 assistance program established pursuant to section 266.39D,
30 including salaries, support, maintenance, miscellaneous
31 purposes, and for not more than the following full-time
32 equivalent positions:

33 \$ 100,000

34 FTEs 1.66

35 2. As a condition of this appropriation, the university

1 shall strive to ensure that the program becomes increasingly
2 self-sufficient. The university shall adopt a plan detailing
3 the manner in which the program will become self-sufficient,
4 including the expected amount of state funds necessary to
5 support the program until it becomes self-sufficient, the
6 sources of revenue expected to contribute to the program, and
7 the amount each source is expected to contribute to the
8 program. The plan shall be submitted to the legislative
9 fiscal bureau by November 1, 1995.

10 3. The provisions of section 8.33 shall not apply to the
11 moneys appropriated in this section. Unencumbered or unobli-
12 gated moneys remaining on June 30, 1999, from moneys
13 appropriated in this section for the fiscal year beginning
14 July 1, 1995, shall revert to the general fund on August 31,
15 1999.

16 Sec. 13. ORGANIC NUTRIENT MANAGEMENT.

17 1. There is appropriated from the general fund of the
18 state to the department of agriculture and land stewardship
19 for the fiscal year beginning July 1, 1995, and ending June
20 30, 1996, the following amount, or so much thereof as is
21 necessary, to be used for the purposes designated:

22 For deposit in the organic nutrient management fund for
23 administration of the organic nutrient management program, as
24 provided in section 161C.6:

25 \$ 450,000

26 2. Notwithstanding section 161C.5, unencumbered or
27 unobligated moneys remaining on June 30, 1999, from moneys
28 appropriated in this section for the fiscal year beginning
29 July 1, 1995, shall revert to the general fund on August 31,
30 1999.

31 RELATED APPROPRIATIONS

32 Sec. 14. TRANSFERS FROM THE WATER PROTECTION FUND.

33 Notwithstanding section 161C.4 and the reversion and alloca-
34 tion provisions in section 455A.19, subsection 1, paragraph
35 "c", of the unencumbered and unobligated moneys remaining on

1 the effective date of this section, in the water protection
2 fund created pursuant to section 161C.4, the following amounts
3 shall be transferred first from the water protection practices
4 account, and if necessary from the water quality protection
5 projects account, which shall be used for the following
6 purposes:

7 1. To the organic nutrient management fund created in
8 section 161C.5 for the purposes of carrying out the organic
9 nutrient management program as provided in section 161C.6:
10 \$ 350,000

11 2. To provide financial incentives for soil conservation
12 practices under chapter 161A, as provided in section 1 of this
13 Act:

14 \$ 500,000

15 Moneys provided in this section shall be transferred first
16 to the organic nutrient management fund as provided in
17 subsection 1 before remaining moneys are transferred to
18 provide financial incentives for soil conservation as provided
19 in subsection 2.

20 The provisions of section 8.33 shall not apply to the
21 moneys transferred pursuant to this section. Unencumbered or
22 unobligated moneys remaining on June 30, 1999, from moneys
23 transferred pursuant to this section for the fiscal year
24 beginning July 1, 1995, shall revert to the account from which
25 transferred on August 31, 1999.

26 Sec. 15. REVENUE ADMINISTERED BY THE IOWA COMPREHENSIVE
27 UNDERGROUND STORAGE TANK BOARD -- TRANSFER. There is
28 appropriated from the unassigned revenue fund administered by
29 the Iowa comprehensive underground storage tank board, to the
30 department of natural resources for the fiscal year beginning
31 July 1, 1995, and ending June 30, 1996, the following amount,
32 or so much thereof as is necessary, to be used for the purpose
33 designated:

34 For administration expenses of the underground storage tank
35 section of the department of natural resources:

1 \$ 75,000

2 Sec. 16. TRANSFER -- AIR QUALITY. For the fiscal year
3 beginning July 1, 1995, and ending June 30, 1996, the
4 department of natural resources may transfer up to \$281,000
5 from the hazardous substance remedial fund to support purposes
6 related to carrying out the duties of the commission under
7 section 455B.133, or the director under section 455B.134, or
8 for carrying out the provisions of chapter 455B, division II.

9 Sec. 17. WIND EROSION CONTROL FUND. On the effective date
10 of this section, all unencumbered or unobligated moneys
11 appropriated to the wind erosion control fund, and any
12 unencumbered or unobligated moneys which have been credited to
13 the division of soil conservation of the department of
14 agriculture and land stewardship for purposes of planting and
15 maintaining wind erosion control barriers, as originally
16 provided in 1978 Iowa Acts, chapter 1108, section 7, and
17 subsequently amended, shall be transferred to the road use tax
18 fund created in section 312.1.

19 MISCELLANEOUS

20 Sec. 18. STATE NURSERIES. Notwithstanding section 17A.2,
21 subsection 10, paragraph "g", the department of natural
22 resources shall adopt administrative rules establishing prices
23 of plant material grown at the state forest nurseries to cover
24 all expenses related to the growing of the plants.

25 The department shall develop programs to encourage the wise
26 management and preservation of existing woodlands and shall
27 continue its efforts to encourage forestation and
28 reforestation on private and public lands in the state.

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

32 Sec. 19. HUNGRY CANYONS CONFERENCE.

33 1. The department of natural resources in cooperation with
34 the loess hills development and conservation authority, shall
35 sponsor a conference not later than September 1, 1995,

1 regarding the erosion and degradation of stream channels in
2 counties in the deep loess region of western Iowa, and
3 specifically the area referred to as hungry canyons. The
4 conference shall discuss the impacts of the erosion and
5 degradation of stream channels in the area and its adverse
6 effect upon rural infrastructure, including public roads and
7 bridges, agricultural production, stream water quality, and
8 riparian habitat. The conference shall consider impacts of
9 policies of the United States army corps of engineers upon the
10 area.

11 2. Conferees shall include representatives of the
12 department of natural resources, the loess hills development
13 and conservation authority, the division of soil conservation
14 of the department of agriculture and land stewardship, and the
15 state department of transportation. Each soil and water
16 conservation district in the area may elect one commissioner
17 to serve as a conferee. Each county board of supervisors in a
18 county in the area may elect one supervisor to serve as a
19 conferee. The department of natural resources shall invite
20 other interested persons to serve as conferees, including
21 members of Iowa's congressional delegation, members of the
22 Iowa general assembly who represent affected legislative
23 districts, and representatives of the United States army corps
24 of engineers, the United States environmental protection
25 agency, the United States department of interior, and the
26 natural resources conservation service of the United States
27 department of agriculture.

28 3. The department of natural resources shall report to the
29 general assembly not later than January 15, 1995, regarding
30 findings and recommendations of the conferees.

31 Sec. 20. TRANSFER OF MONEYS OR POSITIONS; CHANGES IN
32 TABLES OF ORGANIZATION -- NOTIFICATION. Each fiscal quarter
33 of the fiscal year beginning July 1, 1995, the department of
34 agriculture and land stewardship and the department of natural
35 resources shall notify the chairpersons, vice chairpersons,

1 and ranking members of the joint appropriations subcommittee
2 on agriculture and natural resources for the previous fiscal
3 quarter of any transfer of moneys or full-time equivalent
4 positions made by either department which is not authorized in
5 this Act, or any permanent position added to or deleted from
6 either department's table of organization.

7 Sec. 21. TRUST FUND INFORMATION. For the fiscal year
8 beginning July 1, 1995, and ending June 30, 1996, the
9 department of revenue and finance in cooperation with each
10 appropriate agency shall track receipts to the general fund of
11 the state which under law were previously collected to be used
12 for specific purposes, or to be credited to, or be deposited
13 to a particular account or fund, as provided in section 8.60.

14 The department of revenue and finance and each appropriate
15 agency shall prepare reports detailing revenue from receipts
16 previously deposited into each of the funds. A report shall
17 be submitted to the legislative fiscal bureau at least once
18 for each three-month period as designated by the legislative
19 fiscal bureau.

20 Sec. 22. DEPARTMENTAL INFORMATION REQUIRED.

21 1. For the fiscal year beginning July 1, 1995, and ending
22 June 30, 1996, the department of agriculture and land
23 stewardship and the department of natural resources, in
24 cooperation as necessary with the department of management and
25 the department of personnel, shall provide a list to the
26 legislative fiscal bureau, on a quarterly basis, of all
27 permanent positions added to or deleted from the departments'
28 table of organization in the previous fiscal quarter. This
29 list shall include at least the position number, salary range,
30 projected funding source or sources of each position, and the
31 reason for the addition or deletion. The legislative fiscal
32 bureau may use this information to assist in the establishment
33 of the full-time equivalent position limits authorized in law
34 for the departments.

35 2. For the fiscal year beginning July 1, 1995, and ending

1 June 30, 1996, the department of natural resources shall
2 provide the legislative fiscal bureau information and
3 financial data by cost center, on at least a monthly basis,
4 relating to the indirect cost accounting procedure, the amount
5 of funding from each funding source for each cost center, and
6 the internal budget system used by the department. The
7 information shall include but is not limited to financial data
8 covering the department's budget by cost center and funding
9 source prior to the start of the fiscal year, and to the
10 department's actual expenditures by cost center and funding
11 source after the accounting system has been closed for that
12 fiscal year.

13 3. For the fiscal year beginning July 1, 1995, and ending
14 June 30, 1996, the department of agriculture and land
15 stewardship shall provide the legislative fiscal bureau
16 information and financial data on at least a monthly basis,
17 relating to the internal budget system used by the department.
18 The information shall include but is not limited to financial
19 data covering the department's budget prior to the start of
20 the fiscal year, and to the department's actual expenditures
21 after the accounting system has been closed for that fiscal
22 year.

23 Sec. 23. PREFERENCE PROVIDED -- PERSONS MEETING
24 ELIGIBILITY REQUIREMENTS OF THE GREEN THUMB PROGRAM. In its
25 employment of persons in temporary positions in conservation
26 and outdoor recreation for the fiscal year beginning July 1,
27 1995, and ending June 30, 1996, the department of natural
28 resources shall give preference to persons meeting eligibility
29 requirements for the green thumb program and to persons
30 working toward an advanced education in natural resources and
31 conservation.

32 Sec. 24. GYPSY MOTH LITIGATION. The department of
33 agriculture and land stewardship and the office of the
34 attorney general shall cooperate in bringing legal action
35 against parties liable for damages caused by the shipment from

1 the state of Michigan of trees or other plants infested with
2 gypsy moths.

3 Sec. 25. SOIL CONSERVATION DIVISION -- USE OF UNOBLIGATED
4 MONEYS FOR THE PURCHASE OF EQUIPMENT. Notwithstanding section
5 8.33, or 1994 Iowa Acts, chapter 1199, section 8, subsection
6 17, and section 88, the moneys appropriated to the soil
7 conservation division of the department of agriculture and
8 land stewardship pursuant to chapter 1199, section 8,
9 subsection 17, and section 88, which are not obligated or
10 encumbered on June 30, 1995, for purposes of supporting soil
11 conservation technicians, shall not revert to the general fund
12 of the state but shall be used by the division of soil
13 conservation for the fiscal year beginning July 1, 1995, and
14 ending June 30, 1996, for purposes of purchasing equipment for
15 soil conservation field offices.

16 Sec. 26. AIR QUALITY PROGRAM -- NONGENERAL FUND SUPPORT.
17 The department of natural resources for the fiscal year
18 beginning July 1, 1995, and ending June 30, 1996, shall not
19 use moneys appropriated from the general fund of the state
20 pursuant to this Act, to support any purpose related to
21 carrying out the duties of the commission under section
22 455B.133 or the director under section 455B.134, or for
23 carrying out the provisions of chapter 455B, division II.

24 Notwithstanding section 455B.133B, the department may use
25 moneys deposited in the air contaminant source fund created in
26 section 455B.133B during the fiscal year beginning July 1,
27 1995, and ending June 30, 1996, for any purpose related to
28 carrying out the duties of the commission under section
29 455B.133 or the director under section 455B.134, or for
30 carrying out the provisions of chapter 455B, division II.

31 Sec. 27. RULES RELATING TO PESTICIDE AND FERTILIZER
32 CONTAMINATED SITES -- ENVIRONMENTAL PROTECTION COMMISSION.
33 The environmental protection commission shall adopt all rules
34 required to establish criteria for the classification and
35 prioritization of sites upon which pesticide or fertilizer

1 and coproducts. The moneys shall be used for purposes of
2 conducting soydiesel demonstration projects administered by
3 the state department of transportation under the oversight of
4 the renewable fuels and coproducts advisory committee.

5 Sec. 32. 1994 Iowa Acts, chapter 1119, section 32,
6 subsection 2, paragraph b, is amended to read as follows:

7 b. The state department of transportation shall evaluate
8 the performance of vehicles operating on soydiesel fuel,
9 including the rate of repairs on the vehicles and comments of
10 persons operating and maintaining the vehicles. The
11 department shall submit initial findings and recommendations
12 to the renewable fuels and coproducts advisory committee which
13 shall submit a report to the senate and chief clerk of the
14 house, the legislative service bureau, the chairpersons and
15 ranking members of the senate standing committee on
16 agriculture, the senate standing committee on small business,
17 economic development and tourism, the house of representatives
18 standing committee on agriculture, and the house of
19 representatives standing committee on small business, economic
20 development and trade. The department shall submit final
21 findings and recommendations to the renewable fuels and
22 coproducts advisory committee which shall submit a report to
23 the general assembly. ~~The~~ An initial report shall be due on
24 October 1, 1994, ~~the final~~, an interim report shall be due on
25 March 1, 1995, and a final report shall be due on October 1,
26 1996.

27 Sec. 33. 1994 Iowa Acts, chapter 1119, section 32,
28 subsection 2, paragraph d, is amended to read as follows:

29 d. Moneys available under this section which remain
30 unexpended or unobligated on June 30, 1994, shall remain
31 available to support the demonstration project and shall not
32 revert pursuant to section 8.33. Moneys remaining unexpended
33 or unobligated on June 30, ~~1995~~ 1996, shall be credited to the
34 value-added agricultural products and processes financial
35 assistance fund as created in section 15E.112.

1 Sec. 34. Section 8.60, Code 1995, is amended to read as
2 follows:

3 8.60 USE OF DESIGNATED MONEYS.

4 Moneys credited to or deposited in the general fund of the
5 state on or after July 1, 1993, which under law were pre-
6 viously collected to be used for specific purposes, or to be
7 credited to, or be deposited to a particular account or fund
8 shall only be used for the purposes for which the moneys were
9 collected, including but not limited to moneys collected in
10 accordance with any of the following provisions:

11 1. Pari-mutuel regulation fund created in section 99D.17,
12 Code Supplement 1993.

13 2. Excursion boat gambling special account pursuant to
14 section 99F.4, subsection 2, Code Supplement 1993.

15 ~~3. Milk fund created in section 192.111, Code Supplement~~
16 ~~1993.~~

17 ~~4. Dairy trade practices trust fund pursuant to section~~
18 ~~192A.30, Code Supplement 1993.~~

19 ~~5. Commercial feed fund created in section 198.9, Code~~
20 ~~Supplement 1993.~~

21 ~~6. Fertilizer fund created in section 200.9, Code~~
22 ~~Supplement 1993.~~

23 ~~7. Pesticide fund created in section 206.12, Code~~
24 ~~Supplement 1993.~~

25 8. 3. Motor vehicle fraud account pursuant to section
26 312.2, subsection 13, Code Supplement 1993.

27 9. 4. Public transit assistance fund pursuant to section
28 312.2, subsection 15, and section 324A.6, Code Supplement
29 1993.

30 ~~10.~~ 5. Salvage vehicle fee paid to the Iowa law
31 enforcement academy pursuant to section 321.52, Code
32 Supplement 1993.

33 ~~11.~~ 6. Railroad assistance fund created in section
34 327H.18, Code Supplement 1993.

35 ~~12.~~ 7. Special railroad facility fund created in section

1 327I.23, Code Supplement 1993.

2 ~~13-~~ 8. State aviation fund created in section 328.36, Code
3 Supplement 1993.

4 ~~14--Marine-fuel-tax-fund-created-in-section-452A-79,-Code~~
5 ~~Supplement-1993-~~

6 ~~15-~~ 9. Public outdoor recreation and resources fund
7 pursuant to section 461A.79, Code Supplement 1993.

8 ~~16-~~ 10. Energy research and development fund created in
9 section 473.11, Code Supplement 1993.

10 ~~17-~~ 11. Utilities trust fund created in section 476.10,
11 Code Supplement 1993.

12 ~~18-~~ 12. Banking revolving fund created in section 524.207,
13 Code Supplement 1993.

14 ~~19-~~ 13. Credit union revolving fund created in section
15 533.67, Code Supplement 1993.

16 ~~20-~~ 14. Professional licensing revolving fund created in
17 section 546.10, Code Supplement 1993.

18 Sec. 35. Section 159.14, Code 1995, is amended to read as
19 follows:

20 159.14 BONDS.

21 The secretary shall require every inspector or employee who
22 collects fees or handles funds belonging to the state to give
23 an official bond, properly conditioned and signed by
24 sufficient sureties, in a sum to be fixed by the secretary,
25 which bond shall be approved by the secretary and filed in the
26 office of the secretary of state. ~~This-section-shall-not~~
27 ~~apply-to-the-deputy-secretary-of-agriculture-~~ The state shall
28 pay the reasonable cost of the bonds required by this section.

29 Sec. 36. Section 161C.4, unnumbered paragraph 1, Code
30 1995, is amended to read as follows:

31 A water protection fund is created within the division.
32 The fund is composed of money appropriated by the general
33 assembly for that purpose, and moneys available to and
34 obtained or accepted by the state soil conservation committee
35 from the United States or private sources for placement in the

1 fund. The fund shall be divided into two accounts, the water
2 quality protection projects account and the water protection
3 practices account. The first account shall be used to carry
4 out water quality protection projects to protect the state's
5 surface and groundwater from point and nonpoint sources of
6 contamination. The second account shall be used to establish
7 water protection practices with individual landowners
8 including but not limited to woodland establishment and
9 protection, establishment of native grasses and forbs,
10 sinkhole management, agricultural drainage well management,
11 streambank stabilization, grass waterway establishment, stream
12 buffer strip establishment, and erosion control structure
13 construction. Twenty-five percent of funds appropriated to
14 the water protection practices account shall be used for
15 woodland establishment and protection, and establishment of
16 native grasses and forbs. Soil and water conservation
17 district commissioners shall give priority to applications for
18 practices that implement their soil and water resource
19 conservation plan. The fund shall be a revolving fund from
20 which moneys may be used for loans, grants, administrative
21 costs, and cost-sharing.

22 Sec. 37. Section 192.111, subsection 3, Code 1995, is
23 amended by striking the subsection.

24 Sec. 38. NEW SECTION. 192.112 MILK FUND.

25 1. A milk fund is established in the state treasury under
26 the control of the department. The fund shall consist of any
27 money appropriated by the general assembly and any other
28 moneys available to and obtained or accepted by the department
29 from the federal government or private sources for placement
30 in the fund. Fees collected under sections 192.111, 192.133,
31 194.14, 194.19, 194.20, and 195.9 shall be deposited in the
32 fund. All moneys deposited under this section are
33 appropriated to the department for the costs of inspection,
34 sampling, analysis, and other expenses necessary for the
35 administration of this chapter and chapters 194 and 195.

1 2. In each fiscal year, the secretary shall calculate the
2 balance of funds deposited under this section by subtracting
3 all moneys expended for the costs of inspection, sampling,
4 analysis, and other expenses necessary for the administration
5 of this chapter and chapters 194 and 195. If the calculation
6 shows a balance of funds deposited under this section on June
7 30 of any fiscal year equal to or exceeding one hundred fifty
8 thousand dollars, the secretary shall reduce the fees provided
9 for in section 192.11 and section 194.20 for the next fiscal
10 year in an amount which will result in an ending estimated
11 balance of such funds for June 30 of the next fiscal year of
12 one hundred fifty thousand dollars.

13 3. All moneys in the milk fund are subject to audit by the
14 auditor of state. The milk fund is subject at all times to
15 warrants by the director of revenue and finance, drawn upon
16 written requisition of the secretary. Notwithstanding section
17 8.33, moneys in the milk fund shall remain in the milk fund
18 and shall not revert to the general fund of the state.
19 Notwithstanding section 12C.7, subsection 2, interest or
20 earnings on moneys deposited in the milk fund shall be
21 credited to the milk fund.

22 Sec. 39. Section 192.133, Code 1995, is amended to read as
23 follows:

24 192.133 LICENSE TERM -- FEES.

25 A license, unless earlier revoked, is valid until July 1
26 after the date of its issuance. The maximum fee for a license
27 is twenty-five dollars, which shall be paid before the license
28 is issued, and standard test bottles and pipettes shall be
29 furnished at actual cost. Fees collected under this section
30 shall be deposited ~~and used as required in section 192.111~~ in
31 the milk fund established in section 192.112.

32 Sec. 40. Section 192A.30, Code 1995, is amended to read as
33 follows:

34 192A.30 PERMIT FEES.

35 For the purpose of administering and enforcing this

1 chapter, a processor or a person purchasing milk products from
2 a processor for wholesale distribution shall obtain a permit,
3 as provided by departmental rule, before milk products are
4 sold by the person or wholesale purchaser in this state. The
5 processor or wholesale purchaser shall pay to the secretary a
6 permit fee in an amount set by the secretary, not to exceed
7 five mills per hundredweight on milk processed into dairy
8 products as defined in section 192A.1, and sold within the
9 state of Iowa. However, the permit fee for the sale of ice
10 cream or an additive variant of ice cream or nonmilk-fat
11 imitation shall not exceed three mills per gallon. Products
12 upon which fees have been paid are exempt from further fees in
13 successive transactions. The fees for each month thus
14 computed shall be paid to the secretary on or before the
15 twenty-fifth day of the following month. The fees shall be
16 deposited in the milk fund established in section 192.112.

17 ~~Fees-paid-to-the-secretary-shall-be-deposited-into-the~~
18 ~~general-fund-of-the-state-and-shall-be-subject-to-the~~
19 ~~requirements-of-section-8-60-~~

20 Sec. 41. Section 194.14, Code 1995, is amended to read as
21 follows:

22 194.14 LICENSE TERM -- FEES.

23 A milk grader's license, unless sooner revoked, is valid
24 until July 1 after the date of issuance. The maximum fee for
25 each license is ten dollars, which shall be paid before the
26 license is issued. Fees collected under this section shall be
27 deposited ~~and-used-as-required-in-section-192-112~~ in the milk
28 fund established pursuant to section 192.112.

29 Sec. 42. Section 194.19, unnumbered paragraph 1, Code
30 1995, is amended to read as follows:

31 A vehicle used for the collection of milk for manufacture
32 of dairy products shall first be licensed by the department.
33 A license, unless earlier revoked, is valid until July 1 after
34 the date of its issuance. The maximum fee for a license is
35 twenty-five dollars, which shall be paid before the license is

1 issued. A fee shall not be imposed under this section if the
2 vehicle or its operator has paid the fee imposed upon milk
3 haulers under section 192.111. Fees collected under this
4 section shall be deposited ~~and-used-as-required-in-section~~
5 ~~192.111~~ in the milk fund established in section 192.112. This
6 section does not apply to individuals transporting their own
7 dairy products.

8 Sec. 43. Section 194.20, Code 1995, is amended to read as
9 follows:

10 194.20 INSPECTION FEES -- GRADE "B" MILK.

11 A purchaser of milk from a grade "B" milk producer shall
12 pay an inspection fee not greater than one-half cent per
13 hundredweight. The fee is payable monthly to the department
14 at a time prescribed by the department. Fees collected under
15 this section shall be deposited ~~and-used-as-required-in~~
16 ~~section-192.111~~ in the milk fund established in section
17 192.112.

18 Sec. 44. Section 195.9, Code 1995, is amended to read as
19 follows:

20 195.9 LICENSE TERM -- FEES.

21 A license, unless sooner revoked, is valid until July 1
22 after the date of its issuance. The maximum fee for a license
23 is twenty-five dollars which shall be paid before the license
24 is issued. Fees collected under this section shall be
25 deposited ~~and-used-as-required-in-section-192.111~~ in the milk
26 fund established in section 192.112.

27 Sec. 45. Section 198.9, subsection 3, Code 1995, is
28 amended to read as follows:

29 3. Fees collected shall be deposited in the ~~general-fund~~
30 ~~of-the-state-and-shall-be-subject-to-the-requirements-of~~
31 ~~section-8-60~~ commercial feed trust fund established in section
32 198.9A. ~~Moneys-deposited-under-this-section-shall-be-used-for~~
33 ~~the-payment-of-the-costs-of-inspection, sampling, analysis,~~
34 ~~supportive-research, and other expenses necessary for the~~
35 ~~administration of this chapter.~~

1 If there is an unencumbered balance of funds from the fees
2 deposited under this section on June 30 of any fiscal year
3 equal to or exceeding one hundred thousand dollars, the
4 secretary of agriculture shall reduce the per ton fee provided
5 for in subsection 1 for the next fiscal year in such amount as
6 will result in an ending estimated balance of the fees
7 deposited less costs paid for from those fees for June 30 of
8 the next fiscal year of one hundred thousand dollars.

9 The secretary shall publish a report not later than
10 September 1 of each year. -- The report shall provide a detailed
11 accounting of all sources of revenue deposited under and all
12 dispositions of funds expended under this section. -- The report
13 shall detail full-time equivalent positions used in fulfilling
14 the requirements of this chapter. -- The report shall also
15 indicate to what extent any full-time equivalent positions are
16 shared with other programs. -- Copies of the report issued by
17 the secretary pursuant to this subsection shall be delivered
18 each year to the members of the house of representatives and
19 senate standing committees on agriculture.

20 Sec. 46. NEW SECTION. 198.9A COMMERCIAL FEED TRUST FUND.

21 1. A commercial feed trust fund is established in the
22 state treasury under the control of the department. The fund
23 shall consist of any moneys appropriated to the fund by the
24 general assembly and any other moneys available to and
25 obtained or accepted by the department from the federal
26 government or private sources for placement in the fund. Fees
27 collected under section 198.9 shall be deposited in the fund.
28 Moneys deposited in the fund shall be used for the payment of
29 the costs of inspection, sampling, analysis, supportive
30 research, and other expenses necessary for the administration
31 of this chapter.

32 2. If there is an unencumbered balance of moneys in the
33 fund on June 30 of any fiscal year equal to or exceeding one
34 hundred thousand dollars, the secretary of agriculture shall
35 reduce the per ton fee provided for in section 198.9,

1 subsection 1, for the next fiscal year in such amount as will
2 result in an ending estimated balance of the fees deposited
3 less costs paid for from those fees for June 30 of the next
4 fiscal year of one hundred thousand dollars.

5 3. The secretary shall publish a report not later than
6 September 1 of each year. The report shall provide a detailed
7 accounting of all sources of revenue deposited under and all
8 dispositions of moneys deposited in the fund. The report
9 shall detail full-time equivalent positions used in fulfilling
10 the requirements of this chapter. The report shall also
11 indicate to what extent any full-time equivalent positions are
12 shared with other programs. Copies of the report issued by
13 the secretary pursuant to this subsection shall be delivered
14 each year to the members of the standing committees on
15 agriculture of the house of representatives and the senate.

16 Sec. 47. Section 200.4, subsection 1, Code 1995, is
17 amended to read as follows:

18 1. Any person who manufactures, mixes, blends, mixes to
19 customers order, offers for sale, sells, or distributes any
20 fertilizer or soil conditioner in Iowa must first obtain a
21 license from the secretary of agriculture and shall pay a ten-
22 dollar license fee for each place of manufacture or
23 distribution from which fertilizer or soil conditioner
24 products are sold or distributed in Iowa. ~~Such~~ The license
25 fee shall be paid annually on July 1 of each year. The
26 license fee shall be deposited in the fertilizer fund
27 established in section 200.9.

28 Sec. 48. Section 200.8, subsection 3, Code 1995, is
29 amended by striking the subsection.

30 Sec. 49. Section 200.9, Code 1995, is amended to read as
31 follows:

32 200.9 FERTILIZER FEES FUND.

33 1. A fertilizer fund is established in the state treasury
34 under the control of the department of agriculture and land
35 stewardship. The fund shall consist of any moneys

1 appropriated by the general assembly and any other moneys
2 available to and obtained or accepted by the department from
3 the federal government or private sources for placement in the
4 fund. Fees collected for licenses and inspection fees under
5 sections 200.4 and 200.8, with the exception of those fees
6 collected for deposit in the agriculture management account of
7 the groundwater protection fund, shall be deposited in the
8 ~~general fund of the state and shall be subject to the~~
9 ~~requirements of section 8.60.~~ Fees collected pursuant to
10 chapter 201 shall also be deposited in the fund. Moneys
11 ~~deposited under this section to~~ into the general fund from
12 fees collected pursuant to this chapter shall be used only by
13 the department for the purpose of inspection, sampling,
14 analysis, preparation, and publishing of reports and other
15 expenses necessary for administration of this chapter and
16 chapter 201. The secretary may assign moneys to the Iowa
17 agricultural experiment station for research, work projects,
18 and investigations as needed for the specific purpose of
19 improving the regulatory functions for enforcement of this
20 chapter.

21 2. If there is an unencumbered balance of moneys deposited
22 in the fund from fees collected pursuant to this chapter on
23 June 30 of any fiscal year equal to or exceeding three hundred
24 fifty thousand dollars, the secretary of agriculture shall
25 reduce the per ton fee provided for in subsection 1 and the
26 annual license fee established pursuant to section 201.3 for
27 the next fiscal year in such amount as will result in an
28 ending estimated balance of such funds for June 30 of the next
29 fiscal year of three hundred fifty thousand dollars.

30 3. All moneys in the fund are subject to audit by the
31 auditor of state. The fund is subject at all times to
32 warrants by the director of revenue and finance, drawn upon
33 written requisition of the secretary. Notwithstanding section
34 8.33, moneys in the fertilizer fund shall remain in the
35 fertilizer fund and shall not revert to the general fund of

1 the state. Notwithstanding section 12C.7, subsection 2,
2 interest or earnings on moneys deposited in the fertilizer
3 fund shall be credited to the fertilizer fund.

4 Sec. 50. Section 201.13, Code 1995, is amended to read as
5 follows:

6 201.13 MONEYS TO GENERAL THE FERTILIZER FUND -- PERIODIC
7 REPORT.

8 The moneys received under this chapter shall be deposited
9 in the ~~general-fund-of-the-state-and-shall-be-subject-to-the~~
10 ~~requirements-of-section-8.60.--Moneys-deposited-under-this~~
11 ~~section-shall-be-used-by-the-department-of-agriculture-and~~
12 ~~land-stewardship-only-for-the-purpose-of-inspection, sampling,~~
13 ~~analyzing, preparing and publishing of reports, and other~~
14 ~~expenses-necessary-for-the-administration-of-this-chapter~~
15 fertilizer fund as provided in section 200.9. The secretary
16 shall issue an annual report showing a statement of moneys
17 received from license and testing fees, and a biennial report
18 which shall be made available to the public showing the
19 certifications of the effective calcium carbonate equivalent
20 for all agricultural lime, limestone, or aglime certified as
21 provided in this chapter. The report shall list the
22 manufacturers and producers and their locations. Copies of
23 all reports issued by the secretary pursuant to this section
24 shall be sent to the members of the house of representatives
25 and senate standing committees on agriculture.

26 Sec. 51. Section 206.12, subsection 3, Code 1995, is
27 amended to read as follows:

28 3. The registrant, before selling or offering for sale any
29 pesticide for use in this state, shall register each brand and
30 grade of such pesticide with the secretary upon forms
31 furnished by the secretary, and the secretary shall set the
32 registration fee annually at one-fifth of one percent of gross
33 sales within this state with a minimum fee of two hundred
34 fifty dollars and a maximum fee of three thousand dollars for
35 each and every brand and grade to be offered for sale in this

1 state except as otherwise provided. The annual registration
2 fee for products with gross annual sales in this state of less
3 than one million five hundred thousand dollars shall be the
4 greater of two hundred fifty dollars or one-fifth of one
5 percent of the gross annual sales as established by affidavit
6 of the registrant. The secretary shall adopt by rule
7 exemptions to the minimum fee. Fifty dollars of each fee
8 collected shall be deposited in the ~~general fund of the state~~
9 ~~shall be subject to the requirements of section 8.607 and~~
10 ~~shall be used only for the purpose of enforcing the provisions~~
11 ~~of this chapter~~ pesticide fund established in section 206.12A,
12 and the remainder of each fee collected shall be placed in the
13 agriculture management account of the groundwater protection
14 fund.

15 Sec. 52. NEW SECTION. 206.12A PESTICIDE FUND.

16 1. A pesticide fund is established in the state treasury
17 under the control of the department. The fund shall consist
18 of any moneys appropriated to the fund by the general assembly
19 and any other moneys available to and obtained or accepted by
20 the department from the federal government or private sources
21 for placement in the fund. Fees collected under section
22 206.12 shall be deposited in the fund. The moneys in the fund
23 shall be used only for the purpose of enforcing the provisions
24 of this chapter.

25 2. All moneys in the pesticide fund are subject to audit
26 by the auditor of state. The fund is subject at all times to
27 warrants by the director of revenue and finance, drawn upon
28 written requisition of the secretary. Notwithstanding section
29 8.33, moneys in the pesticide fund shall remain in the fund
30 and shall not revert to the general fund of the state.
31 Notwithstanding section 12C.7, subsection 2, interest or
32 earnings on moneys deposited in the pesticide fund shall be
33 credited to the pesticide fund.

34 Sec. 53. Section 452A.79, unnumbered paragraph 2, and
35 subsections 1, 2, 3, 4, and 5, Code 1995, are amended to read

1 as follows:

2 All moneys derived from the excise tax on the sale of motor
3 fuel used in watercraft shall be deposited in the general
4 marine fuel tax fund of the state established in section
5 452A.83. Moneys deposited to the general fund under this
6 section and section 452A.84 are subject to the requirements of
7 section 8.60 and are subject to appropriation by the general
8 assembly to the department of natural resources for use in its
9 recreational boating program, which may include but is not
10 limited to:

11 1.--Dredging and renovation of natural lakes of this state.

12 2.--Acquisition, development and maintenance of access to
13 public boating waters.

14 3.--Development and maintenance of boating facilities and
15 navigation aids.

16 4.--Administration, operation and maintenance of
17 recreational boating activities of the department of natural
18 resources.

19 5.--Acquisition, development and maintenance of recreation
20 facilities associated with recreational boating.

21 Sec. 54. NEW SECTION. 452A.83 MARINE FUEL TAX FUND.

22 1. A marine fuel tax fund is established in the state
23 treasury under the control of the department. The fund shall
24 consist of any moneys appropriated to the fund by the general
25 assembly and any other moneys available to and obtained or
26 accepted by the department from the federal government or
27 private sources for placement in the fund. Moneys collected
28 pursuant to section 452A.79 shall be deposited in the fund.
29 Moneys collected pursuant to this chapter from the motor fuel
30 tax fund shall be transferred to the fund as provided in
31 section 452A.84.

32 2. Moneys deposited or transferred into the fund are sub-
33 ject to appropriation by the general assembly to the
34 department of natural resources for its recreational boating
35 program which may include, but is not limited to:

- 1 a. Dredging and renovation of natural lakes of this state.
- 2 b. Acquisition, development, and maintenance of access to
- 3 public boating waters.
- 4 c. Development and maintenance of boating facilities and
- 5 navigation aids.
- 6 d. Administration, operation, and maintenance of
- 7 recreational boating activities of the department of natural
- 8 resources.
- 9 e. Acquisition, development, and maintenance of recreation
- 10 facilities associated with recreational boating.

11 3. All moneys in the marine fuel tax fund are subject to
12 audit by the auditor of state. The fund is subject at all
13 times to warrants by the director of revenue and finance,
14 drawn upon written requisition of the department.
15 Notwithstanding section 8.33, moneys in the marine fuel tax
16 fund shall remain in the fund and shall not revert to the
17 general fund of the state. Notwithstanding section 12C.7,
18 subsection 2, interest or earnings on moneys deposited in the
19 marine fuel tax fund shall be credited to the marine fuel tax
20 fund.

21 Sec. 55. Section 452A.84, Code 1995, is amended to read as
22 follows:

23 452A.84 TRANSFER TO STATE-GENERAL MARINE FUEL TAX FUND.

24 The treasurer of state shall transfer from the motor fuel
25 tax fund to the ~~general~~ marine fuel tax fund of-the-state
26 established pursuant to section 452A.83, that portion of
27 moneys collected under this chapter attributable to motor fuel
28 used in watercraft computed as follows:

- 29 1. Determine monthly the total amount of motor fuel tax
- 30 collected under this chapter and multiply the amount by nine-
- 31 tenths of one percent.
- 32 2. Subtract from the figure computed pursuant to
- 33 subsection 1 of this section three percent of the figure for
- 34 administrative costs and further subtract from the figure the
- 35 amounts refunded to commercial fishers pursuant to section

1 452A.17, subsection 13. All moneys remaining after claims for
2 refund and the cost of administration have been made shall be
3 transferred to the ~~general marine fuel tax fund of the state.~~

4 Sec. 56. Section 455B.183A, subsection 2, paragraph b,
5 Code 1995, is amended to read as follows:

6 b. The operation of a public water supply system,
7 including any part of the system. ~~The fees may be based on~~
8 ~~the type and size of community served by the system.~~ The
9 commission shall adopt a fee schedule which shall be based on
10 the total number of persons served by public water supply
11 systems in this state. The commission shall calculate all
12 fees in the schedule to produce total revenues equaling four
13 hundred seventy-five thousand dollars for the fiscal year
14 beginning July 1, 1994, and ending June 30, 1995, seven
15 hundred thousand dollars for the fiscal year beginning July 1,
16 1995, and ending June 30, 1996, nine hundred thousand dollars
17 for the fiscal year beginning July 1, 1996, and ending June
18 30, 1997, and one million two hundred thousand dollars for
19 each subsequent fiscal year. For the fiscal year beginning
20 July 1, 1994, and ending June 30, 1995, twenty-five thousand
21 dollars shall be deposited in the administration account and
22 four hundred fifty thousand dollars shall be deposited in the
23 public water supply system account. For each subsequent
24 fiscal year, one-half of the fees shall be deposited into the
25 administration account and one-half of the fees shall be
26 deposited into the public water supply system account. By May
27 1 of each year, the department shall estimate the total
28 revenue expected to be collected from the overpayment of fees,
29 which are all fees in excess of the amount of the total
30 revenues which are expected to be collected under the current
31 fee schedule, and the total revenue expected to be collected
32 from the payment of fees during the next fiscal year. The
33 commission shall adjust the fees if the estimate exceeds the
34 amount of revenue required to be deposited in the fund
35 pursuant to this paragraph.

1 Sec. 57. Section 455E.11, subsection 2, paragraph a,
2 subparagraph (12), subparagraph subdivision (c), Code 1995, is
3 amended to read as follows:

4 (c) Twelve and one-half cents per ton per year is
5 appropriated to the department of natural resources to provide
6 additional toxic cleanup days and for the natural resource
7 geographic information system required under section 455E.8,
8 subsection 6. Departmental rules adopted for implementation
9 of toxic cleanup days shall provide sufficient flexibility to
10 respond to the household hazardous material collection needs
11 of both small and large communities.

12 Sec. 58. EFFECTIVE DATES.

13 1. Sections 14, 17, 19, and 25 of this Act, being deemed
14 of immediate importance, take effect upon enactment.

15 2. Section 28 of this Act takes effect on July 1, 1996.

16 3. The amendments in this Act to 1993 Iowa Acts, chapter
17 176, section 25, subsection 2, as amended by 1994 Iowa Acts,
18 chapter 1198, section 31, take effect upon enactment.

19 4. The amendments in this Act to 1994 Iowa Acts, chapter
20 1119, section 32, being deemed of immediate importance, take
21 effect upon enactment.

22 5. The amendments in this Act to section 455B.183A, being
23 deemed of immediate importance, take effect upon enactment.

24 6. Sections 8.60, 159.14, 192.111, 192.112, 192.133,
25 192A.30, 194.14, 194.19, 194.20, 195.9, 198.9, 198.9A, 200.4,
26 200.8, 200.9, 201.13, 201.15, 206.12, 206.12A, 452A.79,
27 452A.83, and 452A.84, Code 1995, as amended or enacted by this
28 Act take effect July 1, 1996.

29 7. This section, being deemed of immediate importance,
30 takes effect upon enactment.

31 EXPLANATION

32 This bill relates to agriculture and natural resources, by
33 providing appropriations to support related entities,
34 including the department of agriculture and land stewardship
35 and the department of natural resources. The bill also makes

1 a number of statutory changes to provisions relating to
2 agriculture and natural resources.

3 Section 1 provides a general appropriation from the general
4 fund to the department of agriculture and land stewardship,
5 including the administrative division, the regulatory
6 division, the laboratory division, and the soil conservation
7 division.

8 Section 2 provides an appropriation from the general fund
9 to support the farmers' market coupon program, by providing
10 federal special supplemental food program recipients with
11 coupons redeemable at farmers' markets.

12 Section 3 provides an appropriation from the general fund
13 to support a program administered by the department of
14 agriculture and land stewardship to eradicate a disease
15 threatening swine production, in accordance with chapter 166D.

16 Section 4 provides an appropriation from unclaimed winnings
17 at horse and dog tracks to the regulatory division of the
18 department of agriculture and land stewardship to support the
19 inspection of Iowa-foaled horses and Iowa-whelped dogs and the
20 administration of a program to promote the horse and dog
21 breeding industries in the state.

22 Section 5 provides an appropriation from the general fund
23 to the interstate agricultural grain marketing commission for
24 carrying out the duties of the commission as provided in the
25 interstate compact of agricultural grain marketing codified in
26 chapter 183, including the correction of weaknesses and
27 solutions to problems in the present system of agricultural
28 grain marketing or the development of alternatives.

29 Section 6 provides an appropriation from the general fund
30 to the department of natural resources to support
31 administrative and support services, the parks and preserves
32 division, the forests and forestry division, the energy and
33 geological resources division, the environmental protection
34 division, and the water quality protection fund. The bill
35 provides full-time equivalent position limits on the

1 department's various divisions, including the fish and
2 wildlife division and the waste management assistance
3 division.

4 Section 7 provides an appropriation from the state fish and
5 game protection fund to support the division of fish and
6 wildlife within the department of natural resources. The
7 department is prohibited from expending more moneys than
8 provided from the fund, unless the expenditure derives from a
9 contribution made from a nonstate source and is approved by
10 the natural resource commission.

11 Section 8 provides an appropriation from the marine fuel
12 tax receipts deposited in the general fund of the state to the
13 department of natural resources for the purposes of supporting
14 expenditures traditionally funded from marine fuel tax
15 revenues, other than capital or operations, and for purposes
16 of maintaining and developing boating facilities.

17 Section 9 provides for the transfer of fees from all-
18 terrain vehicle and snowmobile fees deposited in a special
19 conservation fund. The moneys are appropriated to the
20 department of natural resources for snowmobile programs of the
21 state, as provided in section 321G.7.

22 Section 10 provides for the transfer of registration fees
23 paid on vessels to be deposited in a special conservation
24 fund. The moneys are appropriated to the department of
25 natural resources for purposes of the administration and
26 enforcement of navigation laws and water safety.

27 Section 11 provides that notwithstanding section 455A.18
28 which provides a standing appropriation of \$30,000,000 from
29 the general fund required to be deposited in the Iowa
30 resources enhancement and protection fund, there is
31 appropriated from the general fund of the state \$8,000,000 to
32 support the resources enhancement and protection fund.

33 Section 12 provides an appropriation from the general fund
34 to support Iowa state university for purposes of administering
35 a livestock producers assistance program, in order to provide

1 on-site assistance to persons involved in livestock production
2 in order to increase the efficiency, productivity, and
3 profitability of their operations.

4 Section 13 provides an appropriation from the general fund
5 to the department of agriculture and land stewardship for
6 deposit in the organic nutrient management fund for
7 administration of the organic nutrient management program by
8 the division of soil conservation. The program provides
9 financial incentives to establish livestock manure management
10 systems to facilitate the proper utilization of livestock
11 manure as a nutrient source, and to protect the water
12 resources of the state from livestock manure runoff.

13 Section 14 provides for the transfer of moneys from
14 accounts of the water protection fund, supported by
15 allocations made from the resources enhancement and protection
16 fund, to the organic nutrient management fund for purposes of
17 carrying out the organic nutrient management program, and to
18 provide financial incentives for soil conservation practices.

19 Section 15 provides for an appropriation from the
20 unassigned revenue fund administered by the Iowa comprehensive
21 underground storage tank board to the department of natural
22 resources for purposes of administering the department's
23 underground storage tank section.

24 Section 16 provides that the department of natural
25 resources may transfer an amount from the hazardous substance
26 remedial fund to support purposes related to carrying out and
27 enforcing air quality regulations under chapter 455B.

28 Section 17 provides that unencumbered and unobligated
29 moneys previously appropriated to the department of
30 agriculture and land stewardship for purposes of planting and
31 maintaining wind erosion control barriers must be transferred
32 to the road use tax fund.

33 Section 18 provides that notwithstanding section 17A.2, the
34 department of natural resources must adopt administrative
35 rules establishing prices of plant materials grown at state

1 nurseries to cover the expenses related to growing the plants.

2 Section 19 provides that the department of natural
3 resources must, in cooperation with the loess hills
4 development and conservation authority, sponsor a conference
5 regarding the erosion and degradation of stream channels in
6 counties in the deep loess region of western Iowa, and
7 specifically the area referred to as hungry canyons.

8 Section 20 requires that the department of agriculture and
9 land stewardship and the department of natural resources
10 notify the chairpersons, vice chairpersons, and ranking
11 members of the joint subcommittee on agriculture and natural
12 resources for the previous fiscal quarter of any transfer of
13 moneys or full-time equivalent positions made by either
14 department which is not authorized in the bill.

15 Section 21 requires the department of revenue and finance
16 in cooperation with each appropriate agency to track receipts
17 to the general fund which under law were previously collected
18 to be used for a specific purpose or required to be deposited
19 to a specific account or fund.

20 Section 22 requires the department of agriculture and land
21 stewardship and the department of natural resources to provide
22 financial information to the legislative fiscal bureau,
23 including all permanent positions added to or deleted from the
24 departments' table or organization.

25 Section 23 provides that when employing persons to fill
26 temporary positions in conservation and outdoor recreation,
27 the department of natural resources must give preference to
28 persons meeting eligibility requirements for the green thumb
29 program and to persons working toward an advanced education in
30 natural resources and conservation. The purpose of the
31 program as provided in section 15.227 is to encourage and
32 promote meaningful and respectable employment of the elderly
33 in conservation and outdoor recreation-related fields.

34 Section 24 requires the department of agriculture and land
35 stewardship and the attorney general to cooperate in bringing

1 a legal action against parties liable for damages caused by
2 the shipment from Michigan of trees and plants infested with
3 gypsy moths.

4 Section 25 provides that unobligated or unencumbered moneys
5 which were appropriated in the 1994 legislative session to the
6 division of soil conservation of the department of agriculture
7 and land stewardship for purposes of supporting soil
8 conservation technicians shall not revert but be used to
9 purchase equipment for soil conservation field offices.

10 Section 26 provides that the department of natural
11 resources is prohibited from using moneys appropriated from
12 the general fund to support purposes related to the
13 administration and enforcement of air quality regulations as
14 provided in chapter 455B. The section also provides that the
15 department may use moneys deposited collected in regulatory
16 fees and deposited in the air contaminant source fund
17 established in section 455B.133B for purposes of the
18 administration and enforcement of the regulations.

19 Section 27 requires the environmental protection commission
20 to adopt rules for purposes of establishing criteria for the
21 classification and prioritization of sites upon which
22 pesticides or fertilizer contamination has been discovered
23 pursuant to section 455B.601. Section 455B.601 provides
24 requirements for the development of plans and remediation of
25 contaminated sites.

26 Sections 28 and 29 relate to the position of deputy
27 secretary of agriculture. Section 28 provides for the
28 elimination of the position and the reallocation of the
29 deputy's duties. Section 29 requires the joint appropriations
30 subcommittee on agriculture and natural resources to conduct a
31 study of the functions and duties of the position.

32 Section 30 provides that moneys appropriated to support
33 lake preservation efforts at Black Hawk lake shall remain
34 available to support the efforts for the following fiscal
35 year.

1 Sections 31 through 33 amend provisions in a 1994 Act which
2 in part provided support to the renewable fuel industry, by
3 allocating moneys from the use tax to support value-added
4 agricultural products and processes. Part of the 1994 Act
5 provided that a percentage of moneys that would otherwise be
6 allocated to the value-added agricultural products and
7 processes financial assistance fund would be allocated for one
8 fiscal year to the state department of transportation for
9 purposes of conducting soydiesel demonstration projects. The
10 department was required to submit reports regarding findings
11 and recommendations to the department of agriculture and land
12 stewardship. These sections are amended to provide that the
13 same percentage shall be allocated for the fiscal year
14 beginning on July 1, 1995, for the same purposes, and to
15 provide that a final report must be delivered by October 1,
16 1996.

17 Section 34, section 36, and sections 37 through 55
18 reestablish a number of trust funds which were abolished in
19 1993 and 1994. These sections reestablish a number of those
20 funds, including the milk fund, dairy trade practices fund,
21 commercial feed fund, fertilizer fund, pesticide fund, and the
22 marine fuel tax fund.

23 Section 34 amends section 8.60 which provides that moneys
24 credited to or deposited in the general fund on or after July
25 1, 1993, which under law were previously collected for a
26 specified use or deposited in special accounts or funds, must
27 be used only for the purposes for which the moneys were
28 collected. The bill eliminates reference to those funds which
29 the bill reestablishes.

30 Section 35 amends section 159.14 by removing a reference to
31 the deputy secretary of agriculture.

32 Section 36 amends section 161C.4 which establishes a water
33 protection fund created within the soil conservation division
34 of the department of agriculture and land stewardship. The
35 fund is composed of two accounts, including the water quality

1 protection account and the water protection practices account.
2 The accounts are supported by moneys deposited in the
3 resources enhancement and protection fund. However, that fund
4 refers to depositing moneys into the water quality protection
5 projects account. The bill renames the account as described
6 in the fund to correspond to the name of the account referred
7 to in the section providing for the water resources
8 enhancement and protection fund.

9 Sections 37 through 44 reestablish the milk fund in chapter
10 192, and provide conforming changes. Prior to 1993, section
11 192.111 provided that fees imposed pursuant to various
12 sections and chapters would be deposited into a milk fund.
13 The provisions establishing the fund were contained in the
14 same section establishing inspection fees, providing for the
15 expenditure of moneys in the fund, and for the reduction of
16 fees by the department if moneys in the fund reached a certain
17 level. Section 37 of the bill eliminates reference to the
18 general fund and procedures required for collected moneys.
19 Section 38 creates new section 192.112 which provides for the
20 reestablishment of the fund, rewrites the procedural
21 requirements formerly contained in section 192.111, and
22 includes language common to funds established in other places
23 in the Code, including that moneys in the fund are subject to
24 audit by the auditor of state, that the fund is subject to
25 warranties by the director of revenue and finance drawn upon
26 written requisition of the department responsible for
27 administering the fund, that moneys in the fund shall remain
28 in the fund and shall not revert pursuant to section 8.33, and
29 that interest or earnings on moneys deposited in the fund must
30 be credited to the fund. Sections 39 through 44 amend various
31 sections, including 192.133, 192A.30, 194.14, 194.20, and
32 195.9, all referring to the use of fees collected pursuant to
33 those sections. The sections provide that fees collected
34 pursuant to those sections must be used as provided in section
35 192.111, which used to provide for the establishment of the

1 milk fund but under current law requires that the fees be
2 deposited in the general fund of the state. The bill amends
3 those sections to provide that the fees are to be deposited in
4 the milk fund as provided in new section 192.112.

5 Sections 45 through 47 reestablish the commercial feed
6 trust fund. Prior to 1993, section 198.9 provided that fees
7 imposed pursuant to the section would be deposited into a
8 commercial feed fund. The provisions establishing the fund
9 were contained in the same section establishing fees,
10 providing for the expenditure of moneys in the fund, the
11 reduction of fees by the department if moneys in the fund
12 reached a certain level, and reports regarding the fund to the
13 general assembly. Section 45 amends section 198.9 by
14 eliminating reference to the general fund and procedures
15 required for collected moneys. Section 46 creates new section
16 198.9A which provides for the establishment of the fund,
17 rewrites the procedural requirements formally contained in
18 section 198.9, and includes language common to funds
19 established in other places in the Code, including that moneys
20 in the fund are subject to audit by the auditor of state, that
21 the fund is subject to warranties by the director of revenue
22 and finance drawn upon written requisition of the department
23 responsible for administering the fund, that moneys in the
24 fund shall remain in the fund and shall not revert pursuant to
25 section 8.33, and that interest or earnings on moneys
26 deposited in the fund must be credited to the fund.

27 Sections 47 through 50 reestablish the fertilizer fund in
28 chapter 200, and provide conforming changes. Prior to 1993,
29 section 200.8 provided that fees imposed pursuant to various
30 sections in chapters 200 (regulating fertilizers and soil
31 conditioners) and 201 (regulating agricultural lime) would be
32 deposited into a fertilizer fund. Provisions establishing the
33 inspection fees also provided for the expenditure of moneys in
34 the fund, and for the reduction of fees by the department if
35 moneys in the fund reached a certain level. Section 47

1 provides that a licensee fee required under the chapter must
2 be deposited in the fertilizer fund. Section 48 of the bill
3 eliminates reference to the procedures required for collected
4 moneys under section 200.8. Section 49 amends section 200.9
5 which provides for the uses of moneys collected under the
6 chapter. The bill amends the section to formally establish
7 the fund, rewrites the procedural requirements formally
8 contained in section 200.8, and include language common to
9 funds established in other places in the Code, including that
10 moneys in the fund are subject to audit by the auditor of
11 state, that the fund is subject to warrants by the director of
12 revenue and finance drawn upon written requisition of the
13 department responsible for administering the fund, that moneys
14 in the fund shall remain in the fund and shall not revert
15 pursuant to section 8.33, and that interest or earnings on
16 moneys deposited in the fund must be credited to the fund.
17 Section 50 amends section 201.13, by providing that moneys
18 collected under the chapter must be deposited in the
19 fertilizer fund instead of the general fund and by eliminating
20 a provision that moneys deposited pursuant to the chapter must
21 be used for purposes related to the administration of the
22 chapter, and provides that the moneys must be deposited into
23 the fertilizer fund. Section 49 amends section 200.9 to
24 provide that fees collected pursuant to chapters 200 and 201
25 must be used for the administration of the chapter and chapter
26 201.

27 Sections 51 and 52 reestablish the pesticide fund in
28 chapter 206. Prior to 1993, section 206.12A provided that
29 fees imposed pursuant to the section would be deposited into a
30 pesticide fund. In prior law, no provision formally
31 established the fund. Section 51 of the bill provides that
32 the fees must be deposited into a fund as created in a new
33 section. Section 52 creates new section 206.12A which
34 provides for the establishment of the fund, provides that
35 moneys in the fund must only be used for purposes of enforcing

1 the provisions of chapter 206, and includes language common to
2 funds established in other places in the Code, including that
3 moneys in the fund are subject to audit by the auditor of
4 state, that the fund is subject to warrants by the director of
5 revenue and finance drawn upon written requisition of the
6 department responsible for administering the fund, that moneys
7 in the fund shall remain in the fund and shall not revert
8 pursuant to section 8.33, and that interest or earnings on
9 moneys deposited in the fund must be credited to the fund.

10 Sections 53 through 55 reestablish the marine fuel tax
11 fund. Prior to 1993, section 452A.79 provided for the deposit
12 of tax moneys derived from the sale of motor fuel used in
13 watercraft. The provisions establishing the fund and its uses
14 were contained in the same section. Section 53 amends section
15 452A.79 by eliminating reference to the general fund and
16 procedures required for collected moneys. It provides for the
17 deposit of moneys into the marine fuel tax fund as created in
18 the bill. Section 54 creates new section 452A.83 which
19 provides for the establishment of the fund, rewrites the use
20 requirements formally contained in section 452A.79, and
21 includes language common to funds established in other places
22 in the Code, including that moneys in the fund are subject to
23 audit by the auditor of state, that the fund is subject to
24 warrants by the director of revenue and finance drawn upon
25 written requisition of the department responsible for
26 administering the fund, that moneys in the fund shall remain
27 in the fund and shall not revert pursuant to section 8.33, and
28 that interest or earnings on moneys deposited in the fund must
29 be credited to the fund. Section 55 amends section 452A.84
30 which provides for the transfer of marine fuel tax receipts to
31 the general fund, by providing that the moneys must be
32 deposited in the marine fuel tax fund.

33 Section 56 amends section 455B.183, which was created in
34 the 1994 legislative session. Section 455B.183 provides for
35 fees imposed upon public water supply systems to be deposited

1 into a water quality protection fund which shall be used by
2 the department of natural resources for purposes of carrying
3 out the provisions relating to the administration, regulation,
4 and enforcement of the federal Safe Drinking Water Act, and
5 carrying out a program to assist water supply systems.

6 Section 455B.183A authorizes the department of natural
7 resources to adopt a schedule of fees which may be based on
8 the type and size of the community served by the system. The
9 bill eliminates that language and provides that the fee
10 schedule must be based on the number of persons serviced by
11 public water supply systems.

12 Section 57 amends section 455E.11 which provides for the
13 allocation of moneys from the groundwater protection fund.
14 The bill provides that moneys required to support toxic
15 cleanup days may be used to support the natural resources
16 geographic information system.

17 Section 58 provides for effective dates. Sections
18 providing the transfer of moneys from the water protection
19 fund and the wind erosion control fund, the hungry canyons
20 conference, and the use of unobligated moneys by the
21 department of agriculture and land stewardship to purchase
22 soil conservation equipment, and fees required to be
23 established for public water supply systems, take effect upon
24 enactment. Sections regarding the reestablishment of trust
25 funds take effect July 1, 1996. Sections regarding the
26 elimination of the position of the deputy secretary of
27 agriculture also take effect on July 1, 1996.

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