



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

May 29, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit Senate File 551, an Act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection. Senate File 551 is approved on this date, with the exception noted below, which I hereby disapprove.

I am unable to approve the item designated as Division XII, Section 50 in its entirety. This provision requires the director of a department or state agency included in Senate File 551 to examine employee telecommuting options, develop a telecommuter employment policy, and implement a plan designed to increase the number of telecommuting employees. Many departments maintain employee telecommuting policies currently. These policies and procedures have been in place for several years and are well established. The designated language in Section 50 directing a department or state agency to conduct an assessment of its telecommuting policy is duplicative and unnecessary and introduces a legislatively mandated management process into what is appropriately an executive branch decision. I will direct the Department of Administrative Services and the Department of Management to review the current state government telecommuting policy and make recommendations for any improvements as part of our overall executive branch strategic planning process.

For the above reasons, I respectfully disapprove of the designated item in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in Senate File 551 are hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver".

Chester J. Culver
Governor

CJC:rcg



SENATE FILE 551

AN ACT
RELATING TO AND MAKING APPROPRIATIONS INVOLVING STATE
GOVERNMENT, BY PROVIDING FOR AGRICULTURE, NATURAL
RESOURCES, AND ENVIRONMENTAL PROTECTION.

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

DIVISION I
DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
GENERAL APPROPRIATIONS

Section 1. GENERAL FUND -- DEPARTMENT. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$ 18,384,862
..... FTEs	444.60

DESIGNATED APPROPRIATIONS -- ANIMAL HUSBANDRY

Sec. 2. GENERAL FUND -- CHRONIC WASTING DISEASE CONTROL PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of administering a chronic wasting disease control program for the control of chronic wasting disease which threatens farm deer as provided in chapter 170, including for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 100,000

The program may include procedures for the inspection and testing of farm deer, responses to reported cases of chronic wasting disease, and methods to ensure that owners of farm deer may engage in the movement and sale of farm deer.

Sec. 3. HORSE AND DOG RACING. There is appropriated from the moneys available under section 99D.13 to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's administration and enforcement of horse and dog racing law pursuant to section 99D.22, including for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 305,516

Sec. 4. GENERAL FUND -- DAIRY PRODUCTS CONTROL. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the operations of the dairy products control bureau, including for salaries, support, maintenance, and miscellaneous purposes:

..... \$ 951,666

Sec. 5. GENERAL FUND -- AVIAN INFLUENZA CONTROL. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of controlling avian influenza by conducting testing and monitoring:

..... \$ 50,000

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available to be used for the continued testing and monitoring of avian influenza.

DESIGNATED APPROPRIATION -- PLANT PROTECTION AND
CROP PRODUCTION

Sec. 6. GENERAL FUND -- APIARY LAW. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of administering and enforcing apiary law as provided in chapter 160, including for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	40,000
.....	FTEs	1.00

Sec. 7. GYPSY MOTH CONTROL. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the control of the pest commonly referred to as the gypsy moth, including but not limited to the detection, surveillance, and eradication of the gypsy moth:

.....	\$	50,000
-------	----	--------

Sec. 8. EMERALD ASH BORER PUBLIC AWARENESS PROJECT. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For the support of a public awareness project to inform persons regarding the presence and danger of the pest commonly known as the emerald ash borer:

.....	\$	50,000
-------	----	--------

Sec. 9. GENERAL FUND -- SOIL AND WATER CONSERVATION DISTRICTS. There is appropriated from the general fund of the

state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of reimbursing commissioners of soil and water conservation districts for administrative expenses including but not limited to travel expenses, technical training, and professional dues:

..... \$ 250,000

A soil and water conservation district receiving moneys from an allocation provided pursuant to this section shall submit a report to the soil conservation division of the department of agriculture and land stewardship by July 1, 2008, accounting for moneys which have been expended or unexpended or which have been obligated or encumbered. The report shall state how the moneys were used.

DESIGNATED APPROPRIATIONS -- FOOD MARKETING AND SECURITY

Sec. 10. GENERAL FUND -- SENIOR FARMERS MARKET NUTRITION PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of administering a senior farmers market nutrition program, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 77,000

Sec. 11. EMERGENCY VETERINARIAN RAPID RESPONSE SERVICES PROGRAM. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting veterinary emergency preparedness and response services necessary to prevent or control a serious threat to the public health, public safety, or the state's economy caused by the transmission of disease among livestock or agricultural animals, including as provided in section 163.3A:

..... \$ 130,000

Sec. 12. ORGANIC AGRICULTURAL PRODUCTS. There is appropriated from the general fund of the state to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's regulation and promotion of organic agricultural products as provided in chapter 190C, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	54,671
.....	FTEs	1.00

Sec. 13. GRAPE AND WINE DEVELOPMENT FUND. There is appropriated from the general fund of the state to the grape and wine development fund created in section 175A.5 for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For carrying out the purposes of the fund:

.....	\$	283,000
-------	----	---------

DESIGNATED APPROPRIATION -- MISCELLANEOUS

Sec. 14. 2006 Iowa Acts, chapter 1175, section 22, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated in this section until the close of the succeeding fiscal year.

EFFECTIVE DATE

Sec. 15. EFFECTIVE DATE. The section of this division of this Act amending 2006 Iowa Acts, chapter 1175, section 22, being deemed of immediate importance, takes effect upon enactment.

DIVISION II

DEPARTMENT OF NATURAL RESOURCES

GENERAL APPROPRIATIONS

Sec. 16. GENERAL FUND -- DEPARTMENT. There is appropriated from the general fund of the state to the department of natural resources for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount,

or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department, including its divisions, for administration, regulation, and programs, for salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	19,137,968
.....	FTEs	1,143.43

Sec. 17. STATE FISH AND GAME PROTECTION FUND -- DIVISION OF FISH AND WILDLIFE.

1. a. There is appropriated from the state fish and game protection fund to the department of natural resources for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the division of fish and wildlife, including for administration, regulation, and programs, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

.....	\$	36,371,314
-------	----	------------

b. Notwithstanding section 455A.10, the department may use the unappropriated balance remaining in the state fish and game protection fund to provide for the funding of health and life insurance premium payments from unused sick leave balances of conservation peace officers employed in a protection occupation who retire, pursuant to section 97B.49B.

2. The department shall not expend more moneys from the state fish and game protection fund than provided in this section, unless the expenditure derives from contributions made by a private entity, or a grant or moneys received from the federal government, and is approved by the natural resource commission. The department of natural resources shall promptly notify the legislative services agency and the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources concerning the commission's approval.

Sec. 18. GROUNDWATER PROTECTION FUND -- WATER QUALITY. There is appropriated from the groundwater protection fund created in section 455E.11 to the department of natural resources for the fiscal year beginning July 1, 2007, and

ending June 30, 2008, from those moneys which are not allocated pursuant to that section, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the department's protection of the state's groundwater, including for administration, regulation, and programs, and for salaries, support, maintenance, equipment, and miscellaneous purposes:

..... \$ 3,455,832

Sec. 19. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT FUND. There is appropriated from the national pollutant discharge elimination system permit fund created in section 455B.196 to the department of natural resources for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of expediting the department's processing of national pollutant discharge elimination system applications and the issuance of permits, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 700,000

DESIGNATED APPROPRIATIONS -- MISCELLANEOUS

Sec. 20. SPECIAL SNOWMOBILE FUND -- SNOWMOBILE PROGRAM. There is transferred on July 1, 2007, from the fees required to be deposited in the special snowmobile fund under section 321G.7 to the fish and game protection fund and appropriated to the department of natural resources for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of administering and enforcing the state snowmobile program:

..... \$ 100,000

Sec. 21. UNASSIGNED REVENUE FUND -- UNDERGROUND STORAGE TANK SECTION EXPENSES. There is appropriated from the unassigned revenue fund administered by the Iowa comprehensive underground storage tank fund board, to the department of natural resources for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For purposes of paying for administration expenses of the department's underground storage tank section:

..... \$ 200,000

Sec. 22. STORM WATER DISCHARGE PERMIT FEES -- SUPPORT FOR SPECIAL PURPOSES. Notwithstanding any contrary provision of state law, for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the department of natural resources may use additional moneys available to the department collected from storm water discharge permit fees as provided in section 455B.103A or 455B.197 for the staffing of the following additional full-time equivalent positions for the purposes designated:

1. For purposes of reducing the department's floodplain permit backlog:

..... FTEs 2.00

2. For purposes of implementing the federal total maximum daily load program:

..... FTEs 2.00

DIVISION III

IOWA STATE UNIVERSITY

Sec. 23. AGRICULTURAL REMEDIATION FUND -- OPEN FEEDLOT WATER QUALITY RESEARCH PROJECT. There is appropriated from the agrichemical remediation fund created in section 161.7 to the Iowa state university of science and technology for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting a water quality research project which studies the effectiveness of alternative technologies used to reduce risks to water quality from effluent originating from open feedlots which house beef cattle:

..... \$ 50,000

In conducting the project, Iowa state university shall cooperate with the Iowa cattlemen's association, the department of natural resources, the department of agriculture and land stewardship, and the United States department of agriculture natural resource conservation service.

Sec. 24. VETERINARY DIAGNOSTIC LABORATORY.

1. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal year beginning July 1, 2007, and ending June 30,

2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

..... \$ 2,000,000

2. Iowa state university of science and technology shall not reduce the amount that it allocates to support the college of veterinary medicine from any other source due to the appropriation made in this section.

3. If by the end of the fiscal year, Iowa state university of science and technology fails to allocate the moneys appropriated in this section to the college of veterinary science in accordance with this section, the moneys appropriated in this section for that fiscal year shall revert to the general fund of the state.

Sec. 25. VETERINARY DIAGNOSTIC LABORATORY -- FUTURE YEARS. It is the intent of the general assembly that a future general assembly appropriate moneys to Iowa state university of science and technology for the designated fiscal years, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the college of veterinary medicine for the operation of the veterinary diagnostic laboratory:

1. FY 2008-2009..... \$ 3,000,000
2. FY 2009-2010..... \$ 4,000,000

DIVISION IV

ENVIRONMENT FIRST FUND

Sec. 26. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. There is appropriated from the environment first fund created in section 8.57A to the department of agriculture and land stewardship for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. a. For the conservation reserve enhancement program (CREP) to restore and construct wetlands for the purposes of intercepting tile line runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production practices:

..... \$ 1,500,000

b. Not more than 5 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

2. a. For continuation of a program that provides multiobjective resource protections for flood control, water quality, erosion control, and natural resource conservation:

..... \$ 2,550,000

b. Not more than 5 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

3. a. For continuation of a statewide voluntary farm management demonstration program to demonstrate the effectiveness and adaptability of emerging practices in agronomy that protect water resources and provide other environmental benefits:

..... \$ 850,000

b. Not more than 5 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

c. Of the amount appropriated in paragraph "a", \$400,000 shall be allocated to the Iowa soybean association's agriculture and environment performance program.

4. a. For deposit in the agricultural drainage well water quality assistance fund created in section 460.303 to be used for purposes of supporting the agricultural drainage well water quality assistance program as provided in section 460.304:

..... \$ 1,480,000

b. Not more than 5 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

5. a. For use by the soil conservation division, to provide financial assistance for the establishment of permanent soil and water conservation practices:

..... \$ 7,000,000

b. Not more than 5 percent of the moneys appropriated in paragraph "a" may be allocated for cost-sharing to abate complaints filed under section 161A.47.

c. Of the moneys appropriated in paragraph "a", 5 percent shall be allocated for financial incentives to establish practices to protect watersheds above publicly owned lakes of

the state from soil erosion and sediment as provided in section 161A.73.

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

e. The state soil conservation committee created in section 161A.4 may allocate moneys appropriated in paragraph "a" to conduct research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

f. The allocation of moneys as financial incentives as provided in section 161A.73 may be used in combination with moneys allocated by the department of natural resources.

g. Not more than 10 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

6. a. To encourage and assist farmers in enrolling in and the implementation of federal conservation programs and to work with them to enhance their revegetation efforts to improve water quality and habitat:

..... \$ 1,500,000

b. Not more than 5 percent of the moneys appropriated in paragraph "a" may be used for costs of administration and implementation of soil and water conservation practices.

7. a. For deposit in the loess hills development and conservation fund created in section 161D.2:

..... \$ 580,000

b. (1) Of the amount appropriated in paragraph "a", \$386,667 shall be allocated to the fund's hungry canyons account.

(2) Not more than 10 percent of the moneys allocated to the hungry canyons account as provided in subparagraph (1) may be used for administrative costs.

c. (1) Of the amount appropriated in paragraph "a", \$193,333 shall be allocated to the fund's loess hills alliance account.

(2) Not more than 10 percent of the moneys allocated to the loess hills alliance account as provided in subparagraph (1) may be used for administrative costs.

8. a. For deposit in the southern Iowa development and conservation fund created in section 161D.12:

..... \$ 300,000

b. Not more than 5 percent of the moneys appropriated in paragraph "a" may be used for administrative costs.

9. For purposes of supporting a farm-to-school program, as provided in chapter 190A, if enacted by 2007 Iowa Acts, Senate File 601, including salaries, support, maintenance, and miscellaneous purposes:

..... \$ 80,000

10. For purposes of supporting the office of state apiarist, including the state apiarist who shall be appointed by the secretary of agriculture pursuant to section 160.1, and for carrying out the duties of the state apiarist as provided in chapter 160:

..... \$ 40,000

Sec. 27. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is appropriated from the environment first fund created in section 8.57A to the department of economic development for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For deposit in the brownfield redevelopment fund created in section 15.293 to provide financial and technical assistance under the brownfield redevelopment program as provided in section 15.292:

..... \$ 500,000

Sec. 28. DEPARTMENT OF NATURAL RESOURCES. There is appropriated from the environment first fund created in section 8.57A to the department of natural resources for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For statewide coordination of volunteer efforts under the water quality and keepers of the land programs:

..... \$ 100,000

2. For regular maintenance of state parks and staff time associated with these activities:

..... \$ 2,470,000

3. To provide local watershed managers with geographic information system data for their use in developing, monitoring, and displaying results of their watershed work:
..... \$ 195,000
4. For continuing the establishment and operation of water quality monitoring stations:
..... \$ 2,955,000
5. For deposit in the public water supply system account of the water quality protection fund created in section 455B.183A:
..... \$ 500,000
6. a. For the regulation of animal feeding operations, including as provided for in chapters 459 and 459A:
..... \$ 360,000
- b. For full-time personnel to conduct air quality monitoring associated with animal feeding operations under section 459.207, which may include but is not limited to staffing required to perform field monitoring and laboratory functions, including salaries, support, maintenance, and miscellaneous purposes:
..... \$ 235,000
- c. For the development of an electronic system, including databases required for the processing of documents including permit applications and manure management plans, associated with the regulation of confinement feeding operations as provided in section 459.302:
..... \$ 50,000
7. For the abatement, control, and prevention of ambient air pollution in this state, including measures as necessary to assure attainment and maintenance of ambient air quality standards from particulate matter:
..... \$ 325,000
8. For regulating water quantity from surface and subsurface sources by providing for the allocation and use of water resources, the protection and management of water resources, and the preclusion of conflicts among users of water resources, including as provided in chapter 455B, division III, part 4:
..... \$ 480,000
9. a. For resource conservation and development associated with the development of projects relating to

natural resource-based business opportunities:

..... \$ 300,000

b. Local resource conservation and development groups sponsored by county governments or sponsored by soil and water conservation districts shall be eligible to receive moneys appropriated in paragraph "a" on the condition that such groups receive the moneys on a dollar-for-dollar matching basis.

Sec. 29. IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND. Notwithstanding the amount of the standing appropriation from the general fund of the state to the Iowa resources enhancement and protection fund as provided in section 455A.18, there is appropriated from the environment first fund created in section 8.57A to the Iowa resources enhancement and protection fund, in lieu of the appropriation made in section 455A.18, for the fiscal year beginning July 1, 2007, and ending June 30, 2008, the following amount, to be allocated as provided in section 455A.19:

..... \$ 15,500,000

Sec. 30. REVERSION.

1. Except as provided in subsection 2, and notwithstanding section 8.33, moneys appropriated for the fiscal year beginning July 1, 2007, in this division of this Act that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for the purposes designated until the close of the fiscal year beginning July 1, 2008, or until the project for which the appropriation was made is completed, whichever is earlier.

2. Notwithstanding section 8.33, moneys appropriated in this division of this Act to the department of agriculture and land stewardship to provide financial assistance for the establishment of permanent soil and water conservation practices that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year beginning July 1, 2010.

DIVISION V

CODE LANGUAGE -- EMERGENCY PLANNING

Sec. 31. Section 30.5, subsection 2, Code 2007, is amended to read as follows:

2. The commission may enter into agreements pursuant to chapter 28E to accomplish any duty imposed upon the commission by the Emergency Planning and Community Right-to-know Act, but the commission shall not compensate any governmental unit for the performance of duties pursuant to such an agreement. Funding for administering the duties of the commission under sections 30.7, 30.8, and 30.9 shall be included in the budgets of ~~the department of workforce development~~, the department of natural resources, and the department of public defense, respectively.

Sec. 32. Section 30.7, Code 2007, is amended to read as follows:

30.7 DUTIES TO BE ALLOCATED TO DEPARTMENT OF WORKFORCE DEVELOPMENT NATURAL RESOURCES -- EMERGENCY AND HAZARDOUS CHEMICALS.

Agreements negotiated by the commission and the department of ~~workforce development~~ natural resources shall provide for the allocation of duties to the department of ~~workforce development~~ natural resources as follows:

1. Material safety data sheets or a list for chemicals required to be submitted to the commission under section 311 of the Emergency Planning and Community Right-to-know Act, 42 U.S.C. § 11021, shall be submitted to the department of ~~workforce development~~ natural resources. Submission to that department constitutes compliance with the requirement for notification to the commission.

2. Emergency and hazardous chemical inventory forms required to be submitted to the commission under section 312 of the Emergency Planning and Community Right-to-know Act, 42 U.S.C. § 11022, shall be submitted to the department of ~~workforce development~~ natural resources. Submission to that department constitutes compliance with the requirement for notification to the commission.

3. The department of ~~workforce development~~ natural resources shall advise the commission of the failure of any facility owner or operator to submit information as required under sections 311 and 312 of the Emergency Planning and Community Right-to-know Act, 42 U.S.C. § 11021 and 11022.

4. The department of ~~workforce development~~ natural resources shall make available to the public upon request during normal working hours the information forms in its

possession pursuant to sections 312 and 324 of the Emergency Planning and Community Right-to-know Act, 42 U.S.C. § 11022 and 11044.

5. The department of ~~workforce-development~~ natural resources shall compile data or information from the emergency and hazardous chemical inventory forms required to be submitted to the commission under section 312 of the Emergency Planning and Community Right-to-know Act, 42 U.S.C. § 11022.

Sec. 33. Section 84A.5, subsection 3, Code 2007, is amended to read as follows:

3. The division of labor services is responsible for the administration of the laws of this state under chapters 88, 88A, 88B, 89, 89A, 89B, 90A, 91, 91A, 91C, 91D, 91E, 92, and 94A, and ~~sections-30-7-and~~ section 85.68. The executive head of the division is the labor commissioner, appointed pursuant to section 91.2.

Sec. 34. Section 91.4, subsection 5, Code 2007, is amended to read as follows:

5. The director of the department of workforce development, in consultation with the labor commissioner, shall, at the time provided by law, make an annual report to the governor setting forth in appropriate form the business and expense of the division of labor services for the preceding year, the number of disputes or violations processed by the division and the disposition of the disputes or violations, and other matters pertaining to the division which are of public interest, together with recommendations for change or amendment of the laws in this chapter and chapters 88, 88A, 88B, 89, 89A, 89B, 90A, 91A, 91C, 91D, 91E, 92, and 94A, and ~~sections-30-7-and~~ section 85.68, and the recommendations, if any, shall be transmitted by the governor to the first general assembly in session after the report is filed.

DIVISION VI

IOWA HORSE AND DOG BREEDERS FUND

Sec. 35. Section 99D.22, subsection 5, Code 2007, is amended to read as follows:

5. To qualify for the Iowa horse and dog breeders fund, a dog shall have been whelped in Iowa and raised for the first six months of its life in Iowa in a state inspected licensed facility. In addition, the owner of the dog shall have been a

resident of the state for at least two years prior to the whelping. The department of agriculture and land stewardship shall adopt rules and prescribe forms to bring Iowa breeders into compliance with residency requirements of dogs and breeders in this subsection.

DIVISION VII

CODE LANGUAGE -- WATER QUALITY INITIATIVES

Sec. 36. Section 159.5, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 15. In the administration of programs relating to water quality improvement and watershed improvements, cooperate with the department of natural resources in order to maximize the receipt of federal funds.

Sec. 37. Section 455A.4, subsection 1, Code 2007, is amended by adding the following new paragraph:

NEW PARAGRAPH. j. In the administration of programs relating to water quality improvement and watershed improvements, cooperate with the department of agriculture and land stewardship in order to maximize the receipt of federal funds.

Sec. 38. Section 466A.2, subsection 2, paragraph a, Code 2007, is amended to read as follows:

a. Enhancement of water quality in the state through a variety of impairment-based, locally directed watershed improvement grant projects. Innovative water quality projects shall be encouraged.

Sec. 39. Section 466A.4, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. Public water supply utilities, county conservation boards, and cities may also be eligible and apply for and receive local watershed improvement grants for water quality improvement projects. An applicant shall coordinate with a local watershed improvement committee or a soil and water conservation district and shall include in the application a description of existing projects and any potential impact the proposed project may have on existing or planned water quality improvement projects.

Sec. 40. 2006 Iowa Acts, chapter 1145, section 4, subsection 1, unnumbered paragraph 1, is amended to read as follows:

A watershed quality planning task force is established within the department of natural resources in cooperation with the Iowa department of agriculture and land stewardship. By ~~June-30,~~ January 1, 2008, the task force shall report to the general assembly its recommendations for a voluntary statewide water quality program which is designed to achieve all of the following goals:

DIVISION VIII
CODE LANGUAGE -- GRAPE AND
WINE DEVELOPMENT

Sec. 41. Section 123.183, subsection 3, Code 2007, is amended to read as follows:

3. The revenue collected from the wine gallonage tax on wine imported into this state for sale at wholesale and sold in this state at wholesale shall be deposited ~~as follows:~~

~~a.--Five-percent-of-the-revenue-collected-from-the-wine-gallonage-tax-on-wine-imported-into-this-state-for-sale-at-wholesale-and-sold-in-this-state-at-wholesale-shall-be-deposited-in-the-grape-and-wine-development-fund-as-created-in-section-175A.5-~~

~~b.--The-remaining-revenue-collected-from-the-wine-gallonage-tax-on-wine-imported-into-this-state-for-sale-at-wholesale-and-sold-in-this-state-at-wholesale-shall-be-deposited~~ in the beer and liquor control fund created in section 123.53.

Sec. 42. Section 175A.5, subsection 1, Code 2007, is amended to read as follows:

1. A grape and wine development fund is created in the state treasury under the control of the department. The fund is composed of moneys appropriated by the general assembly and moneys available to and obtained or accepted by the department from the United States or private sources for placement in the fund. ~~The-fund-shall-include-moneys-deposited-into-the-fund-from-the-wine-gallonage-tax-as-provided-in-section-123.183-~~

DIVISION IX
CODE LANGUAGE -- LOESS HILLS DEVELOPMENT AND
CONSERVATION AUTHORITY

Sec. 43. Section 161D.1, subsection 1, Code 2007, is amended to read as follows:

1. A loess hills development and conservation authority is created. The counties of Adams, Adair, Audubon, Carroll, Cass, Cherokee, Crawford, Fremont, Guthrie, Harrison, Ida,

Lyon, Mills, Monona, Montgomery, Page, Plymouth,
Pottawattamie, Sac, Shelby, Sioux, Plymouth, Cherokee, Taylor,
and Woodbury, Ida, Sac, Monona, Crawford, Carroll, Harrison,
Shelby, Audubon, Pottawattamie, Cass, Adair, Mills,
Montgomery, Adams, Fremont, Page, and Taylor are entitled to one voting member each on the authority, but membership or participation in projects of the authority is not required. Each member of the authority shall be appointed by the respective board of supervisors for a term to be determined by each board of supervisors, but the term shall not be for less than one year. An appointee shall serve without compensation, but an appointee may be reimbursed for actual expenses incurred while performing the duties of the authority as determined by each board of supervisors. The authority shall meet, organize, and adopt rules of procedures as deemed necessary to carry out its duties. The authority may appoint working committees that include other individuals in addition to voting members.

DIVISION X

CODE LANGUAGE -- MARINE FUEL TAX FUND

Sec. 44. Section 452A.79A, subsection 1, as enacted by 2006 Iowa Acts, chapter 1179, section 60, is amended to read as follows:

1. A marine fuel tax fund is created under the authority of the department of natural resources.

a. The fund shall consist of all revenues derived from the excise tax on the sale of motor fuel used in watercraft as provided in section 452A.84 and other moneys appropriated to the fund.

b. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys in the fund shall be credited to the fund. Notwithstanding section 8.33, any moneys credited to the fund from another fund shall not revert to the fund from which appropriated at the close of a fiscal year.

Sec. 45. Section 452A.79A, subsection 2, unnumbered paragraph 1, as enacted by 2006 Iowa Acts, chapter 1179, section 60, is amended to read as follows:

Moneys in the marine fuel tax fund ~~in a fiscal year shall be used as appropriated by the general assembly~~ are appropriated to the department of natural resources for use by the department ~~of natural resources~~ in its recreational

boating program, which may include but is not limited to any of the following:

DIVISION XI
CODE LANGUAGE -- E-85 GASOLINE STORING AND
DISPENSING INFRASTRUCTURE

Sec. 46. Section 15G.203, subsection 7, Code 2007, is amended to read as follows:

7. An award of financial incentives to a participating person shall be in the form of a grant.

In order to participate in the program an eligible person must execute a cost-share agreement with the department as approved by the infrastructure board in which the person contributes a percentage of the total costs related to improving the retail motor fuel site.

a. The Except as provided in paragraph "b", a participating person may be awarded standard financial incentives. The standard financial incentives awarded to the participating person shall not exceed fifty percent of the actual cost of making the improvement or thirty thousand dollars, whichever is less. The infrastructure board may approve multiple awards to make improvements to a retail motor fuel site so long as the total amount of the awards does not exceed the limitations provided in this paragraph.

b. In addition to any standard financial incentives awarded to a participating person under paragraph "a", the participating person may be awarded supplemental financial incentives to upgrade or replace a dispenser which is part of gasoline storage and dispensing infrastructure used to store and dispense E-85 gasoline as provided in section 455G.31. The person is only eligible to receive the supplemental financial incentives if the person installed the dispenser not later than sixty days after the date of the publication in the Iowa administrative bulletin of the state fire marshal's order providing that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory as provided in section 455G.31. The supplemental financial incentives awarded to the participating person shall not exceed seventy-five percent of the actual cost of making the improvement or thirty thousand dollars, whichever is less.

Sec. 47. Section 455G.31, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. "E-85 gasoline", "ethanol blended gasoline", and "retail dealer" mean the same as defined in section 214A.1.

Sec. 48. Section 455G.31, subsection 2, paragraph b, Code 2007, is amended to read as follows:

b. (1) For a dispenser, the-manufacturer-must-state all of the following shall apply:

(1) (a) ~~That the dispenser is, in the opinion of the manufacturer, not incompatible with E-85 gasoline.~~ The dispenser must be listed by an independent testing laboratory as compatible with ethanol blended gasoline.

(2) (b) ~~The manufacturer has initiated the process of applying to an independent testing laboratory for listing of the equipment for use in dispensing E-85 gasoline.~~

~~A manufacturer's statement must include a written statement, with reference to a particular type and model of equipment for use in dispensing E-85 gasoline, signed by a responsible official on behalf of the manufacturer, provided either to the retail dealer using the gasoline storage and dispensing infrastructure or to the department of natural resources or the state fire marshal. If the written statement is provided to a retail dealer, the statement shall be retained in the files on the premises of the retail dealer and shall be available to personnel of the department of natural resources or the state fire marshal upon request.~~ The owner or operator or a person authorized by the owner or operator must visually inspect the dispenser and the dispenser sump daily for leaks and equipment failure and maintain a record of such inspection for at least one year after the inspection. The record shall be located on the premises of the retail dealer and shall be made available to the department of natural resources or the state fire marshal upon request. If a leak is detected, the department of natural resources shall be notified pursuant to section 455B.386.

(2) The state fire marshal shall issue an order as soon as practicable after determining that a commercially available dispenser is listed as compatible for use with E-85 gasoline by an independent testing laboratory. The state fire marshal shall publish the order in the Iowa administrative bulletin. A person shall not install a dispenser which would otherwise

be permitted under subparagraph (1) after sixty days following the date that the order is published. A person who installed such dispenser before the sixty-day period expired may use the dispenser as provided in subparagraph (1) until four years after the date that the order is published.

Sec. 49. Section 455G.31, subsection 3, Code 2007, is amended to read as follows:

3. This section is repealed ~~July 17, 2009~~ four years following the date that the order issued by the state fire marshal is published in the Iowa administrative bulletin as provided in this section.

DIVISION XII

STATE EMPLOYEE TELECOMMUTING

Sec. 50. STATE EMPLOYEE TELECOMMUTING -- POLICY DEVELOPMENT -- IMPLEMENTATION.

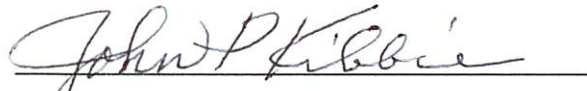
1. The director of a department or state agency to which appropriations are made pursuant to the provisions of this Act shall assess the extent to which job classifications or individual employment positions with the department or agency might be effectively performed from an employee's residence or other remote location through telecommuting, thereby increasing office space within the department or agency and reducing administrative costs. The assessment shall include an estimate of the number of department or agency employees whose job responsibilities could be effectively performed on a telecommuting basis, projected costs of establishing and maintaining work stations at an employee's residence or other remote location and providing telecommuter support, anticipated savings to the department or agency through a reduction in the office-based workforce, and anticipated time and cost savings to telecommuting employees. A report summarizing the assessment shall be submitted to the director of the department of administrative services, and the members of the general assembly, by November 1, 2007.

2. Based on the assessment conducted pursuant to subsection 1, the director shall develop a telecommuter employment policy for the department or agency and a timeline for initial policy implementation and plans for expanding the number of telecommuting employees. Specific office-based workforce reduction percentages shall be left to the discretion of the director, but the director shall implement a

CJC
5-29-07

policy transferring some number of office-based employees to telecommuter status by January 1, 2008. The director shall report to the director of the department of administrative services and the members of the general assembly on an annual basis beginning January 1, 2009, the number of telecommuting employees, cost savings achieved by the department or agency, and plans for continued transfer of office-based employees to telecommuter status.

CTC
S-2907



JOHN P. KIBBIE

President of the Senate



PATRICK J. MURPHY

Speaker of the House


I hereby certify that this bill originated in the Senate and is known as Senate File 551, Eighty-second General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved May 29th, 2007



CHESTER J. CULVER

Governor

With exception noted.