

Budget Calendar
JAN 8 1978

Reprinted 2/22

HOUSE FILE 2098
By COMMITTEE ON BUDGET
(Formerly Study Bill 355)

Passed House, Date 2-14-78 (p. 428) Passed Senate, Date _____

Vote: Ayes 95 Nays 2 Vote: Ayes _____ Nays _____

Motion to recommit 2/14 (p. 445) w/ 2/16 (502)
Approved _____

A BILL FOR

1 An Act appropriating from the general fund of the state and
2 various trust funds for various operations and grants and
3 aids to departments and agencies of the state whose respon-
4 sibilities relate to agricultural affairs, economic devel-
5 opment, energy research, coal research, and natural
6 resources management and research.

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

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1 Section 1. There is appropriated from the general fund
2 of the state and the trust funds indicated to the department
3 of agriculture for the fiscal year beginning July 1, 1978
4 and ending June 30, 1979 the following amounts, or so much
5 thereof as is necessary, to be used for the purposes des-
6 ignated:

7
8 1978-1979
Fiscal Year

9 1. GENERAL ADMINISTRATION

10 a. From the general fund for
11 salaries, support, maintenance,
12 and miscellaneous purposes..... \$ 890,502

13 b. From the fertilizer fund
14 to be transferred to the admini-
15 stration division..... \$ 25,000

16 c. From the dairy trade prac-
17 tice fund to be transferred to
18 the administration division..... \$ 49,067

19 d. From the commercial feed
20 fund to be transferred to the
21 administration division..... \$ 25,000

22 2. REGULATORY DIVISION

23 a. From the general fund for
24 salaries, support, maintenance,
25 and miscellaneous purposes..... \$ 2,049,797

26 b. From the hotel and res-
27 taurant fund to be transferred
28 to the regulatory division..... \$ 265,471

29 3. LABORATORY DIVISION

30 From the general fund for
31 salaries, support, maintenance,
32 and miscellaneous purposes..... \$ 377,399

33 4. From the commercial feed
34 fund to be transferred to the
35 laboratory division..... \$ 505,971

1 5. From the pesticide fund
2 to be transferred to the lab-
3 oratory division..... \$ 273,152

4 6. From the fertilizer
5 fund to be transferred to the
6 laboratory division..... \$ 500,939

7 7. a. If there is an unencumbered balance of funds in
8 the commercial feed fund on June thirtieth of any fiscal year
9 equal to or exceeding three hundred fifty thousand dollars,
10 the secretary of agriculture shall reduce the per ton fee
11 provided for in subsection one (1) of section one hundred
12 ninety-eight point nine (198.9) of the Code for the next
13 fiscal year in such amount as will result in an ending
14 estimated balance for June thirtieth of the next fiscal year
15 of three hundred fifty thousand dollars.

16 b. If there is an unencumbered balance of funds in the
17 fertilizer fund on June thirtieth of any fiscal year equal
18 to or exceeding three hundred fifty thousand dollars, the
19 secretary of agriculture shall reduce the per ton fee provided
20 for in subsection one (1) of section two hundred point eight
21 (200.8) of the Code for the next fiscal year in such amount
22 as will result in an ending estimated balance for the June
23 thirtieth of the next fiscal year of three hundred fifty
24 thousand dollars.

25 8. There is appropriated to the regulatory division of
26 the department of agriculture for the purposes of converting
27 or purchasing scale trucks in accordance with plans submitted
28 to the budget subcommittee on natural resources, the amount
29 of one hundred ten thousand (110,000) dollars, or so much
30 thereof as is necessary, from federal indirect cost
31 reimbursements received by the department of agriculture for
32 expenses incurred during the prior fiscal years in the meat
33 and poultry inspection program.

34 9. Funds appropriated by this section and other funds
35 available to the department of agriculture shall be used to

1 pay salaries and support for not more than three hundred
2 twenty-two permanent full-time positions.

3 Sec. 2. There is appropriated from the general fund of
4 the state to the Iowa development commission for the fiscal
5 year beginning July 1, 1978 and ending June 30, 1979 the
6 following amounts, or so much thereof as is necessary, to
7 be used for the purposes designated:

8
9 1978-1979
Fiscal Year

10 1. a. For salaries and sup-
11 port of not more than forty-
12 eight full-time permanent posi-
13 tions, and maintenance and mis-
14 cellaneous purposes..... \$ 1,716,821

15 b. From funds appropriated
16 by paragraph a of this subsec-
17 tion the Iowa development com-
18 mission shall allocate not to
19 exceed thirty-one thousand five
20 hundred (31,500) dollars for
21 the fiscal year ending June
22 30, 1979 for the seven regional
23 tourism districts, not to ex-
24 ceed five thousand (5,000) dol-
25 lars per district, if the dis-
26 trict provides on a dollar-to-
27 dollar matching basis funds
28 equal to the amount allocated
29 by the Iowa development com-
30 mission.

31 2. For salaries, support
32 of no more than two full-time
33 permanent positions, mainte-
34 nance and miscellaneous pur-
35 poses of the European office..... \$ 146,868

5/23/78
11:20
5/23

1 Sec. 3. There is appropriated from the general fund of
2 the state to the Iowa state fair board for the fiscal year
3 beginning July 1, 1978 and ending June 30, 1979 the follow-
4 ing sums, or so much thereof as is necessary, to be used for
5 the purposes designated:

	1978-1979
	<u>Fiscal Year</u>
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8 1. For maintenance of state	
9 fair buildings and grounds.....	\$ 80,000
10 2. For premiums.....	\$ 10,000
11 3. For state aid to agri-	
12 cultural societies (local	
13 fairs).....	\$ 210,000

14 4. The appropriation con-
15 tained in subsection three (3)
16 of this section for state aid
17 to agricultural societies is
18 conditional upon full compli-
19 ance with all other statutes
20 which regulate and prescribe
21 the conditions under which
22 such aid is available. In no
23 case shall any county receive
24 more than two thousand one hun-
25 dred (2,100) dollars except that
26 in a county where there are two
27 definitely separate county exten-
28 sion offices, each such society
29 shall receive state aid in such
30 amount as it would be entitled
31 to if it were the only society
32 in the county. In counties hav-
33 ing more than one fair entitled
34 to state aid, the state aid
35 available shall be prorated to

1 the fairs based on cash premiums
2 paid by the fairs.

3 Sec. 4. There is appropriated from the general fund of
4 the state to Iowa state university of science and technology
5 for the fiscal period beginning July 1, 1978 and ending June
6 30, 1979, the sum of three hundred thousand (300,000) dollars,
7 or so much thereof as may be necessary, to be used by the
8 energy and mineral resources research institute to conduct
9 a coal research project within the state.

10 Sec. 5. It is the intent of the general assembly to provide
11 for continued coal research within this state. The coal
12 research project authorized under this Act shall include coal
13 beneficiation research to be conducted at the Iowa state
14 university preparation plant using coal purchased by the
15 university as part of its usual energy requirement with funds
16 provided for that purpose, the design and installation of
17 fine coal recovery equipment at the plant, a study of the
18 suitability of Iowa coal for use in the cement industry, and
19 an agricultural productivity study of a reclaimed mine site.

20 Sec. 6. Funds appropriated by section four (4) of this
21 Act shall be used solely for research as specified in section
22 five (5) of this Act and shall not be used for related academic
23 activities or studies.

24 Sec. 7. The energy and mineral resources research institute
25 shall report on the progress of the coal research project
26 to the budget natural resources subcommittees of both houses
27 of the general assembly not later than January 15, 1979.
28 The report shall include a description of the progress of
29 the project, the results and perceived benefits of the research
30 described in section five (5) of this Act, a summary of project
31 expenditures, including anticipated expenditures and any
32 proposals for continued coal research.

33 Sec. 8. There is appropriated from the general fund of
34 the state and the funds indicated to the state conservation
35 commission and its divisions for the fiscal year beginning

1 July 1, 1978 and ending June 30, 1979 the following amounts,
2 or so much thereof as may be necessary, to be used for the
3 following purposes:

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1978-1979
Fiscal Year

1. DIVISION OF LANDS AND WATERS

For deposit in the state conservation fund from the general fund of the state for salaries, support, maintenance, equipment and miscellaneous purposes for not more than one hundred seventy-two full-time permanent positions of the division, and for maintenance of state parks, waters, and forests, prison labor programs and including not more than one million sixty-eight thousand seven hundred sixty-seven (1,068,767) dollars which shall be available for the administration fund from the state conservation fund in compliance with the provisions of section one hundred seven point seventeen (107.17) of the Code..... \$ 4,043,091

2. DIVISION OF FISH AND GAME

From the state fish and game protection fund for salaries, support, maintenance, equipment and miscellaneous purposes for not more than two hundred twenty-nine full-time permanent posi-

1 tions, including not more than
2 one million sixty-eight thousand
3 seven hundred sixty-seven
4 (1,068,767) dollars, which shall
5 be available from the state fish
6 and game protection fund for the
7 administration fund in compliance
8 with the provisions of section
9 one hundred seven point seventeen
10 (107.17) of the Code..... \$ 6,785,130

11 3. STATE ADVISORY BOARD FOR
12 PRESERVES

13 From the general fund of the
14 state for salaries, support, and
15 maintenance of not more than one
16 full-time permanent position and
17 for equipment and miscellaneous
18 purposes for carrying out the
19 duties of the board..... \$ 27,188

20 4. LAND SURVEYS

21 From the general fund of the
22 state for land surveys to estab-
23 lish and identify the boundaries
24 of state-owned land..... \$ 45,000

25 5. MISSOURI AND MISSISSIPPI
26 RIVER BASIN COMMISSIONS

27 From the general fund of the
28 state for the state's contri-
29 bution for support of the
30 Missouri and Mississippi River
31 Basin Commissions..... \$ 46,546

32 6. GREEN THUMB PROGRAM

33 From the general fund for
34 deposit in the green thumb fund
35 for the employment of persons

1 under the green thumb program
 2 established pursuant to chapter
 3 six hundred one H (601H) of the

4 Code..... \$ 135,000

5 Sec. 9. There is appropriated from the marine fuel tax
 6 fund for the fiscal year beginning July 1, 1978 and ending
 7 June 30, 1979 to the state conservation commission, division
 8 of lands and waters, such amounts of funds computed as provided
 9 in section three hundred twenty-four point eighty-four (324.84)
 10 of the Code, which funds shall be deposited in the state
 11 conservation fund for use in the state conservation commission
 12 recreational boating program as provided in subsections one
 13 (1) through five (5) of section three hundred twenty-four
 14 point seventy-nine (324.79) of the Code. The unencumbered
 15 or unobligated balances of funds specifically allocated for
 16 capital projects shall not revert to the fund from which
 17 appropriated until June 30, 1982.

18 Sec. 10.

19 1. The transfer of funds from the state conservation fund
 20 and the state fish and game protection fund to the adminis-
 21 tration funds shall not exceed the amounts specified in subsec-
 22 tions one (1) and two (2) of section eight (8) of this Act.
 23 Such funds shall be used for salaries and support of not more
 24 than one hundred five full-time permanent positions.

25 2. a. Funds remaining in the fish and game protection
 26 fund which are not specifically appropriated by section eight
 27 (8) of this Act are appropriated and may be used for capital
 28 projects and contingencies arising during the fiscal year
 29 beginning July 1, 1978.

30 b. A contingency shall not include any purpose or proj-
 31 ect which was presented to the general assembly by way of
 32 a bill or a proposed bill and which failed to be enacted into
 33 law. For the purpose of this subsection, a necessity of ad-
 34 ditional operating funds may be construed as a contingency.

35 Before any of the funds authorized to be expended by this

1 subsection shall be allocated for contingencies, it shall
2 be determined by the executive council that a contingency
3 exists and that the contingency was not existent while the
4 general assembly was in session and that the proposed
5 allocation shall be for the best interests of the state.

6 If a contingency arises or could reasonably be foreseen
7 during the time the general assembly is in session,
8 expenditures for the contingency must be authorized by the
9 general assembly.

10 3. All receipts and refunds and reimbursements related
11 to activities funded by the administration fund are
12 appropriated to the administration fund. All refunds and
13 reimbursements relating to activities of the state fish and
14 game protection fund shall be credited to the state fish and
15 game protection fund.

16 4. The state conservation commission shall establish a
17 priority list of watersheds above publicly-owned lakes and
18 areas within those watersheds which are of highest importance
19 based on soil loss to be used for the allocation of funds
20 set aside in subsection six (6) of section eleven (11) of
21 this Act for permanent soil conservation practices on
22 watersheds above publicly-owned lakes.

23 Sec. 11. There is appropriated from the general fund of
24 the state to the department of soil conservation for the
25 fiscal year beginning July 1, 1978 and ending June 30, 1979,
26 the following amounts, or so much thereof as is necessary,
27 to be used for the purposes designated:

28 1978-1979
29 Fiscal Year

30 1. GENERAL OFFICE

31 For salaries, support, and
32 maintenance of not more than
33 nineteen full-time permanent
34 positions and for miscellaneous
35 purposes..... \$ 408,917

1 2. SOIL CONSERVATION COM-
2 MITTEE
3 To carry on soil conserva-
4 tion work in soil conservation
5 districts organized under the
6 soil conservation district laws
7 of the state; for aid to soil
8 conservation districts for dis-
9 trict commissioner's expenses,
10 stationery, postage and other
11 purposes as may be authorized
12 by the state soil conservation
13 committee to be allocated on a
14 need basis..... \$ 160,000
15 3. For salaries and necessary
16 expenses, equipment, and materials
17 to support personnel assigned to
18 the soil conservation districts by
19 the state soil conservation com-
20 mittee on a need basis..... \$ 1,431,970
21 4. For participation in and
22 conjunction with the federal gov-
23 ernment or any of its agencies
24 in joint operations of watershed
25 planning and development within
26 this state..... \$ 60,000
27 5. For use and expenditures
28 in participation and conjunction
29 with the soil conservation ser-
30 vice, United States department
31 of agriculture, and state agen-
32 cies in joint operations in con-
33 ducting soil surveys on lands
34 within this state..... \$ 303,000
35 6. For cost sharing to pro-

1 vide state funding of not more
2 than fifty percent of the approved
3 cost of permanent soil conservation
4 practices instituted under chapter
5 four hundred sixty-seven A (467A)
6 of the Code with priority given to
7 projects on owner-operated and
8 family-operated farms except that
9 not more than five percent of the
10 amount appropriated in this sub-
11 section may be used for cost
12 sharing to abate complaints filed
13 under sections four hundred sixty-
14 seven A point forty-seven (467A.47)
15 and four hundred sixty-seven A
16 point forty-eight (467A.48) of
17 the Code and five percent or more
18 of the amount appropriated by this
19 subsection may be used for cost-
20 sharing not to exceed fifty per-
21 cent of the approved cost of per-
22 manent soil conservation practices
23 under chapter four hundred sixty-
24 seven A (467A) of the Code on
25 watersheds above publicly-owned
26 lakes to be allocated in accor-
27 dance with the priority list es-
28 tablished by the state conserva-
29 tion commission as required in sub-
30 section four (4) of section ten
31 (10) of this Act..... \$ 4,250,000
32 Unencumbered or unobligated
33 funds appropriated by this sub-
34 section remaining on June 30,
35 1982 shall revert to the gen-

1 eral fund on September 30, 1982.

2 7. For support of conser-
3 vancy district planning..... \$ 19,000

4 8. For the salary and support
5 of one full-time permanent po-
6 sition to support the temporary
7 land preservation policy commis-
8 sion..... \$ 12,885

9 Sec. 12. There is appropriated from the general fund of
10 the state for the fiscal year beginning July 1, 1978 and
11 ending June 30, 1979 to the legislative council the amount
12 of one hundred three thousand six hundred forty-five (103,645)
13 dollars, or so much thereof as is necessary, for two full-
14 time permanent positions and support for the temporary land
15 preservation policy commission.

16 Sec. 13. There is appropriated from the general fund of
17 the state for the fiscal year beginning July 1, 1978 and
18 ending June 30, 1979, to the following named agencies, the
19 following amounts, or so much thereof as is necessary, to
20 be used for the purposes designated:

21 1978-1979
22 Fiscal Year

23 1. DEPARTMENT OF ENVIRON-
24 MENTAL QUALITY--GENERAL OFFICE

25 a. For salaries, support and
26 maintenance of not more than one
27 hundred eighty-hour full-time
28 permanent positions and for mis-
29 cellaneous purposes..... \$ 1,851,059

30 b. For conduct of ground
31 water monitoring program re-
32 lated to the Cedar aquifer and
33 Salsbury laboratories..... \$ 100,000

34 c. For payments to the govern-
35 ing bodies responsible for publicly-

1 owned sewage treatment facilities
2 which are eligible for seventy-five
3 percent grants under the federal
4 Water Pollution Act amendments of
5 1972, eighty-six (86) Stat. eight
6 hundred sixteen (816), in an amount
7 equal to five percent of the amount
8 approved as the eligible cost of
9 the project by the Iowa water pol-
10 lution control commission..... \$ 2,000,000

11 2. GEOLOGICAL SURVEY--GENERAL
12 OFFICE

13 For salaries, support and
14 maintenance of not more than
15 twenty-seven full-time permanent
16 positions and for miscellaneous
17 purposes..... \$ 880,350

18 3. GEOLOGICAL SURVEY--WATER
19 PLANNING

20 For salaries and support of
21 not more than four full-time
22 permanent positions..... \$ 86,110

23 4. GEOLOGICAL SURVEY

24 Iowa coal research program
25 For salaries and support for
26 not more than four full-time
27 permanent positions, and for
28 maintenance and miscellaneous
29 purposes..... \$ 128,430

30 5. IOWA NATURAL RESOURCES
31 COUNCIL--GENERAL OFFICE

32 For salaries, support and
33 maintenance of not more than
34 thirty-one full-time perma-
35 nent positions and for mis-

1 cellaneous purposes..... \$ 515,553

2 Notwithstanding the provisions of section four hundred
3 fifty-five A point seventeen (455A.17) of the Code, the Iowa
4 natural resources council may perform its statutory duties
5 relating to uses and developments of water sources of the
6 state without meeting the provisions of a comprehensive
7 statewide plan for the control, utilization, and protection
8 of the water resources of the state until such time as the
9 plan is prepared and completed.

10 6. MISSISSIPPI RIVER PARKWAY

11 COMMISSION

12 For support, maintenance and
13 miscellaneous purposes..... \$ 9,000

14 Sec. 14. All federal grants to and the federal receipts
15 of the agencies appropriated funds under this division are
16 appropriated for the purposes set forth in such federal grants
17 or receipts. Positions within state agencies funded with
18 federal funds are approved for the duration of those funds
19 only.

20 EXPLANATION

21 This bill appropriates \$14,770,585 for general fund
22 operations of natural resources agencies, \$7,627,546 for na-
23 tural resources grants and aids, and \$8,429,730 from appro-
24 priated trust funds. The bill authorizes 1,151 full-time
25 permanent positions for natural resources agencies.

26 Section 1 appropriates \$3,317,698 for 1978-79 general
27 fund operations of the Department of Agriculture, a decrease
28 of \$37,026 from the 1977-78 appropriation. It also
29 appropriates \$1,644,600 from the appropriated trust funds
30 of the Department, an increase of \$10,719. It appropriates
31 \$110,000 of prior year's federal indirect cost reimbursement
32 to enable the Department to convert and purchase new scale
33 trucks. The section authorizes 322 permanent full-time posi-
34 tions for 1978-79 which is the same as the 1977-78 authoriza-
35 tion.

1 Section 2 appropriates \$1,716,821 of the general fund for
2 1978-79 general office operations with an authorization of
3 48 full-time permanent positions. This is an increase of
4 \$94,614 and one authorized position. The increase relates
5 to an attempt to improve the utilization of foreign trade
6 leads by Iowa manufacturers and provide efforts to encourage
7 in-state relocation by Iowa industries. This section also
8 appropriates \$146,868 for the European office to maintain
9 current efforts in securing reverse investment by foreign
10 firms.

11 Section 3 appropriates \$300,000 for general fund grants
12 and aids to the Iowa State Fair Board.

13 Section 4 appropriates \$300,000 to Iowa State University
14 to carry on a research project related to beneficiation and
15 utilization of Iowa coal.

16 Sections 5 and 6 specifies the intent of the General
17 Assembly regarding the coal project specified in section 6.

18 Section 7 requires the submission of a progress report
19 by the coal project by January 15, 1979.

20 Section 8 appropriates \$4,070,279 in general fund operations
21 for the State Conservation Commission, an increase of \$58,923.
22 It also appropriates \$226,546 for general fund grants and
23 aids, a decrease of \$45,708. This section also appropriates
24 \$6,785,130 from the fish and game protection fund. This
25 section authorizes 402 permanent full-time positions. The
26 net increase of two in authorized positions relates to the
27 addition of three new parks personnel for Big Creek State
28 Park and the deletion of this agency's water plan position.

29 Section 9 appropriates the State Conservation Commission's
30 share of the marine fuel tax fund for the recreational boating
31 program.

32 Section 10 limits the size of the administration division
33 to 105 permanent full-time positions. No change from the
34 previous year. This section also appropriates the remainder
35 of the fish and game fund for capital improvements and

1 contingencies. It also provides language to govern deposit
2 of certain receipts and refunds and reimbursements. This
3 section requires the development of a priority list of water-
4 sheds above publicly-owned lakes for the purpose of allocating
5 cost-share funds for prevention of soil loss in these water-
6 sheds.

7 Section 11 appropriates \$1,843,772 for general fund
8 operations of the Department of Soil Conservation, an increase
9 of \$812. It also provides \$4,792,000 in general fund grants
10 and aids, an increase of \$49,000. The section authorizes
11 20 full-time permanent positions, a net increase of two
12 authorized positions. This involves the addition of an area
13 supervisor and an environmental specialist in the general
14 office, deletion of the water plan position, and addition
15 of a secretary for the temporary Land Preservation Policy
16 commission.

17 Section 12 appropriates \$103,645 and authorizes two
18 permanent positions to the legislative council to support
19 the temporary Land Preservation Policy Commission.

20 Section 13 appropriates \$3,561,502 in general fund
21 operations for the Department of Environmental Quality, Iowa
22 Geological Survey, and the Iowa Natural Resources Council,
23 an increase of \$109,648. The section authorizes 246 full-
24 time permanent positions, a net increase of 21 full-time
25 permanent positions. This net increase relates to the deletion
26 of one water plan position for the Iowa Geological Survey,
27 deletion of two water plan positions for the Iowa Natural
28 Resources Council, the addition of two flood plain regulation
29 positions and two water rights positions in the Natural
30 Resources Council, and the addition of 20 federally-funded
31 positions in the Department of Environmental Quality. This
32 section appropriates \$2,000,000 in general fund grants and
33 aids for five percent sewer grants to eligible municipalities
34 and \$9,000 for the Mississippi River Parkway Commission.

35 Section 14 provides for the use of federal funds in natural

1 resources agencies and provides authorization of federally-
2 funded positions for the duration of the funds only.

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HOUSE FILE 2098

H-5238

- 1 Amend amendment H-5207, to House File 2098, as
- 2 follows:
- 3 1. Page 1, line 8, by inserting after "ment"
- 4 the words "and a public employment relations act".

H-5238 FILED - *Adopted 2/5* BY CONNORS of Polk
FEBRUARY 7, 1978 (*p. 387*) JOCHUM of Dubuque
ARNOULD of Scott

HOUSE FILE 2098

H-5265

- 1 Amend House File 2098 as follows:
- 2 1. Page 13, by inserting after line 10 the
- 3 following:
- 4 "Sec. _____. Section four hundred fifty-five B
- 5 point twenty-four (455B.24), subsection one (1), Code
- 6 1977, is amended by adding the following lettered
- 7 paragraph:
- 8 NEW LETTERED PARAGRAPH. Location of emission
- 9 monitoring devices in areas of the political
- 10 subdivision in compliance with uniform state standards
- 11 adopted by the commission. The commission shall adopt
- 12 uniform state standards for the location of emission
- 13 monitoring devices specifying such intervals and such
- 14 procedures to provide a reasonably consistent
- 15 measurement of emissions from air contaminant sources
- 16 regardless of the political subdivision of the state
- 17 in which the sources may be located."
- 18 2. By renumbering sections to conform to this
- 19 amendment.

H-5265 FILED *not germane* BY HORN of Linn
FEBRUARY 8, 1978 (*2/14(422) Rules amended, adopted 2/14 (p. 422)*)

HOUSE FILE 2098

H-5267

- 1 Amend House File 2098 as follows:
- 2 1. Page 14, by adding after line 19 the following:
- 3 "Sec. _____. Funds appropriated by this Act shall
- 4 not be used to pay travel and other necessary expenses
- 5 of any person who attends a conference, seminar, con-
- 6 vention, or other similar meeting in a state which
- 7 does not have a right to work law. The state comptroller
- 8 shall not approve any claim submitted requesting re-
- 9 imbursement which violates this section."

H-5267 FILED *w/d 2/4* BY STROMER of Hancock
FEBRUARY 8, 1978 (*426*)

HOUSE FILE 2098

H-5274

- 1 Amend House File 2098 as follows:
- 2 1. Page 8, line 4, by striking the numerals
- 3 "135,000" and inserting in lieu thereof the numerals
- 4 "256,868".

H-5274 FILED - *Loss 2/14* BY SCHROEDER of Pottawattamie
FEBRUARY 9, 1978 (*424*) CLARK of Lee

HOUSE FILE 2098

H-5284

- 1 Amend House File 2098 as follows:
- 2 1. Page 12, by inserting after line 29 the
- 3 following:
- 4 "During the fiscal year for which funds are
- 5 appropriated by this section the Iowa department of
- 6 environmental quality shall not require the
- 7 installation or use of equipment to control the
- 8 emission of dust or other particulate matter on
- 9 facilities for the storage of grain."

H-5284 FILED, ADOPTED BY MENKE of O'Brien
FEBRUARY 14, 1978 (p 427) SCHEELHAASE of Woodbury
HUSAK of Tama
DAGGETT of Adams
DUNTON of Keokuk
HULLINGER of Decatur
MILLER of Buchanan
SCHROEDER of Pottawattamie
LINDEEN of Henry
STEPHENS of Plymouth

HOUSE FILE 2098

H-5285

- 1 Amend House File 2098, page 13, by inserting
- 2 after line 10 the following:
- 3 "d. The Department of Environmental Quality
- 4 shall report to the General Assembly no later than
- 5 June 30, 1979, the total expenditures of the
- 6 department in monitoring, regulating, or enforcing
- 7 their responsibilities with regard to the Cedar
- 8 aquifer and the Salsbury laboratories. Such
- 9 report shall be inclusive of all federal, state
- 10 and private funds expended by any state agency in
- 11 this regard."

H-5285 FILED, ADOPTED BY O'HALLORAN of Black Hawk
FEBRUARY 14, 1978 (p 427) MIDDLESWART of Warren
MILLER of Buchanan
EVANS of Grundy

HOUSE FILE 2098

H-5286

- 1 Amend Amendment H5284, to House File 2098, as
 - 2 follows:
 - 3 1. Page 1, line 8, by striking the words "or
 - 4 other particulate matter".
- H-5286 FILED, LOST (427) BY KOOGLER of Mahaska
FEBRUARY 14, 1978

H-5235

- Amend House File 2098 as follows:
1. Page 3, by striking lines 31 through 35 and inserting in lieu thereof the following:
 - "2. For development and distribution of information and brochure to be used by the Iowa Development Commission in communication with foreign countries stating the advantages of development in Iowa.....\$25,000.00."
 2. Page 8, line 4, by striking "135,000" and inserting in lieu thereof "256,868".

H-5235 FILED *H/D 2/5(370)* BY RINAS of Linn
 FEBRUARY 7, 1978 HINES of Story
 SMALL of Johnson

HOUSE FILE 2098

H-5239

- Amend House File 2098 as follows:
1. Page 9, by inserting after line 22 the following:
 - "Sec. ____ Chapter one hundred seven (107), Code 1977, is amended by adding the following new section:

NEW SECTION. Commencing with the fiscal year beginning July 1, 1979 and ending June 30, 1980 and each subsequent fiscal year, there is appropriated out of the general fund of the state not otherwise appropriated to the state fish and game protection fund an amount equal to ten percent of the moneys accruing from license fees and other sources of revenue arising under the division of fish and game. It is the intent of the general assembly to increase the percentage of funds from the general fund supplementing the moneys accruing from license fees and other sources so that the percentage equals fifty percent in the fiscal year beginning July 1, 1984."

H-5239 FILED - *Loss 2/4* BY HORN of Linn
 FEBRUARY 7, 1978 *(424)*

HOUSE FILE 2098

H-5247

- Amend amendment H-5207 to House File 2098 as follows:
1. Page 1, by inserting after line 10 the following:
 - "The members of the state legislatures of the United States shall be prohibited from entering Iowa's state capitol on official business, if their respective state laws do not conform with the laws of the state of Iowa or if that state has adopted policy of national importance that differs from legislation adopted by the 67th General Assembly of the state of Iowa."

H-5247 FILED - *no german 2/8(285)* BY SPENCER of Clay
 FEBRUARY 7, 1978

H-5231

- 1 Amend amendment H-5207, to House File 2098, as
 2 follows:
 3 1. Page 1, line 6, by inserting after the word
 4 "state" the words "or country".

H-5231 FILED, ADOPTED BY MILLER of Buchanan
 FEBRUARY 7, 1978 (p. 363)

HOUSE FILE 2098

H-5234

- 1 Amend House File 2098 as follows:
 2 1. Page 14, by inserting after line 13 the
 3 following sections:
 4 "Section 1. Chapter two (2), Code 1977, is amended
 5 by adding the following new section:
 6 NEW SECTION. IOWA BOUNDARY COMMISSION.
 7 1. There is established an Iowa boundary commission
 8 which shall consist of three members of the senate
 9 appointed by the president of the senate and three
 10 members of the house of representatives appointed
 11 by the speaker of the house. The commission shall
 12 select a chairperson and shall meet at the call of
 13 the chairperson.
 14 2. Members shall be appointed on the effective
 15 date of this Act to a term of four years. Vacancies
 16 shall be filled in the same manner as original
 17 appointments and shall be for the remainder of the
 18 unexpired term of the vacancy. The members of the
 19 commission shall be reimbursed for actual and necessary
 20 expenses incurred in the performance of their duties
 21 and shall receive forty dollars for each day in which
 22 engaged in the performance of such duties. However,
 23 such per diem compensation and expenses shall not
 24 be paid when the general assembly is actually in
 25 session at the seat of government. Per diem and
 26 expenses of the commission and its members shall be
 27 paid from funds appropriated pursuant to section two
 28 point twelve (2.12) of the Code.
 29 3. The commission is authorized to meet with
 30 appropriate representatives of affected states,
 31 agencies of those states and Iowa, and agencies of
 32 the United States to discuss the western Iowa boundary
 33 and problems related to that boundary. The commission
 34 is authorized to expend reasonable sums for the
 35 purchase of maps and other information helpful to
 36 its discussions.
 37 Sec. 2. For the initial board, the president of
 38 the senate and the speaker of the house shall each
 39 appoint pursuant to section one (1) of this Act, one
 40 member to a two-year term and two members to a four-
 41 year term."
 42 2. By numbering and renumbering sections as
 43 necessary.

H-5234 FILED, RULED NOT GERMANE BY SCHEELHAASE of Woodbury
 UNANIMOUS CONSENT TO CONSIDER DOYLE of Woodbury
 LOST (pp 362, 363)
 FEBRUARY 7, 1978

HOUSE FILE 2098

H-5226

- 1 Amend House File 2098, as follows:
- 2 1. Page 4, line 23, by inserting after the word
- 3 "shall" the words "such monies be used for other than
- 4 the payment of cash premiums, and in no case shall".

H-5226 FILED, ADOPTED BY MONROE of Des Moines
FEBRUARY 7, 1978 (p. 358)

HOUSE FILE 2098

H-5227

- 1 Amend House File 2098 as follows:
- 2 1. Page 12, line 29, by inserting before the word
- 3 "purposes" the words "and economic impact".
- 4 2. Page 13, by inserting after line 10 the
- 5 following:
- 6 "d. The department of environmental quality may
- 7 expend funds appropriated pursuant to paragraph a
- 8 of this subsection for the purpose of preparing
- 9 economic impact statements. An economic impact
- 10 statement shall be prepared in any case when the
- 11 department issues an order pursuant to chapter four
- 12 hundred fifty-five B (455B) of the Code which will
- 13 have a fiscal effect upon persons affected by the
- 14 order or upon the department of environmental quality
- 15 itself."

H-5227 FILED, LOST (p. 361) BY BENNETT of Ida
FEBRUARY 7, 1978

HOUSE FILE 2098

H-5229

- 1 Amend amendment H-5207, to House File 2098, as
- 2 follows:
- 3 1. Page 1, by inserting after line 10 the
- 4 following:
- 5 "Sec. _____. Funds appropriated pursuant to chapter
- 6 two (2) of the Code shall not be used to pay travel
- 7 and other necessary expenses of any person who attends
- 8 a conference, seminar, convention, or other similar
- 9 meeting in a state which has not approved the proposed
- 10 federal equal rights amendment. The state comptroller
- 11 shall not approve any claim submitted requesting
- 12 reimbursement which violates this section."

H-5229 FILED, ADOPTED BY PERKINS of Greene
FEBRUARY 7, 1978 (p. 364)

HOUSE FILE 2098

H-5230

- 1 Amend House File 2098 as follows:
- 2 1. Page 3, by striking lines 31 through 35.
- 3 2. Page 8, line 4, by striking "\$135,000" and
- 4 inserting in lieu thereof "\$281,868".

H-5230 FILED
H-5230A & H-5230 B
WITHDRAWN (p. 358)
FEBRUARY 7, 1978

BY HINES of Story
RINAS of Linn
KRAUSE of Kossuth
DYRLAND of Clayton
JOCHUM of Dubuque
ARNOLD of Des Moines

Amended by Scott

H-5198

- 1 Amend House File 2098 as follows:
 2 1. Page 11, line 31, by striking the number
 3 "4,250,000" and inserting in lieu thereof the number
 4 "4,220,000".
 5 2. Page 13, line 21, by striking the word "four"
 6 and inserting in lieu thereof the word "five".
 7 3. Page 13, line 22, by striking the number
 8 "86,110" and inserting in lieu thereof the number
 9 "116,110".

H-5198 FILED - *Adopted* BY
 FEBRUARY 2, 1978 ^{2/7} (p. 361)

PERKINS of Greene
 EVANS of Grundy
 SCHEELHAASE of Woodbury
 HULLINGER of Decatur
 DYRLAND of Clayton
 HARVEY of Scott
 STEPHENS of Plymouth
 HOWELL of Floyd
 SHIMANEK of Jones
 KRAUSE of Kossuth
 LIND of Black Hawk
 PELLETT of Cass
 JOCHUM of Dubuque

HOUSE FILE 2098

H-5194

- 1 Amend House File 2098 as follows:
 2 1. Page 11, line 20, by striking the word "fifty"
 3 and inserting in lieu thereof the word "seventy-five".

H-5194 FILED - *Lost* 2/7 (360) BY PELLETT of Cass
 FEBRUARY 2, 1978

HOUSE FILE 2098

H-5205

- 1 Amend House File 2098 as follows:
 2 1. Page 3, by striking lines 31 through 35.

H-5205 FILED - *Lost* 2/7 (358) BY SMALL of Johnson
 FEBRUARY 6, 1978 *Number 2* (357)

HOUSE FILE 2098

H-5207

- 1 Amend House File 2098 as follows:
 2 1. Page 14, by adding after line 19 the following:
 3 "Sec. ____ . Funds appropriated by this Act shall
 4 not be used to pay travel and other necessary expenses
 5 of any person who attends a conference, seminar, con-
 6 vention, or other similar meeting in a state which has
 7 not approved the proposed federal equal rights amend-
 8 ment. The state comptroller shall not approve any
 9 claim submitted requesting reimbursement which vio-
 10 lates this section."

H-5207 FILED - *Lost* 2/8 BY
 FEBRUARY 6, 1978 (p. 388)

LIPSKY of Linn
 BRANDT of Black Hawk
 VARLEY of Adair
 DYRLAND of Clayton
 SHIMANEK of Jones
 THOMPSON of Polk
 HOFFMANN of Muscatine
 CRAWFORD of Story
 LONERGAN of Boone

See Budget to pass as amended by 5401 3/23 (p. 661)

HOUSE FILE 2098

By COMMITTEE ON BUDGET

(As Amended and Passed by the House)

Passed House, Date 4-28-78 (1526) Passed Senate, Date 4-3-78 (p. 704)

Vote: Ayes 82 Nays 6 Vote: Ayes 46 Nays 0

Approved June 29, 1978

A BILL FOR

1 An Act appropriating from the general fund of the state and
2 various trust funds for various operations and grants and
3 aids to departments and agencies of the state whose respon-
4 sibilities relate to agricultural affairs, economic devel-
5 opment, energy research, coal research, and natural
6 resources management and research.

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

8 Conference Committee Appointed
9 Rep. Perkins, chair; O'Halleran, Shankman, Evers, Varley 5/2 (p. 21)
10 Senators Jenkins, chair; Gallagher, Kautz; Neptun; Schwager 5/3

11
12 House Amendments _____

13 Passed per Conference Committee Report
14 House 5-10-78 (p. 2451) Senate 5-11-78 (p. 1473)
15 19-3 25-0

16
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25

1 Section 1. There is appropriated from the general fund
 2 of the state and the trust funds indicated to the department
 3 of agriculture for the fiscal year beginning July 1, 1978
 4 and ending June 30, 1979 the following amounts, or so much
 5 thereof as is necessary, to be used for the purposes des-
 6 igned:

	1978-1979
	<u>Fiscal Year</u>
9 1. GENERAL ADMINISTRATION	
10 a. From the general fund for	
11 salaries, support, maintenance,	
12 and miscellaneous purposes.....	\$ 890,502
13 b. From the fertilizer fund	
14 to be transferred to the admini-	
15 stration division.....	\$ 25,000
16 c. From the dairy trade prac-	
17 tice fund to be transferred to	
18 the administration division.....	\$ 49,067
19 d. From the commercial feed	
20 fund to be transferred to the	
21 administration division.....	\$ 25,000
22 2. REGULATORY DIVISION	
23 a. From the general fund for	
24 salaries, support, maintenance,	
25 and miscellaneous purposes.....	\$ 2,049,797
26 b. From the hotel and res-	
27 taurant fund to be transferred	
28 to the regulatory division.....	\$ 265,471
29 3. LABORATORY DIVISION	
30 From the general fund for	
31 salaries, support, maintenance,	
32 and miscellaneous purposes.....	\$ 377,399
33 4. From the commercial feed	
34 fund to be transferred to the	
35 laboratory division.....	\$ 505,971

1 5. From the pesticide fund
2 to be transferred to the lab-
3 oratory division..... \$ 273,152

4 6. From the fertilizer
5 fund to be transferred to the
6 laboratory division..... \$ 500,939

7 7. a. If there is an unencumbered balance of funds in
8 the commercial feed fund on June thirtieth of any fiscal year
9 equal to or exceeding three hundred fifty thousand dollars,
10 the secretary of agriculture shall reduce the per ton fee
11 provided for in subsection one (1) of section one hundred
12 ninety-eight point nine (198.9) of the Code for the next
13 fiscal year in such amount as will result in an ending
14 estimated balance for June thirtieth of the next fiscal year
15 of three hundred fifty thousand dollars.

16 b. If there is an unencumbered balance of funds in the
17 fertilizer fund on June thirtieth of any fiscal year equal
18 to or exceeding three hundred fifty thousand dollars, the
19 secretary of agriculture shall reduce the per ton fee provided
20 for in subsection one (1) of section two hundred point eight
21 (200.8) of the Code for the next fiscal year in such amount
22 as will result in an ending estimated balance for the June
23 thirtieth of the next fiscal year of three hundred fifty
24 thousand dollars.

25 8. There is appropriated to the regulatory division of
26 the department of agriculture for the purposes of converting
27 or purchasing scale trucks in accordance with plans submitted
28 to the budget subcommittee on natural resources, the amount
29 of one hundred ten thousand (110,000) dollars, or so much
30 thereof as is necessary, from federal indirect cost
31 reimbursements received by the department of agriculture for
32 expenses incurred during the prior fiscal years in the meat
33 and poultry inspection program.

34 9. Funds appropriated by this section and other funds
35 available to the department of agriculture shall be used to

1 pay salaries and support for not more than three hundred
2 twenty-two permanent full-time positions.

3 Sec. 2. There is appropriated from the general fund of
4 the state to the Iowa development commission for the fiscal
5 year beginning July 1, 1978 and ending June 30, 1979 the
6 following amounts, or so much thereof as is necessary, to
7 be used for the purposes designated:

1978-1979
Fiscal Year

10 1. a. For salaries and sup-
11 port of not more than forty-
12 eight full-time permanent posi-
13 tions, and maintenance and mis-
14 cellaneous purposes..... \$ 1,716,821

15 b. From funds appropriated
16 by paragraph a of this subsec-
17 tion the Iowa development com-
18 mission shall allocate not to
19 exceed thirty-one thousand five
20 hundred (31,500) dollars for
21 the fiscal year ending June
22 30, 1979 for the seven regional
23 tourism districts, not to ex-
24 ceed five thousand (5,000) dol-
25 lars per district, if the dis-
26 trict provides on a dollar-to-
27 dollar matching basis funds
28 equal to the amount allocated
29 by the Iowa development com-
30 mission.

31 2. For salaries, support
32 of no more than two full-time
33 permanent positions, mainte-
34 nance and miscellaneous pur-
35 poses of the European office..... \$ 146,868

1 Sec. 3. There is appropriated from the general fund of
2 the state to the Iowa state fair board for the fiscal year
3 beginning July 1, 1978 and ending June 30, 1979 the follow-
4 ing sums, or so much thereof as is necessary, to be used for
5 the purposes designated:

	1978-1979
	<u>Fiscal Year</u>
6	
7	
8 1. For maintenance of state	
9 fair buildings and grounds.....	\$ 80,000
10 2. For premiums.....	\$ 10,000
11 3. For state aid to agri-	
12 cultural societies (local	
13 fairs).....	\$ 210,000

14 4. The appropriation con-
15 tained in subsection three (3)
16 of this section for state aid
17 to agricultural societies is
18 conditional upon full compli-
19 ance with all other statutes
20 which regulate and prescribe
21 the conditions under which
22 such aid is available. In no
23 case shall such monies be used
24 for other than the payment of cash
25 premiums, and in no case shall
26 any county receive
27 more than two thousand one hun-
28 dred (2,100) dollars except that
29 in a county where there are two
30 definitely separate county exten-
31 sion offices, each such society
32 shall receive state aid in such
33 amount as it would be entitled
34 to if it were the only society
35 in the county. In counties hav-

1 ing more than one fair entitled
2 to state aid, the state aid
3 available shall be prorated to
4 the fairs based on cash premiums
5 paid by the fairs.

6 Sec. 4. There is appropriated from the general fund of
7 the state to Iowa state university of science and technology
8 for the fiscal period beginning July 1, 1978 and ending June
9 30, 1979, the sum of three hundred thousand (300,000) dollars,
10 or so much thereof as may be necessary, to be used by the
11 energy and mineral resources research institute to conduct
12 a coal research project within the state.

13 Sec. 5. It is the intent of the general assembly to provide
14 for continued coal research within this state. The coal
15 research project authorized under this Act shall include coal
16 beneficiation research to be conducted at the Iowa state
17 university preparation plant using coal purchased by the
18 university as part of its usual energy requirement with funds
19 provided for that purpose, the design and installation of
20 fine coal recovery equipment at the plant, a study of the
21 suitability of Iowa coal for use in the cement industry, and
22 an agricultural productivity study of a reclaimed mine site.

23 Sec. 6. Funds appropriated by section four (4) of this
24 Act shall be used solely for research as specified in section
25 five (5) of this Act and shall not be used for related academic
26 activities or studies.

27 Sec. 7. The energy and mineral resources research institute
28 shall report on the progress of the coal research project
29 to the budget natural resources subcommittees of both houses
30 of the general assembly not later than January 15, 1979.
31 The report shall include a description of the progress of
32 the project, the results and perceived benefits of the research
33 described in section five (5) of this Act, a summary of project
34 expenditures, including anticipated expenditures and any
35 proposals for continued coal research.

1 Sec. 8. There is appropriated from the general fund of
2 the state and the funds indicated to the state conservation
3 commission and its divisions for the fiscal year beginning
4 July 1, 1978 and ending June 30, 1979 the following amounts,
5 or so much thereof as may be necessary, to be used for the
6 following purposes:

7
8 1978-1979
Fiscal Year

9 1. DIVISION OF LANDS AND
10 WATERS

11 For deposit in the state
12 conservation fund from the gen-
13 eral fund of the state for sal-
14 aries, support, maintenance,
15 equipment and miscellaneous pur-
16 poses for not more than one
17 hundred seventy-two full-time
18 permanent positions of the di-
19 vision, and for maintenance of
20 state parks, waters, and for-
21 ests, prison labor programs and
22 including not more than one mil-
23 lion sixty-eight thousand seven
24 hundred sixty-seven (1,068,767)
25 dollars which shall be avail-
26 able for the administration fund
27 from the state conservation fund
28 in compliance with the provi-
29 sions of section one hundred
30 seven point seventeen (107.17)
31 of the Code..... \$ 4,043,091

32 2. DIVISION OF FISH AND GAME
33 From the state fish and game
34 protection fund for salaries,
35 support, maintenance, equipment

1 and miscellaneous purposes for
2 not more than two hundred twenty-
3 nine full-time permanent posi-
4 tions, including not more than
5 one million sixty-eight thousand
6 seven hundred sixty-seven
7 (1,068,767) dollars, which shall
8 be available from the state fish
9 and game protection fund for the
10 administration fund in compliance
11 with the provisions of section
12 one hundred seven point seventeen
13 (107.17) of the Code..... \$ 6,785,130

14 3. STATE ADVISORY BOARD FOR
15 PRESERVES

16 From the general fund of the
17 state for salaries, support, and
18 maintenance of not more than one
19 full-time permanent position and
20 for equipment and miscellaneous
21 purposes for carrying out the
22 duties of the board..... \$ 27,188

23 4. LAND SURVEYS

24 From the general fund of the
25 state for land surveys to estab-
26 lish and identify the boundaries
27 of state-owned land..... \$ 45,000

28 5. MISSOURI AND MISSISSIPPI
29 RIVER BASIN COMMISSIONS

30 From the general fund of the
31 state for the state's contri-
32 bution for support of the
33 Missouri and Mississippi River
34 Basin Commissions..... \$ 46,546

35 6. GREEN THUMB PROGRAM

1 From the general fund for
2 deposit in the green thumb fund
3 for the employment of persons
4 under the green thumb program
5 established pursuant to chapter
6 six hundred one H (601H) of the
7 Code..... \$ 135,000

8 Sec. 9. There is appropriated from the marine fuel tax
9 fund for the fiscal year beginning July 1, 1978 and ending
10 June 30, 1979 to the state conservation commission, division
11 of lands and waters, such amounts of funds computed as provided
12 in section three hundred twenty-four point eighty-four (324.84)
13 of the Code, which funds shall be deposited in the state
14 conservation fund for use in the state conservation commission
15 recreational boating program as provided in subsections one
16 (1) through five (5) of section three hundred twenty-four
17 point seventy-nine (324.79) of the Code. The unencumbered
18 or unobligated balances of funds specifically allocated for
19 capital projects shall not revert to the fund from which
20 appropriated until June 30, 1982.

21 Sec. 10.

22 1. The transfer of funds from the state conservation fund
23 and the state fish and game protection fund to the adminis-
24 tration funds shall not exceed the amounts specified in subsec-
25 tions one (1) and two (2) of section eight (8) of this Act.
26 Such funds shall be used for salaries and support of not more
27 than one hundred five full-time permanent positions.

28 2. a. Funds remaining in the fish and game protection
29 fund which are not specifically appropriated by section eight
30 (8) of this Act are appropriated and may be used for capital
31 projects and contingencies arising during the fiscal year
32 beginning July 1, 1978.

33 b. A contingency shall not include any purpose or proj-
34 ect which was presented to the general assembly by way of
35 a bill or a proposed bill and which failed to be enacted into

1 law. For the purpose of this subsection, a necessity of ad-
2 ditional operating funds may be construed as a contingency.

3 Before any of the funds authorized to be expended by this
4 subsection shall be allocated for contingencies, it shall
5 be determined by the executive council that a contingency
6 exists and that the contingency was not existent while the
7 general assembly was in session and that the proposed
8 allocation shall be for the best interests of the state.

9 If a contingency arises or could reasonably be foreseen
10 during the time the general assembly is in session,
11 expenditures for the contingency must be authorized by the
12 general assembly.

13 3. All receipts and refunds and reimbursements related
14 to activities funded by the administration fund are
15 appropriated to the administration fund. All refunds and
16 reimbursements relating to activities of the state fish and
17 game protection fund shall be credited to the state fish and
18 game protection fund.

19 4. The state conservation commission shall establish a
20 priority list of watersheds above publicly-owned lakes and
21 areas within those watersheds which are of highest importance
22 based on soil loss to be used for the allocation of funds
23 set aside in subsection six (6) of section eleven (11) of
24 this Act for permanent soil conservation practices on
25 watersheds above publicly-owned lakes.

26 Sec. 11. There is appropriated from the general fund of
27 the state to the department of soil conservation for the
28 fiscal year beginning July 1, 1978 and ending June 30, 1979,
29 the following amounts, or so much thereof as is necessary,
30 to be used for the purposes designated:

31
32
33
34
35

1978-1979
Fiscal Year

1. GENERAL OFFICE

For salaries, support, and
maintenance of not more than

1 nineteen full-time permanent
2 positions and for miscellaneous
3 purposes..... \$ 408,917

4 2. SOIL CONSERVATION COM-
5 MITTEE

6 To carry on soil conserva-
7 tion work in soil conserva-
8 tion districts organized under the
9 soil conservation district laws
10 of the state; for aid to soil
11 conservation districts for dis-
12 trict commissioner's expenses,
13 stationery, postage and other
14 purposes as may be authorized
15 by the state soil conservation
16 committee to be allocated on a
17 need basis..... \$ 160,000

18 3. For salaries and necessary
19 expenses, equipment, and materials
20 to support personnel assigned to
21 the soil conservation districts by
22 the state soil conservation com-
23 mittee on a need basis..... \$ 1,431,970

24 4. For participation in and
25 conjunction with the federal gov-
26 ernment or any of its agencies
27 in joint operations of watershed
28 planning and development within
29 this state..... \$ 60,000

30 5. For use and expenditures
31 in participation and conjunction
32 with the soil conservation ser-
33 vice, United States department
34 of agriculture, and state agen-
35 cies in joint operations in con-

1 ducting soil surveys on lands
2 within this state..... \$ 303,000
3 6. For cost sharing to pro-
4 vide state funding of not more
5 than fifty percent of the approved
6 cost of permanent soil conservation
7 practices instituted under chapter
8 four hundred sixty-seven A (467A)
9 of the Code with priority given to
10 projects on owner-operated and
11 family-operated farms except that
12 not more than five percent of the
13 amount appropriated in this sub-
14 section may be used for cost
15 sharing to abate complaints filed
16 under sections four hundred sixty-
17 seven A point forty-seven (467A.47)
18 and four hundred sixty-seven A
19 point forty-eight (467A.48) of
20 the Code and five percent or more
21 of the amount appropriated by this
22 subsection may be used for cost-
23 sharing not to exceed fifty per-
24 cent of the approved cost of per-
25 manent soil conservation practices
26 under chapter four hundred sixty-
27 seven A (467A) of the Code on
28 watersheds above publicly-owned
29 lakes to be allocated in accor-
30 dance with the priority list es-
31 tablished by the state conserva-
32 tion commission as required in sub-
33 section four (4) of section ten
34 (10) of this Act..... \$ 4,220,000
35 Unencumbered or unobligated

1 funds appropriated by this sub-
2 section remaining on June 30,
3 1982 shall revert to the gen-
4 eral fund on September 30, 1982.

5 7. For support of conser-
6 vancy district planning..... \$ 19,000

7 8. For the salary and support
8 of one full-time permanent po-
9 sition to support the temporary
10 land preservation policy commis-
11 sion..... \$ 12,885

12 Sec. 12. There is appropriated from the general fund of
13 the state for the fiscal year beginning July 1, 1978 and
14 ending June 30, 1979 to the legislative council the amount
15 of one hundred three thousand six hundred forty-five (103,645)
16 dollars, or so much thereof as is necessary, for two full-
17 time permanent positions and support for the temporary land
18 preservation policy commission.

19 Sec. 13. There is appropriated from the general fund of
20 the state for the fiscal year beginning July 1, 1978 and
21 ending June 30, 1979, to the following named agencies, the
22 following amounts, or so much thereof as is necessary, to
23 be used for the purposes designated:

24 1978-1979
25 Fiscal Year

26 1. DEPARTMENT OF ENVIRON-
27 MENTAL QUALITY--GENERAL OFFICE

28 a. For salaries, support and
29 maintenance of not more than one
30 hundred eighty-hour full-time
31 permanent positions and for mis-
32 cellaneous purposes..... \$ 1,851,059

33 During the fiscal year for which funds are
34 appropriated by this section the Iowa department of
35 environmental quality shall not require the

1 installation or use of equipment to control the
2 emission of dust or other particulate matter on
3 facilities for the storage of grain.

4 b. For conduct of ground
5 water monitoring program re-
6 lated to the Cedar aquifer and
7 Salsbury laboratories..... \$ 100,000

8 c. For payments to the govern-
9 ing bodies responsible for publicly-
10 owned sewage treatment facilities
11 which are eligible for seventy-five
12 percent grants under the federal
13 Water Pollution Act amendments of
14 1972, eighty-six (86) Stat. eight
15 hundred sixteen (816), in an amount
16 equal to five percent of the amount
17 approved as the eligible cost of
18 the project by the Iowa water pol-
19 lution control commission..... \$ 2,000,000

20 d. The department of environmental quality
21 shall report to the general assembly no later
22 than June 30, 1979, the total expenditures of the
23 department in monitoring, regulating, or enforcing
24 their responsibilities with regard to the Cedar
25 aquifer and the Salsbury laboratories. Such
26 report shall be inclusive of all federal, state
27 and private funds expended by any state agency in
28 this regard.

29 2. GEOLOGICAL SURVEY--GENERAL
30 OFFICE

31 For salaries, support and
32 maintenance of not more than
33 twenty-seven full-time permanent
34 positions and for miscellaneous
35 purposes..... \$ 880,350

1 3. GEOLOGICAL SURVEY--WATER
2 PLANNING

3 For salaries and support of
4 not more than five full-time
5 permanent positions..... \$ 116,110

6 4. GEOLOGICAL SURVEY

7 Iowa coal research program
8 For salaries and support for
9 not more than four full-time
10 permanent positions, and for
11 maintenance and miscellaneous
12 purposes..... \$ 128,430

13 5. IOWA NATURAL RESOURCES

14 COUNCIL--GENERAL OFFICE

15 For salaries, support and
16 maintenance of not more than
17 thirty-one full-time perma-
18 nent positions and for mis-
19 cellaneous purposes..... \$ 515,553

20 Notwithstanding the provisions of section four hundred
21 fifty-five A point seventeen (455A.17) of the Code, the Iowa
22 natural resources council may perform its statutory duties
23 relating to uses and developments of water sources of the
24 state without meeting the provisions of a comprehensive
25 statewide plan for the control, utilization, and protection
26 of the water resources of the state until such time as the
27 plan is prepared and completed.

28 6. MISSISSIPPI RIVER PARKWAY

29 COMMISSION

30 For support, maintenance and
31 miscellaneous purposes..... \$ 9,000

32 Sec. 14. All federal grants to and the federal receipts
33 of the agencies appropriated funds under this division are
34 appropriated for the purposes set forth in such federal grants
35 or receipts. Positions within state agencies funded with

1 federal funds are approved for the duration of those funds
2 only.

3 Sec. 15. Section four hundred fifty-five B point twenty-
4 four (455B.24), subsection one (1), Code 1977, is amended
5 by adding the following lettered paragraph:

6 NEW LETTERED PARAGRAPH. Location of emission monitoring
7 devices in areas of the political subdivision in compliance
8 with uniform state standards adopted by the commission. The
9 commission shall adopt uniform state standards for the location
10 of emission monitoring devices specifying such intervals and
11 such procedures to provide a reasonable, consistent measurement
12 of emissions from air contaminant sources regardless of the
13 political subdivision of the state in which the sources may
14 be located.

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HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2098

S-5733

1 Amend the Senate amendment, H-5884, to House File
2 2098 as amended, passed and reprinted by the House
3 as follows:
4 1. Page 1, by inserting after line 2 the following:
5 " . Page 1, line 30, by inserting before the
6 word "From" the following: "a."
7 " . Page 1, by inserting after line 32 the
8 following paragraph:
9 "b. From the general fund
10 for salaries, support, and
11 miscellaneous purposes for the
12 processing of aujeszky's disease
13 tests required by the
14 department of agriculture's
15 aujeszky's disease control
16 program. \$100,000
17 The department shall charge a fee for each
18 aujeszky's disease test. The fees shall cover the
19 costs of the program but shall not exceed one dollar
20 for each aujeszky's disease test and all monies
21 obtained by collection of such fees shall be deposited
22 in the state general fund."
23 2. Page 1, by inserting after line 2 the following:
24 " . Page 2, lines 34 and 35, by striking the
25 words "and other funds available".
26 3. Page 1, by inserting after line 2 the follow-
27 ing:
28 " . Page 3, by inserting after line 2 the follow-
29 ing new subsection:
30 " . If Senate File three hundred sixty-five
31 (365) is approved by the Sixty-seventh General
32 Assembly, 1978 Session, and becomes law, the funds
33 appropriated under section one (1) of this Act shall
34 be adjusted as follows:
35 a. The amount of funds appropriated pursuant to
36 section one (1), subsection one (1), paragraph a,
37 of this Act shall be increased to eight hundred ninety-
38 seven thousand eight hundred two (897,802) dollars.
39 b. The amount of funds appropriated pursuant to
40 section one (1), subsection two (2), paragraph a,
41 of this Act shall be increased to two million three
42 hundred thirty-seven thousand five hundred seventy-
43 three (2,337,573) dollars.
44 c. The amount of funds appropriated pursuant to
45 section one (1), subsection two (2), paragraph b,
46 of this Act shall be reduced to one hundred thirty-
47 two thousand seven hundred thirty-five (132,735)
48 dollars.
49 d. The number of permanent full-time positions
50 shall be increased under section one (1), subsection

1 nine (9), of this Act to three hundred thirty-five
2 permanent full-time positions.

3 e. That funds appropriated to the regulatory
4 division from the hotel and restaurant fund shall
5 be available for expenditure for the period beginning
6 July 1, 1978 and ending December 31, 1978 and all
7 unencumbered funds remaining in the hotel and
8 restaurant fund on January 1, 1979 shall be transferred
9 to the general fund of the state.""

10 4. Page 1, by striking lines 3 through 11.

11 5. Page 1, by inserting after line 35 the
12 following:

13 "_____. Page 5, by inserting after line 35 the
14 following new section:

15 "Sec. _____. There is appropriated from the general
16 fund of the state to Iowa state university of science
17 and technology agricultural experiment station for
18 the fiscal period beginning July 1, 1978 and ending
19 June 30, 1979, the sum of seventy-five thousand
20 (75,000) dollars, or so much thereof as may be
21 necessary, to be used by the university to conduct
22 a study and research of grain grading, testing and
23 pricing in Iowa, such study and research to include
24 but not be limited to the effects on grain grading,
25 testing and pricing in Iowa of weight shrinkage
26 factors, price discounts, grain product quality and
27 present harvesting techniques.

28 The study and research conducted by the university
29 shall include study and research in the field.

30 6. Page 2, by striking lines 33 through 42.

31 7. Page 2, by striking lines 2 through 6.

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

33 "_____. Page 15, by inserting after line 2 the
34 following sections:

35 "Sec. _____. Section ninety-three point two (93.2),
36 Code 1977, is amended by striking the section and
37 inserting in lieu thereof the following:

38 93.2 COUNCIL ESTABLISHED.

39 1. There is established an energy policy council
40 which shall consist of the following twelve members:

41 a. Four members of the Iowa general assembly:
42 Two members appointed from the house of representatives
43 by the speaker of the house, not more than one of
44 whom shall be from the same political party. Two
45 members appointed from the senate by the majority
46 leader of the senate, not more than one of whom shall
47 be from the same political party.

48 Legislative members of the energy policy council
49 shall vote only on policy statements.

50 b. The director of energy policy.

1 c. Seven public members appointed by the governor
2 for four-year terms commencing July first and subject
3 to confirmation by two-thirds of the membership of
4 the senate. The governor's appointees shall be
5 knowledgeable in the fields of energy production,
6 energy technology and energy management. Not more
7 than four of the governor's appointees shall be from
8 the same political party.

9 2. The following persons shall serve as ex officio
10 nonvoting members of the council:

11 a. The state geologist.

12 b. The chairperson of the Iowa state commerce
13 commission.

14 c. The administrative officer of the state soil
15 conservation committee.

16 d. The director of transportation.

17 e. The executive director of the Iowa department
18 of environmental quality.

19 f. The director of the Iowa natural resources
20 council.

21 3. The director shall be entitled to vote on a
22 matter before the council only when the director's
23 vote is necessary to determine the outcome of a tie
24 vote.

25 Sec. _____. Section ninety-three point three (93.3),
26 Code 1977, is amended to read as follows:

27 93.3 PERSONNEL. The governor shall appoint a
28 director of energy policy who shall carry out duties
29 assigned to ~~him~~ the director by the council or duties
30 assigned to ~~him~~ the director by the governor pursuant
31 to a proclamation of emergency issued under the
32 provisions of section 93.8. The appointment of the
33 director shall be subject to confirmation by two-
34 thirds of the members of the senate. ~~The director~~
35 ~~shall be paid an annual salary in an amount not to~~
36 ~~exceed twenty-two thousand dollars. Other personnel~~
37 ~~utilized by the council shall be employed through~~
38 ~~a program of interchange of personnel between the~~
39 ~~council and other governmental agencies pursuant to~~
40 ~~chapter 28B~~ The employees of the council shall be
41 subject to the provisions of chapter nineteen A (19A)
42 of the Code.

43 Sec. _____. Section ninety three point three (93.3),
44 Code 1977, is amended by adding the following new
45 unnumbered paragraph:

46 NEW UNNUMBERED PARAGRAPH. Any employee or any
47 position established for an employee that is to be
48 paid for from federal funds shall be terminated when
49 the federal funds are no longer available.

50 Sec. _____. Section ninety-three point four (93.4),

1 Code 1977, is amended to read as follows:

2 93.4. MEETINGS. The council shall organize within
3 ~~ten-days-following-June-13-1977-by-electing-one~~
4 ~~of-its-members-to-serve-as-chairman-and-one-to-serve~~
5 ~~as-vice-chairman--The-council-shall-establish-annually~~
6 by establishing procedures and requirements with
7 respect to quorum, place and conduct of meetings and.
8 The director shall serve as chairperson of the council.
9 The legislative members shall select the vice
10 chairperson who shall serve as vice chairperson for
11 a two-year term commencing January fourteenth of each
12 odd-numbered year. However the vice chairperson who
13 shall be elected in 1978 shall serve in that position
14 until January 14, 1979. The council may provide for
15 the establishment of an executive committee selected
16 from among the voting members of the council to
17 supervise the administrative duties assigned to the
18 director.

19 Sec. _____. Section ninety-three point five (93.5),
20 Code 1977, is amended to read as follows:

21 93.5. COMPENSATION AND EXPENSES. ~~Council~~
22 Nonlegislative council members who are not employees
23 of the state shall receive a per diem at the rate
24 of forty dollars for each day devoted to council
25 business and all nonlegislative council members shall
26 be reimbursed for actual expenses incurred in carrying
27 out their duties as members of the council. Legislative
28 ~~members-shall-receive-payment-pursuant-to-section~~
29 ~~2-10-and-section-2-12.~~

30 Sec. _____. Section ninety-three point seven (93.7),
31 subsection one (1), paragraph i, is amended to read
32 as follows:

33 i. Legislation necessary to implement the state
34 policy for the development and utilization of energy
35 sources and the comprehensive conservation plan.
36 The council shall serve as policy advisor to the
37 governor and the general assembly on all energy
38 matters.

39 Sec. _____. Section ninety-three point seven (93.7),
40 subsections five (5) and six (6), are amended to read
41 as follows:

42 5. Review, propose and recommend legislation
43 relating to the development and use of alternative
44 sources of energy in this state and the reduction
45 of dependence on nonrenewable sources of energy.

46 6. Develop and recommend public education and
47 communication programs in energy conservation and
48 conversion to alternative sources of energy.

49 Sec. _____. Chapter ninety-three (93), Code 1977,
50 is amended by adding the following new sections:

1 NEW SECTION. REVIEW. The second session of the
2 Sixty-eighth General Assembly meeting in the year
3 1980 shall review the activities and performance of
4 the council and shall not later than July 1, 1980
5 make a determination concerning the status and duties
6 of the council.

7 NEW SECTION. REPEAL. Chapter ninety-three (93)
8 of the Code is repealed June 30, 1981.

9 Sec. _____. Of the initial public members appointed
10 by the governor to the energy policy council, two
11 members shall be appointed for terms ending June 30,
12 1980, two members shall be appointed for terms ending
13 June 30, 1981, and three members shall be appointed
14 for terms ending June 30, 1982. The terms of public
15 members serving on the energy policy council on June
16 30, 1978 shall expire on July 1, 1978."

17 9. Page 3, by inserting after line 3 the following:

18 "_____. Page 15, by inserting after line 14 the
19 following section:

20 "Sec. _____. Chapter four hundred fifty-five B
21 (455B), Division three (III), Code 1977, is amended
22 by adding the following new section:

23 NEW SECTION. RULES ON PLASTIC PIPE. Rules
24 promulgated by the department relating to plastic
25 pipe shall not exceed the specifications contained
26 in designations D-1784-69 and D-2241-73 of the 1974
27 Annual Book of American Society for Testing and
28 Materials Standards, part 34, plastic pipe."

29 _____. Page 15, by inserting after line 14 the
30 following section:

31 "Sec. _____. Acts of the Sixty-fifth General
32 Assembly, 1974 Session, chapter one thousand one
33 hundred thirteen (1113), section twenty-two (22),
34 as amended by Acts of the Sixty-sixth General Assembly,
35 1976 Session, chapter one thousand eighty-eight (1088),
36 section five (5) and as codified in section ninety-
37 three point sixteen (93.16), Code 1977, is repealed."

38 10. Page 3, by inserting after line 5 the follow-
39 ing:

40 11. Amend the title, line 1, by inserting after
41 the word "Act" the words "relating to and"."

S-5733 FILED
MAY 1, 1978

RECEIVED FROM THE HOUSE

*See also reference to committee 5/2 (p. 1125)
House committee 5/2 (p. 2124)*

H-6246

1 Amend the Senate amendment H-5884 to House File
2 2098 as amended, passed and reprinted by the House
3 as follows:

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

6 "_____. Page 1, line 30, by inserting before the
7 word "From" the following: "a."

8 "_____. Page 1, by inserting after line 32 the
9 following paragraph:

10 "b. From the general fund
11 for salaries, support, and
12 miscellaneous purposes for the
13 processing of aujeszky's
14 disease tests required by the
15 department of agriculture's
16 aujeszky's disease control
17 program.....\$100,000

18 The department shall charge a fee for each aujeszky's
19 disease test. The fees shall cover the costs of the
20 program but shall not exceed one dollar for each
21 aujeszky's disease test and all monies obtained
22 by collection of such fees shall be deposited in
23 the state general fund."

H-6246 FILED *accepted* BY DAVITT of Warren
APRIL 24, 1978 *(initials)* HUSAK of Tama
PERKINS of Greene
BENNETT of Ida
CRABB of Crawford

HOUSE FILE 2098

H-6243

- 1 Amend amendment H-6017 to the Senate amendment
2 H-5884, to House File 2098 as follows:
3 1. Page 3, by inserting after line 8 the follow-
4 ing:
5 "Sec. ____ Chapter ninety-three (93), Code 1977,
6 is amended by adding the following new sections:
7 NEW SECTION. REVIEW. The second session of the
8 Sixty-eighth General Assembly meeting in the year
9 1980 shall review the activities and performance of
10 the council and shall not later than July 1, 1980
11 make a determination concerning the status and duties
12 of the council.
13 NEW SECTION. REPEAL. Chapter ninety-three (93)
14 of the Code is repealed June 30, 1981."

H-6243 FILED *Amended* BY MILLER of Buchanan
APRIL 24, 1978 *4/24/78* CUSACK of Scott
HARBOR of Mills
KOOGLER of Mahaska
WYCKOFF of Benton
HUSAK of Tama

HOUSE FILE 2098

H-6244

- 1 Amend amendment H-6017, to Senate amendment H-5884
2 to House File 2098, as passed by the House and reprinted,
3 as follows:
4 1. Page 1, line 12, by striking the word "twelve"
5 and inserting in lieu thereof the word "eight".
6 2. Page 1, by striking lines 13 through 15.
7 3. Page 2, line 19, by striking the word "legisla-
8 tive".
9 4. Page 2, line 20, by striking the words "who
10 shall be a legislative member and".
11 5. Page 2, line 32, by striking the words "Non-
12 legislative council" and inserting in lieu thereof the
13 word "Council".

H-6244 FILED *Amended* BY TAUKE of Dubuque
APRIL 24, 1978 *4/24/78* HARVEY of Scott
Amended

H-6242

1 Amend the Senate amendment, H-5884, to House File
2 2098 as amended, passed and reprinted by the House
3 as follows:

4 1. Page 2, by inserting after line 15 the follow-
5 ing:

6 "_____. Page 8, by inserting after line 7 the follow-
7 ing new sections:

8 "Sec. 9. Chapter two (2), Code 1977, is amended
9 by adding the following new section:

10 NEW SECTION. IOWA BOUNDARY COMMISSION.

11 1. There is established an Iowa boundary commission
12 which shall consist of three members of the senate
13 appointed by the president of the senate and three
14 members of the house of representatives appointed
15 by the speaker of the house. The commission shall
16 select a chairperson and shall meet at the call of
17 the chairperson.

18 2. Members shall be appointed to a term of four
19 years commencing on July first of the year of
20 appointment. Vacancies shall be filled in the same
21 manner as original appointments and shall be for the
22 remainder of the unexpired term of the vacancy. The
23 members of the commission shall be reimbursed for
24 actual and necessary expenses incurred in the
25 performance of their duties and shall receive forty
26 dollars for each day in which engaged in the
27 performance of such duties. However, such per diem
28 compensation and expenses shall not be paid when the
29 general assembly is actually in session at the seat
30 of government. Per diem and expenses of the commission
31 and its members shall be paid from funds appropriated
32 pursuant to section two point twelve (2.12) of the
33 Code.

34 3. The commission is authorized to meet with
35 appropriate representatives of affected states,
36 agencies of those states and Iowa, and agencies of
37 the United States to discuss the western Iowa boundary
38 and problems related to that boundary and to make
39 periodic reports and recommendations to the general
40 assembly. The commission is authorized to expend
41 reasonable sums for the purchase of maps and other
42 information helpful to its discussions.

43 4. If a proposal is negotiated between Iowa and
44 affected states after meetings authorized under this
45 section, the attorney general of this state shall
46 assist the commission in drafting the necessary
47 documents to be approved by the Iowa general assembly
48 in preparation for the ratification of agreements
49 between Iowa and affected states.

50 Staff assistance for meetings of the commission

H-6242

Page 2

1 shall be provided by the legislative service bureau.
 2 Sec. 10. For the initial board, the president
 3 of the senate and the speaker of the house shall each
 4 appoint pursuant to section nine (9) of this Act on
 5 the effective date of this Act, one member to a two-
 6 year term and two members to a four-year term."

H-6242 FILED *Adopted* BY SCHEELHAASE of Woodbury
 APRIL 24, 1978 *4/24/78* DOYLE of Woodbury
 JUNKER of Woodbury
 CRABB of Crawford
 DANKER of Pottawattamie
 BINNEBOESE of Plymouth

HOUSE FILE 2098

H-6228

1 Amend the Senate amendment, H-5884, to House File
 2 2098, as amended, passed, and reprinted by the House
 3 as follows:
 4 1. Page 1, by striking lines 36 through 50.
 5 2. Page 2, by striking lines 1 through 6.

H-6228 FILED *Adopted* BY SCHEELHAASE of Woodbury
 APRIL 24, 1978 *4/24/78*

HOUSE FILE 2098

H-6229

1 Amend H-6017, to the Senate Amendment H-5884 to
 2 House File 2098 as follows:
 3 1. By striking Page 1 lines 13 through 15 and
 4 inserting in lieu thereof the following:
 5 "a. Four members of the Iowa general assembly:
 6 Two members appointed from the house of representatives
 7 by the Speaker of the House, not more than one of
 8 whom shall be from the same political party. Two
 9 members appointed from the senate by the majority leader
 10 of the senate, not more than one of whom shall be from
 11 the same political party."

H-6229 FILED *Adopted* BY HINES of Story
 APRIL 24, 1978 *4/24/78*

HOUSE FILE 2098

H-6230

1 Amend amendment H-6017, to Senate amendment H-5884
 2 to House File 2098, as passed by the House and reprinted,
 3 as follows:
 4 1. Page 1, by inserting after line 15, the following:
 5 "Legislative members of the energy policy council shall
 6 vote only on policy statements."

H-6230 FILED *Adopted* BY VARLEY of Adair
 APRIL 24, 1978 *4/24/78*

HOUSE FILE 2098

H-6235

1 Amend Senate amendment, H-5884, to House File 2098
2 as amended, passed and reprinted by the House as
3 follows:
4 1. Page 3, by inserting after line 3 the follow-
5 ing:
6 " _____. Page 15, by inserting after line 14 the
7 following:
8 "Sec. _____. The general assembly finds that the
9 state of Iowa and the Iowa state conservation
10 commission are co-defendants along with several other
11 owners of land in Iowa in Omaha Indian Tribe v. Tract
12 I-Blackbird Bend Area, Tract II-Monona Bend Area and
13 Tract III-Omaha Mission Bend Area, docket number C-
14 75-4067, filed in the United States district court
15 for the northern district of Iowa, western division,
16 on October 6, 1975; that part of this litigation has
17 been appealed to and decided by the United States
18 court of appeals for the eighth circuit, docket numbers
19 77-1384 and 77-1387, resulting in an opinion issued
20 April 11, 1978 which was adverse to the interests
21 of the state of Iowa; that the plaintiff seeks to
22 divest the state of Iowa, the Iowa state conservation
23 commission, and the other landowners of their title
24 to lands in Iowa, and that if the plaintiff prevails
25 the sovereignty and jurisdiction of the state of Iowa
26 over all of the lands in litigation may be diminished.
27 The general assembly finds that it is in the public
28 interest for the claims of the plaintiff to lands
29 in Iowa be resisted.
30 Sec. _____. There is appropriated to the state comp-
31 troller from the general fund of the state the sum
32 of two hundred fifty thousand (250,000) dollars, or
33 so much thereof as may be necessary, to be used to
34 pay legal fees and litigation expenses of the Monona
35 county land association, an association composed of
36 defendants in the above-mentioned litigation and any
37 appeals, incurred in that litigation and any appeals.
38 The attorneys of record shall submit to the state
39 comptroller in the manner required by the state
40 comptroller the claims for such legal fees and
41 litigation expenses for the approval of the state
42 comptroller and the attorney general. The state
43 comptroller shall pay to the attorneys of record the
44 amount claimed upon receipt of such claims. Any
45 unencumbered or unobligated balances of the
46 appropriation made by this section shall not revert
47 to the general fund until the above-mentioned
48 litigation is concluded."

H-6235 FILED *The original* BY SCHEELHAASE of Woodbury
APRIL 24, 1978 *4/24/78* JUNKER of Woodbury
DANKER of Pottawattamie
CRABB of Crawford
SCHROEDER of Pottawattamie
BINNEBOESE of Plymouth

HOUSE FILE 2098

H-6219

1 Amend the Senate amendment, H-5884, to House
 2 File 2098 as amended, passed and reprinted by the
 3 House as follows:
 4 1. Page 1, by inserting after line 35 the
 5 following:
 6 "____. Page 5, by inserting after line 35 the
 7 following new section:
 8 "Sec. _____. There is appropriated from the general
 9 fund of the state to Iowa state university of science
 10 and technology agricultural experiment station for the
 11 fiscal period beginning July 1, 1978 and ending June
 12 30, 1979, the sum of seventy-five thousand (75,000)
 13 dollars, or so much thereof as may be necessary, to be
 14 used by the university to conduct a study and research
 15 of grain grading, testing and pricing in Iowa, such
 16 study and research to include but not be limited to
 17 the effects on grain grading, testing and pricing in
 18 Iowa of weight shrinkage factors, price discounts,
 19 grain product quality and present harvesting techniques."

H-6219 FILED *Adopted as amended by* BY BYERLY of Polk
 APRIL 24, 1978 *(2098-1217)* SCHEELHAASE of Woodbury
 DAVITT of Warren
 HOWELL of Floyd
 HARBOR of Mills
 BINNEBOESE of Plymouth
 MILLER of Buchanan

HOUSE FILE 2098

H-6226

1 Amend amendment H-6219, to Senate amendment H-5884,
 2 to House File 2098, as passed by the House and reprinted,
 3 as follows:
 4 1. Page 1, by inserting after line 19 the following:
 5 "The study and research conducted by the university
 6 shall include study and research in the field."

H-6226 FILED *Adopted as amended by* BY HARBOR of Mills
 APRIL 24, 1978 *(2098-1217)* BYERLY of Polk

HOUSE FILE 2098

H-6227

1 Amend amendment H-6017, to Senate amendment H-5884,
 2 to House File 2098 as passed by the House and reprinted
 3 as follows:
 4 1. Page 1, by striking line 50 and inserting in
 5 lieu thereof the words "thirds of the members of the
 6 senate. The director".
 7 2. Page 2, by striking lines 1 and 2 and inserting
 8 in lieu thereof the words "~~shall be paid an annual~~
 9 ~~salary in an amount not to exceed twenty-two thousand~~
 10 ~~dollars. Other personnel~~".
 11 3. Page 2, line 6, by inserting before the word
 12 "employees" the word "The".
 13 4. Page 2, by striking lines 8 and 9 and inserting
 14 in lieu thereof the words "of the Code."

H-6227 FILED *Adopted as amended by* BY PERKINS of Greene
 APRIL 24, 1978 *(2098-1217)*

HOUSE FILE 2098

H-6111

- 1 Amend amendment H-6017 to amendment H-5884 to
- 2 House File 2098 as follows:
- 3 1. Page 2, by inserting after line 9 the
- 4 following:
- 5 "Sec. _____. Section ninety three point three
- 6 (93.3) Code 1977, is amended by adding the following
- 7 new unnumbered paragraph:
- 8 Any employee or any position established for an
- 9 employee that is to be paid for from federal
- 10 funds shall be terminated when the federal funds
- 11 are no longer available."

H-6111 FILED *Adopted 4/18/78* BY WELDEN of Hardin
APRIL 18, 1978

HOUSE FILE 2098

H-6130

- 1 Amend the Senate amendment H-5884, to House File
- 2 2098, as passed by the House and reprinted, as follows:
- 3 1. Page 1, by inserting after line 2 the following:
- 4 "_____. Page 2, lines 34 and 35, by striking the words
- 5 "and other funds available"."

H-6130 FILED *Adopted 4/19/78* BY PERKINS of Greene
APRIL 19, 1978

HOUSE FILE 2098

H-6139

- 1 Amend the Senate amendment, H-5884, to House File
- 2 2098, as amended, passed, and reprinted by the House
- 3 as follows:
- 4 1. Page 3, by inserting after line 3 the follow-
- 5 ing:
- 6 "_____. Page 15, by inserting after line 14 the
- 7 following section:
- 8 "Sec. _____. Chapter four hundred fifty-five B
- 9 (455B), Division three (III), Code 1977, is amended
- 10 by adding the following new section:
- 11 NEW SECTION. RULES ON PLASTIC PIPE. Rules promul-
- 12 gated by the department relating to plastic pipe shall
- 13 not exceed the specifications contained in designations
- 14 D-1784-69 and D-2241-73 of the 1974 Annual Book of
- 15 American Society for Testing and Materials Standards,
- 16 part 34, plastic pipe."

H-6139 FILED *Adopted 4/19/78* BY SCHROEDER of Pottawattamie
APRIL 19, 1978

HOUSE FILE 2098

H-6019

- 1 Amend the Senate amendment H-5884, to House File
 2 2098, as passed by the House and reprinted, as follows:
 3 1. Page 2, by striking lines 33 through 42.

H-6019 FILED *Adopted 4/13/78* BY MENKE of O'Brien
 APRIL 13, 1978 *(p. 100)*

HOUSE FILE 2098

H-6026

- 1 Amend the Senate amendment, H-5884, to House File
 2 2098, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by inserting after line 2 the follow-
 5 ing:
 6 " . Page 3, by inserting after line 2 the follow-
 7 ing new subsection:
 8 " . If Senate File three hundred sixty-five
 9 (365) is approved by the Sixty-seventh General
 10 Assembly, 1978 Session, and becomes law, the funds
 11 appropriated under section one (1) of this Act shall
 12 be adjusted as follows:
 13 a. The amount of funds appropriated pursuant to
 14 section one (1), subsection one (1), paragraph a,
 15 of this Act shall be increased to eight hundred ninety-
 16 seven thousand eight hundred two (897,802) dollars.
 17 b. The amount of funds appropriated pursuant to
 18 section one (1), subsection two (2), paragraph a,
 19 of this Act shall be increased to two million three
 20 hundred thirty-seven thousand five hundred seventy-
 21 three (2,337,573) dollars.
 22 c. The amount of funds appropriated pursuant to
 23 section one (1), subsection two (2), paragraph b,
 24 of this Act shall be reduced to one hundred thirty-
 25 two thousand seven hundred thirty-five (132,735)
 26 dollars.
 27 d. The number of permanent full-time positions
 28 shall be increased under section one (1), subsection
 29 nine (9), of this Act to three hundred thirty-five
 30 permanent full-time positions.
 31 e. That funds appropriated to the regulatory
 32 division from the hotel and restaurant fund shall
 33 be available for expenditure for the period beginning
 34 July 1, 1978 and ending December 31, 1978 and all
 35 unencumbered funds remaining in the hotel and
 36 restaurant fund on January 1, 1979 shall be transferred
 37 to the general fund of the state."

H-6026 FILED *Adopted 4/13/78* BY PERKINS of Greene
 APRIL 13, 1978 *(p. 100)* WOODS of Polk

1 Amend the Senate amendment, H-5884, to House File
2 2098 as follows:

3 1. Page 2, by striking lines 2 through 6.

4 2. Page 3, by inserting after line 3 the following:

5 "_____. Page 15, by inserting after line 2 the
6 following sections:

7 "Sec. _____. Section ninety-three point two (93.2),
8 Code 1977, is amended by striking the section and
9 inserting in lieu thereof the following:

10 93.2 COUNCIL ESTABLISHED.

11 1. There is established an energy policy council
12 which shall consist of the following twelve members:

13 a. The chairpersons and ranking minority members
14 of the standing committees on energy of the senate
15 and the house of representatives.

16 b. The director of energy policy.

17 c. Seven public members appointed by the governor
18 for four-year terms commencing July first and subject
19 to confirmation by two-thirds of the membership of
20 the senate. The governor's appointees shall be
21 knowledgeable in the fields of energy production,
22 energy technology and energy management. Not more
23 than four of the governor's appointees shall be from
24 the same political party.

25 2. The following persons shall serve as ex officio
26 nonvoting members of the council:

27 a. The state geologist.

28 b. The chairperson of the Iowa state commerce
29 commission.

30 c. The administrative officer of the state soil
31 conservation committee.

32 d. The director of transportation.

33 e. The executive director of the Iowa department
34 of environmental quality.

35 f. The director of the Iowa natural resources
36 council.

37 3. The director shall be entitled to vote on a
38 matter before the council only when the director's
39 vote is necessary to determine the outcome of a tie
40 vote.

41 Sec. _____. Section ninety-three point three (93.3),
42 Code 1977, is amended to read as follows:

43 93.3 PERSONNEL. The governor shall appoint a
44 director of energy policy who shall carry out duties
45 assigned to ~~him~~ the director by the council or duties
46 assigned to ~~him~~ the director by the governor pursuant
47 to a proclamation of emergency issued under the
48 provisions of section 93.8. The appointment of the
49 director shall be subject to confirmation by two-
50 thirds of the members of the senate. The director

1 shall be paid an annual salary in an amount not to
 2 exceed twenty-two thousand dollars. Other personnel
 3 ~~utilized by the council shall be employed through~~
 4 ~~a program of interchange of personnel between the~~
 5 ~~council and other governmental agencies pursuant~~
 6 ~~to chapter 20B~~ employees of the council shall be
 7 subject to the provisions of chapter nineteen A (19A)
 8 of the Code. The total number of council employees
 9 shall not exceed seven.

10 Sec. ____ . Section ninety-three point four (93.4),
 11 Code 1977, is amended to read as follows:

12 93.4. MEETINGS. The council shall organize within
 13 ~~ten days following June 13, 1974, by electing one~~
 14 ~~of its members to serve as chairman and one to serve~~
 15 ~~as vice chairman. The council shall establish~~ annually
 16 by establishing procedures and requirements with
 17 respect to quorum, place and conduct of meetings and
 18 The director shall serve as chairperson of the council.
 19 The legislative members shall select the vice
 20 chairperson who shall be a legislative member and
 21 who shall serve as vice chairperson for a two-year
 22 term commencing January fourteenth of each odd-numbered
 23 year. However the vice chairperson who shall be
 24 elected in 1978 shall serve in that position until
 25 January 14, 1979. The council may provide for the

26 establishment of an executive committee selected from
 27 among the voting members of the council to supervise
 28 the administrative duties assigned to the director.

29 Sec. ____ . Section ninety-three point five (93.5),
 30 Code 1977, is amended to read as follows:

31 93.5. COMPENSATION AND EXPENSES. ~~Council~~
 32 Nonlegislative council members who are not employees
 33 of the state shall receive a per diem at the rate
 34 of forty dollars for each day devoted to council
 35 business and all nonlegislative council members shall
 36 be reimbursed for actual expenses incurred in carrying
 37 out their duties as members of the council. Legislative
 38 ~~members shall receive payment pursuant to section~~
 39 ~~2-40 and section 2-42.~~

40 Sec. ____ . Section ninety-three point seven (93.7),
 41 subsection one (1), paragraph i, is amended to read
 42 as follows:

43 i. Legislation necessary to implement the state
 44 policy for the development and utilization of energy
 45 sources and the comprehensive conservation plan.
 46 The council shall serve as policy advisor to the
 47 governor and the general assembly on all energy
 48 matters.

49 Sec. ____ . Section ninety-three point seven (93.7),
 50 subsections five (5) and six (6), are amended to read

1 as follows:

2 5. Review, propose and recommend legislation
3 relating to the development and use of alternative
4 sources of energy in this state and the reduction
5 of dependence on nonrenewable sources of energy.

6 6. Develop and recommend public education and
7 communication programs in energy conservation and
8 conversion to alternative sources of energy.

9 Sec. _____. Of the initial public members appointed
10 by the governor to the energy policy council, two
11 members shall be appointed for terms ending June 30,
12 1980, two members shall be appointed for terms ending
13 June 30, 1981, and three members shall be appointed
14 for terms ending June 30, 1982. The terms of public
15 members serving on the energy policy council on June
16 30, 1978 shall expire on July 1, 1978."

17 _____. Page 15, by inserting after line 14 the
18 following section:

19 "Sec. _____. Acts of the Sixty-fifth General
20 Assembly, 1974 Session, chapter one thousand one
21 hundred thirteen (1113), section twenty-two (22),
22 as amended by Acts of the Sixty-sixth General Assembly,
23 1976 Session, chapter one thousand eighty-eight (1088),
24 section five (5) and as codified in section ninety-
25 three point sixteen (93.16), Code 1977, is repealed."

26 3. Page 3, by inserting after line 5 the follow-
27 ing:

28 "_____. Amend the title, line 1, by inserting after
29 the word "Act" the words "relating to and"."

H-6017 FILED
APRIL 13, 1978

*Revised and approved, revised
improved amendments by
6/11/78 2025 2030 2207
2400 2400 2400
Adopted 4/24/78 (117)*

BY O'HALLORAN of Black Hawk
PERKINS of Greene
EVANS of Grundy
VARLEY of Adair
NORLAND of Worth
CUSACK of Scott
KOOGLER of Mahaska
WELDEN of Hardin
GRIFFEE of Chickasaw
SMALL of Johnson
HOWELL of Floyd
JESSE of Polk
DUNTON of Keokuk
MIDDLESWART of Warren
AVENSON of Fayette
ANDERSON of Jasper
WELLS of Linn

5906?
H-5884

HOUSE FILE 2098

- 1 Amend the Senate amendment H-5884 to House File
- 2 2098 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 2, by striking lines 16 and 17.

5906?
H-5884 FILED *House File* BY SCHEELHAASE of Woodbury
APRIL 4, 1978 *(4/11/78)* HULLINGER Of Decatur

HOUSE FILE 2098

H-5926

- 1 Amend the Senate amendment H-5884 to House File
- 2 2098 as amended, passed and reprinted by the House
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 11.

H-5926 FILED *House File* BY SCHEELHAASE of Woodbury
APRIL 5, 1978 *(4/11/78)*

SENATE AMENDMENT TO
HOUSE FILE 2098

H-5384

1 Amend House File 2098 as amended, passed and
2 reprinted by the house as follows:

3 1. Page 3, by inserting after line 2 the following
4 new subsection:

5 "____. Funds appropriated for the general
6 administration of the department under subsection
7 one (1) of this section shall be used by the department
8 for the salary and support of a livestock reporter
9 who shall provide daily livestock quotations at least
10 twice weekly from the central livestock commission
11 company in Webster City, Iowa."

12 2. Page 3, by inserting after line 2 the following
13 new section:

14 "Sec. _____. There is appropriated from the general
15 fund of the state to the department of agriculture
16 for the fiscal year beginning July 1, 1978 and ending
17 June 30, 1979, the sum of twenty-five thousand (25,000)
18 dollars, or so much thereof as may be necessary, to
19 make grants to counties to pay the indemnity and the
20 expenses of the inspection and testing of animals as
21 provided in chapters one hundred sixty-three A (163A)
22 and one hundred sixty-four (164) of the Code. The
23 secretary of agriculture shall not approve a grant
24 under this section to a county unless the board of
25 supervisors has levied the maximum levy for the county
26 brucellosis eradication fund under section one hundred
27 sixty-four point twenty-three (164.23) of the Code
28 for the fiscal year beginning July 1, 1978 and ending
29 June 30, 1979 and all funds in the county brucellosis
30 eradication fund including all unobligated funds
31 transferred from the county tuberculosis eradication
32 fund, have been expended. However, no individual
33 claimant, in a single county, shall receive more than
34 five thousand dollars (\$5,000) in a single fiscal
35 year."

36 3. Page 5, by inserting after line 35 the following
37 new section:

38 "Sec. _____. There is appropriated from the general
39 fund of the state for the fiscal year beginning July
40 1, 1978 and ending June 30, 1979 to the energy policy
41 council for salaries and support of not
42 more than seven full-time permanent positions,
43 maintenance and miscellaneous purposes the amount
44 of two hundred fourteen thousand one hundred and ten
45 (214,110) dollars, or so much thereof as is necessary.

46 Notwithstanding the provisions of section ninety-
47 three point three (93.3) of the Code, the director
48 may, with federal funds employ additional personnel
49 necessary to carry out duties assigned to the director.
50 This personnel shall be employed pursuant to chapter

1 nineteen A (19A) of the Code.

2 Persons employed by the energy policy council under
3 the provisions of chapter twenty-eight D (28D) of
4 the Code shall not be subject to the twenty-four month
5 time limitation specified in subsection two (2) of
6 section twenty-eight D point three (28D.3)."

7 4. Page 8, by inserting after line 7 the following
8 new section:

9 "Sec. _____. The state conservation commission shall
10 pay out of funds available to it the assessment of
11 the city of Ventura, Iowa for a water line and the
12 limitation for the payment of assessments provided
13 for in section three hundred seven A point five
14 (307A.5) of the Code shall not apply to this
15 assessment."

16 5. Page 11, line 23, by striking the word "fifty"
17 and inserting in lieu thereof the word "seventy-five".

18 6. Page 12, line 14, by striking the words
19 "legislative council" and inserting in lieu thereof
20 the words "temporary land preservation policy
21 commission".

22 7. Page 12, line 18, by inserting after the word
23 "commission" the following new paragraph:

24 "Full-time permanent positions authorized in this
25 section are abolished upon dissolution of the temporary
26 land preservation policy commission pursuant to Chapter
27 fifty-three (53), section four (4), subsection ten
28 (10) of the laws of the sixty-seventh General Assembly,
29 1977 Session."

30 8. Page 12, line 30, by striking the words "eighty-
31 hour" and inserting in lieu thereof the word "eighty-
32 four".

33 9. Page 12, by striking line 33 through page 13,
34 line 3, and inserting in lieu thereof the following
35 new paragraph:

36 "During the fiscal year for which funds are
37 appropriated by this section the Iowa department of
38 environmental quality shall not enforce any state
39 standard or regulation controlling the emission of
40 dust or other particulate matter from facilities for
41 the storage of grain which exceeds the applicable
42 federal standards or regulations."

43 10. Page 13, lines 11 through 15, by striking
44 the words and figures "seventy-five percent grants
45 under the federal Water Pollution Act amendments of
46 1972, eighty-six (86) Stat. eight hundred sixteen
47 (816)," and inserting in lieu thereof the words "grants
48 under section 202 of the federal Water Pollution
49 Control Act as amended by the federal Clean Water
50 Act of 1977,".

1 11. Page 14, line 33, by striking the word
2 "division" and inserting in lieu thereof the word
3 "Act".

4 12. Renumber sections and references as may be
5 necessary by this amendment.

*House amended (5926, 6017, 6019, 6026, 6130, 6139, 6246, 6210)
and concurred 11/24 (p. 1825)*

617
6228

6242
5926

6019

6139, 6017

6235

S-5458

1 Amend House File 2098 as passed and reprinted by
 2 the House as follows:
 3 1. Page 3, by inserting after line 2 the
 4 following new section:
 5 "Sec _____. There is appropriated from the general
 6 fund of the state to the department of agriculture for
 7 the fiscal year beginning July 1, 1978 and ending
 8 June 30, 1979, the sum of fifty thousand (50,000)
 9 dollars, or so much thereof as may be necessary, to
 10 make grants to counties to pay the indemnity and the
 11 expenses of the inspection and testing of animals as
 12 provided in chapters one hundred sixty-three A (163A)
 13 and one hundred sixty-four (164) of the Code. The
 14 secretary of agriculture shall not approve a grant
 15 under this section to a county unless the board of
 16 supervisors has levied the maximum levy for the county
 17 brucellosis eradication fund under section one hundred
 18 sixty-four point twenty-three (164.23) of the Code for
 19 the fiscal year beginning July 1, 1978 and ending
 20 June 30, 1979 and all funds in the county brucellosis
 21 eradication fund including all unobligated funds trans-
 22 ferred from the county tuberculosis eradication fund,
 23 have been expended." However, no individual claimant,
 24 in a single county, shall receive more than twenty-five
 25 thousand dollars (\$25,000) in a single fiscal year."

S-5458 FILED & WITHDRAWN (p. 703) BY JOHN SCOTT
 APRIL 3, 1978 C. W. HUTCHINS

S-5460

1 Amend House File 2098 as passed and reprinted by
 2 the House as follows:
 3 1. Page 3, by inserting after line 2 the
 4 following new section:
 5 "Sec _____. There is appropriated from the general
 6 fund of the state to the department of agriculture for
 7 the fiscal year beginning July 1, 1978 and ending
 8 June 30, 1979, the sum of twenty-five thousand (25,000)
 9 dollars, or so much thereof as may be necessary, to
 10 make grants to counties to pay the indemnity and the
 11 expenses of the inspection and testing of animals as
 12 provided in chapters one hundred sixty-three A (163A)
 13 and one hundred sixty-four (164) of the Code. The
 14 secretary of agriculture shall not approve a grant
 15 under this section to a county unless the board of
 16 supervisors has levied the maximum levy for the county
 17 brucellosis eradication fund under section one hundred
 18 sixty-four point twenty-three (164.23) of the Code for
 19 the fiscal year beginning July 1, 1978 and ending
 20 June 30, 1979 and all funds in the county brucellosis
 21 eradication fund including all unobligated funds trans-
 22 ferred from the county tuberculosis eradication fund,
 23 have been expended." However, no individual claimant,
 24 in a single county, shall receive more than five
 25 thousand dollars (\$5,000) in a single fiscal year."

S-5460 FILED & ADOPTED (p. 703) BY JOHN SCOTT
 APRIL 3, 1978 C. W. HUTCHINS
 LOWELL L. JUNKINS
 FORREST V. SCHWENGELS

HOUSE FILE 2098

S-5457

1 Amend House File 2098 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 14, by inserting after line 31 the follow-
4 ing:
5 "Sec. _____. Notwithstanding any other provision of
6 law, an owner of agricultural land may set aside not
7 more than two acres of land for use as a wildlife
8 habitat and in such case the land set aside shall be
9 subject to a real property tax of not exceeding two
10 dollars per acre. The state conservation commission
11 shall certify that the land set aside meets standards
12 established by the commission for a wildlife habitat
13 and forward a copy of the certification to the local
14 assessor."
15 2. Renumber the remaining section.

S-5457 FILED
APRIL 3, 1978
RULED NOT GERMANE (p. 703)

BY RAY TAYLOR

HOUSE FILE 2098

S-5456

1 Amend House File 2098 as passed and reprinted by
2 the House as follows:
3 1. Page 3, by inserting after line 2 the
4 following new section:
5 "Sec _____. There is appropriated from the general
6 fund of the state to the department of agriculture for
7 the fiscal year beginning July 1, 1978 and ending
8 June 30, 1979, the sum of fifty thousand (50,000)
9 dollars, or so much thereof as may be necessary, to
10 make grants to counties to pay the indemnity and the
11 expenses of the inspection and testing of animals as
12 provided in chapters one hundred sixty-three A (163A)
13 and one hundred sixty-four (164) of the Code. The
14 secretary of agriculture shall not approve a grant
15 under this section to a county unless the board of
16 supervisors has levied the maximum levy for the county
17 brucellosis eradication fund under section one hundred
18 sixty-four point twenty-three (164.23) of the Code for
19 the fiscal year beginning July 1, 1978 and ending
20 June 30, 1979 and all funds in the county brucellosis
21 eradication fund including all unobligated funds trans-
22 ferred from the county tuberculosis eradication fund,
23 have been expended."

S-5456 FILED
APRIL 3, 1978
WITHDRAWN (p. 703)

BY JOHN SCOTT

SENATE 37
APRIL 3, 1978

HOUSE FILE 2098

S-5448

1 Amend House File 2098 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 12, line 14, by striking the words
4 "legislative council" and inserting in lieu thereof
5 the words "temporary land preservation policy
6 commission"
7 2. Page 12, line 13, by inserting after the
8 word "commission" the following new paragraph:
9 "Full-time permanent positions authorized in
10 this section are abolished upon dissolution of the
11 temporary land preservation policy commission pursuant
12 to Chapter fifty-three (53), section four (4), sub-
13 section ten (10) of the laws of the sixty-seventh
14 General Assembly, 1977 Session."

S-5448 FILED *Adopted 4/3 (p. 297)* BY LOWELL L. JUNKINS
MARCH 30, 1978 CALVIN O. HULTMAN
FORREST V. SCHWENGELS

HOUSE FILE 2098

S-5453

1 Amend House File 2098, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 3, by inserting after line 2 the following
4 new subsection:
5 " . Funds appropriated for the general
6 administration of the department under subsection
7 one (1) of this section shall be used by the department
8 for the salary and support of a livestock reporter
9 who shall provide daily livestock quotations at least
10 twice weekly from the central livestock commission
11 company in Webster City, Iowa."

S-5453 FILED & ADOPTED *(p. 697)* BY BERL E. PRIEBE
APRIL 3, 1978 JOHN N. NYSTROM

HOUSE FILE 2098

S-5414

- 1 Amend House File 2098 as follows:
- 2 1. Page 14, line 33 by striking the word
- 3 "division" and inserting in lieu thereof the word
- 4 "Act."

S-5414 FILED *Adopted 4/3 (p. 677)* BY LOWELL L. JUNKINS
MARCH 28, 1978

S-5401

1 Amend House File 2098, as amended, passed and reprinted
2 by the House, as follows:

3 1. Page 5, by inserting after line 35 the following
4 new section:

5 "Sec. _____. There is appropriated from the general
6 fund of the state for the fiscal year beginning
7 July 1, 1978 and ending June 30, 1979 to the energy
8 policy council for salaries and support of not
9 more than seven full-time permanent positions,
10 maintenance and miscellaneous purposes the amount
11 of two hundred fourteen thousand one hundred and
12 ten (214,110) dollars, or so much thereof as is
13 necessary.

14 Notwithstanding the provisions of section ninety-
15 three point three (93.3) of the Code, the director
16 may, with federal funds employ additional personnel
17 necessary to carry out duties assigned to the director.
18 This personnel shall be employed pursuant to chapter
19 nineteen A (19A) of the Code.

20 Persons employed by the energy policy council
21 under the provisions of chapter twenty-eight D (28D)
22 of the Code shall not be subject to the twenty-four
23 month time limitation specified in subsection two (2)
24 of section twenty-eight D point three (28D.3)."

25 2. Page 11, line 23, by striking the word "fifty"
26 and inserting in lieu thereof the word "seventy-five".

27 3. Page 12, line 30, by striking the words
28 "eighty-hour" and inserting in lieu thereof the
29 word "eighty-four".

30 4. Page 12, by striking lines 33 through page
31 13, line 3 and inserting in lieu thereof the following
32 new paragraph:

33 "During the fiscal year for which funds are appropriated
34 by this section the Iowa department of environmental
35 quality shall not enforce any state standard or
36 regulation controlling the emission of dust or
37 other particulate matter from facilities for the
38 storage of grain which exceeds the applicable federal
39 standards or regulations."

40 5. Page 13, lines 11 through 15, by striking the
41 words and figures "seventy-five percent grants
42 under the federal Water Pollution Act amendments of
43 1972, eighty-six (86) Stat. eight hundred sixteen
44 (816)," and inserting in lieu thereof the words
45 "grants under section 202 of the federal Water Pollution
46 control act as amended by the federal Clean Water Act
47 of 1977,".

48 6. Renumber sections and references as may be
49 necessary by this amendment.
50

S-5401 FILED *Adopted 4/3 (p. 697)*
MARCH 23, 1978

BY COMMITTEE ON BUDGET
WILLIAM D. PALMER, Chairperson

HOUSE FILE 2098

S-5324

1 Amend House File 2098, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 8, by inserting after line 7 the following
4 new section:
5 "Sec. _____. The state conservation commission shall
6 pay out of funds available to it the assessment of
7 the city of Ventura, Iowa for a water line and the
8 limitation for the payment of assessments provided
9 for in section three hundred seven A point five
10 (307A.5) of the Code shall not apply to this
11 assessment."

S-5324 FILED *Adopted 4/2 (p. 696)* BY ALVIN V. MILLER
MARCH 7, 1978

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 2098

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on House File 2098, a bill for an Act appropriating from the general fund of the state and various trust funds for various operations and grants and aids to departments and agencies of the state whose responsibilities relate to agricultural affairs, economic development, energy research, coal research, and natural resources management and research, respectfully make the following report:

1. That the House recede from its amendment, S-5733, to the Senate amendment, H-5884, to House File 2098, as amended, passed and reprinted by the House.

2. That the Senate recede from its amendment, H-5884, to House File 2098, as amended, passed, and reprinted by the House.

3. That House File 2098, as amended, passed, and reprinted by the House be amended to read as follows:

1. Page 1, by striking lines 30, 31, and 32 and inserting in lieu thereof the following:

"a. From the general fund
for salaries, support, maintenance, and miscellaneous purposes..... \$ 377,399

b. From the general fund
for salaries, support, and miscellaneous purposes for the processing of aujeszky's disease

tests required by the
department of agriculture's
aujeszky's disease control
program \$ 100,000

The department shall charge a fee for each aujeszky's disease test. The fees shall cover the costs of the program but shall not exceed one dollar for each aujeszky's disease test and all moneys obtained by collection of such fees shall be deposited in the state general fund."

2. Page 2, lines 34 and 35, by striking the words "and other funds available".

3. Page 3, by inserting after line 2 the following new subsections:

"___ . Funds appropriated for the general administration of the department under subsection one (1) of this section shall be used by the department for the salary and support of a livestock reporter who shall provide daily livestock quotations at least twice weekly from the central livestock commission company in Webster City, Iowa, provided that livestock quotations reporting services at other livestock markets shall not be reduced to provide the services required under this section.

___ . If Senate File three hundred sixty-five (365) is approved by the Sixty-seventh General Assembly, 1978 Session, and becomes law, the funds appropriated under section one (1) of this Act shall be adjusted as follows:

a. The amount of funds appropriated pursuant to section one (1), subsection one (1), paragraph a, of this Act shall be increased to eight hundred ninety-seven thousand eight hundred two (897,802) dollars.

b. The amount of funds appropriated pursuant to section one (1), subsection two (2), paragraph a, of this Act shall be increased to two million three hundred thirty-seven thousand five hundred seventy-three (2,337,573) dollars.

c. The amount of funds appropriated pursuant to section one (1), subsection two (2), paragraph b, of this Act shall be reduced to one hundred thirty-two thousand seven hundred thirty-five (132,735) dollars.

d. The number of permanent full-time positions shall be increased under section one (1), subsection nine (9), of this Act to three hundred thirty-five permanent full-time positions.

e. That funds appropriated to the regulatory division from the hotel and restaurant fund shall be available for expenditure for the period beginning July 1, 1978 and ending December 31, 1978 and all unencumbered funds remaining in the hotel and restaurant fund on January 1, 1979 shall be transferred to the general fund of the state."

4. Page 3, by inserting after line 2 the following new section:

"Sec. _____. There is appropriated from the general fund of the state to the department of agriculture for the fiscal year beginning July 1, 1978 and ending June 30, 1979, the sum of twenty-five thousand (25,000) dollars, or so much thereof as may be necessary, to make grants to counties to pay the indemnity and the expenses of the inspection and testing of animals as provided in chapters one hundred sixty-three A (163A) and one hundred sixty-four (164) of the Code. The secretary of agriculture shall not approve a grant under this section to a county unless the board of supervisors has levied the maximum levy for the county brucellosis eradication fund under section one hundred sixty-four point twenty-three (164.23) of the Code for the fiscal year beginning July 1, 1978 and ending June 30, 1979 and all funds in the county brucellosis eradication fund including all unobligated funds transferred from the county tuberculosis eradication fund, have been expended. However, no individual claimant, in a single county, shall receive more than five thousand (5,000) dollars in a single fiscal year."

5. Page 5, by inserting after line 35 the following new sections:

"Sec. _____. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1978 and ending June 30, 1979 to the energy policy council for salaries and support of not more than seven full-time permanent positions, maintenance and miscellaneous purposes, the amount of two hundred fourteen thousand one hundred and ten (214,110) dollars, or so much thereof as is necessary.

Sec. _____. There is appropriated from the general fund of the state to Iowa state university of science and technology agricultural experiment station for the fiscal period beginning July 1, 1978 and ending June 30, 1979, the sum of seventy-five thousand (75,000) dollars, or so much thereof as may be necessary, to be used by the university to conduct a study and research of grain grading, testing and pricing in Iowa, such study and research to include but not be limited to the effects on grain grading, testing and pricing in Iowa of weight shrinkage factors, price discounts, grain product quality and present harvesting techniques.

The study and research conducted by the university shall include study and research in the field."

6. Page 8, by inserting after line 7 the following new section:

"Sec. _____. The state conservation commission shall pay out of funds available to it the assessment of the city of Ventura, Iowa for a water line and the limitation for the payment of assessments provided for in section three hundred seven A point five (307A.5) of the Code shall not apply to this assessment."

7. Page 11, line 23, by striking the word "fifty" and inserting in lieu thereof the word "seventy-five".

8. Page 12, line 14, by striking the words "legislative council" and inserting in lieu thereof the words "temporary

land preservation policy commission".

9. Page 12, line 18, by inserting after the period the words "Full-time permanent positions authorized in this section are abolished on June thirtieth following the dissolution of the temporary land preservation policy commission pursuant to chapter fifty-three (53), section four (4), subsection ten (10) of the Acts of the Sixty-seventh General Assembly, 1977 Session."

10. Page 12, line 30, by striking the words "eighty-hour" and inserting in lieu thereof the word "eighty-four".

11. Page 13, line 3, by inserting after the word "grain" the words "which are located within the ambient air quality attainment areas for suspended particulates".

12. Page 13, lines 11 through 15, by striking the words and figures "seventy-five percent grants under the federal Water Pollution Act amendments of 1972, eighty-six (86) Stat. eight hundred sixteen (816)," and inserting in lieu thereof the words and figures "grants under section two hundred two (202) of the federal Water Pollution Control Act as amended by the federal Clean Water Act, of 1977,".

13. Page 14, line 33, by striking the word "division" and inserting in lieu thereof the word "Act".

14. Page 15, by inserting after line 2 the following new sections:

"Sec. ____ . Section ninety-three point two (93.2), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

93.2 COUNCIL ESTABLISHED.

1. There is established an energy policy council which shall consist of the following twelve members:

a. Four members of the general assembly. Two members shall be appointed by the speaker of the house from the membership of the house of representatives, not more than one of whom shall be from the same political party. Two

members shall be appointed by the majority leader of the senate from the membership of the senate, not more than one of whom shall be from the same political party. Legislative members of the energy policy council shall vote only on policy statements.

b. The director of energy policy. The director shall be entitled to vote on a matter before the council only when the director's vote is necessary to determine the outcome of a tie vote.

c. Seven public members appointed by the governor for four-year terms commencing July first and subject to confirmation by two-thirds of the membership of the senate. The governor's appointees shall be knowledgeable in the fields of energy production, energy technology and energy management. Not more than four of the governor's appointees shall be from the same political party.

2. The following persons shall serve as ex officio nonvoting members of the council:

- a. The state geologist.
- b. The chairperson of the Iowa state commerce commission.
- c. The administrative officer of the state soil conservation committee.
- d. The director of transportation.
- e. The executive director of the Iowa department of environmental quality.
- f. The director of the Iowa natural resources council. If the Iowa natural resources council is abolished or merged into another state agency by an act of the general assembly that becomes law, the director of the Iowa natural resources council shall cease to serve as an ex-officio non-voting member of the energy policy council.
- g. The secretary of agriculture.

Sec. ____ . Section ninety-three point three (93.3), Code 1977, is amended to read as follows:

93.3 PERSONNEL. The governor shall appoint a director of energy policy who shall carry out duties assigned to him the director by the council or duties assigned to him the director by the governor pursuant to a proclamation of emergency issued under the provisions of section 93.8. The appointment of the director shall be subject to confirmation by two-thirds of the members of the senate. ~~The director shall be paid an annual salary in an amount not to exceed twenty-two thousand dollars. Other personnel utilized by the council shall be employed through a program of interchange of personnel between the council and other governmental agencies pursuant to chapter 309~~ The employees of the council shall be subject to the provisions of chapter nineteen A (19A) of the Code. Any employee or any position established for an employee that is to be paid for from federal funds shall be terminated when the federal funds are no longer available.

Sec. ____ . Section ninety-three point four (93.4), Code 1977, is amended to read as follows:

93.4 MEETINGS. The council shall organize ~~within ten days following June 13, 1974, by selecting one of its members to serve as chairman and one to serve as vice chairman. The council shall establish~~ annually by establishing procedures and requirements with respect to quorum, place and conduct of meetings and. The director shall serve as chairperson of the council. The members shall select the vice chairperson. The council may provide for the establishment of an executive committee selected from among the voting members of the council to supervise the administrative duties assigned to the director.

Sec. ____ . Section ninety-three point five (93.5), Code 1977, is amended to read as follows:

93.5 COMPENSATION AND EXPENSES. Council members who are not employees of the state shall receive a per diem at the rate of forty dollars for each day devoted to council business

and all nonlegislative council members shall be reimbursed for actual expenses incurred in carrying out their duties as members of the council. ~~Legislative-members-shall-receive payment-pursuant-to-section-2-10-and-section-2-12-~~

Sec. ____ . Section ninety-three point seven (93.7), subsection one (1), paragraph i, is amended to read as follows:

i. Legislation necessary to implement the state policy for the development and utilization of energy sources and the comprehensive conservation plan. The council shall serve as policy advisor to the governor and the general assembly on all energy matters.

Sec. ____ . Section ninety-three point seven (93.7), subsections five (5) and six (6), are amended to read as follows:

5. Review, propose and recommend legislation relating to the development and use of alternative sources of energy in this state and the reduction of dependence on nonrenewable sources of energy.

6. Develop and recommend public education and communication programs in energy conservation and conversion to alternative sources of energy.

Sec. ____ . Chapter ninety-three (93), Code 1977, is amended by adding the following new sections:

NEW SECTION. REVIEW. The second session of the Sixty-ninth General Assembly meeting in the year 1982 shall review the activities and performance of the council and shall not later than July 1, 1982 make a determination concerning the status and duties of the council.

NEW SECTION. REPEAL. Chapter ninety-three (93) of the Code is repealed June 30, 1983.

Sec. ____ . Of the initial public members appointed by the governor to the energy policy council, two members shall be appointed for terms ending June 30, 1980, two members shall be appointed for terms ending June 30, 1981, and three members

shall be appointed for terms ending June 30, 1982. The terms of public members serving on the energy policy council on June 30, 1978 shall expire on July 1, 1978.

Sec. _____. Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand one hundred thirteen (1113), section twenty-two (22), as amended by Acts of the Sixty-sixth General Assembly, 1976 Session, chapter one thousand eighty-eight (1088), section five (5) and as codified in section ninety-three point sixteen (93.16), Code 1977, is repealed."

15. Page 15, by inserting after line 14 the following new section:

"Sec. _____. Section four hundred fifty-five B point thirty-two (455B.32), subsection eleven (11), Code 1977, is amended to read as follows:

11. Formulate and adopt specific and detailed statewide standards pursuant to chapter 17A for review of plans and specifications and the construction of sewer systems and water supply distribution systems and extensions to such systems not later than October 1, 1977. The standards shall be based on criteria contained in the "Recommended Standards for Sewage Works" and "Recommended Standards for Water Works" (Ten States Standards) as adopted by the Great Lakes-Upper Mississippi River board of state sanitary engineers, design manuals published by the department, applicable federal guidelines and standards, standard textbooks, current technical literature and applicable safety standards. The material standards for polyvinyl chloride pipe shall not exceed the specifications for polyvinyl chloride pipe in designations D-1784-69, D-2241-73, D-2564-75, D-2672-76, D-3036-73 and D-3139-73 of the American society of testing and material. The rules adopted which directly pertain to the construction of sewer systems and water supply distribution systems and the review of plans and specifications for such construction shall be known respectively as the Iowa Standards for Sewer Systems and the

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Iowa Standards for Water Supply Distribution Systems and shall be applicable in each governmental subdivision of the state. Exceptions shall be made to the standards so formulated only upon special request to and receipt of permission from the department. The department shall publish the standards and make copies of such standards available to governmental subdivisions and to the public."

16. Renumber sections and references as may be necessary by this amendment.

17. Amend the title, line 1, by inserting after the word "Act" the words "relating to and".

ON THE PART OF THE SENATE:

Lowell L. Junkins, Chair
James V. Gallagher
Fred W. Nolting
John N. Nystrom
Forest V. Schwengels

FILED

MAY 10, 1978

ON THE PART OF THE HOUSE:

Carroll T. Perkins, Chair
Cooper Evans
Mary O'Halloran
Lyle Scheelhaase

Carroll T. Perkins, Chair
Mary O'Halloran

HOUSE FILE 2098

AN ACT

RELATING TO AND APPROPRIATING FROM THE GENERAL FUND OF THE STATE AND VARIOUS TRUST FUNDS FOR VARIOUS OPERATIONS AND GRANTS AND AIDS TO DEPARTMENTS AND AGENCIES OF THE STATE WHOSE RESPONSIBILITIES RELATE TO AGRICULTURAL AFFAIRS, ECONOMIC DEVELOPMENT, ENERGY RESEARCH, COAL RESEARCH, AND NATURAL RESOURCES MANAGEMENT AND RESEARCH.

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

Section 1. There is appropriated from the general fund of the state and the trust funds indicated to the department of agriculture for the fiscal year beginning July 1, 1978 and ending June 30, 1979 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1978-1979
	<u>Fiscal Year</u>
1. GENERAL ADMINISTRATION	
a. From the general fund for salaries, support, maintenance, and miscellaneous purposes.....	\$ 890,502
b. From the fertilizer fund to be transferred to the administration division.....	\$ 25,000
c. From the dairy trade practice fund to be transferred to the administration division.....	\$ 49,067
d. From the commercial feed fund to be transferred to the administration division.....	\$ 25,000
2. REGULATORY DIVISION	
a. From the general fund for	

salaries, support, maintenance, and miscellaneous purposes.....	\$ 2,049,797
b. From the hotel and restaurant fund to be transferred to the regulatory division.....	\$ 265,471
3. LABORATORY DIVISION	
a. From the general fund for salaries, support, maintenance, and miscellaneous purposes.....	\$ 377,399
b. From the general fund for salaries, support, and miscellaneous purposes for the processing of aujeszky's disease tests required by the department of agriculture's aujeszky's disease control program.....	\$ 100,000

The department shall charge a fee for each aujeszky's disease test. The fees shall cover the costs of the program but shall not exceed one dollar for each aujeszky's disease test and all moneys obtained by collection of such fees shall be deposited in the state general fund.

4. From the commercial feed fund to be transferred to the laboratory division.....	\$ 505,971
5. From the pesticide fund to be transferred to the laboratory division.....	\$ 273,152
6. From the fertilizer fund to be transferred to the laboratory division.....	\$ 500,939
7. a. If there is an unencumbered balance of funds in the commercial feed fund on June thirtieth of any fiscal year equal to or exceeding three hundred fifty thousand dollars,	

the secretary of agriculture shall reduce the per ton fee provided for in subsection one (1) of section one hundred ninety-eight point nine (198.9) of the Code for the next fiscal year in such amount as will result in an ending estimated balance for June thirtieth of the next fiscal year of three hundred fifty thousand dollars.

b. If there is an unencumbered balance of funds in the fertilizer fund on June thirtieth of any fiscal year equal to or exceeding three hundred fifty thousand dollars, the secretary of agriculture shall reduce the per ton fee provided for in subsection one (1) of section two hundred point eight (200.8) of the Code for the next fiscal year in such amount as will result in an ending estimated balance for the June thirtieth of the next fiscal year of three hundred fifty thousand dollars.

8. There is appropriated to the regulatory division of the department of agriculture for the purposes of converting or purchasing scale trucks in accordance with plans submitted to the budget subcommittee on natural resources, the amount of one hundred ten thousand (110,000) dollars, or so much thereof as is necessary, from federal indirect cost reimbursements received by the department of agriculture for expenses incurred during the prior fiscal years in the meat and poultry inspection program.

9. Funds appropriated by this section to the department of agriculture shall be used to pay salaries and support for not more than three hundred twenty-two permanent full-time positions.

10. Funds appropriated for the general administration of the department under subsection one (1) of this section shall be used by the department for the salary and support of a livestock reporter who shall provide daily livestock quotations at least twice weekly from the central livestock commission company in Webster City, Iowa, provided that livestock quotations reporting services at other livestock

markets shall not be reduced to provide the services required under this section.

11. If Senate File three hundred sixty-five (365) is approved by the Sixty-seventh General Assembly, 1978 Session, and becomes law, the funds appropriated under section one (1) of this Act shall be adjusted as follows:

a. The amount of funds appropriated pursuant to section one (1), subsection one (1), paragraph a, of this Act shall be increased to eight hundred ninety-seven thousand eight hundred two (897,802) dollars.

b. The amount of funds appropriated pursuant to section one (1), subsection two (2), paragraph a, of this Act shall be increased to two million three hundred thirty-seven thousand five hundred seventy-three (2,337,573) dollars.

c. The amount of funds appropriated pursuant to section one (1), subsection two (2), paragraph b, of this Act shall be reduced to one hundred thirty-two thousand seven hundred thirty-five (132,735) dollars.

d. The number of permanent full-time positions shall be increased under section one (1), subsection nine (9), of this Act to three hundred thirty-five permanent full-time positions.

e. That funds appropriated to the regulatory division from the hotel and restaurant fund shall be available for expenditure for the period beginning July 1, 1978 and ending December 31, 1978 and all unencumbered funds remaining in the hotel and restaurant fund on January 1, 1979 shall be transferred to the general fund of the state.

Sec. 2. There is appropriated from the general fund of the state to the department of agriculture for the fiscal year beginning July 1, 1978 and ending June 30, 1979, the sum of twenty-five thousand (25,000) dollars, or so much thereof as may be necessary, to make grants to counties to pay the indemnity and the expenses of the inspection and testing of animals as provided in chapters one hundred sixty-three A (163A) and one hundred sixty-four (164) of the Code.

The secretary of agriculture shall not approve a grant under this section to a county unless the board of supervisors has levied the maximum levy for the county brucellosis eradication fund under section one hundred sixty-four point twenty-three (164.23) of the Code for the fiscal year beginning July 1, 1978 and ending June 30, 1979 and all funds in the county brucellosis eradication fund including all unobligated funds transferred from the county tuberculosis eradication fund, have been expended. However, no individual claimant, in a single county, shall receive more than five thousand (5,000) dollars in a single fiscal year.

Sec. 3. There is appropriated from the general fund of the state to the Iowa development commission for the fiscal year beginning July 1, 1978 and ending June 30, 1979 the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

	1978-1979 <u>Fiscal Year</u>
1. a. For salaries and support of not more than forty-eight full-time permanent positions, and maintenance and miscellaneous purposes.....	\$ 1,716,821

b. From funds appropriated by paragraph a of this subsection the Iowa development commission shall allocate not to exceed thirty-one thousand five hundred (31,500) dollars for the fiscal year ending June 30, 1979 for the seven regional tourism districts, not to exceed five thousand (5,000) dollars per district, if the district provides on a dollar-to-

dollar matching basis funds equal to the amount allocated by the Iowa development commission.

2. For salaries, support of no more than two full-time permanent positions, maintenance and miscellaneous purposes of the European office..... \$ 146,868

Sec. 4. There is appropriated from the general fund of the state to the Iowa state fair board for the fiscal year beginning July 1, 1978 and ending June 30, 1979 the following sums, or so much thereof as is necessary, to be used for the purposes designated:

	1978-1979 <u>Fiscal Year</u>
1. For maintenance of state fair buildings and grounds.....	\$ 80,000
2. For premiums.....	\$ 10,000
3. For state aid to agricultural societies (local fairs).....	\$ 210,000

4. The appropriation contained in subsection three (3) of this section for state aid to agricultural societies is conditional upon full compliance with all other statutes which regulate and prescribe the conditions under which such aid is available. In no case shall such moneys be used for other than the payment of cash premiums, and in no case shall any county receive more

than two thousand one hundred (2,100) dollars except that in a county where there are two definitely separate county extension offices, each such society shall receive state aid in such amount as it would be entitled to if it were the only society in the county. In counties having more than one fair entitled to state aid, the state aid available shall be prorated to the fairs based on cash premiums paid by the fairs.

Sec. 5. There is appropriated from the general fund of the state to Iowa state university of science and technology for the fiscal period beginning July 1, 1978 and ending June 30, 1979, the sum of three hundred thousand (300,000) dollars, or so much thereof as may be necessary, to be used by the energy and mineral resources research institute to conduct a coal research project within the state.

Sec. 6. It is the intent of the general assembly to provide for continued coal research within this state. The coal research project authorized under this Act shall include coal beneficiation research to be conducted at the Iowa state university preparation plant using coal purchased by the university as part of its usual energy requirement with funds provided for that purpose, the design and installation of fine coal recovery equipment at the plant, a study of the suitability of Iowa coal for use in the cement industry, and an agricultural productivity study of a reclaimed mine site.

Sec. 7. Funds appropriated by section five (5) of this Act shall be used solely for research as specified in section six (6) of this Act and shall not be used for related academic

activities or studies.

Sec. 8. The energy and mineral resources research institute shall report on the progress of the coal research project to the budget natural resources subcommittees of both houses of the general assembly not later than January 15, 1979. The report shall include a description of the progress of the project, the results and perceived benefits of the research described in section six (6) of this Act, a summary of project expenditures, including anticipated expenditures and any proposals for continued coal research.

Sec. 9. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1978 and ending June 30, 1979 to the energy policy council for salaries and support of not more than seven full-time permanent positions, maintenance and miscellaneous purposes, the amount of two hundred fourteen thousand one hundred and ten (214,110) dollars, or so much thereof as is necessary.

Sec. 10. There is appropriated from the general fund of the state to Iowa state university of science and technology agricultural experiment station for the fiscal period beginning July 1, 1978 and ending June 30, 1979, the sum of seventy-five thousand (75,000) dollars, or so much thereof as may be necessary, to be used by the university to conduct a study and research of grain grading, testing and pricing in Iowa, such study and research to include but not be limited to the effects on grain grading, testing and pricing in Iowa of weight shrinkage factors, price discounts, grain product quality and present harvesting techniques.

The study and research conducted by the university shall include study and research in the field.

Sec. 11. There is appropriated from the general fund of the state and the funds indicated to the state conservation commission and its divisions for the fiscal year beginning July 1, 1978 and ending June 30, 1979 the following amounts, or so much thereof as may be necessary, to be used for the

following purposes:

1978-1979
Fiscal Year

1. DIVISION OF LANDS AND WATERS

For deposit in the state conservation fund from the general fund of the state for salaries, support, maintenance, equipment and miscellaneous purposes for not more than one hundred seventy-two full-time permanent positions of the division, and for maintenance of state parks, waters, and forests, prison labor programs and including not more than one million sixty-eight thousand seven hundred sixty-seven (1,068,767) dollars which shall be available for the administration fund from the state conservation fund in compliance with the provisions of section one hundred seven point seventeen (107.17) of the Code..... \$ 4,043,091

2. DIVISION OF FISH AND GAME

From the state fish and game protection fund for salaries, support, maintenance, equipment and miscellaneous purposes for not more than two hundred twenty-nine full-time permanent positions, including not more than one million sixty-eight thousand

seven hundred sixty-seven (1,068,767) dollars, which shall be available from the state fish and game protection fund for the administration fund in compliance with the provisions of section one hundred seven point seventeen (107.17) of the Code..... \$ 6,785,130

3. STATE ADVISORY BOARD FOR PRESERVES

From the general fund of the state for salaries, support, and maintenance of not more than one full-time permanent position and for equipment and miscellaneous purposes for carrying out the duties of the board..... \$ 27,188

4. LAND SURVEYS

From the general fund of the state for land surveys to establish and identify the boundaries of state-owned land..... \$ 45,000

5. MISSOURI AND MISSISSIPPI RIVER BASIN COMMISSIONS

From the general fund of the state for the state's contribution for support of the Missouri and Mississippi River Basin Commissions..... \$ 46,546

6. GREEN THUMB PROGRAM

From the general fund for deposit in the green thumb fund for the employment of persons under the green thumb program established pursuant to chapter

six hundred one H (601H) of the Code....., \$ 135,000

Sec. 12. The state conservation commission shall pay out of funds available to it the assessment of the city of Ventura, Iowa for a water line and the limitation for the payment of assessments provided for in section three hundred seven A point five (307A.5) of the Code shall not apply to this assessment.

Sec. 13. There is appropriated from the marine fuel tax fund for the fiscal year beginning July 1, 1978 and ending June 30, 1979 to the state conservation commission, division of lands and waters, such amounts of funds computed as provided in section three hundred twenty-four point eighty-four (324.84) of the Code, which funds shall be deposited in the state conservation fund for use in the state conservation commission recreational boating program as provided in subsections one (1) through five (5) of section three hundred twenty-four point seventy-nine (324.79) of the Code. The unencumbered or unobligated balances of funds specifically allocated for capital projects shall not revert to the fund from which appropriated until June 30, 1982.

Sec. 14.

1. The transfer of funds from the state conservation fund and the state fish and game protection fund to the administration funds shall not exceed the amounts specified in subsections one (1) and two (2) of section eleven (11) of this Act. Such funds shall be used for salaries and support of not more than one hundred five full-time permanent positions.

2. a. Funds remaining in the fish and game protection fund which are not specifically appropriated by section eleven (11) of this Act are appropriated and may be used for capital projects and contingencies arising during the fiscal year beginning July 1, 1978.

b. A contingency shall not include any purpose or project which was presented to the general assembly by way of

a bill or a proposed bill and which failed to be enacted into law. For the purpose of this subsection, a necessity of additional operating funds may be construed as a contingency.

Before any of the funds authorized to be expended by this subsection shall be allocated for contingencies, it shall be determined by the executive council that a contingency exists and that the contingency was not existent while the general assembly was in session and that the proposed allocation shall be for the best interests of the state.

If a contingency arises or could reasonably be foreseen during the time the general assembly is in session, expenditures for the contingency must be authorized by the general assembly.

3. All receipts and refunds and reimbursements related to activities funded by the administration fund are appropriated to the administration fund. All refunds and reimbursements relating to activities of the state fish and game protection fund shall be credited to the state fish and game protection fund.

4. The state conservation commission shall establish a priority list of watersheds above publicly-owned lakes and areas within those watersheds which are of highest importance based on soil loss to be used for the allocation of funds set aside in subsection six (6) of section fifteen (15) of this Act for permanent soil conservation practices on watersheds above publicly-owned lakes.

Sec. 15. There is appropriated from the general fund of the state to the department of soil conservation for the fiscal year beginning July 1, 1978 and ending June 30, 1979, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1978-1979
Fiscal Year

- 1. GENERAL OFFICE
For salaries, support, and

maintenance of not more than nineteen full-time permanent positions and for miscellaneous purposes..... \$ 408,917

2. SOIL CONSERVATION COMMITTEE

To carry on soil conservation work in soil conservation districts organized under the soil conservation district laws of the state; for aid to soil conservation districts for district commissioner's expenses, stationery, postage and other purposes as may be authorized by the state soil conservation committee to be allocated on a need basis..... \$ 160,000

3. For salaries and necessary expenses, equipment, and materials to support personnel assigned to the soil conservation districts by the state soil conservation committee on a need basis..... \$ 1,431,970

4. For participation in and conjunction with the federal government or any of its agencies in joint operations of watershed planning and development within this state..... \$ 60,000

5. For use and expenditures in participation and conjunction with the soil conservation service, United States department of agriculture, and state agen-

cies in joint operations in conducting soil surveys on lands within this state..... \$ 303,000

6. For cost sharing to provide state funding of not more than fifty percent of the approved cost of permanent soil conservation practices instituted under chapter four hundred sixty-seven A (467A) of the Code with priority given to projects on owner-operated and family-operated farms except that not more than five percent of the amount appropriated in this subsection may be used for cost sharing to abate complaints filed under sections four hundred sixty-seven A point forty-seven (467A.47) and four hundred sixty-seven A point forty-eight (467A.48) of the Code and five percent or more of the amount appropriated by this subsection may be used for cost-sharing not to exceed seventy-five percent of the approved cost of permanent soil conservation practices under chapter four hundred sixty-seven A (467A) of the Code on watersheds above publicly-owned lakes to be allocated in accordance with the priority list established by the state conservation commission as required in subsection four (4) of section fourteen (14) of this Act..... \$ 4,220,000

Unencumbered or unobligated funds appropriated by this subsection remaining on June 30, 1982 shall revert to the general fund on September 30, 1982.

7. For support of conservation district planning..... \$ 19,000

8. For the salary and support of one full-time permanent position to support the temporary land preservation policy commission..... \$ 12,885

Sec. 16. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1978 and ending June 30, 1979 to the temporary land preservation policy commission the amount of one hundred three thousand six hundred forty-five (103,645) dollars, or so much thereof as is necessary, for two full-time permanent positions and support for the temporary land preservation policy commission. Full-time permanent positions authorized in this section are abolished on June thirtieth following the dissolution of the temporary land preservation policy commission pursuant to chapter fifty-three (53), section four (4), subsection ten (10) of the Acts of the Sixty-seventh General Assembly, 1977 Session.

Sec. 17. There is appropriated from the general fund of the state for the fiscal year beginning July 1, 1978 and ending June 30, 1979, to the following named agencies, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1978-1979
Fiscal Year

1. DEPARTMENT OF ENVIRONMENTAL QUALITY--GENERAL OFFICE

a. For salaries, support and

maintenance of not more than one hundred eighty-four full-time permanent positions and for miscellaneous purposes..... \$ 1,851,059

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

b. For conduct of ground water monitoring program related to the Cedar aquifer and Salsbury laboratories..... \$ 100,000

c. For payments to the governing bodies responsible for publicly-owned sewage treatment facilities which are eligible for grants under section two hundred two (202) of the federal Water Pollution Control Act as amended by the federal Clean Water Act of 1977, in an amount equal to five percent of the amount approved as the eligible cost of the project by the Iowa water pollution control com-

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

d. The department of environmental quality shall report to the general assembly no later than June 30, 1979, the total expenditures of the department in monitoring, regulating, or enforcing their responsibilities with regard to the Cedar aquifer and the Salsbury laboratories. Such report shall be inclusive of all federal, state and private funds expended by any state agency in this regard.

2. GEOLOGICAL SURVEY--GENERAL OFFICE

For salaries, support and maintenance of not more than twenty-seven full-time permanent positions and for miscellaneous purposes..... \$ 880,350

3. GEOLOGICAL SURVEY--WATER PLANNING

For salaries and support of not more than five full-time permanent positions..... \$ 116,110

4. GEOLOGICAL SURVEY

Iowa coal research program
For salaries and support for not more than four full-time permanent positions, and for maintenance and miscellaneous

purposes..... \$ 128,430

5. IOWA NATURAL RESOURCES COUNCIL--GENERAL OFFICE

For salaries, support and maintenance of not more than thirty-one full-time permanent positions and for miscellaneous purposes..... \$ 515,553

Notwithstanding the provisions of section four hundred fifty-five A point seventeen (455A.17) of the Code, the Iowa natural resources council may perform its statutory duties relating to uses and developments of water sources of the state without meeting the provisions of a comprehensive statewide plan for the control, utilization, and protection of the water resources of the state until such time as the plan is prepared and completed.

6. MISSISSIPPI RIVER PARKWAY COMMISSION

For support, maintenance and miscellaneous purposes..... \$ 9,000

Sec. 18. All federal grants to and the federal receipts of the agencies appropriated funds under this Act are appropriated for the purposes set forth in such federal grants or receipts. Positions within state agencies funded with federal funds are approved for the duration of those funds only.

Sec. 19. Section ninety-three point two (93.2), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

93.2 COUNCIL ESTABLISHED.

1. There is established an energy policy council which shall consist of the following twelve members:

a. Four members of the general assembly. Two members shall be appointed by the speaker of the house from the membership of the house of representatives, not more than

one of whom shall be from the same political party. Two members shall be appointed by the majority leader of the senate from the membership of the senate, not more than one of whom shall be from the same political party. Legislative members of the energy policy council shall vote only on policy statements.

b. The director of energy policy. The director shall be entitled to vote on a matter before the council only when the director's vote is necessary to determine the outcome of a tie vote.

c. Seven public members appointed by the governor for four-year terms commencing July first and subject to confirmation by two-thirds of the membership of the senate. The governor's appointees shall be knowledgeable in the fields of energy production, energy technology and energy management. Not more than four of the governor's appointees shall be from the same political party.

2. The following persons shall serve as ex officio nonvoting members of the council:

- a. The state geologist.
- b. The chairperson of the Iowa state commerce commission.
- c. The administrative officer of the state soil

conservation committee.

d. The director of transportation.

e. The executive director of the Iowa department of environmental quality.

f. The director of the Iowa natural resources council.

If the Iowa natural resources council is abolished or merged into another state agency by an act of the general assembly that becomes law, the director of the Iowa natural resources council shall cease to serve as an ex officio nonvoting member of the energy policy council.

g. The secretary of agriculture.

Sec. 20. Section ninety-three point three (93.3), Code 1977, is amended to read as follows:

93.3 PERSONNEL. The governor shall appoint a director of energy policy who shall carry out duties assigned to him ~~the director~~ by the council or duties assigned to him ~~the director~~ by the governor pursuant to a proclamation of emergency issued under the provisions of section 93.8. The appointment of the director shall be subject to confirmation by two-thirds of the members of the senate. ~~The director shall be paid an annual salary in an amount not to exceed twenty-two thousand dollars. Other personnel utilized by the council shall be employed through a program of interchange of personnel between the council and other governmental agencies pursuant to chapter 28B~~ The employees of the council shall be subject to the provisions of chapter nineteen A (19A) of the Code. Any employee or any position established for an employee that is to be paid for from federal funds shall be terminated when the federal funds are no longer available.

Sec. 21. Section ninety-three point four (93.4), Code 1977, is amended to read as follows:

93.4 MEETINGS. The council shall organize ~~within ten days following June 13, 1974, by electing one of its members to serve as chairman and one to serve as vice chairman. The council shall establish~~ annually by establishing procedures and requirements with respect to quorum, place and conduct of meetings and. The director shall serve as chairperson of the council. The members shall select the vice chairperson. The council may provide for the establishment of an executive committee selected from among the voting members of the council to supervise the administrative duties assigned to the director.

Sec. 22. Section ninety-three point five (93.5), Code 1977, is amended to read as follows:

93.5 COMPENSATION AND EXPENSES. Council members who are not employees of the state shall receive a per diem at the rate of forty dollars for each day devoted to council business and all ~~nonlegislative~~ council members shall be reimbursed

for actual expenses incurred in carrying out their duties as members of the council. ~~Legislative members shall receive payment pursuant to section 2.40 and section 2.42.~~

Sec. 23. Section ninety-three point seven (93.7), subsection one (1), paragraph i, Code 1977, is amended to read as follows:

i. Legislation necessary to implement the state policy for the development and utilization of energy sources and the comprehensive conservation plan. The council shall serve as policy advisor to the governor and the general assembly on all energy matters.

Sec. 24. Section ninety-three point seven (93.7), subsections five (5) and six (6), Code 1977, are amended to read as follows:

5. Review, propose and recommend legislation relating to the development and use of alternative sources of energy in this state and the reduction of dependence on nonrenewable sources of energy.

6. Develop and recommend public education and communication programs in energy conservation and conversion to alternative sources of energy.

Sec. 25. Chapter ninety-three (93), Code 1977, is amended by adding the following new sections:

NEW SECTION. REVIEW. The second session of the Sixty-ninth General Assembly meeting in the year 1982 shall review the activities and performance of the council and shall not later than July 1, 1982 make a determination concerning the status and duties of the council.

NEW SECTION. REPEAL. Chapter ninety-three (93) of the Code is repealed June 30, 1983.

Sec. 26. Of the initial public members appointed by the governor to the energy policy council, two members shall be appointed for terms ending June 30, 1980, two members shall be appointed for terms ending June 30, 1981, and three members shall be appointed for terms ending June 30, 1982. The terms of public members serving on the energy policy council on

June 30, 1978 shall expire on July 1, 1978.

Sec. 27. Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand one hundred thirteen (1113), section twenty-two (22), as amended by Acts of the Sixty-sixth General Assembly, 1976 Session, chapter one thousand eighty-eight (1088), section five (5) and as codified in section ninety-three point sixteen (93.16), Code 1977, is repealed.

Sec. 28. Section four hundred fifty-five B point twenty-four (455B.24), subsection one (1), Code 1977, is amended by adding the following lettered paragraph:

NEW LETTERED PARAGRAPH. Location of emission monitoring devices in areas of the political subdivision in compliance with uniform state standards adopted by the commission. The commission shall adopt uniform state standards for the location of emission monitoring devices specifying such intervals and such procedures to provide a reasonably consistent measurement of emissions from air contaminant sources regardless of the political subdivision of the state in which the sources may be located.

Sec. 29. Section four hundred fifty-five B point thirty-two (455B.32), subsection eleven (11), Code 1977, is amended to read as follows:

11. Formulate and adopt specific and detailed statewide standards pursuant to chapter 17A for review of plans and specifications and the construction of sewer systems and water supply distribution systems and extensions to such systems not later than October 1, 1977. The standards shall be based on criteria contained in the "Recommended Standards for Sewage Works" and "Recommended Standards for Water Works" (Ten States Standards) as adopted by the Great Lakes-Upper Mississippi River board of state sanitary engineers, design manuals published by the department, applicable federal guidelines and standards, standard textbooks, current technical literature and applicable safety standards. The material standards for polyvinyl chloride pipe shall not exceed the specifications

for polyvinyl chloride pipe in designations D-1784-69, D-2241-73, D-2564-76, D-2672-76, D-3036-73 and D-3139-73 of the American society of testing and material. The rules adopted which directly pertain to the construction of sewer systems and water supply distribution systems and the review of plans and specifications for such construction shall be known respectively as the Iowa Standards for Sewer Systems and the Iowa Standards for Water Supply Distribution Systems and shall be applicable in each governmental subdivision of the state. Exceptions shall be made to the standards so formulated only upon special request to and receipt of permission from the department. The department shall publish the standards and make copies of such standards available to governmental subdivisions and to the public.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2098, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 29, 1978

ROBERT D. RAY
Governor