



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

April 21, 2003

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 380**, an Act providing for the administration of funds for animal agriculture, including moneys transferred from and deposited into these funds, and providing an effective date.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Vilsack", written over a white background.

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 380

AN ACT

PROVIDING FOR THE ADMINISTRATION OF FUNDS FOR ANIMAL  
AGRICULTURE, INCLUDING MONEYS TRANSFERRED FROM AND DEPOSITED  
INTO THESE FUNDS, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 459.102, subsection 26, Code 2003, is amended to read as follows:

26. "Indemnity fee" means ~~the~~ a fee provided in section 459.502 or 459.503.

Sec. 2. Section 459.501, subsection 2, Code 2003, is amended to read as follows:

2. The fund consists of moneys from indemnity fees remitted by permittees to the department as provided in section 459.502; moneys from indemnity fees remitted by persons required to submit manure management plans to the department pursuant to section 459.503; sums collected on behalf of the fund by the department through legal action or settlement; moneys required to be repaid to the department by a county pursuant to this subchapter; ~~civil-penalties-assessed and-collected-by-the-department-or-the-attorney-general pursuant-to-chapter-455B, against-animal-feeding-operations, moneys-paid-as-a-settlement-involving-an-enforcement-action for-a-civil-penalty-subject-to-assessment-and-collection against-permittees-by-the-department-or-the-attorney-general pursuant-to-chapter-455B;~~ interest, property, and securities acquired through the use of moneys in the fund; or moneys contributed to the fund from other sources.

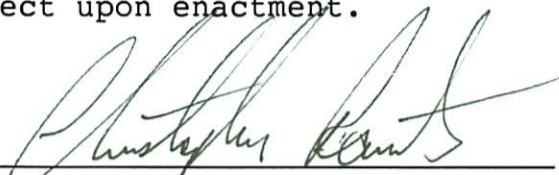
Sec. 3. Section 459.501, subsection 5, paragraph a, Code 2003, is amended by striking the paragraph.

Sec. 4. NEW SECTION. 459.503A INDEMNITY FEE -- WAIVER AND REINSTATEMENT.

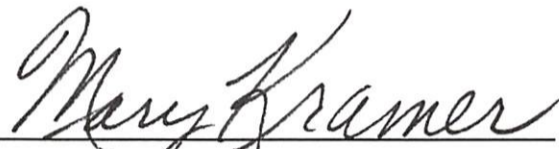
The indemnity fee required under sections 459.502 and 459.503 shall be waived and the fee shall not be assessable or owing if at the end of any three-month period, unobligated and unencumbered moneys in the manure storage indemnity fund, not counting the department's estimate of the cost to the fund for pending or unsettled claims, exceed three million dollars. The department shall reinstate the indemnity fee under those sections if unobligated and unencumbered moneys in the fund, not counting the department's estimate of the cost to the fund for pending or unsettled claims, are less than two million dollars.

Sec. 5. TRANSFER OF MONEYS FROM THE MANURE STORAGE INDEMNITY FUND. Notwithstanding 2002 Iowa Acts, chapter 1137, section 59, the department shall not transfer any amount of the balance of the manure storage indemnity fund to the animal agriculture compliance fund on or after the effective date of this Act. The department shall return any amount already transferred in accordance with the schedule established by the department pursuant to 2002 Iowa Acts, chapter 1137, section 59.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.



CHRISTOPHER C. RANTS  
Speaker of the House



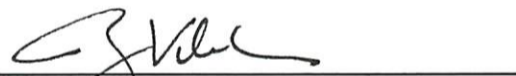
MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 380, Eightieth General Assembly.



MARGARET THOMSON  
Chief Clerk of the House

Approved April 21, 2003



THOMAS J. VILSACK  
Governor